



# Hawkesbury City Council

## ordinary meeting business paper

date of meeting: 27 November 2012

location: council chambers

time: 6:30 p.m.



# mission statement

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

## **How Council Operates**

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

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

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

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

### **Meeting Procedure**

The Mayor is Chairperson of the meeting.

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

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

### **Public Participation**

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

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

### **Voting**

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

### **Planning Decision**

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

### **Business Papers**

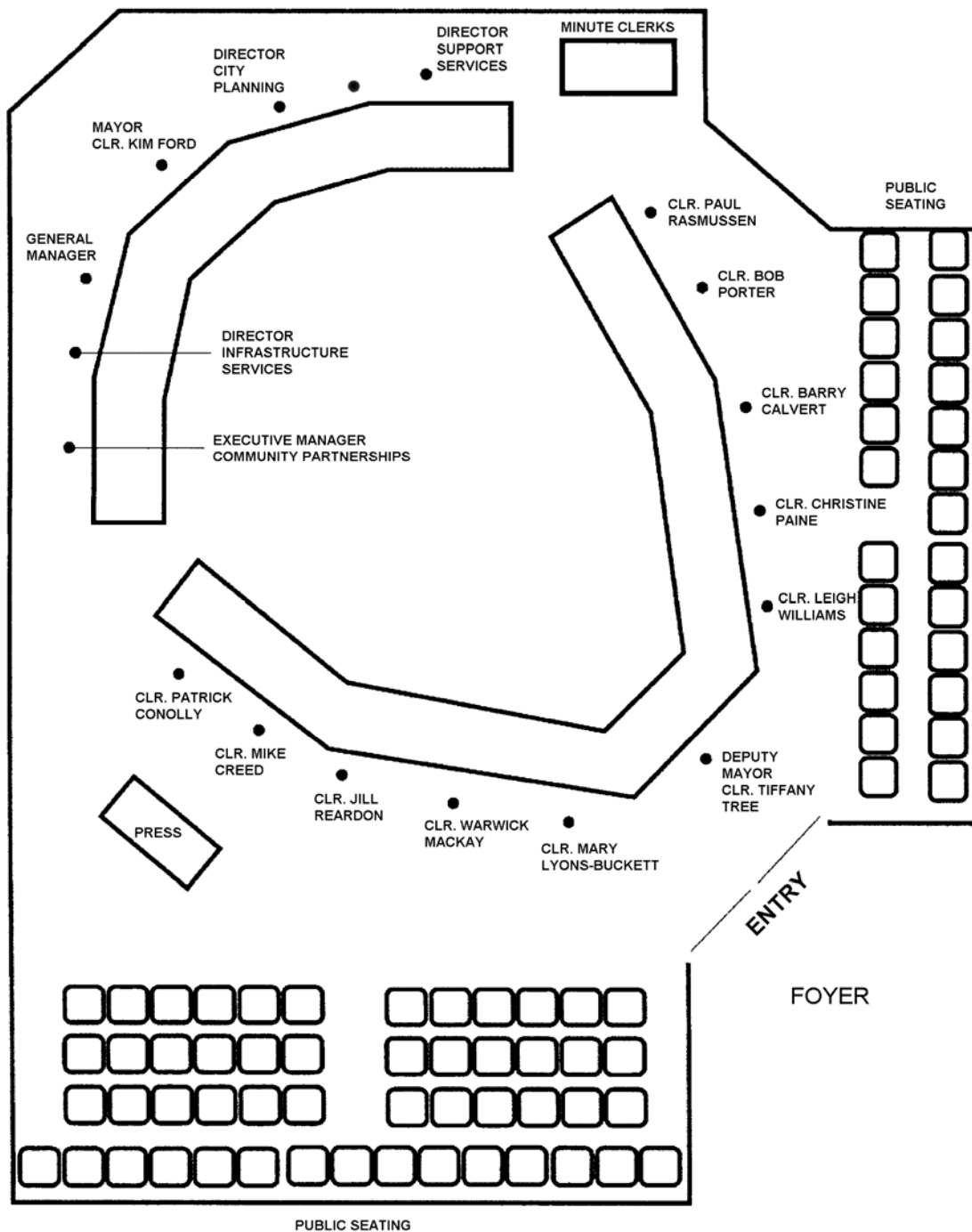
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

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

### **Further Information**

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

# Hawkesbury City Council



**ORDINARY MEETING**

**Table of Contents**

**Meeting Date:** 27 November 2012

**AGENDA**

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 3 - Notices of Motion**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 4 - Reports for Determination**

**General Manager**

**City Planning**

**Infrastructure Services**

**Support Services**

- **SECTION 5 - Reports of Committees**
- **QUESTIONS FOR NEXT MEETING**

**ORDINARY MEETING**

**Table of Contents**

**Meeting Date:** 27 November 2012

**ORDINARY MEETING****Table of Contents****Meeting Date:** 27 November 2012**TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
<b>SECTION 1 - Confirmation of Minutes</b>		<b>3</b>
<b>SECTION 3 - Notices of Motion</b>		<b>7</b>
NM1 -	Design Elements of New Windsor Bridge - (79351, 111627)	7
<b>SECTION 4 - Reports for Determination</b>		<b>11</b>
<b>GENERAL MANAGER</b>		<b>11</b>
Item: 205	GM - Councillor Representation on Committees - (79351)	11
Item: 206	GM - Privacy in the 21st Century Symposium - (79351)	13
Item: 207	GM - Sydney Aviation Capacity Scoping Study - (79351)	15
<b>CITY PLANNING</b>		<b>23</b>
Item: 208	CP - Planning Proposal to Rezone 77 - 87 Bells Line Of Road, Kurrajong - (95498)	23
<b>INFRASTRUCTURE SERVICES</b>		<b>40</b>
Item: 209	IS - Exclusive Use of Governor Phillip Reserve - Bridge to Bridge Boat Race Event - (95495, 79354)	40
Item: 210	IS - International Sand Sculpting Competition and Festival Event 2013, Windsor - (95495, 79354)	42
Item: 211	IS - Draft McQuade Park Plan of Management - (79354, 95495)	48
Item: 212	IS - Toilet and Carpark Construction - Macquarie and Kable Streets, Windsor - (95495, 79339)	50
<b>SUPPORT SERVICES</b>		<b>57</b>
Item: 213	SS - Monthly Investments Report - October 2012 - (96332, 95496)	57
Item: 214	SS - Pecuniary Interest Returns - (95496, 96333)	61
Item: 215	SS - September 2012 Quarterly Budget Review Statement - (96332)	63
<b>CONFIDENTIAL REPORTS</b>		<b>68</b>
Item: 216	GM - Community Representation on Council Committees - (79351, 79356) CONFIDENTIAL	68
<b>SECTION 5 - Reports of Committees</b>		<b>71</b>
ROC - Audit Committee Minutes - 3 October 2012 - (95496, 91369)		71
ROC - Local Traffic Committee - 12 November 2012 - (80245)		77

**ORDINARY MEETING**

**Table of Contents**

**Meeting Date:** 27 November 2012

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
	<b>QUESTIONS FOR NEXT MEETING</b>	<b>97</b>
	Councillors Questions from Previous Meetings and Responses.doc	97

ordinary

section

1

confirmation of minutes

**ORDINARY MEETING**  
Confirmation of Minutes

**ORDINARY MEETING**  
Confirmation of Minutes

**SECTION 1 - Confirmation of Minutes**

**ORDINARY MEETING**  
Confirmation of Minutes

ordinary

section

3

notices of motion

**ORDINARY MEETING**

**Meeting Date:** 27 November 2012

**ORDINARY MEETING**

**Meeting Date:** 27 November 2012

**SECTION 3 - Notices of Motion**

**NM1 - Design Elements of New Windsor Bridge - (79351, 111627)**

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**Submitted by:** Councillor T Tree

**NOTICE OF MOTION:**

That Council make representations to the RMS requesting that appropriate design elements which reflect and complement the surrounding heritage elements of the area, including sandstone buildings and structures, and that are sympathetic with the surrounding built and natural environment are incorporated within the design of the proposed new Windsor Bridge and that Council's local State Members of Parliament also be requested to support Council's representations.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**

**Meeting Date:** 27 November 2012

ordinary

section 4

reports  
for determination

**ORDINARY MEETING**

**Meeting Date:** 27 November 2012

**SECTION 4 - Reports for Determination**

**GENERAL MANAGER**

**Item: 205**                    **GM - Councillor Representation on Committees - (79351)**

**Previous Item:**            168 - Extra Ordinary (25 September 2012)

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**REPORT:**

**Executive Summary**

Council, at its Extraordinary Meeting on 25 September 2012, appointed Councillors to various Committees for the 2012/2013 Mayoral Term.

Councillors Lyons-Buckett, Paine and Williams have subsequently advised that they are unable to accept their appointments to the various Committees for the 2012/2013 Mayoral Term.

Consideration is required for the appointment of Councillors to replace Councillors Lyons-Buckett, Paine and Williams on the Committees that they were previously appointed to.

It is noted that a separate report is also included in this Council Meeting Business Paper in regard to community representation on the various Council Committees.

**Consultation**

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

**Background**

Council, at its Extraordinary Meeting on 25 September 2012, gave consideration to a report regarding Councillor representation on various Committees of Council, Statutory Committees, Committees in which Council has a financial interest and other Committees.

At that meeting, Council resolved to appoint Councillors to these various Committees for the 2012/2013 Mayoral Term.

Councillors Lyons- Buckett, Paine and Williams have subsequently advised that they are unable to accept their appointments to the various Committees for the 2012/2013 Mayoral Term. The Committees that Councillors Lyons-Buckett, Paine and Williams were appointed to, at the Extraordinary Meeting on 25 September 2012 were:

1.    Hawkesbury Access and Inclusion Advisory Committee
  - Councillor Lyons-Buckett
2.    Hawkesbury Mobility Plan Implementation Committee
  - Councillor Williams
  - Councillor Paine (Alternate)

## ORDINARY MEETING

Meeting Date: 27 November 2012

3. Human Services Advisory Committee
  - Councillor Lyons-Buckett
4. Waste Management Advisory Committee
  - Councillor Williams
5. Peppercorn Services Inc
  - Councillor Paine (Alternate)

As Councillors Lyons-Buckett, Paine and Williams are unable to accept their appointments to the above Committees, consideration is required to appoint other Councillors to the above Committees.

It is noted that a separate report is included in this Council Meeting Business Paper in regard to community representation on the various Council Committees.

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

The proposal is consistent with the “Shaping Our Future Together” directions statement:

- Have transparent, accountable and respected leadership and an engaged community.

### **Financial Implications**

There are no financial implications to this report.

### **RECOMMENDATION:**

That Council nominate Councillors to the Committees outlined in this report.

### **ATTACHMENTS:**

There are no supporting documents for this report.

oooO END OF REPORT Oooo

## ORDINARY MEETING

Meeting Date: 27 November 2012

Item: 206      **GM - Privacy in the 21st Century Symposium - (79351)**

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### REPORT:

#### Executive Summary

The Privacy in the 21<sup>st</sup> Century Symposium will be held on 7 December, 2012 in Sydney. Due to the protection of privacy being an important matter for Council, it is recommended that the Privacy in the 21<sup>st</sup> Century Symposium be attended by Councillors and appropriate staff.

#### Consultation

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

#### Background

The Privacy in the 21<sup>st</sup> Century Symposium will be held on 7 December, 2012 in Sydney. Protection of privacy is shaping as one of the most important policy issues of the twenty-first century. The Privacy in the 21<sup>st</sup> Century, one day Symposium will be hosted by the Communications Law Centre, UTS at the University of Technology, Sydney and will bring together a list of international and national speakers, including policymakers, politicians, journalists, lawyers and commentators. The Symposium will address privacy regulation, policy reform, legal issues on privacy in a digital world in Australia.

Cost of attendance at the Privacy in the 21<sup>st</sup> Century Symposium will be \$950 plus travel related expenses per delegate.

Budget for Delegate Expenses - Payments made:

• Total Budget for Financial Year 2012/2013	\$44,000
• Expenditure to date	\$14,503
• Budget Balance as at 16/11/12	\$29,497

It should be noted that commitments of approximately \$6,162.25 for attendance at the 2012 National Local Roads & Transport Congress as well as the 2012 SEGRA Conference, both held in November, 2012 are not included in the expenditure to date.

#### Conformance to Community Strategic Plan

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

- Have transparent, accountable and respected leadership and an engaged community.

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

- Have an ongoing engagement and communication with our community, governments and industries.

#### Financial Implications

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

**ORDINARY MEETING**

**Meeting Date:** 27 November 2012

**RECOMMENDATION:**

That attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the Privacy in the 21<sup>st</sup> Century Symposium, at a cost of \$950 plus travel related expenses per delegate, be approved.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**Item: 207            GM - Sydney Aviation Capacity Scoping Study - (79351)**

**Previous Item:**        Item 131, Ordinary (31 July 2012)  
                              Item 46, Ordinary (24 April, 2012)  
                              Item 22, Ordinary (23 February, 2010)  
                              Item 23, Ordinary (23 February, 2010)

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**REPORT:****Executive Summary**

At the meeting of Council held on 31 July 2012 a report was considered in relation to a Media Release issued by the Minister for Infrastructure and Transport, the Hon Anthony Albanese MP (the Minister) indicating that the Australian Government had committed to and appointed consultants to undertake a Sydney Aviation Capacity Scoping Study (Scoping Study) to:

- (a)    investigate and assess the suitability of the proposed Wilton site as a second Sydney airport; and
- (b)    explore the use of RAAF Base Richmond for limited civil operations.

The purpose of the recent Joint Study on Aviation Capacity for the Sydney Region (Joint Study) was to identify the Australian Government's preferred second Sydney airport site (Wilton site) and to progress a commitment to the site. The Scoping Study is the next step and is to be completed in early 2013.

The Minister also wrote to the Mayor on 20 July, 2012 to advise that the Australian Government was undertaking the Scoping Study to address specific issues and Departmental staff would be contacting the General Manager to further discuss the matter.

Council subsequently resolved to undertake a number of steps in response to the report and the purpose of this report is to inform Council of developments that have occurred since the last report.

**Consultation**

This report is provided to update Council on developments since it's last resolution and at this stage does not constitute a trigger for community engagement under Council's Community Engagement Policy.

**Background**

At the meeting of Council held on 31 July 2012 a report was submitted regarding a Media Release that had been issued by the Minister indicating that the Australian Government had committed to and appointed consultants to undertake a Sydney Aviation Capacity Scoping Study (Scoping Study) to:

- (a)    investigate and assess the suitability of the proposed Wilton site as a second Sydney airport; and
- (b)    explore the use of RAAF Base Richmond for limited civil operations.

## ORDINARY MEETING

Meeting Date: 27 November 2012

The report also indicated that the Minister wrote to the Mayor on 20 July, 2012 to advise that the Australian Government was undertaking the Scoping Study and to specifically:

- (a) advise that the impacts of using RAAF Base Richmond for limited civil operations will be investigated in the Study,
- (b) indicate that the findings of the Scoping Study will be used to advise the Australian Government's decisions on a second airport,
- (c) seek Council to provide the Department of Infrastructure and Transport (Department) with Frequently Asked Questions (FAQs) to be answered by the Department, to assist Council with responding to community concerns;
- (d) advise that the Department will contact Council's General Manager to arrange a meeting to discuss Council or stakeholders issues about the proposed use of RAAF Base Richmond in a second Sydney airport mix (or otherwise).

The purpose of the recent Joint Study on Aviation Capacity for the Sydney Region (Joint Study) was to identify the Australian Government's preferred second Sydney airport site (Wilton site) and to progress a commitment to the site. The Scoping Study is the next step of the Joint Study, which was presented to the Australian and NSW Governments on 2 March 2012. The Joint Study was a task of the Aviation White Paper (started 2009), which sets out the Australian Government's policy on aviation for next 30 years. The Joint Study was to:

- inform infrastructure planning and investment by the Australian Government and the NSW Government and industry, and
- enable the proper integration of future airport operations with surrounding State land use planning and surface transport networks (i.e. NSW Government's Transport Blue Print).

The Minister's letter and the media release indicated the Scoping Study would undertake economic, social and environmental investigations for the Wilton site and RAAF Base Richmond to assess the impacts, viability and issues of using these airports in the second Sydney airport mix.

Subsequently, on 31 July 2012 Council resolved:

*"That:*

1. *The letter from the Minister for Infrastructure and Transport regarding the Sydney Aviation Capacity Scoping Study on the suitability of the Wilton site as the second Sydney airport and on the impacts of using RAAF Base Richmond for limited civil operations be received.*
2. *The community and stakeholders be invited to provide comment on the impacts of using RAAF Base Richmond for limited civil operations.*
3. *Responses to part (2) above be used to assist engagement with the Minister for Infrastructure and Transport and the Department of Infrastructure and Transport.*
4. *As requested, Council officers participate in an engagement process with the Department of Infrastructure and Transport, and report back to Council as needed."*

In respect of part 2 of Council's resolution a section has been incorporated on Council's website to provide information to the public and encourage feedback, an item was included in Council's recent quarterly newsletter to ratepayers, a press release was made and an article placed in the local newspaper providing information and seeking feed back from the community. To date 30 responses have been received and a database will be maintained to enable information to be forwarded directly to people who have contacted Council.

## ORDINARY MEETING

Meeting Date: 27 November 2012

Correspondence had also previously been sent to the Premier seeking advice as to the NSW Government's position in relation to this issue and in response to Council's correspondence the Member for Hawkesbury, Mr R Williams MP, in his capacity as Parliamentary Secretary for Western Sydney, responded on behalf of the Premier and advised:

*"I am advised that the Commonwealth Government will assess the scope and consequences of utilising the RAAF Base Richmond for limited civil operations, including consideration of social, economic and environmental impacts.*

*If the Commonwealth decides to proceed with opening the RAAF Base Richmond to regional services, the NSW Government will work closely with relevant stakeholders, including Hawkesbury City Council, to assess the potential land use and transport implications."*

Ultimately, in respect of part 4 of Council's resolution, and following further approaches from Council's staff to the Department of Infrastructure and Transport (the Department), in late October a representative of the Department contacted Council to arrange a meeting with the General Manager to discuss the matter as indicated in the letter from the Minister to the Mayor dated 20 July 2012. Subsequently, a meeting was held on 7 November 2012 with the General Manager and a Director from the Sydney Aviation Capacity Branch (Airports and Aviation) of the Department. The following is a summary of the information provided in connection with this matter during this meeting:

- The purpose of the meeting was to provide Council with an indication of the 'scope' of the Scoping Study which was considering the feasibility and consequences of using either the new Wilton site or RAAF Base Richmond in the Sydney airport mix together with associated data gathering to inform possible future directions in respect of both sites.
- Results of the Scoping Study would be utilised to inform and guide the Federal Government in respect of any decisions on the options and dependent on those decisions more work would be required in the overall process e.g. EIS for either site.
- A number of consultants have been engaged to look at a range of issues including:
  - Potential employment effects.
  - Passenger demand – where they might be flying to, forecasts, etc.
  - Social and economic impacts from flights/passengers associated with civil use of either of the sites.
  - The suitability of Wilton for a full scale airport having regard to various requirements, including legislative requirements, e.g. Biodiversity Act, etc.
  - Environment issues and effects surrounding the potential use of both sites.
  - If RAAF Base Richmond were to be utilised for limited civil aviation operations what the infrastructure requirements would be for both onsite and offsite (roads, rail, etc.).
- Department staff indicated the RAAF have not yet finally determined what its proposals for the RAAF Base Richmond were in the long term.
- Following a request for an indication of what would be considered "limited civil aviation use" at RAAF Base Richmond it was indicated that based on the current runway layout this could mean:
  - Use by planes no bigger than 737s and A320s and could include business jets.
  - Flight range of 3 hours (e.g. domestic and possibly New Zealand)
  - Such usage could be similar to the usage of Avalon or Newcastle airports.
  - Avalon equates to 2 flight movements a day on average.
  - Newcastle airport has 1 million passenger movements per year at this point in time. It was indicated that this equates to 8 flight movements a day (4 in and 4 out) on average.
  - It was indicated that RAAF would not favour the use of RAAF Base Richmond for 'light planes' or operations similar to Bankstown Airport.

## ORDINARY MEETING

Meeting Date: 27 November 2012

- The Joint Study states that RAAF Base Richmond has a maximum of 15 flight movements in its current layout for any flights and indicated this would remain the case as this was linked to airspace/flight path matters of Sydney Airport and RAAF use of the Base.
- It was anticipated that the reports from current studies would be submitted to Cabinet possibly late in the first quarter of 2013 and subsequent action would depend upon any decision made by Cabinet.
- With regard to public consultation it was indicated that this would be undertaken once a decision concerning future directions had been determined by Cabinet and if it was required as a result of the decision (i.e. consultation would not be required if the use of the RAAF Base Richmond was not to change). It was suggested to the Department representatives that if a proposal for RAAF Base Richmond were to proceed the Federal Government needs to drive the public consultation process, notwithstanding any local consultation undertaken by Council to inform Council's position on behalf of the community.
- If a decision was made to proceed with either or both sites an EIS process, including public consultation, would be required as the next step. (EIS would include design details etc.)
- In relation to a discussion regarding how the use of RAAF Base Richmond would operate under the Civil Aviation Act and/or Defence Act and any airport business model, if its future use incorporated limited civil aviation purposes, it was indicated that this was uncertain as at present the Share Sale Agreement (contract) between the Federal Government and Sydney Airport Limited (SAL) includes provisions for SAL to have first right on the operation of a second airport up to 2032 and within 100kms of Sydney Kingsford Smith Airport. Legal issues would determine whether RAAF Base Richmond, if it were to be used for limited civil aviation purposes, would fall under the Civil Aviation Act in a shared arrangement and trigger any terms and conditions of this contract.

In concluding, the Department representatives indicated that contact would be maintained with Council during the process and suggested the main trigger point in respect of future actions would effectively be when the Scooping Study is considered by Cabinet in 2013 and a future direction determined.

For Council's information a chronology of recent Council resolutions/actions in respect of the future of the RAAF Base Richmond is included as Attachment 1 to this report.

In addition, at the meeting of Council held on 13 November 2012 a Notice of Motion in respect of the future use of the RAAF Base Richmond was considered and Council subsequently resolved:

*"That Council make representations to the Federal Government to ascertain the direction of the Government's proposals for the future use of the Richmond RAAF Base for civil aviation purposes so as to enable Council to appropriately consult with the Community on this issue"*

Appropriate correspondence has been forwarded in accordance with Council's latest resolution. The purpose of this report was to inform Council of developments in this matter and particularly to provide information as a result of the recent meeting held with representatives of the Department. Council will be advised of any future development as necessary.

### Conformance to Community Strategic Plan

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

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

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

- Have ongoing engagement and communication with our community, governments and industries.

**ORDINARY MEETING**

**Meeting Date:** 27 November 2012

**Financial Implications**

There are no funding implications associated directly with this report at this stage.

**RECOMMENDATION:**

That the further information regarding the Sydney Aviation Scoping Study and details regarding a recent meeting with representatives of the Department of Infrastructure and Transport in this regard be received and noted.

**ATTACHMENTS:**

**AT - 1** Chronology of recent Council resolutions/actions in relation to RAAF Base Richmond

**AT – 1 Chronology of recent Council resolutions/actions in relation to RAAF Base Richmond**

The following recent Council resolutions/actions relate to RAAF Base Richmond:

- Council at its meeting held on 2 October 2008, in regard to RAAF Base Richmond, resolved:  
*“Council continue to support the need for the retention of the Richmond RAAF Base as both an important defence facility for the Nation and as an integral part of the local region’s economy and community and the retention and continued operation of the Airlift Group out of RAAF Base Richmond.”*
- In Council’s submission to the Discussion Paper on “Key Questions for Defence in the 21<sup>st</sup> Century”, a step in the Defence White Paper process, the following submission was made:  
*“Council requests that as an outcome of the National Aviation Policy White Paper that the Government ensures RAAF Base Richmond is not an option in any other policies of Government and is retained as a strategic Defence facility. “*
- The above Resolution was followed up with a Mayoral Minute on RAAF Base Richmond, at the Council meeting on 24 November 2009, where it was resolved (in part) that:  
*“Council once again make representations to the Prime Minister, Minister for Defence, Minister for Infrastructure, Transport, Regional Development and Local Government and Local State and Federal Members of Parliament (Greenway and Macquarie), requesting their continued support for Richmond to continue as a permanent operational facility for defence purposes in line with the commitment that was made prior to the last Federal election.”*
- The above Mayoral Minute was actioned and Council’s representations referenced the then Shadow Minister for Defence’s advice on RAAF Base Richmond (26 September 2007) being:  
*“Labor has no plans to alter the status of RAAF Base Richmond, and should we be elected to Government later this year Richmond will continue as a permanent operational facility.”*
- A response to Council’s representations was received from The Hon. Anthony Byrne MP, Parliamentary Secretary to the Prime Minister dated 18 January 2010 (amongst others) which stated (in part):  
*“The government will continue to use the Airforce Base Richmond as a Defence operational facility, consistent with its pre-election commitment.”*
- Council at its meeting on 23 February 2010 addressed the Defence White Paper and resolved, in part, that:  
*“Council continue to advocate its position on RAAF Base Richmond whenever the opportunity arises and be part of any invited process/ committees to remind the Government of the impact of its decisions on local communities.”*
- Council at its meeting on 13 September 2011, considered the Royal Australian Air Force’s review into the Civil Aviation Access to Air Force Airfields (RAAF Review) and resolved:

## ORDINARY MEETING

Meeting Date: 27 November 2012

*"That:*

1. *The information regarding the Royal Australian Air Force – Review of Civil Aviation Access to Air Force Airfields (RAAF Review) be received.*
  2. *Council make a submission to the RAAF Review in regard to proximity to shared Defence airfields near large urban centres, RAAF Base Richmond and the National Aviation Policy based on the position indicated in previous resolutions in this regard.*
  3. *The Minister for Infrastructure and Transport be requested to advise on how the RAAF Review will be addressed in the National Aviation White Paper to ensure priority military capability at Defence airfields are not compromised by any shared Defence airfields.*
  4. *The Minister for Defence be requested to advise on how the RAAF Review will be addressed in Defence policy and how Defence will progress priority military needs at Defence airfields in the National Aviation White Paper.*
  5. *Any submission made by Council reinforce Council's desire for the Airlift Group to be retained at the RAAF Base Richmond."*
- Council at its meeting held on 29 May 2012, considered details of the Federal Budget with particular reference being made to details relating to reductions proposed in the level of overall defence expenditure within the budget and the effects this may have on the current and future operations of the RAAF Base Richmond and resolved:

*"That Council:*

1. *Write to the Prime Minister, Julia Gillard and Defence Minister, Stephen Smith to seek assurances that the Federal Government will maintain RAAF Richmond as an operational military only facility and retain the Air Lift Group at Richmond following the \$251 million cut backs announced in the budget for the retirement of the C-130h heavy transport fleet based at Richmond and also seeking advice as to proposed timetable for the replacement of the Hercules and investment of funds for the improvement of infrastructure at the Base.*
  2. *Seek assurances that the retirement of the fleet will not result in the loss of local jobs or reduce the ability of our Defence forces to respond to military, humanitarian and peace keeping operations.*
  3. *Also seek the support of the Opposition Spokesperson for Defence, the local Federal Member, and the local Labor Spokesperson for Macquarie in respect of Council's representations in this regard."*
- Council at its meeting held on 31 July 2012 considered a report was submitted regarding a Media Release that had been issued by the Minister indicating that the Australian Government had committed to and appointed consultants to undertake a Sydney Aviation Capacity Scoping Study (Scoping Study) and resolved:

*"That:*

1. *The letter from the Minister for Infrastructure and Transport regarding the Sydney Aviation Capacity Scoping Study on the suitability of the Wilton site as the second Sydney airport and on the impacts of using RAAF Base Richmond for limited civil operations be received.*
2. *The community and stakeholders be invited to provide comment on the impacts of using RAAF Base Richmond for limited civil operations.*

## ORDINARY MEETING

Meeting Date: 27 November 2012

3. *Responses to part (2) above be used to assist engagement with the Minister for Infrastructure and Transport and the Department of Infrastructure and Transport.*
  4. *As requested, Council officers participate in an engagement process with the Department of Infrastructure and Transport, and report back to Council as needed."*
- Following consideration of a Notice of Motion at its meeting on 13 November 2012 Council resolved:  
*"That Council make representations to the Federal Government to ascertain the direction of the Government's proposals for the future use of the Richmond RAAF Base for civil aviation purposes so as to enable Council to appropriately consult with the Community on this issue"*

**oooO END OF REPORT Oooo**

## ORDINARY MEETING

Meeting Date: 27 November 2012

### CITY PLANNING

**Item: 208** CP - Planning Proposal to Rezone 77 - 87 Bells Line Of Road, Kurrajong - (95498)

**Previous Item:** 279, Ordinary (13 December 2011)

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#### **REPORT:**

##### **Executive Summary**

On 13 December 2011 Council resolved as follows:

*"That:*

- 1. A Planning Proposal to rezone the subject land at Nos. 77 - 87 Old Bells Line of Road, Kurrajong from Housing to Business General 3(a) under Hawkesbury Local Environmental Plan 1989 be prepared in the correct format and in accordance with this report and forwarded to the Minister for Planning and Infrastructure seeking a Gateway Determination.*
- 2. Upon receipt of notification of the Gateway Determination to proceed, Council consult the public authorities and the public on the Planning Proposal in accordance with the requirements of the Gateway Determination and the Environmental Planning and Assessment Act, 1979."*

The purpose of this report is to advise Council of the public authority consultation and public exhibition of the Planning Proposal and recommend that the Planning Proposal be forwarded to the Department of Planning & Infrastructure (DP & I) for the making of the Plan.

##### **Background**

In December 2011 a planning proposal seeking rezoning of the subject land to Business General 3(a) under the now repealed Hawkesbury Local Environmental Plan 1989 (HLEP 1989) or the equivalent B1 Neighbourhood Centre under the then draft Hawkesbury Local Environmental Plan 2011 (now Hawkesbury Local Environmental Plan 2012) was received from Falson and Associates Pty Ltd.

The submissions received from the public and the relevant public authorities on the Planning Proposal referred to both Business General 3(a) and the equivalent B1 Neighbourhood Centre. As HLEP 1989 is now repealed and Hawkesbury Local Environmental Plan 2012 (the LEP) is now in force, this report refers only to B1 Neighbourhood Centre zone in order to avoid confusion.

##### **Consultation**

On 20 December 2011 the Planning Proposal was forwarded to DP & I for a "gateway determination" pursuant to Section 56 of the *Environmental Planning Assessment Act, 1979* (the Act). The DP & I subsequently advised Council on 23 February 2012 that Council may proceed with the Planning Proposal subject to the following conditions (see Attachment 1 to this report):-

- 1. Council proceed with the Planning Proposal as an amendment to both the Hawkesbury LEP 1989, rezoning the subject land to Business General 3(a) and amendment to Council principal LEP, rezoning the land to B1 Neighbourhood Centre.*

## ORDINARY MEETING

Meeting Date: 27 November 2012

2. Council must consult the following public authorities under section 56(2)(d) of the Act, and take into account any comments made, prior to public exhibition of the Planning Proposal:

- NSW Rural Fire Service
- Transport for NSW – Roads and Maritime Services

*Each public Authority is to be provided with a copy of the Planning Proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the Planning Proposal.*

3. Community consultation must be undertaken under sections 56 (2)(c) and 57 of the Act, and the Planning Proposal must be made publicly available for 14 days. Council must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with the planning proposal as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

In accordance with the relevant statutory and the “gateway determination” requirements the relevant public authorities and the community were consulted on the Planning Proposal and the outcome of the consultation is explained below.

### **Consultation with Public Authorities**

NSW Rural Fire Service and Transport for NSW - Roads and Maritime Services were consulted and submissions were received from both the authorities. The submissions raised no objection to the Planning Proposal other than certain matters to be considered by Council. These issues are outlined below.

The NSW Rural Fire Service advised that Council should take a strategic approach to bushfire protection by considering zoning of the land to reflect the risk posed to the proposed land use. With respect to this matter Council should ensure appropriate access, water and utility services is available to the lots. The site has access to the required public infrastructure, and Council will require any future development on the subject land to comply with the requirements of Section 79BA of the Act, Section 100B of the *Rural Fires Act 1997*, and the principles of *Planning for Bushfire Protection 2006*.

Roads and Maritime Services (RMS) advised that Council should extend Lenords Lane to provide access to properties at 46 - 62 Old Bells Lines of Road that are currently accessing Old Bells Line of Road. This issue is not directly related to the Planning Proposal and Council would need to consider the matter separately in consultation with the affected property owners and other relevant stakeholders. However, the matter of access to the rear of the subject properties, 77 - 87 Old Bells Line of Road, to improve access and parking in the locality may be appropriate to discuss with the landowners.

The submissions do not warrant any amendments to the Planning Proposal.

### **Community Consultation**

The Planning Proposal and the supporting documentation were placed on the public exhibition at the Council offices, 366 George Street, Windsor for the period Friday 3 August 2012 to Friday 17 August 2012.

Five submissions were received from the public, and all the submissions raising various issues and concerns opposed to the Planning Proposal. Some of the issues such as appeal against Council refusal, rear lane access, legitimacy and the duration of the current land uses on the land and the lack of total compliance with conditions of consent in the past approvals with respect to on-site parking are not directly related to the determination of the Planning Proposal, but rather are development consent matters and are therefore not addressed in this report. Areas of non-compliance with existing development consents will be investigated separately.

The following section is a summary of the issues raised in the submissions relevant to the Planning Proposal together with assessment comments after each issue:

## **1. Lack of Consultation and Transparency**

### **Submission Issues**

- *There was no adequate information in the exhibited Planning Proposal.*
- *Council may have supported this proposal at its meeting of 13 December 2011. Why the public was not consulted or invited for the meeting?*
- *Not aware any consultation undertaken with the community to find out their needs and what might be in the interests of Kurrajong by Council.*
- *Although being one of the adjoining owners I was not aware about this proposal until I was advised by Council's letter dated 31 July 2012.*
- *No community-wide consultation was undertaken other than a perfunctory consultation.*

### **Comment**

The exhibited Planning Proposal was prepared in accordance with the relevant statutory requirements and the DP & I's 'A guide to preparing planning proposals' (the guidelines). The information contained in the Planning Proposal and other supporting documentation was adequate and consistent with the required information to be exhibited for community consultation.

The purpose of the exhibition of the Planning Proposal was to consult the community on the proposal and consider any submissions received concerning the proposed rezoning prior to its determination by Council. Business owners, property owners and occupiers in the Kurrajong Village Centre who are directly affected and likely to be affected by the planning proposal were notified in writing and a public advertisement inviting the community's comments on the proposal was also placed in the Courier newspaper on 2 August 2012. This approach is totally consistent with Section 57 the *Environmental Planning Assessment Act, 1979* and the public consultation requirements of the guidelines. The public consultation, apart from the Legislation requirements, is also undertaken in this order so that the public consultation is only undertaken after consideration by Council and the DP & I that the proposal is worth pursuing. If the Council and DP & I do not support the proposal in principle then it does not progress further and there is no need for community consultation.

## **2. Inappropriate Zoning and Loss of Character**

### **Submission Issues**

The submissions have made the following comments:

- *The application states the proposed B1 Neighbourhood Centre zone is the most appropriate zone for the site as this zone is consistent with the existing commercial zoned properties on the opposite side of Bells Line of Road. This statement is unjustifiable because this zone permits animal boarding or training establishments, bulky goods premises, general commercial premises, heliports, multi-unit housing and shop top housing that are excessive, out of character and inappropriate for a village like Kurrajong. This level of commercial zone is appropriate for town centres like North Richmond, Richmond and Windsor.*

## ORDINARY MEETING

Meeting Date: 27 November 2012

- *The application states that tourism related activities in Hawkesbury is generally a higher than the average of the Hawkesbury region, and such activities in Kurrajong is higher than in most of the other areas within Hawkesbury. Rezoning of the land to a commercial zone would recognise and promote these tourism related activities in Kurrajong. Although it is agreed with the statement in principle, the proposed rezoning is unwarranted because it will allow inappropriate development on the land.*
- *After 50 years time there might be obvious reasons to rezone the land to a higher level business zone, but in this time there is no justification what-so-ever to rezone the land to B1 Neighbourhood Centre zone.*
- *Should the site be rezoned to allow redevelopment of the land for future commercial purposes, all tourism opportunities will be lost and Kurrajong will just be another rural village with no reason for tourists or visitors to visit the village.*

### Comment

The subject properties are somewhat constrained due to their relatively small area, steep topography, limited vehicular access, limited reticulated water and no current provision for reticulated sewage and isolation from the main population, business and transport centres of the Hawkesbury. The proposed B1 Neighbourhood Centre zone is in the same zone that currently applies to the land on the opposite side of Old Bells Line of Road. Whilst the zone may allow a broader range of uses the type of development proposed would be governed by market economic forces and the development assessment process would take the site constraints, scale and design into account. The permissibility of a use in the zone does not guarantee an approval in the development assessment process.

The Draft North West Subregional Strategy (NWSS) identifies 11 business/retail centres within the Hawkesbury LGA and Kurrajong is identified as a Neighbourhood Centre (Rural) as shown in Table 1 below. Given all the business/retail cores of these centres (other than Windsor and Richmond) in the LGA are zoned as B1 Neighbourhood Centre the proposal to rezone of the subject land, which forms part of the existing business/retail core of Kurrajong Neighbourhood Centre, to B1 Neighbourhood Centre to allow a range of small-scale commercial uses on the land and strengthen Kurrajong's position as a rural neighbourhood centre is consistent with the centre typology in draft NWSS.

Table 1: Business/Retail Centres in Hawkesbury LGA.

NWSS Centre Type	Suburb	LEP 2012 Zoning
Town Centre	Windsor and Richmond	B2 Local Centre
Village	North Richmond	B1 Neighbourhood Centre
Small Village	South Windsor	B1 Neighbourhood Centre
Neighbourhood Centre (urban)	Bligh Park and Hobartville	B1 Neighbourhood Centre
Neighbourhood Centre (rural)	Glossodia, Kurmond, Kurrajong, Pitt Town, Wilberforce	B1 Neighbourhood Centre

The objectives of B1 Neighbourhood Centre zone in the LEP are to provide a range of small-scale retail, business and community uses to meet the needs of people who live or work in the surrounding neighbourhood and promote development and expansion of business activities to meet the optimum employment and social needs of Hawkesbury. Therefore the Planning Proposal is also consistent with these objectives. Also given the site forms part of the existing business/retail core of Kurrajong and has been occupied by a number of business/retail uses for many years and the lack of appropriately and adequately zoned land for the future expansion of the retail core, the proposed B1 Neighbourhood Centre zone allowing continued and improved use of the land for a commercial purpose is considered the most appropriate zone for the site.

Future development of the land with appropriate mix of tourism related land uses permitted in the B1 Neighbourhood Centre zone such as backpackers' accommodation, bed and breakfast accommodation, boarding houses, business premises, food and drink premises, neighbourhood shops, restaurants and cafes, take away food and drink premises and tourist and visitor accommodation would be able to capitalise on the distinctive natural and historic character of Kurrajong to revitalize its image as one of the most popular tourist destinations in the Hawkesbury Region.

### **3. Masterplan for Kurrajong Village**

#### **Submission Issues**

- *There are no formal strategic plans developed for Kurrajong either by Council or the State Government. Development of a suitable masterplan reflecting the best interest of the local community and the village and taking the current deficiencies such as the lack of footpaths, parking, access roads, reticulated water system into the consideration is vital for the improvement of the image of Kurrajong as a tourist destination.*
- *The vacant property with a magnificent scenic view is ideal for redevelopment for a tourist information centre with a refreshment room/restaurant and limited tourist accommodation to encourage tourists to stay in the village longer.*
- *Future development on the land is to be single storey.*

#### **Comment**

It is agreed with the submission author's statement that there is no masterplan in place for guiding future development within the Kurrajong neighbourhood centre. However, Council would be able to utilise key directions, criteria and guidelines specified for neighbourhood centres in the draft NWSS when Council is determining planning proposals within neighbourhood centres in the LGA.

Council also would be able to determine the suitability of future development proposals for the vacant land and how it would help assist to improve the existing services to the local community and the Kurrajong neighbourhood centre's image as a tourist destination whilst retaining existing character consistent with the draft NWSS.

The bulk and scale of future development is a development application matter and, apart from building height, no need to consider when determining the Planning Proposal.

### **4. Loss of Scenic View and Tranquillity**

#### **Submission Issues**

- *The scenic value cannot be underestimated as the site contributes to the spectacular 180 panoramic view over the Hawkesbury/Cumberland Plain stretching to the Coast. The stunning uninterrupted scenic view coupled with tranquillity of the locality attracting many tourists and visitors into Kurrajong would be lost if the properties develop for future commercial purpose. Then there is no reason for visitors or tourists to visit Kurrajong. This will have adverse impacts on many of the current small businesses in the village. Therefore this scenic view and tranquillity needs to be preserved for future generation at all cost.*

#### **Comment**

This is a development application matter and therefore not an issue for consideration under the Planning Proposal. Any future development proposal will need to consider the village character and scenic significance of any site and that would then be assessed as part of the development application assessment.

**5. Loss of Flora and Fauna****Submission Issues**

- *The application states that there are no flora and fauna on the site. This statement is incorrect and misleading. Well grown extensive vegetation with a mix of both native and introduced species are on the rear of the subject properties, particularly along the rear boundaries of 81, 83 and 87 Old Bells Line of Road. The proposed zoning will allow developers to remove the existing vegetation without Council consent. The loss of vegetation would not only affect numerous animal species including various bird species, Possums, small Marsupials and reptile species predominantly Blue Tongues, large Skink Lizards and very unusual type of species like Gecko but also adversely affect the rural character of Kurrajong.*

**Comment**

At the time of Council receiving the submission HLEP 1989 was in force. HLEP 1989 was repealed on 21 September 2012 when LEP 2012 commenced.

The preservation of trees and vegetation throughout the LGA is dealt with by Clause 5.9 of LEP 2012 and the Preservation of Trees and Vegetation chapter of the DCP. In terms of the subject site, in certain circumstances the removal of mature vegetation (ie any tree with a height greater than 4m, or a branch spread greater than 3m, or a trunk circumference greater than 500mm at 1m above ground level) or native vegetation from the subject lands would require consent from Council regardless of the proposed change in zone.

**6. Loss of Visual and Acoustic Privacy****Submission Issues**

- *The Planning Proposal will adversely affect the visual and acoustic privacy of the adjoining residential properties.*

**Comment**

This is a development application matter and it has no influence in the determination of the proposal.

**7. Stormwater Runoff****Submission Issues**

- *The application states that stormwater runoff will be directed to existing street drainage. However it is very unlikely all stormwater runoff can be successfully directed to the existing street drainage system.*

**Comment**

The site is sloping away from Old Bells Line of Road and towards the rear of the site and future increased development activities on the land would likely increase the volume of water runoff into the street drainage system. This matter will be adequately and appropriately dealt with when Council assesses future development applications for the site.

**8. Historical Significance****Submission Issues**

- *The historical significance of 85 Old Bells Line of Road may be adversely affected by the future redevelopment of the site for commercial purpose.*

**Comment**

Schedule 5 Environmental Heritage of LEP 2012 does not list 85 Old Bells Line of Road as a heritage item. There is no other information available to confirm the historical significance of this property.

**9. Public Infrastructure****Submission Issues**

- *The application indicates that the site has a reasonable access to the required public infrastructure but some local augmentation of supply of these services might be required to redevelop the land for future commercial purposes. This is not totally correct. The current reticulated water supply capacity in the village has been at its peak for many years, and that is the reason all properties on Timms Hill Road have in-ground rainwater tanks as their own source of water, and are not connected to the reticulated system. Further small pipes used in the current water supply system in Kurrajong are incapable of dealing with increased demand in the locality and therefore future development of the site will require a major upgrade to the existing system.*

**Comment**

This is a matter for future development applications whereby applicants would need to demonstrate satisfactory arrangements for services. This is dealt with by Section 6.7 of the LEP 2012 which states the following:

*Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:*

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *stormwater drainage or on-site conservation,*
- (e) *suitable road access.*

The above Clause must be satisfied when assessing any development application.

**10. Need for the Planning Proposal****Submission Issues**

- *The application states that there are no development plans for the subject area. If so why is this planning proposal being submitted? Did Council reject a development application for development of 87 Old Bells Line of Road for a shopping centre in 2010, and is this the reason for proposed rezoning?*
- *If Council proceed with the planning proposal to legitimise current land uses, 87 Old Bells Line of Road be excluded as there is no justification for that vacant land to be legitimised.*
- *Although the application states that it is merely to legitimise present land uses it appears that the owners intend to expand the current uses with a future possible rear access laneway.*
- *One of the justifications for the planning proposal is to legitimise the current land uses. This is unwarranted because the current land uses are operating freely under the current zoning. The main aim of the proposal is to allow development of the vacant property for retail/business uses.*

## ORDINARY MEETING

Meeting Date: 27 November 2012

- *The application states that the proposal is partly the result of the Hawkesbury Employment Land Strategy but mainly in response to the lack of adequate commercial facilities in Kurrajong to meet the needs of the locals and tourists. This statement is misleading as the current supply exceeds the demand. One of the subject properties is currently vacant for sometime and other two shops in the existing commercial centre are also vacant for more than 12 months. As the current businesses in Kurrajong are struggling they do not need more competition.*
- *The rezoning application acknowledges Kurrajong is a village and is not included in the Sydney Metropolitan Strategy and the North-West Growth Centre. There is no other technical or legal requirement to rezone the subject site to Business General 3(a) or the equivalent B1 Neighbourhood Centre zone. How can this rezoning be justified?*
- *Defer this proposal until there is a demonstrated need for further development. A rezoning proposal in association with a development proposal, for which the merits or otherwise can be properly assessed.*
- *The application indicates that the growth in bed and breakfast accommodation in the locality reflects the increased tourist activities in Kurrajong. This is a vague statement with no factual data. The business premises at 81 Old Bells Line of Road which was previously used as a bed and breakfast accommodation is now vacant and on sale.*

### Comment

As previously mentioned the main aim of the planning proposal is to rezone the land to B1 Neighbourhood Centre to regulate the existing commercial uses on the land and enable future increased use of the land including development of the vacant property at 87 Bells Line of Road for commercial purposes. This is to enable improved commercial activities with a number of new and additional business/retail activities within the neighbourhood centre to meet the varying needs of the local community and tourists and promote Kurrajong as one of the popular tourist destinations in the Hawkesbury region. Council has not received any development applications for 87 Old Bells Line of Road other than very preliminary discussions with the owner of the property.

Recent staff investigations reveal that all commercial premises within the Kurrajong neighbourhood centre are currently occupied by various business uses except for 81 Old Bells Line of Road which is vacant and for sale and 77 Old Bells Line of Road is not open for business purposes. Other than these two vacant properties there is no strong and clear evidence to support the submission author's claim that the current supply exceeds the demand in Kurrajong Neighbourhood Centre. Today the retail industry is generally not strong and the retail activities in Kurrajong are no exception.

Kurrajong is identified as a 'Neighbourhood Centre (Rural)' in the draft NWSS. Given the site (except the vacant property at 87 Old Bells Line of Road) has been used for business/retail purposes for many years and forms part of the existing business/retail core of Kurrajong Neighbourhood Centre the Planning Proposal seeking rezoning of the land to legitimise the existing commercial uses on the land and allow future increased use of the land for commercial purposes to meet the varying needs of the local community and tourists and strengthen the centre's image as one of the popular tourist destinations is justifiable.

The Planning Proposal does not involve a major rezoning and the justification for the need of the Planning Proposal is adequate and satisfactory for the determination of the rezoning proposal. Also the 'gateway determination' on the planning proposal has not raised any issues or concerns on this matter.

It is agreed with the submission author, that the statement in the application claiming the growth in bed and breakfast accommodation in the locality reflects the increased tourist activities in Kurrajong needs correct factual data to support that claim.

**11. Ministerial Directions (section 117 Directions)****Submission Issues**

- *The inconsistencies with Ministerial Directions (section 117 Directions) referred to in the proposal need to be addressed appropriately.*

**Comment**

The Planning Proposal is consistent with all the relevant section 117 Directions (other than a minor inconsistency with the Direction 3.1 Residential Zones). This inconsistency has been adequately and appropriately justified in the planning proposal and the 'gateway determination' received from DP & I authorising to proceed with the planning proposal also acknowledged that this as a minor inconsistency and advised no further approval is required in relation to this direction.

**12. Community benefits****Submission Issues**

- *The application indicates that the planning proposal would make a positive social impact by providing additional job opportunities for the local community. This is just an expectation and cannot be realised because the current businesses in Kurrajong are struggling to survive and the future additional commercial outlets will worsen the situation.*
- *The application indicates that future redevelopment of the site would provide various shops closer to the existing residential area and thereby help reduce private vehicle usage. It is very unlikely that future redevelopment of the site will induce residents to do all the shopping activities in Kurrajong unless the construction of a major shopping centre like Westfield in Kurrajong which would completely destroy the existing character, businesses and tourism opportunities in Kurrajong.*
- *The proposal provides no evidence of any community benefits other than some vague and unsubstantiated statements. With no proper details about the future development on the land the increased employment opportunities in Kurrajong referred to in the application are mere speculation.*

**Comment**

The Planning Proposal seeking the increased use of the land including the development of the vacant land at 87 Old Bells Line of Road would enable future additional business/retail area on the land and thereby this would likely create more local business and job opportunities.

Kurrajong is a neighbourhood centre containing a range of small-scale business/retail premises and local services and it expects to serve the day-to-day needs of the local population, visitors and tourists. The future increase of business/retail activities on the land is likely to assist the existing retail/business services, and provide more variety of local retail shops, businesses and services in the neighbourhood centre to meet the varying demands of the local community and visitors. This is then more likely to reduce travel demand and vehicle usage. Major shopping centres like Westfield referred to in the submission serving immediate subregional population will not be developed in a rural neighbourhood centre due to the small population catchment.

The level of information contained in the Planning Proposal with respect to community benefits is considered adequate for a planning proposal not seeking a major rezoning.

### 13. Economic Impact

#### Submission Issues

- *Possible impacts of additional retail/business area on existing businesses in Kurrajong are not addressed in the application. A statement indicating that there would be no adverse economic impacts on existing businesses and the additional commercial outlets would make Kurrajong more attractive to both tourists and locals is incorrect. There is an oversupply of commercial outlets in Kurrajong, and some of them are underutilised. The existing restaurant at No 85 Bells Line of Road is opened for businesses only in evenings. Other than the Australia Post shop all the other businesses are struggling. Also a significant retail development as previously proposed by Bencorp would adversely affect the long-term viability of existing businesses in Kurrajong.*
- *The application states that the planning proposal seeking formalisation of the zoning of the land is considered to be of minor significance and therefore it does not warrant the preparation of a specific retail study. This statement is illogical. The current business Sassafras CK on 85 Old Bells Line of Road is a relatively new development, and also there was a proposal to develop the vacant block as a major retail development. Therefore the planning proposal should not be considered without a detailed retail study.*
- *The application suggests that the rezoning will lead to improved retail/commercial services in Kurrajong with no explanation on the current gaps of services/facilities and how these might be met.*
- *The application claims the proposed rezoning will ensure the viability of the Kurrajong Neighbourhood Centre. Where is the evidence to support this claim?*
- *The main potential beneficiaries of this proposal are the current owners of the subject properties, and this needs to be taken into consideration when the proposal is determined.*
- *Many of the businesses in the village oppose to this proposal as it has the potential to affect the existing businesses.*

#### Comment

The Planning Proposal is not a major rezoning and the likely yield of additional commercial floor area on the land does not warrant a detailed retail study. The information provided on the current business/retail environment within the neighbourhood is adequate for the determination of the proposal. The 'gateway determination' received with respect to the Planning Proposal from DP & I did not require the submission of a retail study. If required the applicant may be advised to provide an economic impact statement or a retail study for future development applications for business/retail premises on the land.

All the premises within the neighbourhood centre (other than 77 and 81 Old Bells Line of Road) within the Kurrajong Neighbourhood Centre are currently occupied by various business/retail uses and there is no substantial evidence to support the submission author's claim that there is an oversupply of commercial outlets in Kurrajong, or that some of them are underutilised.

A retail study or an investigation would need to be undertaken to determine the viability of a town centre which is depended on a number of factors such as accessibility, diversity of uses (that is amount and location of floor space for different uses), vacancy rate, existing composition of retail uses, attractive trading environment and environmental quality in the centre. In line with the likely increase of diversity of business uses due to future possible additional business/retail floor area on the land, the current low vacancy rate (only two vacant premises within the centre) and pleasing environment in the locality a general statement has been included by the applicant in support of the Planning Proposal. Given these likely circumstances the inclusion of such statement is not considered inappropriate.

It is agreed that the owners of the subject properties will benefit due to the likely increase of values of the subject properties due to the rezoning of the land to B1 Neighbourhood Centre zone.

All the owners/occupiers of the current business/retail premises within the neighbourhood centre were advised of the public exhibition of the Planning Proposal and only two submissions raising objection to the Planning Proposal were received from a business owner within the centre.

#### **14. Environmental Impacts**

##### **Submission Issues**

- *The application does not mention the lack of access to a reticulated sewerage system. How can Council consider any further development in the absence of sewerage?*
- *Given the future development of the land for commercial purpose will require a major upgrade to existing reticulated water system in Kurrajong, an alternative zoning of Rural Village or the equivalent RU5 Village is most appropriate for the site.*

##### **Comment**

The application acknowledges that the Kurrajong Village including the site does not have access to a reticulated sewerage system and relies upon either on-site or pump-out effluent disposal system. Council will not consent to any future development on the land unless arrangements satisfactory to Council have been made for the provision of a suitable sewerage disposal system.

The appropriateness of the proposed B1 Neighbourhood Centre for the site has already been established previously in this report.

#### **15. Hawkesbury Community Strategic Plan**

##### **Submission Issues**

- *The application argues that the increased variety and number of jobs is consistent with the Hawkesbury Community Strategic Plan (2010 - 2030) but it provides no information on how this would be achieved. This won't be achieved through legitimisation of the current uses and it would only be possible with development of the large vacant block and the expansion of the existing businesses.*

##### **Comment**

It is agreed with the submission author's statement that the increased variety and number of jobs would be possible with development of the large vacant block and the expansion of the existing businesses. The future increased usage of the site for commercial purposes will yield additional business/retail floor area on the land. This will allow new business/retail uses or expansion to existing businesses thereby providing increased variety and number of jobs for the community.

#### **16. Appropriate zoning for the Site**

##### **Submission Issues**

- *RU5 Village zone permits a range of tourism related land including entertainment facilities, food and drink premises, neighbourhood shops, recreation facilities, registered clubs, tourist and visitor accommodation that are more appropriate for the site. RU5 zone provides with Council a better control over future development of the land to retain the existing character of Kurrajong and its role as a tourist destination.*
- *Certain land uses including neighbourhood shops permitted in new R2 Low Density Residential zone are more compatible with the surrounding development including development along Timms Hill Road. Therefore the current R2 Low Density Residential zone of the land should be retained.*

## ORDINARY MEETING

Meeting Date: 27 November 2012

- *The proposed rezoning must be complimentary to the two existing commercial areas in Kurrajong and not be in competition with them.*
- *Retention of the vegetation on the land to ensure the existing character of the village and privacy of neighbouring residential properties is possible if the land is rezoned to RU5 Village.*

### Comment

It is agreed with the submission author that RU5 zone permits a number of tourism related land uses. However, given the subject site forms part of the existing business/retail core of the neighbourhood centre, the main business/retail core is zoned B1 Neighbourhood Centre, there are no other appropriately zoned land for future expansion of the business/retail core in the immediate vicinity. RU5 is not a business zone. B1 zone is considered the most appropriate zone for the land to strengthen existing core and improve its image as one of the popular tourist destination in the Hawkesbury region.

The proposed B1 zone for the site will enable the whole business/retail core to have B1 zoning thereby strengthening its position and formerly recognising the site as part of the business/retail core. This will allow future coordinated design and development of the existing core as a whole to transform the neighbourhood centre into a pleasant place to shop, visit and live.

### Conclusion

The subject site has been operating informally as part of the existing business/retail core of the Kurrajong Neighbourhood Centre for many years. The Planning Proposal seeking rezoning of this land to B1 Neighbourhood Centre to formerly recognise the land as part of the retail core, allow the continued and increased usage of the land for a range of small-scale business/retail uses to meet the varying needs of the local community and visitors, provide some local business and job opportunities and promote the centre as one of the popular tourist destinations in the region is consistent with the State and local strategic framework.

The submissions received from the public and the relevant public authorities do not warrant any changes to the exhibited Planning Proposal or the abandonment of the proposal and therefore it is recommended that the Planning Proposal be forwarded to DP & I for the making of the Plan.

### Conformance to Community Strategic Plan

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

- Plan for a range of industries that build on the strengths of the Hawkesbury to stimulate investment and employment in the region.
- Offer an increased choice and number of local jobs and training opportunities to meet the needs of Hawkesbury residents and to reduce their travel times.

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

- Implement Employment Lands Strategy.

The Planning Proposal will enable increased business, retail opportunities on the land and boost the Hawkesbury LGA's economic activities and employment opportunities. Therefore, it will be an appropriate tool in the implementation of the Directions and Strategies contained in the Community Strategic Plan and the recommendations of the Employment Lands Strategy.

### Financial Implications

There are no financial implications arising from this report.

## ORDINARY MEETING

Meeting Date: 27 November 2012

### 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:

The Planning Proposal seeking rezoning of the subject land to B1 Neighbourhood Centre be forwarded to the Department of Planning and Infrastructure for making of the Plan.

### ATTACHMENTS:

**AT - 1** Gateway Determination

**AT - 2** Exhibited Planning Proposal - *(Distributed Under Separate Cover)*

oooO END OF REPORT Oooo

## ORDINARY MEETING

Meeting Date: 27 November 2012

### AT - 1 Gateway Determination



Planning &  
Infrastructure



qB185484  
12/03128

Department Generated Correspondence (Y)

Contact: Tal Ta  
Phone: (02) 9873 8500  
Fax: (02) 9873 8599  
Email: Tal.Ta@planning.nsw.gov.au  
Postal: PO Box 5020, Parramatta NSW 2124

Our ref: PP\_2012\_HAWKE\_001\_00 (12/01197)  
Your ref: LEP89001/11

Mr Peter Jackson  
General Manager  
Hawkesbury City Council  
PO Box 146  
WINDSOR NSW 2756

Dear Mr Jackson,

**Re: Planning Proposal to rezone 6 lots of land at Kurrajong township to Business General 3(a) to enable development of the land for retail/commercial purposes**

I am writing in response to your Council's letter dated 23 December 2011 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Hawkesbury Local Environmental Plan 1989 to rezone 6 lots of land at Kurrajong township to Business General 3(a) to enable development of the land for retail/commercial purposes.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

Given the progress in preparing the Hawkesbury Standard Instrument LEP, the Department recommends the planning proposal proceed as an amendment to both the Hawkesbury LEP 1989, rezoning the subject land to Business General 3(a) and an amendment to Council's principal LEP, rezoning the land to B1 – Neighbourhood Centre.

Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection.

In accordance with the requirements of S117 Direction 3.4 Integrating Land Use and Transport, Council is to consult with Transport for NSW – Roads and Maritime and take into account any comments made, prior to public exhibition of the planning proposal.

The Director General's delegate has also agreed that the planning proposal's inconsistency with S117 Direction 3.1 Residential Zones is of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal as soon as possible following consultation with the NSW Rural Fire Service and Transport for NSW – Roads and Maritime Services. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the

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ORDINARY MEETING


Meeting Date: 27 November 2012

Page 2

Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Tai Ta of the Regional Office of the Department on 02 9873 8500.

Yours sincerely,

  
Sam Haddad  
Director-General

20/2/2012.



## Gateway Determination

*Planning Proposal (Department Ref: PP\_2012\_HAWKE\_001\_00): to rezone 6 lots of land at Kurrajong township to Business General 3(a) to enable development of the land for retail/commercial purposes.*

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Hawkesbury Local Environmental Plan 1989 to rezone 6 lots of land at Kurrajong township to Business General 3(a) to enable development of the land for retail/commercial purposes should proceed subject to the following conditions:

1. It is recommended that Council proceed with the planning proposal as an amendment to both the Hawkesbury LEP 1989, rezoning the subject land to Business General 3(a) and an amendment to Council's principal LEP, rezoning the land to B1 – Neighbourhood Centre.
2. In relation to S117 Direction 3.4 Integrating Land Use and Transport, Council is to consult with Transport for NSW – Roads and Maritime and take into account any comments made, prior to public exhibition of the planning proposal.
3. In relation to S117 Direction 4.4 Planning for Bushfire Protection, Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made.
4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
  - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for 14 days; and
  - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
  - NSW Rural Fire Service
  - Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

HAWKESBURY PP\_2012\_HAWKE\_001\_00 (12/01197)

ORDINARY MEETING

Meeting Date: 27 November 2012



Planning &  
Infrastructure

7. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Dated 20<sup>th</sup> day of February 2012.

A handwritten signature in black ink, appearing to read "SHaddad".

Sam Haddad  
Director-General  
Delegate of the Minister for Planning and  
Infrastructure

HAWKESBURY PP\_2012\_HAWKE\_001\_00 (12/01197)

oooO END OF REPORT Oooo

**INFRASTRUCTURE SERVICES**

**Item: 209            IS - Exclusive Use of Governor Phillip Reserve - Bridge to Bridge Boat Race Event - (95495, 79354)**

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**REPORT:**

**Executive Summary**

The Upper Hawkesbury Power Boat Club, as in previous years, is seeking exclusive use of Governor Phillip Reserve for the Bridge to Bridge Boat Race on Sunday, 5 May 2013.

Due to this event being a regular event, and taking into account the positive flow on benefits provided to the community, it is recommended that exclusive use of the Reserve be granted.

**Consultation**

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. It is proposed that community notification be undertaken by the applicant as part of the conditions of consent.

**Background**

There are two Bridge to Bridge races held each year - the Bridge to Bridge Boat Race and the Bridge to Bridge Water Ski Classic. These are held by the Upper Hawkesbury Power Boat Club and NSW Water Ski Federation Ltd respectively.

The Upper Hawkesbury Power Boat Club is seeking exclusive use of Governor Phillip Reserve for the Bridge to Bridge Boat Race event proposed to be held on Sunday, 5 May 2013.

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

It is anticipated that the event will have significant flow-on benefits to the business community and it is recommended that exclusive use be granted for both events.

**Conformance to Community Strategic Plan**

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

- Help create thriving town centres, each with its own character that attracts residents, visitors and business.

**Financial Implications**

Income will be generated through user charges for use of the Reserve in accordance with the 2012/2013 adopted Operational Plan.

## ORDINARY MEETING

Meeting Date: 27 November 2012

### RECOMMENDATION:

That:

1. Approval be granted to the Upper Hawkesbury Power Boat Club for "Exclusive Use" of Governor Phillip Reserve for the 2013 Bridge to Bridge Boat Race on Sunday, 5 May 2013.
2. The approval be subject to the following conditions/documents:
  - (a) Council's general park conditions.
  - (b) Council's Fees and Charges.
  - (c) The Windsor Foreshore Plan of Management.
  - (d) The Governor Phillip Exclusive Use Policy.
  - (e) Governor Phillip Noise Policy.
  - (f) A Traffic Management Plan which has been approved as part of the Special Event Application.
3. As the applicants have not advised alternative dates in the event of inclement weather, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicants.

### ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

**Item: 210            IS - International Sand Sculpting Competition and Festival Event 2013, Windsor - (95495, 79354)**

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**REPORT:**

**Executive Summary**

An application has been received on behalf of the Heart of the Hawkesbury to hold the 'Hawkesbury International Sand Sculpting Competition and Festival' within Howe Park, Windsor.

The event is proposed to be held from 9 January to 28 January 2013 commencing at 9:30am and finishing at 7:30pm daily. Last year's event attracted 44,000 people and the organisers anticipate a 10% increase next year to 48,000 – 50,000 people attending over the entire event.

The 2013 event has been consolidated to within Howe Park. The event will include sand sculptures, vendors and buskers and an admission fee will be charged to cover the costs of running the event.

The event is unique in NSW and has attracted a large number of visitors to the area. It is recommended that approval be granted for the event to proceed.

This report is being presented to Council as a resolution of Council is required to grant exclusive use for the area, and to consider the organisers request for a waiving of fees.

**Consultation**

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. The community engagement process proposed in this report meets the criteria for the minimum level of community engagement required under Council's Policy.

The event organisers are required to letterbox drop all affected residents in proximity to the event advising full event details, including detailed arrangements and contact information.

**Background**

The Heart of the Hawkesbury is a registered non-profit organisation which commenced operation in 2009. The Hawkesbury International Sand Sculpting Competition and Festival is proposed to be held in Windsor from 9 January to 28 January 2013 commencing at 9:30 am and finishing at 7:30pm daily. It is anticipated that 48,000 – 50,000 people will attend over the entire event period. This is the second time the event has been proposed to be held in the Hawkesbury.

The event is proposed to be staged within Howe Park and will include:

- Sand Sculptures – approximately 15.
- Vendors, including food and drink.
- Buskers.

The area is proposed to be fenced off and an admission fee will be charged to cover the costs of running the event. The fees include: A family ticket - \$30 (2 adults and 2 children); Adults - \$12; Children - \$6 and Concession - \$11.

## ORDINARY MEETING

Meeting Date: 27 November 2012

Exclusive use of Howe Park, between Kable Street and Johnston Street, requires a resolution of Council. Council's Fees and Charges for exclusive use for sporting or not for profit groups, carries a fee of \$1.65 per person or \$985 per day, whichever is the greater. This equates to a minimum of \$19,700 for the 20 days of the event. The event is still new and thus the organisers have requested that the exclusive fees and charges be waived until the event is better established. Council recently waived the fees and charges for the Sydney Blues and Roots Festival at Thompson Square for similar reasons and a similar response is recommended. Should Council determine to waive the fees it is recommended that the organisers acknowledge this by identifying Council as a sponsor of the event.

As there will be approximately 350 tonnes of sand utilised in different locations within Howe Park, there is potential for damage to infrastructure within the Park. A bond of \$20,000 is proposed to ensure the cost of any damage sustained is covered. Due to the delays in repairing damage last year, it is recommended that organisers remove all materials and repair any damage within a two week period after the conclusion of the event. Failure to do this would result in Council staff undertaking any repairs and recouping the expense from the bond.

Due to the large size of the event, the event organisers propose to use the Governor Phillip Park overflow car parking area, and McQuade Park (near the lake) as overflow parking areas, should they be required.

The applicant has also requested a five year approval. This is to remove the need to lodge a formal application with supporting documentation each year. Due to the difficulty in covering all the issues this will be addressed in a further separate report.

The event is unique in NSW and has the potential to attract many tourists to the Hawkesbury. It is recommended that approval be granted for the event to proceed subject to conditions.

A "Special Event" application in respect of this event was considered by the Local Traffic Committee meeting on 12 November 2012 and will be reported to Council elsewhere in this Business Paper. A recommendation has been included in this report requiring compliance with the Local Traffic Committee conditions.

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

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

- Help create thriving town centres, each with its own character that attract residents, visitors and businesses

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

- Work with industry and education providers to promote sustainable business practices

### **Financial Implications**

There are no financial implications on the current Budget in relation to this event. Waiving of the fees estimated at \$19,700 will result in a loss of income, however this amount has not been included in the budgeted income for 2012/2013.

## ORDINARY MEETING

Meeting Date: 27 November 2012

### RECOMMENDATION:

That:

- A. Exclusive use be granted for the area within Howe Park between Kable Street and Johnston Street with the fees and charges for exclusive use not being charged for the event on this occasion, however, such fee and charges would be applicable in future years. In view of the fees and charges being waived by Council, the applicant is to identify Council as a sponsor of the event in all publications and advertising.
- B. Approval be granted to the Heart of the Hawkesbury to run the 'Hawkesbury International Sand Sculpting Competition and Festival' within Howe Park between 9 January and 28 January 2013 subject to the following conditions:
  - 1. Prior to the event a letter box drop be undertaken by the applicants to all affected residents in proximity to the event with that letter advising full details of the function and contact arrangements to the satisfaction of the Director Infrastructure Services.
  - 2. The reserves are to be left clean and tidy with the organisation being responsible for collection and disposal of all waste (including sand from the sand sculptures and the area being restored to its original condition); the applicant is to lodge with Council a damage bond of \$20,000, (cash or bank guarantee) which is refundable less any costs incurred by Council, administrative or otherwise, to clean or restore the area.
  - 3. The applicant is to remove all materials and repair any damage within a two week period of the events completion. Failure to do this would result in Council staff undertaking the repairs, recouping the expense from the bond.
  - 4. The applicant and any hire companies/vendors submitting to Council a Public Liability Policy for \$20,000,000, covering all parties utilising the site with Council's interest noted on that Policy.
  - 5. If required, the applicant is to obtain all necessary permits/approvals in relation to amusement devices/rides and liaise with Integral Energy regarding the supply of power and the proximity to power supply lines.
  - 6. The sale and consumption of alcoholic beverages is not approved for the event.
  - 7. The event manager/applicant must undertake a Risk Assessment of the proposed event including pre-event preparations. The 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 Work Health and Safety Regulations 2011.
  - 8. Only vehicles engaged in essential work or operations are to access the park. Those vehicles are not to travel more than 10km per hour and must give way to pedestrians.
  - 9. A Traffic Management Plan is to be submitted as part of the Special Event Application process.
  - 10. The 'Hawkesbury International Sand Sculpting Competition and Festival' are to be consistent with Council's Sustainable Events Management Policy, with both rubbish bins and recycling bins to be provided.
  - 11. Any generators provided should be constructed, maintained and managed so that the LA<sub>eq</sub>,  
(15min) noise levels, measured at any point in accordance with the New South Wales Environment Protection Authority Industrial Noise Source Policy 2000, do not exceed 5dB

## ORDINARY MEETING

Meeting Date: 27 November 2012

- $LA_{eq, (15min)}$  above background levels with respect to noise amenity of residential dwellings and associated outdoor areas.
12. Public address speakers/music speakers should be directed away from residential properties. Where speakers are mounted on poles, they are to be inclined downwards at an angle of approximately 45 degrees from the horizontal.
  13. A sound limiting circuit or similar monitoring system is to be included for the PA/sound system to control the signal amplitude to a fixed level regardless of the loudness of the operator's voice, or the volume control of the amplifier.
  14. Prevent the emission of intrusive noise in accordance with the industrial noise policy, which should not exceed 5 dB(A)  $Leq$  at the boundary of any neighbouring property.
  15. Provide a noise complaints hotline by the festival organisers to be made available to the surrounding area in case noise nuisance occurs. Provide a manager onsite at all times in case the noise level is required to be reduced. The manager if so required by an authorised officer, the acoustic consultant or the NSW Police Force, must have the authority to order the reduction of noise level produced.
  16. Where noise complaints are received, the acoustic consultant/ organisers are to arrange noise monitoring to be conducted at the affected property using  $LA_{eq, (15min)}$ . When the noise level exceeds the noise level requirements set by Hawkesbury City Council, reduction strategies are to be implemented to reduce the noise level to the requirement set by Hawkesbury City Council. Numbers, locations and noise monitoring readings from complaints received are to be included in and acoustic compliance report. Such report is to be submitted to Council within 14 days of the completion of the event.
  17. Toilet facilities are required to be provided at a maximum distance of 75 metres from areas of entertainment and refreshment areas.
  18. According to the guidelines for concerts, events and organised gatherings and considering that within the management plan patronage has been proposed to be a maximum of 500 at any one time with a maximum 4,000 participants per day. Amenities are required to be provided for a minimum of 500 people. Three portable toilets are to be provided and approval is granted to use the Kable Street car park toilets subject to organisers being responsible for restocking and cleaning them at least three times a day or more frequently as required. Liquid soap and paper towels are also to be provided. The cleaning contractor's details, insurance and risk assessment need to be provided prior to the event.
  19. All portable gas cylinders used throughout the subject sites must be secured both top and bottom, by ropes or chains to a structural post, wall, or similar anchor point.
  20. An adequate supply of potable water must be supplied with respect to toilet, shower and refreshment facilities (non-potable water should not be used without prior approval).
  21. No pyrotechnical display of any kind is to occur without prior approval from WorkCover and independent consent from Hawkesbury City Council.
  22. Dust suppression and minimisation strategies must be employed to manage potential dust nuisances within the sites. This is to apply to parking areas, access roads and within the festival site.
  23. Mosquito repellent is required to be made available to prevent possible cases of mosquito borne diseases.
  24. Sunscreen is required to be made available to prevent potential adverse sun exposure.

## ORDINARY MEETING

Meeting Date: 27 November 2012

25. Strategies must be adopted to prevent any light spillage from the festival onto any surrounding residential property boundaries.
26. All food vendors are to be registered with Hawkesbury City Council and notified with the NSW Food Authority prior to the event.
27. All food vendors are to notify Council and the Food Authority of their Food Safety Supervisors details prior to the event. Should any of the food stalls / operators not have a Food Safety Supervisor, one should be made available per food stall / operator prior to the commencement of the event.
28. A registration certificate through Hawkesbury City Council must be obtained and displayed for all food premises, stalls or food vending vehicles.
29. Food premises, stalls or food vending vehicles must comply with the appropriate food standards including but not limited to the Food Safety Standards, Hawkesbury City Council's Temporary Food Code and Food Act 2003. Inspections may be conducted by Council's Environmental Health Officers prior or during the event.
30. Food premises, stalls or food vending vehicles must obtain a copy of and abide by the NSW Food Authority's Food Handling Guidelines for Temporary Events and Hawkesbury City Council's Food Safety Guidelines for Charities & Community Organisations.
31. Food premises, stalls or food vending vehicles must have an adequate supply of potable water. Provision of a supply of potable water for sinks and hand basins is essential. Non-potable water is not permitted to be used within the subject sites.
32. Food premises, stalls or food vending vehicles must have hand washing facilities supplied with warm water, with liquid soap and paper towel. Potable water must be used for hand washing.
33. Food premises, stalls or food vending vehicles must have a temperature measuring device onsite that is capable of measuring to  $\pm 1^{\circ}\text{C}$ .
34. Food products are required to be stored in vermin and insect proof storage areas. All foods are to be protected and covered.
35. All liquid waste (including hand washing) is to be collected, stored appropriately and disposed of at a waste facility licensed to accept such waste.
36. Solid waste products are to be stored in sealed bins or containers and disposed of as required/necessary. The waste shall be transported and disposed of by appropriately licensed facilities.
37. Fats and oils generated from the caterers should be collected in appropriate storage containers and transported and disposed of at an appropriate facility to accept such waste. The waste shall be transported and disposed of by appropriately licensed facilities.
38. Toilet locations must be well-marked and well-lit.
39. All toilets including portable toilets are required to be cleaned as appropriate.
40. Portable toilets are required to be pumped out at least every 24 hours or more frequently if required.
41. Ensure that the effluent from the portable toilets is removed off the site to an appropriate facility to accept such waste. The waste shall be transported and disposed of by appropriately licensed facilities.

## ORDINARY MEETING

Meeting Date: 27 November 2012

42. All waste generation is required to be transported to an appropriate waste facility to accept such waste (No waste generated from this event is to be transported to Hawkesbury City Council's waste facility). The waste shall be transported and disposed of by appropriately licensed facilities.
43. In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident where material harm to the environment is caused or threatened that which occurs in the course of carrying out the approved activity.
44. Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
45. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
46. Compliance with the conditions imposed as a result of the consideration of the "Special Event" application for the event by the Local Traffic Committee.

### ATTACHMENTS:

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**Item: 211      IS - Draft McQuade Park Plan of Management - (79354, 95495)**

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**REPORT:****Executive Summary**

McQuade Park, Windsor is a key precinct which represents both the historical context and setting of Windsor and continues to provide a key recreational resource for the community of today. In recognition of this role, Council and the State Government provided funding to prepare a Master Plan to guide the continuing use, preservation and improvement of the site.

Preparation of the Draft McQuade Park Plan of Management and Master Plan, including consultation with a wide cross section of community and stakeholders, has been undertaken over the last few months and is now at a stage where formal public exhibition is required to enable the Plan to be finalised. It is proposed to place the Plan on public exhibition for the mandatory 28 day period, with a further two week period for the completion of written submissions.

Results of the consultation will be reviewed and any significant changes incorporated into the Plan prior to final consideration by Council and adoption.

**Consultation**

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. The community engagement process proposed in this report meets the criteria for the minimum level of community engagement required under Council's policy.

**Background**

McQuade Park, Windsor is a key precinct which represents both the historical context and setting of Windsor and continues to provide a key recreational resource for the community of today. In recognition of this role, Council and the NSW State Government (through the Heritage Grant Program and the Metropolitan Greenspace Program) provided funding to prepare a Master Plan to guide the continuing use, preservation and improvement of the site.

As part of the community consultation process, a community meeting/workshop was held on 28 February 2012. Residents were notified by way of advertisements in the Hawkesbury Gazette and key stakeholders were individually invited. Attendance at the meeting was considered high with over 20 residents and representatives from key users of McQuade Park.

The Draft Plan of Management and Master Plan is now complete and in accordance with statutory requirements, it is proposed to place the Plan on public exhibition for the mandatory 28 day period, with an additional two week period provide to allow the community to provide written submissions.

Results of the consultation will be reviewed and any significant changes incorporated into the Plan prior to final consideration by Council and adoption.

**Conformance to Community Strategic Plan**

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

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

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

## ORDINARY MEETING

Meeting Date: 27 November 2012

- Develop plans to enhance the character and identity of our towns and villages.

### Financial Implications

There are no direct financial implications arising from this report with any future works or improvements to the Reserve dependent on the availability of funding. Adoption of the Master Plan will enable applications for grant funding to be made to assist in future works delivery.

### RECOMMENDATION:

That the Draft McQuade Park Plan of Management and Master Plan be placed on public exhibition for the mandatory 28 day consultation period, with a further 14 day period for the completion of written submissions.

### ATTACHMENTS:

- AT - 1** Draft McQuade Park Plan of Management and Master Plan Issue C - (*To be distributed under separate cover*)

oooO END OF REPORT Oooo

## ORDINARY MEETING

Meeting Date: 27 November 2012

**Item: 212**            **IS - Toilet and Carpark Construction - Macquarie and Kable Streets, Windsor - (95495, 79339)**

**Previous Item:**        84, Ordinary (29 May 2012)  
                              52, Ordinary (24 April 2012)  
                              33, Ordinary (28 February 2012)

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### REPORT:

#### Executive Summary

At the Council meeting on 29 May 2012 funding was allocated to proceed with works to demolish the KFC building and construct a toilet block in the Macquarie Street Carpark and create additional car spaces. Budgets for demolition and building the toilet block amounted to \$277,500 and the car park amounted to \$161,000.

A design for the new public toilet building has been prepared and is presented for Council's information. It is proposed to place the design on public exhibition, to identify any community input or issues.

#### Consultation

The issues raised in this report concern matters which require community consultation under Council's Community Engagement Policy.

It should be noted that should Council adopt the recommendation in this report, public consultation will be undertaken as part of the approval process and public exhibition and community input would be sought.

#### Background

##### Location

Architects were engaged to provide concept drawings for the best location for the toilet block facility in the carpark vicinity following a site survey undertaken by Council surveyors.

A building on the Kable Street frontage was seen as the most appropriate based on considerations of the following issues:

- Better safety for users as area is in full view of passer-bys
- High exposed position allowing visual promotion of facility
- Accessibility for public considered an advantage close to footpath of Kable Street
- Lighting from street prominent and more exposure makes for less likelihood of bad behaviour occurring around block including vandalism, graffiti and anti social issues.
- Historic building adjacent can give lead to design of toilet to enhance space integration within design of building

Plans of the proposal are attached highlighting the toilet's size, location and design.

##### Car parking

With the demolition of the former KFC building, the additional car spaces created were calculated to be 33. With construction of the toilet block on the Kable Street frontage, the net additional car spaces amount to 26 including one accessible car space adjacent to the toilet block.

## ORDINARY MEETING

Meeting Date: 27 November 2012

### Design

Consideration has been given to integration into the site including surrounding buildings, vandal proofing, code requirements for access, longevity of construction, maintenance issues and sustainability in materials and services. Water harvesting and energy efficiency includes a solar PV system for power. The design provides for two pans plus urinal in the male toilet, and four pans in the female toilet and also includes a unisex accessible facility with a baby change area.

### Program

The project will be tendered publically from early December, with an extended deadline due to the holiday period. It is anticipated that demolition would be commenced in late February 2012, with works completed by end of June 2013.

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

The proposal is consistent with the Linking the Hawkesbury Directions statement;

- Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connection for the benefit of residents, visitors and businesses.

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

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

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

- Identifying the Community needs, establish benchmarks, plan to deliver and advocate for the required services and facilities

The toilet facility addresses community needs and facilities identified by Council.

### **Financial Implications**

Council's resolution of 29 May 2012 in relation to the redevelopment of 37 Macquarie Street, Windsor included:

#### March 2012 Quarterly Review and Draft 2012/2013 Budget

Reconstruction of car park	\$161,000
Demolition of KFC Building and Construction of Amenities at 37 Macquarie St	\$277,500

### Cost Plan

A cost plan undertaken by Slattery Quantity Surveyors indicates a demolition and building construction cost within the available budget.

### **RECOMMENDATION:**

That Council:

1. Note the information regarding the proposed toilet facility at Macquarie and Kable Streets, Windsor.
2. Invite public comment through a public notification process..

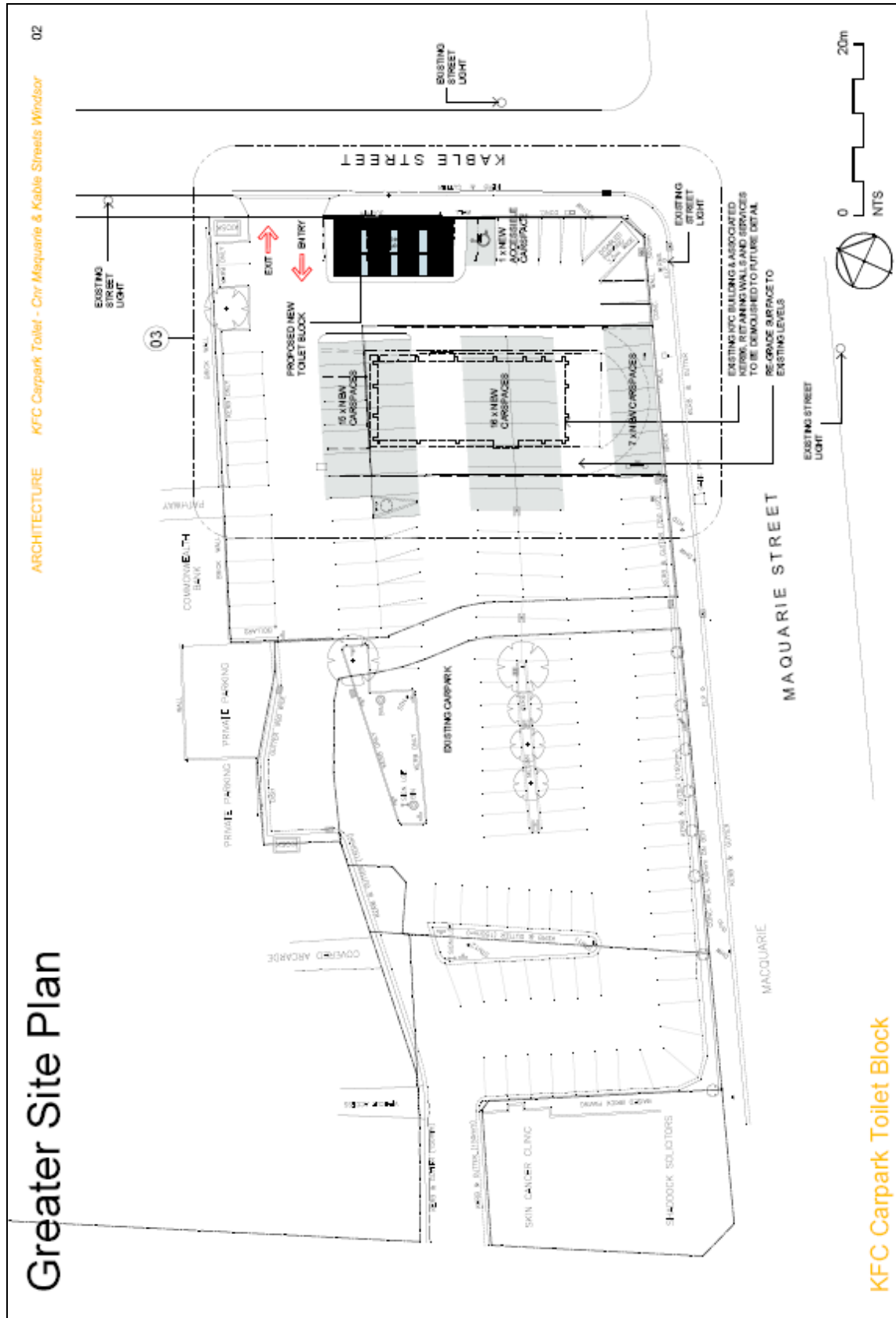
**ORDINARY MEETING**

**Meeting Date:** 27 November 2012

**ATTACHMENTS:**

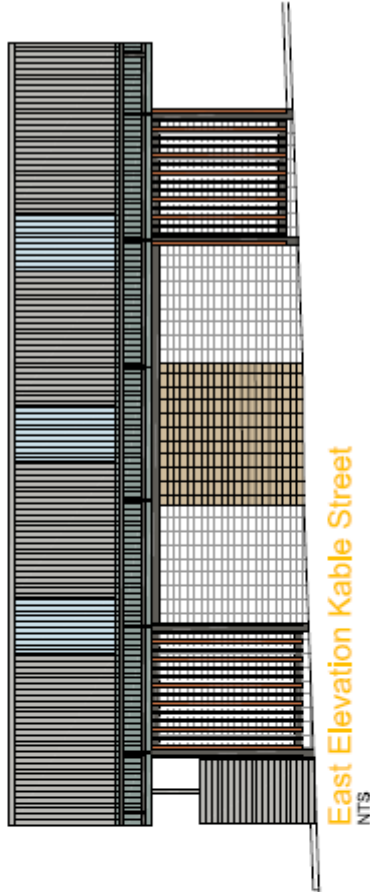
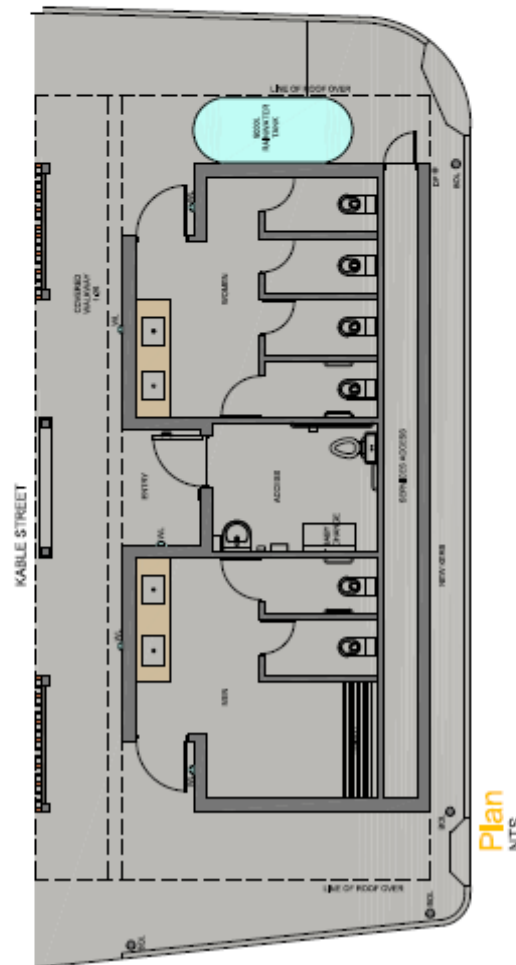
- AT - 1** Macquarie Street Carpark Toilet Block Greater Site Plan
- AT - 2** Macquarie Street Carpark Toilet Block Concept Design
- AT - 3** Macquarie Street Carpark Toilet Block Elevations
- AT - 4** Macquarie Street Carpark Toilet Block Elevation and Section

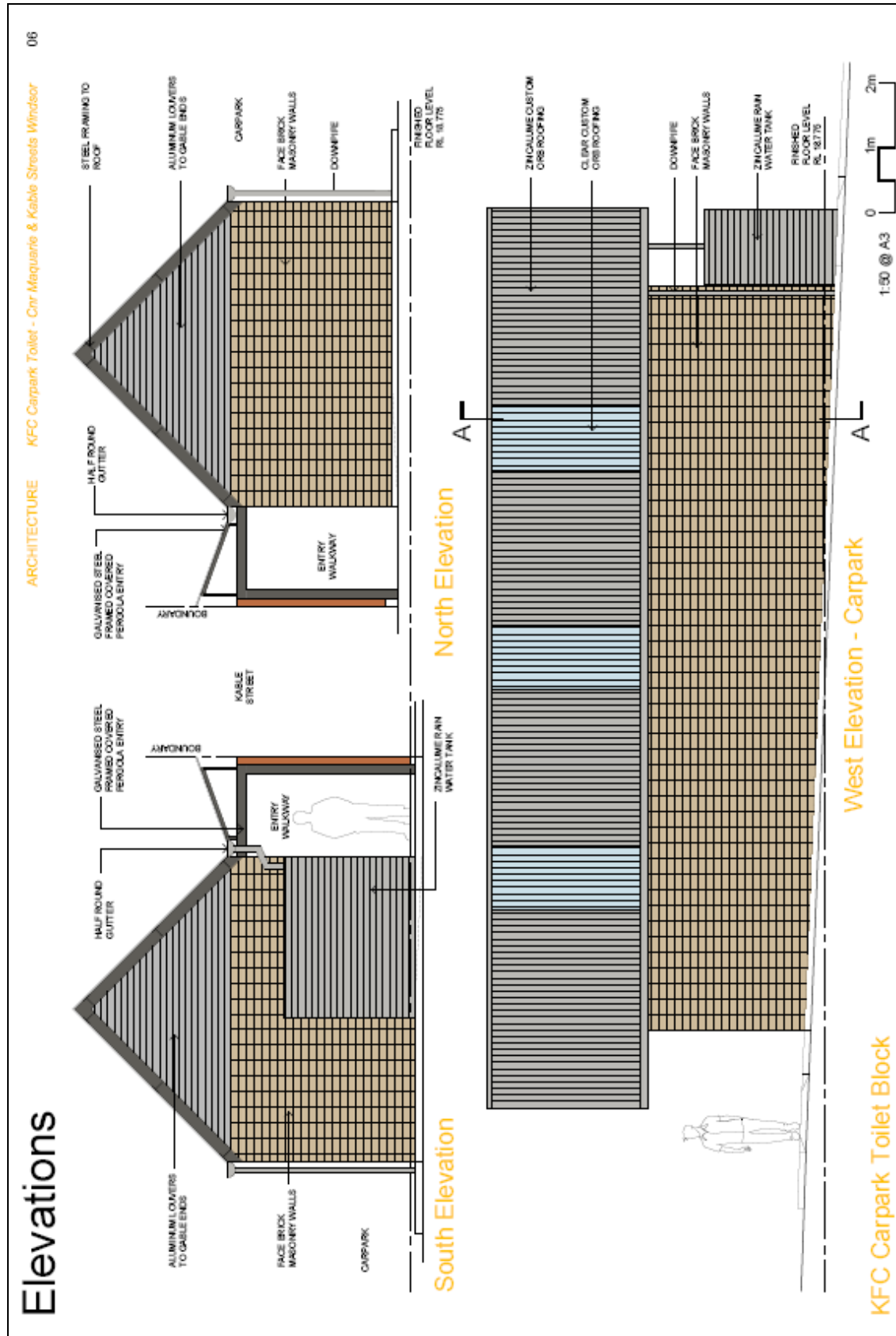
## AT - 1 Macquarie Street Carpark Toilet Block Greater Site Plan



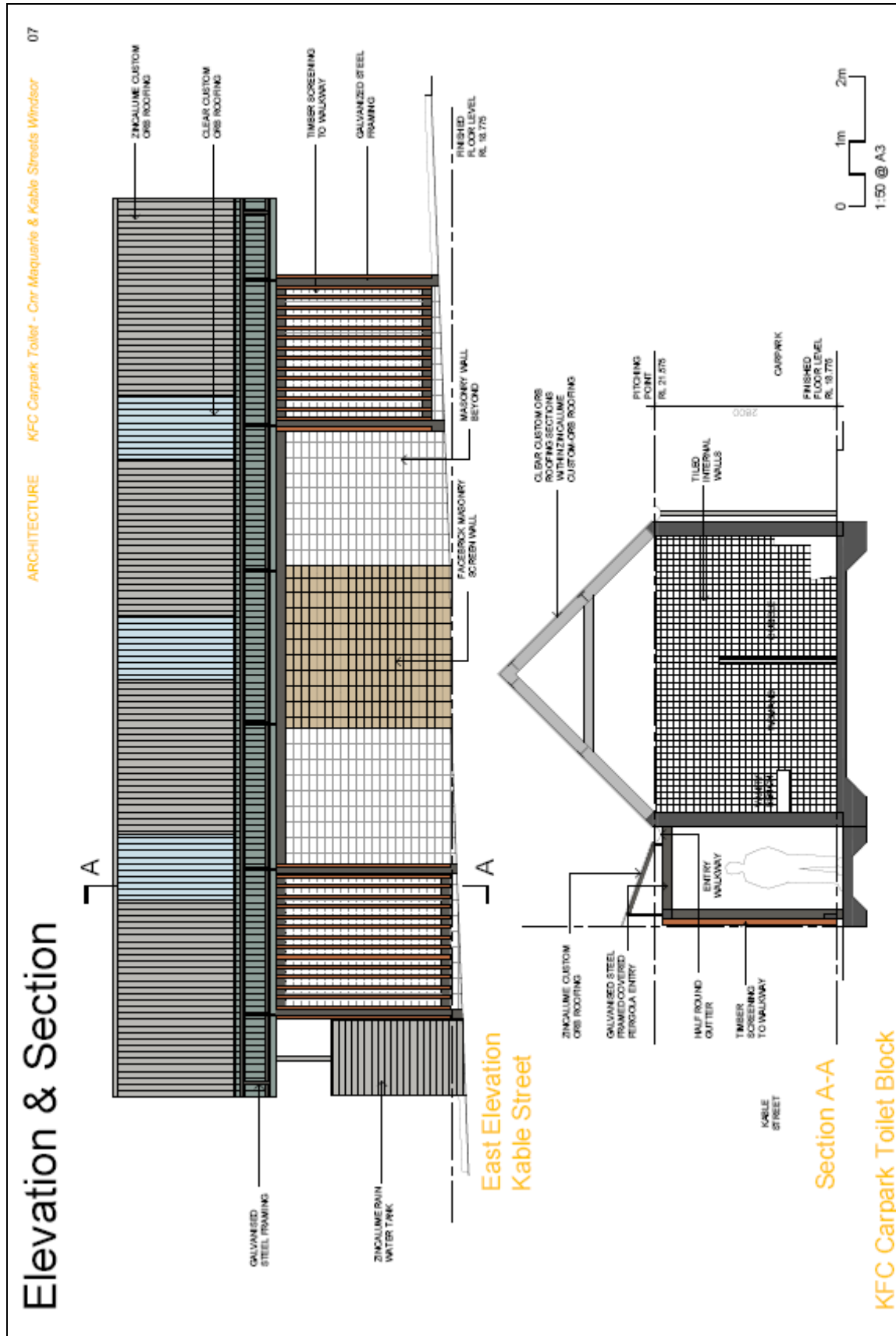
**AT - 2 Macquarie Street Carpark Toilet Block Conceptual Design****Conceptual Design****Design Statement**

MALE **FACILITIES**: 2 PANS, 3 PERSON URINAL, 2 BASINS  
 FEMALE FACILITIES: 4 PANS, 2 HANDBASINS  
 EQUAL ACCESS: SEPARATE COMPLIANT EQUAL ACCESS FACILITY WITH BABY CHANGE TABLE  
 COMPLEMENTARY HERITAGE **BUILDING FORM** WITH FURTHER REFERENCE TO TRADITIONAL RURAL BUILDING FORM  
 CONTEMPORARY & DURABLE **MATERIALS** & DETAILING APPROACH  
**ESD** STRATEGIES INCLUDE SOLAR PANELS, RWVT, NATURAL LIGHT & CROSS VENTILATION

**Existing Local Architecture****Concept Images****KFC Carpark Toilet Block**

**AT - 3 Macquarie Street Carpark Toilet Block Elevations**

## AT - 4 Macquarie Street Carpark Toilet Block Elevation and Section



**ORDINARY MEETING****Meeting Date:** 27 November 2012**SUPPORT SERVICES****Item: 213            SS - Monthly Investments Report - October 2012 - (96332, 95496)****Previous Item:**        144, Ordinary (29 June 2010)**REPORT:****Executive Summary**

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

This report indicates that Council held \$37.70 million in investments at 31 October 2012.

It is recommended that this report be received and noted.

**Consultation**

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

**Background**

The following table indicates that Council held \$37.70 million in investments as at 31 October 2012. Details of the financial institutions with which the investments were made, date investments were taken out, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, and the percentage of the total portfolio, are provided below:

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
<b>On Call</b>								
ANZ	A1+	AA-	31-Oct-12		4.75%	4,400,000	11.67%	
CBA	A1+	AA-	31-Oct-12		3.75%	50,000	0.13%	
<b>Total On-call Investments</b>								<b>4,450,000</b>
<b>Term Investments</b>								
ANZ	A1+	AA-	13-Jun-12	07-Nov-12	5.10%	1,000,000	2.65%	
ANZ	A1+	AA-	24-Oct-12	23-Oct-13	4.62%	1,000,000	2.65%	
Bankwest	A1+	AA-	21-Mar-12	20-Mar-13	5.90%	500,000	1.33%	
Bankwest	A1+	AA-	31-July-12	30-Jan-13	5.10%	1,000,000	2.65%	

# ORDINARY MEETING

Meeting Date: 27 November 2012

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
Bankwest	A1+	AA-	01-Aug-12	30-Jan-13	5.10%	500,000	1.33%	
Bankwest	A1+	AA-	08-Aug-12	06-Feb-13	5.10%	3,000,000	7.96%	
CUA	A-2	BBB	07-Mar-12	06-Feb-13	6.05%	250,000	0.66%	
NAB	A1+	AA-	16-May-12	20-Nov-12	5.35%	2,000,000	5.31%	
NAB	A1+	AA-	16-May-12	20-Nov-12	5.35%	1,000,000	2.65%	
NAB	A1+	AA-	06-Jun-12	05-Dec-12	5.15%	2,500,000	6.63%	
NAB	A1+	AA-	13-Jun-12	16-Jan-13	5.12%	1,000,000	2.65%	
NAB	A1+	AA-	25-Jul-12	30-Jan-13	5.04%	2,000,000	5.31%	
NAB	A1+	AA-	25-Jul-12	24-Jul-13	4.92%	1,000,000	2.65%	
St George	A1+	AA-	17-May-12	20-Nov-12	5.35%	1,000,000	2.65%	
St George	A1+	AA-	15-Aug-12	21-Aug-13	5.15%	2,000,000	5.31%	
St George	A1+	AA-	22-Aug-12	18-Sept-13	5.16%	2,000,000	5.31%	
St George	A1+	AA-	22-Aug-12	16-Oct-13	5.16%	1,500,000	3.98%	
Westpac	A1+	AA-	09-May-12	07-Nov-12	5.55%	3,000,000	7.96%	
Westpac	A1+	AA-	06-Jun-12	05-Dec-12	5.10%	1,000,000	2.65%	
Westpac	A1+	AA-	05-Sep-12	20-Feb-13	5.05%	1,500,000	3.98%	
Westpac	A1+	AA-	05-Sep-12	04-Mar-13	5.05%	2,500,000	6.63%	
Westpac	A1+	AA-	26-Sep-12	20-Mar-13	5.00%	1,000,000	2.65%	
Westpac	A1+	AA-	10-Oct-12	08-Apr-13	4.80%	1,000,000	2.65%	
<b>Total Term Investments</b>								<b>33,250,000</b>
<b>TOTAL INVESTMENT AS AT 31 OCTOBER 2012</b>								<b>37,700,000</b>

## Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	4,450,000	4.74%	Reserve Bank Cash Reference Rate	3.25%	1.49%
Term Deposit	33,250,000	5.16%	UBS 90 Day Bank Bill Rate	3.15%	2.01%
<b>Total</b>	<b>37,700,000</b>	<b>5.11%</b>			

## ORDINARY MEETING

Meeting Date: 27 November 2012

### ***Restricted/Unrestricted Funds***

Restriction Type	Amount \$
External Restrictions -S94	7,638,716
External Restrictions - Other	5,270,715
Internal Restrictions	18,479,521
Unrestricted	6,311,048
<b>Total</b>	<b>37,700,000</b>

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

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

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

### ***Investment Commentary***

The investment portfolio decreased by \$1.85 million for the month of October 2012. During October 2012, income was received totalling \$3.22 million, including rate payments amounting to \$1.24 million, while payments to suppliers and staff costs amounted to \$5.54 million.

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

As at 31 October 2012, Council has invested \$11.50 million with second tier financial institutions, that are wholly owned subsidiaries of major trading banks, and \$0.25 million invested with a second tier institution that is not a wholly owned subsidiary of a major Australian trading bank, with the remaining funds being invested with first tier institutions. Council's adopted Investment Policy allows Council to invest funds with second tier Authorised Deposit-taking Institutions that are wholly owned subsidiaries of major Australian trading banks, subject to conditions stipulated in the Policy. Investments in second tier financial institutions, that are not wholly owned subsidiaries of major trading banks, are limited to the amount guaranteed under the Financial Claims Scheme (FCS) for Authorised Deposit-taking Institutions (ADIs), in line with Council's Investment Policy.

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

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

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

### ***Investment Certification***

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

## **ORDINARY MEETING**

**Meeting Date:** 27 November 2012

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

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

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

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

- Maintain and review a sustainable long term financial framework.

### **Financial Implications**

Funds have been invested with the aim of achieving budgeted income in 2012/2013.

### **RECOMMENDATION:**

The report regarding the monthly investments for October 2012 be received and noted.

### **ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**Item: 214 SS - Pecuniary Interest Returns - (95496, 96333)****REPORT:****Executive Summary**

The Local Government Act, 1993 details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Returns by Councillors and Designated Persons. This Report provides information regarding one Return recently lodged with the General Manager by a Designated Person. It is recommended that Council note that the Disclosure of Pecuniary Interests and Other Matters Return lodged with the General Manager has been tabled in accordance with the Local Government Act 1993.

**Consultation**

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

**Background**

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

**"450A Register and tabling of returns:**

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

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

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

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

Position	Return Date	Date Lodged
Visitor Information Centre Coordinator	13/11/2012	9/11/2012

## **ORDINARY MEETING**

**Meeting Date:** 27 November 2012

The Return has been lodged prior to the due date for the receipt of the Return, being three months after the return date. The above details are now tabled in accordance with Section 450A(2)(a) of the Act and the Return is available for inspection if requested.

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

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

- Have transparent, accountable and respected leadership and an engaged community
- and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:
- Have ongoing engagement and communication with our community, governments and industries.

### **Financial Implications**

No financial implications applicable to this report.

### **RECOMMENDATION:**

That the information be received and noted.

### **ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

## ORDINARY MEETING

Meeting Date: 27 November 2012

**Item: 215**      **SS - September 2012 Quarterly Budget Review Statement - (96332)**

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

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### **REPORT:**

#### **Executive Summary**

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

The Quarterly Budget Review Statement - September 2012 (QBRS) recommends a number of variations that result in a balanced budgeted position being maintained.

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

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

#### **Consultation**

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

#### **Background**

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

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

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

#### **Financial Position**

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

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

## ORDINARY MEETING

Meeting Date: 27 November 2012

The more significant items of the September 2012 Review include:

- **Rates Income – Favourable Variance \$40K**  
(Adopted Operational Plan –Part 2 – SS Pg 20)

A favourable variance has been included to reflect a net overall surplus in the rates revenue across all rating categories of \$40K. The variance is mainly a result of variations in the number and valuation of rateable properties as a result of changes in relation to subdivisions, re-categorisations and supplementary valuations issued by the NSW Valuer General Department.

- **Sundry Income – Favourable Variance \$37K**  
(Adopted Operational Plan –Part 2 – GM Pg 3; CP Pg 18; IS Pg 10)

A favourable adjustment of \$37K for sundry income has been included in this QBRS due to the receipt of several un-forecasted income items. Unbudgeted income of \$13K resulted from a capital distribution by Council's motor vehicle insurance (United Independent Pool). Income from applications for variations to the Local Environment Plan were greater than anticipated, with a favourable variance of \$16K as at the end of September 2012. A further \$6K was returned to Council on the termination of the McQuade Park Tennis Court lease.

- **Subdivision Fees – Favourable Variance \$40K**  
(Adopted Operational Plan –Part 2 – CP Pg 22)

Included in this QBRS is an increase of \$40K in relation to income received for subdivision fees. The actual income as at the end of September 2012 is \$98K, trending to achieve income for the year in excess of the current Full Year Budget of \$128K.

- **Plant and Leaseback – Net Favourable Variance \$83K**  
(Adopted Operational Plan –Part 2 –Various)

Adjustments made in relation to the sale and purchase of plant and leaseback vehicles, plant hire income and plant running costs has resulted in a net favourable variance of \$83K. Unfavourable variances were made in relation to plant hire and plant running costs, totaling \$35K to align the Full Year Budget with the observed trend. Changes in the timing of both the sale and purchase of several plant and leaseback vehicles, has resulted in a favourable variance of \$118K.

- **Construction Certificates – Unfavourable Variance \$40K**  
(Adopted Operational Plan – CP Pg 21)

An unfavourable variance of \$40K for construction certificate income is included in this QBRS. The reduction is in line with the projected full year result as indicated by the YTD actual income of \$54K as against a Full Year Budget of \$374K. This income line will continue to be monitored during the year and further adjustments made in future reviews if required.

- **Infringements Income – Unfavourable Variance \$30K**  
(Adopted Operational Plan – CP Pg 15)

Included in this QBRS is a reduction of \$30K for infringement income in relation to car-parking fines. The actual income as at the end of September 2012 of \$49K, indicates a trend lower than the current Full Year Budget of \$450K. This variance is a result of both staff vacancies and the delay in the implementation of an automated ticketing system. As the vacancies have been filled and the ticketing system will soon be implemented, this income line is expected to improve over the rest of the financial year in line with the forecast income after the adjustment recommended in this QBRS.

## ORDINARY MEETING

Meeting Date: 27 November 2012

- **Financial Assistance Grant – Unfavourable Variance \$178K**  
(Adopted Operational Plan –Part 2 – SS Pg 19; IS Pg 15, Pg 17, Pg 19)

Local Government Financial Assistance Grants (FAG) are general purpose grants that are paid to local councils under the provisions of the Commonwealth Local Government (Financial Assistance) Act 1995. The grant is comprised of general purpose and roads components.

The Original Adopted Budget for 2012/2013 for the Financial Assistance Grant is a combined total of \$4.5M. This is made up of a budgeted general purpose component of \$2.9M, with the remaining \$1.6M being attributable to the roads component of the grant. The amount allocated to Council varies from year to year due to population changes, changes in standard costs and disability measures, local road and bridge length variations, and changes in property values, and takes into account any short or overpayments in the previous year as well as any prepayments.

The Original Budget was based on the amount received in 2011/2012 being maintained. The actual FAG amount for the 2012/2013 financial year has now been determined and is \$178K under the budgeted amount. Consequently, an unfavourable adjustment of \$178K is included in this QBRS in relation to the Financial Assistance Grant.

The \$178K reduction is comprised of \$28K relating to the roads component, with the remaining \$150K being the shortfall against the budgeted general component. The shortfall in the roads component resulted in a corresponding decrease in the roads expenditure budget.

The first payment for the 2012/2013 financial year was received in the 2011/2012 financial year and the necessary adjustments to reflect this prepayment have also been included in this QBRS.

- **Cleaning Expenditure –Unfavourable Variance \$19K**  
(Adopted Operational Plan –Part 2 – CP Pg 3)

An unfavourable variance of \$19K for cleaning expenditure is included in this QBRS. The increase is to align the Full Year Budget, currently of \$739K with the projected full year result as per various cleaning contracts.

- **Insurance and Annual Charges – Unfavourable Variance \$16K**  
(Adopted Operational Plan –Part 2 – Various)

A net unfavourable variance of \$16K has been included in this QBRS in relation to the insurance expense and internal rates and annual charges. This variance is to match the Full Year Budget with the YTD actual expenditure, with no further costs expected on these expenditure items.

- **Grants**

A number of adjustments relating to variations between grant funding received and amount budgeted, are included in this QBRS. These adjustments have a nil effect on the budget position. The major adjustments relating to grant funding are outlined below:

- *Hawkesbury River Flood Risk Management Study* – Council has continued to receive funding from Department of Environment, Climate Change and Water for \$55K to assist in the development of a Floodplain Risk Management Study and Plan for the Hawkesbury River.
- *Hawkesbury River Estuary Management Study* – In line with the Council Resolution of 11 October 2011, Council has accepted an offer of a grant for \$125K over two years commencing 2011/2012. The adjustment in this QBRS relates to the unclaimed portion of this grant of \$115K.

## ORDINARY MEETING

Meeting Date: 27 November 2012

- *Biodiversity Hawkesbury River Restoration* – Council was successful in attaining funding from Department of Sustainability, Environment, Water, Population and Communities in the total of \$600K over six years for the regeneration and re-vegetation in reserves along the Hawkesbury River. A variance of \$96K has been included in this QBRS for this financial year's allocation.
- *Natural Disaster Claim* – Council has received funding from Roads and Maritime Services of \$374K to assist in the cost of road rehabilitation and maintenance required as a result of flooding and storm events affecting the Hawkesbury LGA earlier in the year. Council has also received funding from Roads and Maritime Services of \$2M to assist in the cost of replacing the Bridge on Upper Macdonald Road over the Macdonald River located at 12.358 kms from the township of St Albans (\$1.6M) and reconstruction of the West Portland Road Embankment (\$0.4M) as a result of flood and storm damage incurred in the earlier half of this year.
- *Flood Management Program* – Funding from the Office of Environment and Heritage has been approved in the amount of \$120K for the modification of pedestrian laneways in Bligh Park for flood evacuation. The grant funding and expenditure for \$120K has been included in this QBRS. This is matched by Council contribution of \$60K as budgeted in the 2012/2013 Original Budget.

### • Reserve Funded Adjustments

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

- *Sullage Program* – The combined number of properties in Freemans Reach, Wilberforce and Glossodia connecting to sewerage provided by Sydney Water has been greater than expected, resulting in a drop in Sullage income. Included in this QBRS is a reduction in income of \$79K.
- *Domestic Waste Management Program* – In line with observed trends, an unfavourable variance in relation to Domestic Waste Income in the amount of \$100K is included in this QBRS.
- *Hawkesbury Waste Management Facility* – A net unfavourable adjustment of \$150K is included in this QBRS in relation to the Waste Management Facility. The Disposal Fee Income has been reduced by \$100K due to lower than anticipated waste disposal at the Facility. In line with this reduction, the Section 88 Levies incurred have reduced, resulting in a favourable variance of \$20K. An increased expenditure of \$70K is also included for the development of a Landfill Master Plan.
- *Section 94 Extractive Industries Reserve* – An adjustment of \$397K is incorporated in this QBRS to cover the remittance of the contributions collected by Council on behalf Roads and Maritime Services.
- *Section 64 Contributions* – As at the end of 30 September 2012, the YTD actual income for Section 64 Contributions had exceeded the Full Year Budget of \$100K. A favourable variance of \$155K has been included in this QBRS to align the Full Year Budget with actuals received.
- *Risk Management Reserve* – A favourable adjustment of \$29K has been included to reflect an unbudgeted distribution by Westpool resulting from the closure of insurance funds up to 2003/2004.

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

## ORDINARY MEETING

Meeting Date: 27 November 2012

### Conformance to Community Strategic Plan

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

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

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

- Maintain and review sustainable long term financial framework.

### Funding

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

### RECOMMENDATION:

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – September 2012 be adopted.

### ATTACHMENTS:

**AT - 1** The Quarterly Budget Review Statement – September 2012 - *(distributed under separate cover)*

**oooO END OF REPORT Oooo**

## ORDINARY MEETING

Meeting Date: 27 November 2012

### CONFIDENTIAL REPORTS

Item: 216      GM - Community Representation on Council Committees - (79351, 79356)  
CONFIDENTIAL

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#### Reason for Confidentiality

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

*Specifically, the matter is to be dealt with pursuant to Section 10A(2)(a) of the Act as it relates to personal matters concerning particular individuals (other than councillors).*

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

ordinary

section 5

reports  
of committees

**ORDINARY MEETING**  
Reports of Committees

**ORDINARY MEETING**  
Reports of Committees

**SECTION 5 - Reports of Committees**

**ROC - Audit Committee Minutes - 3 October 2012 - (95496, 91369)**

The meeting commenced at 4:24pm

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<b>Present:</b>	Harry Khouri Nisha Maheshwari (Chair) Councillor Paul Rasmussen
<b>Apologies:</b>	David Gregory Councillor Bob Porter Laurie Mifsud - Director Support Services
<b>In Attendance:</b>	Peter Jackson - General Manager Steven Kelly - Internal Auditor Emma Galea - Chief Financial Officer Dennis Banicevic - Council's External Auditor Jan Readford - Minute Secretary

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**REPORT:**

**RESOLVED** on the motion of Councillor Paul Rasmussen and seconded by Mr Harry Khouri that the apologies be accepted.

**Attendance Register of Audit Committee**

Member	30.11.2011	14.3.2012	30.5.2012	3.10.2012 [Postponed from 22.8.2012]
Councillor Bob Porter	A	A	A	A
Councillor Paul Rasmussen	✓	✓	✓	✓
Councillor Kevin Conolly (Alternate)	✓	N//A	N//A	N//A
Councillor Jill Reardon (Alternate)	N//A	✓	✓	N//A
Mr David Gregory	✓	✓	✓	A
Mr Harry Khouri	A	✓	A	✓
Ms Nisha Maheshwari (Chair)	✓	✓	✓	✓

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

## **CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Councillor Paul Rasmussen and seconded by Mr Harry Khouri that the Minutes of the Audit Committee held on the 30 May 2012, be confirmed.

Due to the attendance by Council's External Auditor, Mr Dennis Banicevic, for the presentation of Item 9, this item was discussed prior to all other items.

## **SECTION 3 - Reports for Determination**

**Item: 1      AC - Status Report - Management Responses to Audit Recommendations - August 2012  
- (91369, 79351, 121470)**

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### **DISCUSSION:**

- Mr Jackson advised that Council is on target to meet all recommendations set, with the main remaining area being City Planning. Mr Kelly advised he meets monthly with City Planning staff to review progress. A large volume of work has already been undertaken.
- Mr Kelly advised that recommendations relating to Government Health Checks will be completed within the first 12 months of the newly elected Council.
- Ms Maheshwari referred to Item 10 on Page 17 and enquired if there has been review of the recommendations listed for high priority. Mr Kelly advised the priorities have been reviewed and those listed as a high priority have been targeted for completion by the end of 2012.

### **RECOMMENDATION TO COMMITTEE:**

That the attached Status Report on Management Responses regarding Audit recommendations be noted.

### **COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Councillor Paul Rasmussen, seconded by Mr Harry Khouri.

That the attached Status Report on Management Responses regarding Audit recommendations be noted.

**Item: 2      AC - Interim Audit Issues 2012 - (91369, 79351, 121470)**

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### **DISCUSSION:**

- Ms Maheshwari advised the inclusion of management's responses in the interim audit report are invaluable.
- Ms Galea advised that work is progressing on the automation of Council's processes, including the development of Council policy and additional approval controls.

**RECOMMENDATION TO COMMITTEE:**

That the report from PricewaterhouseCoopers and the management responses from Council be noted.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Paul Rasmussen, seconded by Mr Harry Khouri.  
That the report from PricewaterhouseCoopers and the management responses from Council be noted.

**Item: 3      AC - Waste Management Facility - (91369, 79351, 121470)**

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**DISCUSSION:**

- Mr Kelly indicated that the recommendations identified by IAB Services during the audit conducted in 2010 have now been implemented.
- Mr Kelly advised that a security company now delivers cash change to the Waste Management Facility, two to three times per week, as a cost effective and secure alternative to previous arrangements, necessitating Council staff to obtain cash from the bank for collection by Waste Management Facility staff. In line with changes to Council's Customer Service provision via its One-Stop-Shop, cash handling by Customer Services staff has been eliminated.
- Mr Jackson indicated that processes to maintain emissions below 25,000 tonnes carbon dioxide equivalent (CO<sub>2</sub>-e) or more per annum at the Waste Management Facility are being investigated.
- Mr Kelly advised that a regular review of the Waste Management Facility will be conducted as part of the Internal Audit Operation Plan 2012.

**RECOMMENDATION TO COMMITTEE:**

That the Internal Audit Report – Waste Management Facility be received and noted.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Paul Rasmussen, seconded by Mr Harry Khouri.  
That the Internal Audit Report – Waste Management Facility be received and noted.

**Item: 4      AC - Cash Management - (91369, 79351, 121470)**

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**DISCUSSION:**

- Mr Kelly advised that Council is investigating the implementation of an electronic receipting process for remote sites.

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

**RECOMMENDATION TO COMMITTEE:**

That the Internal Audit Report – Cash Management be received and noted.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr Harry Khouri, seconded by Councillor Paul Rasmussen.

That the Internal Audit Report – Cash Management be received and noted.

**Item: 5      AC - Unaudited Annual Financial Statements for the Year Ended 30 June 2012 - Review by Audit Committee - (95496, 91369, 79351)**

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This item has now been superseded by Item: 9 due to change in meeting date.

**Item: 6      AC - Roads and Maritime Services DRIVES Database - (91369, 79351, 121470)**

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**DISCUSSION:**

- Mr Kelly advised that access to the DRIVES Database is restricted to two Council staff, one of whom is Mr Garry Collins, Council's Compliance Enforcement Co-ordinator. The Roads and Maritime Services (RMS) conducts its own audit of the system, and have also checked Council's process, which duplicates the RMS system. The benefits derived from Council's access to the DRIVES Database, far outweighs the time required by Council's staff member to operate the system.

**RECOMMENDATION TO COMMITTEE:**

That the Internal Audit Report – Roads and Maritime Services DRIVES Database, be received and noted.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr Harry Khouri, seconded by Councillor Paul Rasmussen.

That the Internal Audit Report – Roads and Maritime Services DRIVES Database, be received and noted.

**Item: 7      AC - ICAC Report - Auburn Council - (91369, 95496, 79351)**

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**RECOMMENDATION TO COMMITTEE:**

That the information be noted.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Paul Rasmussen, seconded by Mr Harry Khouri.

That the information be noted.

**Item: 8      AC - Audit Committee Matters - (91369, 79351, 121470)**

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**RECOMMENDATION TO COMMITTEE:**

That the information be noted and received.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Paul Rasmussen, seconded by Mr Harry Khouri.

That the information be noted and received.

**Item: 9      AC - Unaudited Annual Financial Statements for the Year Ended 30 June 2012 - (95496, 91369, 79351)**

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**DISCUSSION:**

- Mr Banicevic advised that PricewaterhouseCoopers, at this stage, has completed the majority of the audit of Council's financial accounts, and has found that Council's financial position is sound. Mr Banicevic provided an overview of the accounts.
- Mr Jackson advised that Council will fund a Timber Bridge Replacement Program for the Local Infrastructure Renewal Scheme (LIRS) and are currently waiting advice from the Department of Local Government as to the funding provisions. Council will borrow \$5.26 million in the next 12 months to fund the Timber Bridge Replacement Program.
- Mr Banicevic advised that the costs and services associated with Council's Sewerage Facility are shown in the Special Purpose Accounts, and are also reported separately by Council to the Department of Local Government.
- Ms Galea will address minor changes identified, prior to the finalisation of the audit.

**RECOMMENDATION TO COMMITTEE:**

That the information concerning the General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2012 be received.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Paul Rasmussen, seconded by Mr Harry Khouri.

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

That the information concerning the General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2012 be received.

*Mr Banicevic left the meeting at 4.48pm following the presentation of this item.*

**SECTION 4 - General Business**

- **Community Appointments - Audit Committee**

Council is currently calling for Expressions of Interest for Community Representation on each of its Committees, which includes the Audit Committee, for a four year term, to coincide with Council's term of office. The closing date for Expressions of Interest is 2 November 2012. A report will be prepared for Council, outlining details of applications received, in late November or early December.

Mr Jackson noted that the next meeting of the Audit Committee is scheduled for Wednesday, 14 November 2012, and that this meeting will take place prior to the finalisation of Committee appointments.

Mr Jackson took the opportunity to thank the current Audit Committee members for their commitment and work on the Audit Committee since their appointment in November 2009.

Ms Maheshwari and Mr Khouri were both provided a copy of Council's Audit Advisory Committee - Expression of Interest Membership form, and were requested to complete and return the form to Mr Kelly, Council's Internal Auditor, in accordance with Council's Policy.

- **Social Media - Facebook**

Mr Khouri referred to an a recent article in the Sydney Morning Herald regarding the role of Facebook and its place and impact on business, including that on staffing requirements, where it becomes necessary to allocate someone to specifically watch what is happening on Facebook.

Mr Jackson advised that Council has introduced a Council Facebook Page specifically for public use at Council's Library, as well as a Youth Facebook Page, managed by Council's Youth Liaison Officer, and both have specified usage.

Mr Jackson advised that Council has considered its position, and will not be using Facebook or Twitter as a business tool at this time. Access to Facebook has been blocked for all Council staff.

The meeting terminated at 5.20pm.

Submitted to and confirmed at the meeting of the Audit Committee held on 14 November 2012.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
Reports of Committees

**ROC - Local Traffic Committee - 12 November 2012 - (80245)**

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Monday 12 November 2012, commencing at 3:00pm.

**ATTENDANCE**

<b>Present:</b>	Councillor Mike Creed, Acting Chairperson Mr Richard McHenry, Roads and Maritime Services Mr Bart Bassett, MP (Londonderry) Snr Constable Debbie Byrne NSW Police Force
<b>Apologies:</b>	Councillor Kim Ford (Chairman) Mr Kevin Conolly, MP (Riverstone) Mr Ray Williams, MP (Hawkesbury) Mr Peter Ramshaw, NSW Taxi Council Mr Jodie Edmunds, Westbus Mr Carlos DeSousa, Hawkesbury Valley Bus Service
<b>In Attendance:</b>	Mr C Amit, Manager, Design & Mapping Services Ms J Wong, Community Safety Coordinator Ms L Tweedie , Administrative Officer, Infrastructure Services

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

**SECTION 1 - Minutes**

**Item 1.1      Confirmation of Minutes**

The Committee resolved on the motion of Mr Bart Bassett, MP, seconded by Mr Richard McHenry, that the minutes from the previous meeting held 10 September 2012 be confirmed.

**Item 1.2      Business Arising**

There was no business arising from the previous minutes

**SECTION 2 - Reports for Determination**

**Item 2.1      LTC - 16 November 2012 - Item 2.1 - Hawkesbury Show 2013 - Hawkesbury Showground, Clarendon - (Londonderry) - (80245, 74207, 123265)**

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**REPORT:**

**Introduction**

An application has been received from the Hawkesbury District Agricultural Association seeking approval (in traffic management terms) to conduct the Hawkesbury Show on 19, 20 and 21 April 2013 within the Hawkesbury Showground, Clarendon.

The event organiser has advised:

- The Hawkesbury Show is a major community event, featuring agricultural displays, rides, show bags, sideshows, business promotions and arts and craft shows that have been held at the showground for 126 years.
- The times for operation are proposed from 9.00am to 11.00pm for both Friday, 19 and Saturday, 20 April, and 9.00am to 5.00pm for Sunday, 21 April 2013.
- The showground is located on Racecourse Road, with the Hawkesbury Racecourse and the Clarendon Railway Station located opposite.
- The event is expected to attract approximately 60,000 visitors over the three days it will operate.
- It is estimated approximately 26% of the total number of visitors will attend the show on Friday, 42% will attend the show on Saturday and 32% will attend the show on Sunday.
- It is anticipated that most visitors (an estimated 85%) will travel by car. They will park within the Hawkesbury Showground car parking area, the adjacent Hawkesbury Racecourse car parking area, or in the road reserve areas of Hawkesbury Valley Way (formerly Richmond Road) and Racecourse Road and walk to one of the pedestrian entry gates.
- Patrons travelling by train will use the Gate 1 access – which is located at the northern point of the Showground.
- The majority of the visitors will park within the Hawkesbury Showground in the dedicated “Hawkesbury Showground Car Park” adjacent to the western boundary of the showground; access through Gate 5.
- It is expected that approximately 20,000 vehicles will travel to this area during the three days of the Show.
- Parking is available for more than 20,000 vehicles each day.
- It is expected that there will be some impact on traffic during the opening hours and for 1 to 2 hours before and after closing times. The impact generally will be in the form of minor traffic delays in the vicinity of the site, as vehicles enter and leave the event, and negotiate the intersections with adjoining roads, with moderate delays expected during peak traffic times.
- Traffic from the internal car park of the Showground will be directed onto Blacktown Road.

- Traffic departing the Hawkesbury Racecourse car park during peak periods will be directed right onto Racecourse Road to Hawkesbury Valley Way.
- Windsor Police will be available to assist in directing traffic when and where necessary during the event.
- Application has been made with the Roads and Maritime Services - RMS (formerly RTA) for the following speed limit reductions to improve safety around the event precinct;
  - Hawkesbury Valley Way, speed reduction from 70Kph to 40Kph: between Percival Street and Hobart Street.
  - Racecourse Road, speed reduction from 60Kph to 40Kph: between Hawkesbury Valley Way and Rickaby Street.
  - Blacktown Road, speed reduction from 80Kph to 60Kph: between Bourke Street and Racecourse Road.

### **Discussion**

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

Considerable pedestrian movements are expected along Racecourse Road. It is likely that visitors to the Show may park in the road reserve areas of Racecourse Road and Hawkesbury Valley Way as well as the parking areas within the Showground, Clarendon Paddocks and the Racecourse.

Traffic congestion is likely to be concentrated in Hawkesbury Valley Way, from where the majority of vehicles will queue to enter Racecourse Road, and in Racecourse Road, as vehicles queue to enter parking areas. To improve traffic and pedestrian safety around the event precinct, the event organiser has applied to the Roads and Maritime Services - RMS (formerly RTA) for the following speed limit reductions:

- Hawkesbury Valley Way, speed reduction from 70Kph to 40Kph: between Percival Street and Hobart Street.
- Racecourse Road, speed reduction from 60Kph to 40Kph: between Hawkesbury Valley Way and Rickaby Street

It is likely that some vehicles, to avoid the congestion at Hawkesbury Valley Way, will travel towards the showground along Racecourse Road from the Blacktown Road intersection.

Delays are likely to occur when vehicles are leaving the site during peak times, as vehicles queue to enter Hawkesbury Valley Way from Racecourse Road. The majority of traffic will be directed from the main internal dedicated parking area within the showground, exiting onto Blacktown Road through the University of Western Sydney, Hawkesbury Campus property. To enable the exit into Blacktown Road to work effectively, an application has been made to the Roads and Maritime Services - RMS (formerly RTA) by the event organiser for the speed limit in Blacktown Road to be reduced from 80Kph to 60Kph between Bourke Street and Racecourse Road during the event.

It would be appropriate to classify the event as a "Class 1" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA) as the event may impact on major traffic and transport systems and there may be significant disruption to the non-event community.

The event organiser has submitted the following items in relation to the event: Attachment 1 (ECM Document No: 4207330):

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

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Transport Management Plan – referred to in the application as Traffic Management Plan (TMP) and Traffic Control Plans (TCP). The TCP's provided with the application need to be reviewed in relation to the order of signage as well as the position/distances for placement of signage, to comply with the latest standard,
5. Copy of Insurance Policy which is valid to 31 January 2013,
6. Copy of the Road Occupancy License Application and Speed Zone Authorisation Application forms submitted to RMS.

The TMP and the associated TCP should be submitted to the RMS for authorisation due to the proposed temporary speed restriction applications, and as the event may impact traffic on Hawkesbury Valley Way and Blacktown Road.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr Bart Bassett, MP seconded by Mr Richard McHenry.

That:

1. The Hawkesbury Show 2013 planned for 19, 20 and 21 April 2013, within the Hawkesbury Showground, Clarendon, be classified as a "Class 1 special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
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 Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.
4. It is strongly recommended that the event organiser visits Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refers to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they are familiar with the contents and requirements of this information. The approval conditions listed below relate only to matters relating to the traffic management of the event.
5. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

**Prior to the event:**

- 5a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 5b. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**
- 5c. the application including the **TMP and the associated TCP is to be submitted to the Roads and Maritime Services - RMS (formerly RTA)** for authorisation as this is a "**Class 1**" event and due to the traffic impact on Hawkesbury Valley Way and Blacktown Road as well as the proposed temporary speed restrictions required for the following roads;
- Hawkesbury Valley Way, speed reduction from 70Kph to 40Kph: between Percival Street and Hobart Street,
  - Racecourse Road, speed reduction from 60Kph to 40Kph: between Hawkesbury Valley Way and Rickaby Street,
  - Blacktown Road, speed reduction from 80Kph to 60Kph: between Bourke Street and Racecourse Road,
- a copy of the Roads and Maritime Services - RMS (formerly RTA) approval to be submitted to Council;**
- 5d. the event organiser **is to submit a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement. The TCP's provided with the application need to be reviewed in relation to the order of signage as well as the position/distances for placement of signage, to comply with the latest standard. 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;
- 5e. 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 Maritime Services - RMS (formerly RTA) as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities;**
- 5f. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; **a copy of this approval to be submitted to Council;**
- 5g. the event organiser is to advertise the event in the local press stating the entire extent of the event - including the proposed traffic control measures - and the traffic impact/delays expected, due to the event, two weeks two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);

## ORDINARY MEETING

### Reports of Committees

- 5h. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 5i. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event - including the proposed traffic control measures - and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 5j. the event organiser is to directly notify all the residences and businesses which may be affected by the event - including the proposed traffic control measures - and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**
- 5k. the event organiser is to **submit** the completed " Traffic and Transport Management for Special Events – **Final Approval Application Form (Form C)**" **to Council;**

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

- 5l. access is to be maintained for businesses, residents and their visitors;
- 5m. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 5n. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 5o. in accordance with the submitted TMP and associated TCP, appropriate advisory signs - including temporary speed restriction signs (subject to Roads and Maritime Services - RMS (formerly RTA) requirements), shall be placed at the event organiser's expense after all the required approvals are obtained from the relevant authorities - and traffic control devices are to be placed during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA),and
- 5p. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

#### **APPENDICES:**

- AT - 1**            Special Event Application - (ECM Document No. 4207330) - *see attached*

**Item 2.2      LTC - 12 November 2012 - Item 2.2 - Hawkesbury International Sand Sculpting Competition and Festival Event 2013 - Windsor (Riverstone) - (80245, 85782, 115476)**

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**REPORT:**

**Introduction**

An application has been received on behalf of the Heart of The Hawkesbury, seeking approval (in traffic management terms) to conduct the Hawkesbury International Sand Sculpting Competition and Festival Event in Windsor, during the period from 09 January 2013 to 28 January 2013.

The event organiser has advised:

- This is the second time the event has been held in the Hawkesbury.
- The event involves sand sculpting displays, talks, demonstrations, workshops, competitions, and buskers.
- The event will be held from 09 January 2013 to 28 January 2013.
- The week before and after will involve set-up and pack-up activities.
- The event times for each day will be 9.00am to 7.30pm.
- Approximately 48,000 to 50,000 people are expected to attend the whole event.
- There will be 1 area for the event:
  - Sand Sculpture Display Area - Howe Park/ the River Walk – adjacent to The Terrace from Kable Street to Hollands Paddock (Johnston Street/New Street). This area will involve the following:
    - Sand Sculptures – approximately 15.
    - Vendors including food and drink.
    - Buskers.
- The Entry point to the event will be at The Terrace opposite Kable Street with the Exit point at The Terrace, in the vicinity of Hollands Paddock.
- Access to local residents and businesses will remain unchanged during the event.
- Traffic control measures:
  - Road closures are NOT required. (The initial application requested for The Terrace to be closed in part but this has been withdrawn).
  - The event will mainly traverse along The Terrace.
  - The provision of appropriate No Parking and No Stopping zones on both sides of The Terrace in the vicinity of Event Precinct is required. This is for an approximate distance of 300 metres along The Terrace.
  - Pedestrian access will be controlled at the entry and exit points by a qualified person (controlled pedestrian crossing points).
  - There will be restricted pedestrian access along The Terrace from Kable Street to Hollands Paddock during the event.

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

- Patrons exiting the event will be directed through Hollands Paddock and the Riverview Shopping Centre to access George Street.
- All Traffic control measures are to be identified in the TMP, to be prepared by a qualified consultant.
- Parking areas for spectators and participants:
  - Parking for the disabled is proposed within the Kable Street and The Terrace car park adjacent to the Entry point. It is proposed to reconfigure 9 of the existing parking spaces (Nos. 66-74) to provide 6 accessible spaces. These spaces are along the existing toilet block along the south western car park boundary. The event organiser will be responsible for the reconfiguration of the spaces during the event including signage and restoring the spaces back after the event.
  - McQuade Park and the land near Governor Phillip Reserve (used for parking during the Bridge to Bridge event) will be used in the event that overflow parking is needed during the event.
  - Shuttle buses will operate from the designated parking areas to convey patrons to the Event area.

Refer to the attached drawings relating to the Event Site Plan and Disabled Parking in Attachments 1 to 3.

### **Discussion**

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

The event organiser has requested the provision of appropriate No Parking and No Stopping zones on both sides of The Terrace in the vicinity of the Event Precinct (Kable Street to Hollands Paddock – Johnston/New Streets) for an approximate distance of 300 metres. The only section of The Terrace, requested by the Event organiser, currently not sign posted with these restrictions is between Kable Street and Fitzgerald Street. This section of The Terrace provides untimed parking for approximately 12 vehicles on the north-western side and 10 vehicles on the south-eastern side.

The loss of parking for approximately 22 vehicles is not considered to be significant as the event will be held during the school holiday period, with parking for patrons to the event provided at various sites within Windsor. Parking restrictions and other traffic control measures along The Terrace will need to be identified in the TMP and TCP.

Parking for the disabled is proposed within the Kable Street and The Terrace car park adjacent to the Entry point in The Terrace. It is proposed to reconfigure 9 of the existing parking spaces (Nos. 66-74) to provide 6 accessible spaces. The location of the Disabled parking spaces within the car park is considered appropriate and supported. The provision of the disabled parking spaces within The Terrace cannot be supported as it would not comply with the Standards in relation to available road width and access to the nature strip.

The event organiser has submitted the following items in relation to the event: Attachment 4 (ECM Document Nos: 4222086 & 4226759):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Traffic and Transport Management Plan (TMP) that only gives a brief outline of the event.
5. Event Site Plan.

**ORDINARY MEETING**  
Reports of Committees

Matters relating to the use of Parks and Reserves will be dealt with by the Event Organiser under separate cover.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor M Creed, seconded by Mr Bart Bassett, MP.

That:

1. The Hawkesbury International Sand Sculpting Competition and Festival Event in Windsor during the period 09 January 2013 to 28 January 2013 be classified as a **"Class 2"** special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
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 Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.
4. It is strongly recommended that the event organiser visits Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refers to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they are familiar with the contents and requirements of this information. The approval conditions listed below relate only to matters relating to the traffic management of the event.
5. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted, the following traffic control measures;
  - No road closures are permitted
  - Temporary replacement of the untimed parking on both sides of The Terrace between Kable Street and Fitzgerald Street, during the event period of 09 January 2013 to 28 January 2013, for the provision of appropriate No Parking and No Stopping zones. The event organiser will be responsible for the provision of the appropriate zones and restoring back the untimed parking areas after the event.
  - Controlled Pedestrian Crossing Points be provided at the Entry and Exit points to the Event along The Terrace.
  - Parking for the disabled be provided within the Kable Street and The Terrace car park adjacent to the Entry point along The Terrace. It will require reconfiguring 9 of the existing parking spaces (Nos. 66-74) to provide 6 accessible spaces. These spaces are along the existing toilet block along the south western car park boundary. The event organiser will be responsible for the reconfiguration of the spaces during the event (09 January 2013 to 28 January 2013) including signage and restoring the spaces back after the event.

and the following conditions:

**Prior to the event:**

- 5a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 5b. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**
- 5c. the event organiser **is to submit a Transport Management Plan (TMP) for the entire event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement. The TMP and TCP is required to provide details on how motorists will be directed to the designated parking areas with the TCP to included the position of the directional signs to the parking areas for the event. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of the relevant Work Cover legislation;
- 5d. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than **\$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities;**
- 5e. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 5f. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; **a copy of this approval to be submitted to Council;**
- 5g. the event organiser is to advertise the event in the local press stating the entire extent of the event - including the proposed traffic control measures - and the traffic impact/delays expected, due to the event, two weeks two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);
- 5h. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 5i. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event - including the proposed traffic control measures - and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**

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

- 5j. the event organiser is to directly notify all the residences and businesses which may be affected by the event - including the proposed traffic control measures - and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**
- 5k. the event organiser is to **submit** the completed " Traffic and Transport Management for Special Events – **Final Approval Application Form (Form C)**" **to Council;**

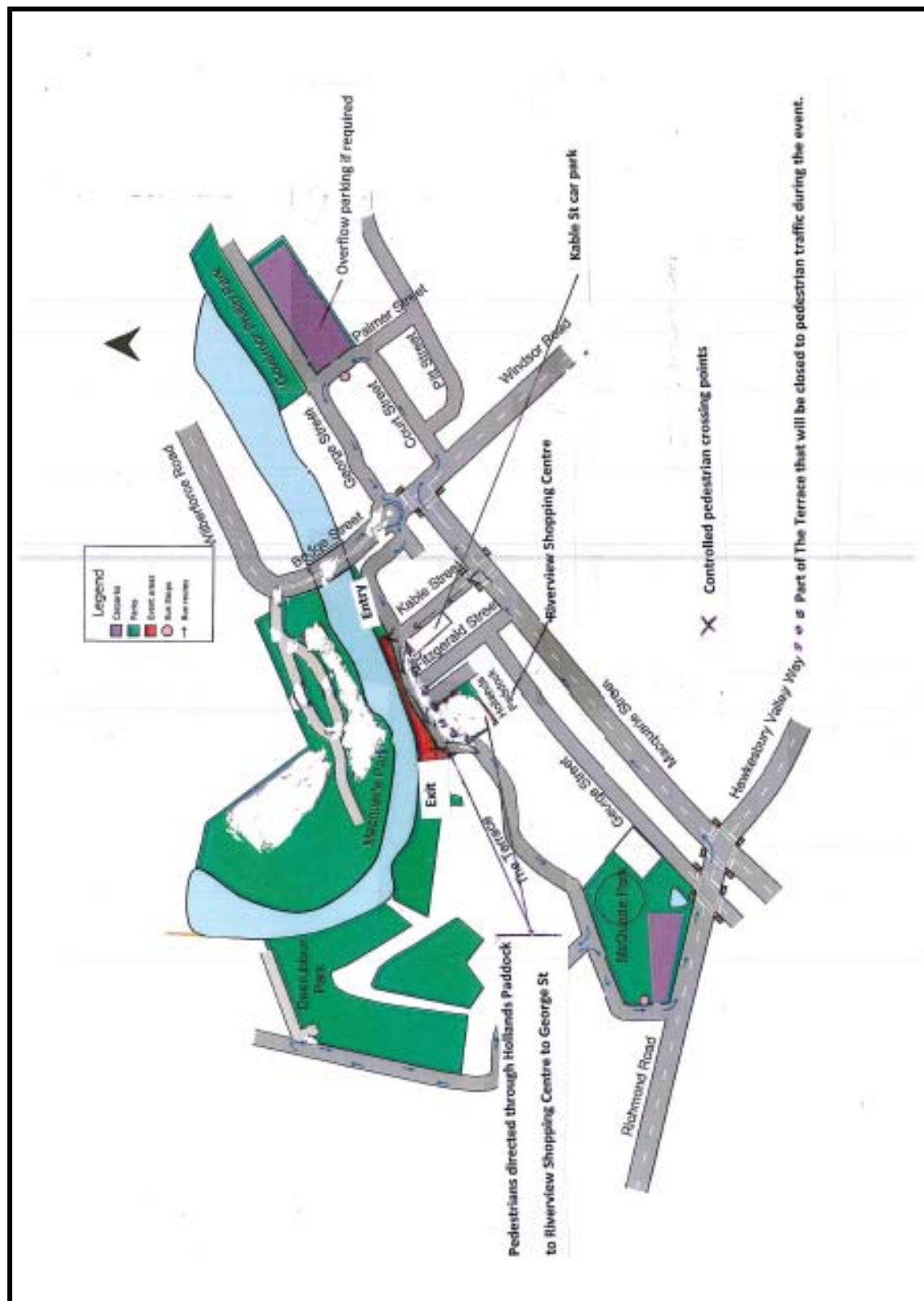
**During the event:**

- 5l. access is to be maintained for businesses, residents and their visitors;
- 5m. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 5n. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 5o. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 5p. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 5q. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

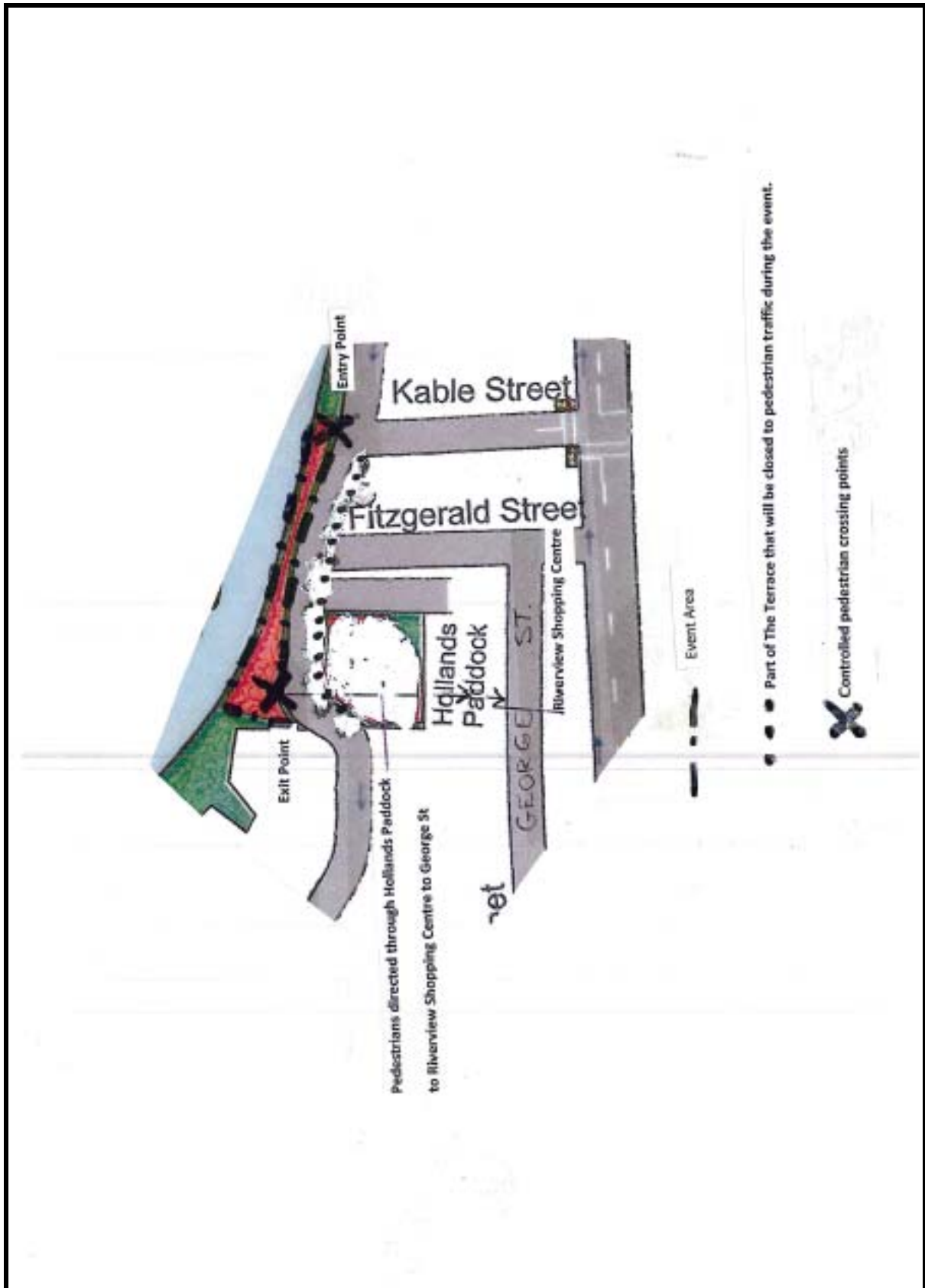
**APPENDICES:**

- AT - 1** Hawkesbury International Sand Sculpting Competition and Festival Event 2013 – Event Site Plan 1.
- AT - 2** Hawkesbury International Sand Sculpting Competition and Festival Event 2013 - Event Site Plan 2.
- AT - 3** Hawkesbury International Sand Sculpting Competition and Festival Event 2013 – Proposed Disabled Parking in the Kable Street and The Terrace Carpark
- AT - 4** Special Event Application - (ECM Document Nos. 4222086 & 4226759) - *see attached.*

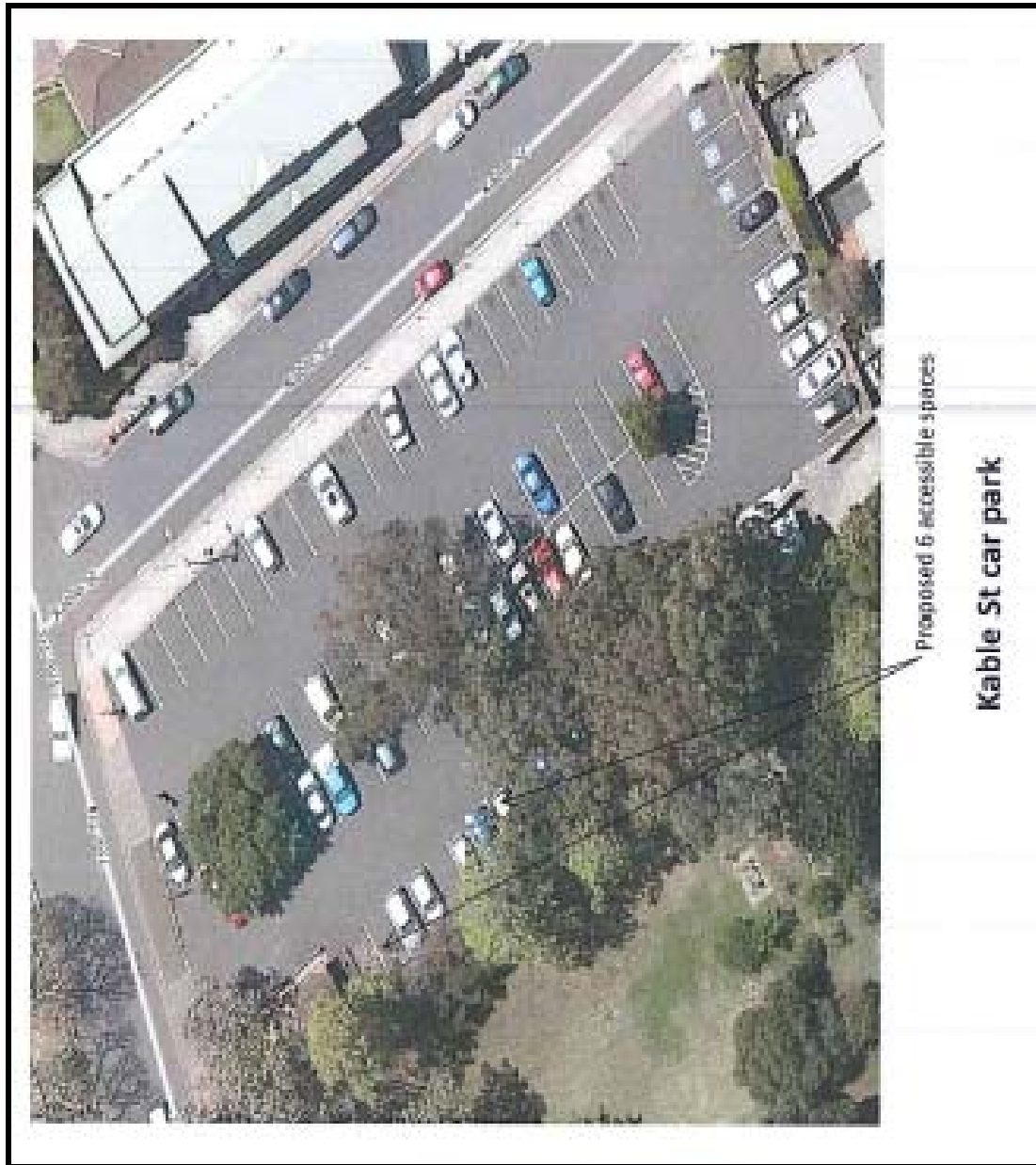
**AT - 1 Hawkesbury International Sand Sculpting Competition and Festival Event 2013 –  
Event Site Plan 1**



**AT - 2 Hawkesbury International Sand Sculpting Competition and Festival Event 2013 –  
Event Site Plan 2**



**AT - 3 Hawkesbury International Sand Sculpting Competition and Festival Event 2013 –  
Proposed Disabled Parking in the Kable Street and The Terrace Carpark**



**SECTION 3 - Reports for Information**

**Item 3.1      LTC - 12 November 2012- Item 3.1 - RTA Advice on Proposed Speed Limit changes to various roads in the St Albans Village area - (Hawkesbury) - (80245, 123265)**

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**REPORT:**

Advice has been received from the Roads and Maritime Services (RMS) indicating that a review of the existing speed limits along a number of roads in the St Albans Village area have been undertaken to improve road safety. The information provided by the RMS in part is listed below (ECM Document No. 4214946).

*"The Sydney Region has undertaken a comprehensive review of the speed limits in St Albans Village following requests from the Macdonald Valley Association and a local resident to reduce the speed limit from 80 km/h to 50 km/h for a short length on approach to St Albans Bridge and in St Albans Village.*

*Following the speed limit assessment it is proposed that, 50 km/h speed limits be installed in St Albans Village on the following roads:*

- The 80 km/h speed limit on St Albans Road on the approach to St Albans Bridge be reduced to 50 km/h for a length of 320 metres.
- Upper Macdonald Road between St Albans Bridge and 260 metres west of St Albans Bridge adjacent to St Albans Village.
- Wollombi Road between St Albans Bridge and 130 metres north of Espie Street, St Albans.
- Bulga Street between Wollombi Road and Settlers Road, Wharf Street and Espie Street.
- The 10 km/h speed limit on St Albans Bridge be retained due to the narrow nature of the bridge and the age of the structure.

*This recommendation is based on the presence of residential development within St Albans Village and the narrow nature and age of St Albans Bridge. This signage will also clarify the default 50 km/h speed limit in the town.*

*Please refer to the map showing existing and proposed speed limits. The speed limit review was conducted in accordance with the NSW Speed Zoning Guidelines"*

RMS advised that the install date is proposed from 8 November 2012, weather permitting.

**COMMITTEE RECOMMENDATION:**

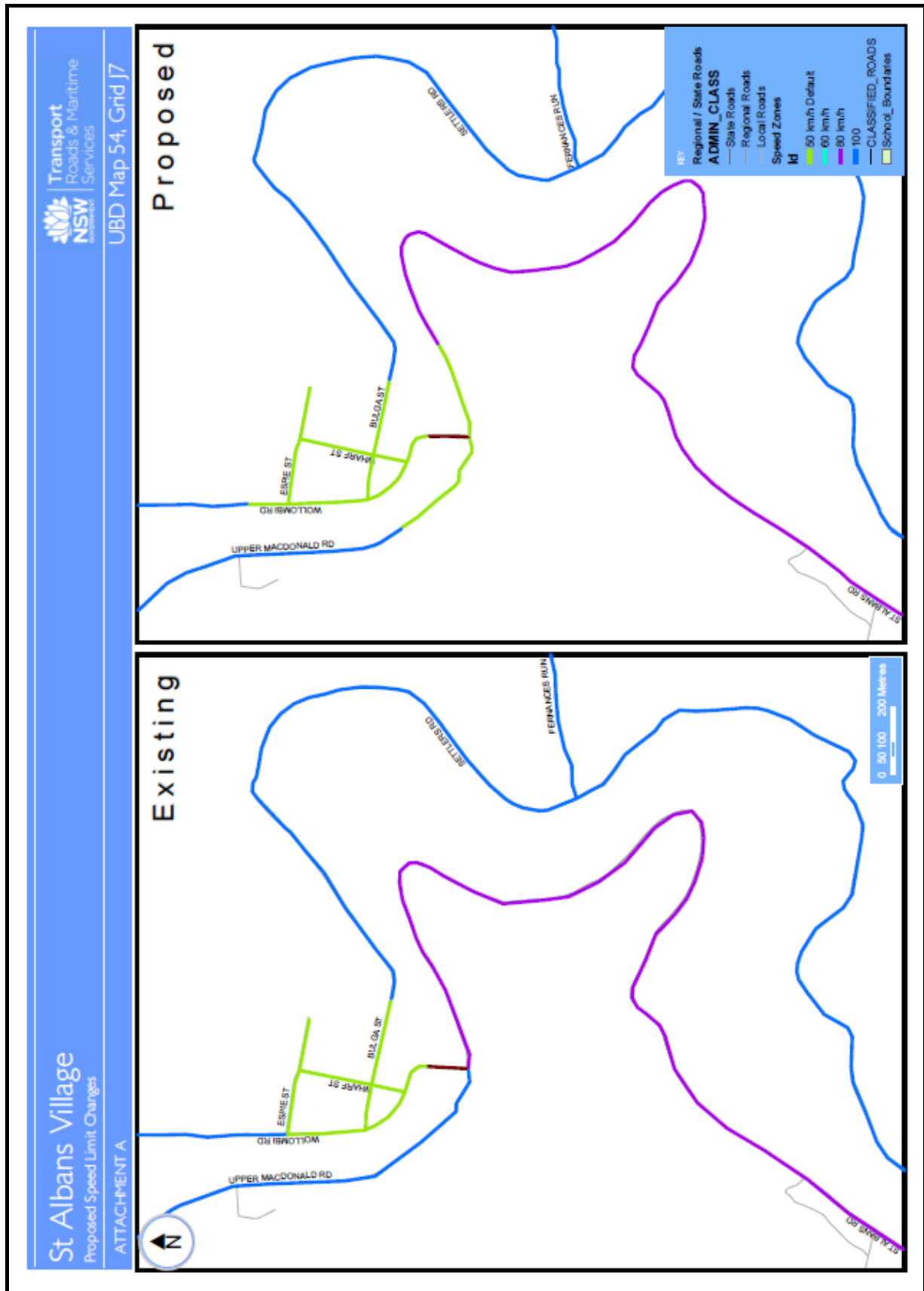
RESOLVED on the motion of Mr Bart Bassett, MP seconded by Councillor M Creed.

That the information be received.

**APPENDICES:**

**AT - 1** Plan of Proposed Speed Zone Changes – St Albans Village.

**AT - 1 Plan of Proposed Speed Zone Changes – St Albans Village**



**Item 3.2      LTC - 12 November 2012 - Item 3.2 - Local Traffic Committee 2013 Calendar -  
(Hawkesbury, Londonderry, Riverstone) - (80245)**

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**REPORT:**

The current format for the Local Traffic Committee (LTC) meetings is to meet on the second Monday of the month, commencing at 3.00pm in the Large Committee Room, Council Offices at 366 George Street, Windsor

Proposed is a list of dates, outlined below, for 2013 in the current Monday format (second Monday of the month) with the exception of June which is proposed to be held on the third Monday due to the Queens Birthday public holiday on 10 June 2013.

- 14 January 2013
- 11 February 2013
- 11 March 2013
- 08 April 2013
- 13 May 2013
- 17 June 2013 (third Monday due to Queens Birthday Holiday on 10 June 2013)
- 08 July 2013
- 12 August 2013
- 09 September 2013
- 14 October 2013
- 11 November 2013

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr Bart Bassett, MP seconded by Councillor M Creed.

That the 2013 Local Traffic Committee Meetings be undertaken from January to November on the second Monday of the month with the exception of June which will be undertaken on the third Monday.

**APPENDICES:**

There are no supporting documents for this report.

**SECTION 4 - General Business**

**Item 4.1**      **LTC - 12 November 2012 - Item 4.1 - Alteration to the existing Half Hour Parking Zone in Mileham Street adjacent to the Windsor Police Station, Windsor, (Riverstone) - (80245, 1506)**

**Previous Item:**      Item 2.7, LTC (17/03/10)  
                             Item 2.1, LTC (20/10/10)

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**REPORT:**

Senior Constable Debbie Byrne advised the Committee that there is an on going problem with the existing Half Hour parking zone along Mileham Street adjacent to the Windsor Police Station frontage. The issue relates to the parking zone being limited to 8.30am to 6.00pm Mon-Fri and 8.30am to 12.30pm Saturday.

The Committee was advised that the Police Station is in operation 24 hour per day, 7 day a week. With the Half Hour zone being limited to these times, it makes it difficult for customers to find parking.

It was requested that the Half Hour parking zone not be limited to the 8.30am to 6.00pm Mon-Fri and 8.30am to 12.30pm Saturday.

**COMMITTEE RECOMMENDATION:**

Resolved on the motion of Senior Constable Debbie Byrne, seconded by Councillor Mike Creed

That the limitations of "8.30am to 6.00pm Mon-Fri and 8.30am to 12.30pm Saturday" be removed from the "Half Hour Parking" zone (kerb side parking) along the frontage to Windsor Police Station (No. 13 Mileham Street, Windsor).

**Item 4.2**      **LTC - 12 November 2012 - Item 4.2 - Request for Turning Arrow in Left Kerb Lane of Park Road at Windsor Road, Vineyard, (Riverstone) - (80245, 1506, 123265)**

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**REPORT:**

Senior Constable Debbie Byrne advised the Committee that there is an on going problem for the Police with vehicles turning right from the left kerb lane of Park Road into Windsor Road.

The request was made for RMS to provide a left turn arrow in the left kerb lane to prohibit vehicles turning right as this manoeuvre was unsafe.

Mr Richard McHenery advised the committee that RMS does not provide pavement markings or signs to reinforce the road rules. Vehicles are not permitted to turn right from the left kerb lane unless there is an arrow to indicate that they can turn right. RMS requested that the Police obtain information in relation to accident history at this intersection to support changes and if there is sufficient evidence to support pavement markings at this location then the relevant information should be forwarded directly to RMS.

**COMMITTEE RECOMMENDATION:**

Resolved on the motion of Senior Constable Debbie Byrne, seconded by Councillor Mike Creed.

That the information be received.

**Item 4.3      LTC - 12 November 2012 - Item 4.3 - Request for Pedestrian Warning Signs, Wollombi Road St Albans adjacent to the Park and Inn (Hawkesbury) - (80245)**

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**REPORT:**

Councillor Mike Creed advised the Committee that he has received a request from the St Albans Community Action Group to provide pedestrian warning signs along Wollombi Road at St Albans adjacent to St Albans Park and the St Albans Inn. The issue relates to the safety of pedestrians crossing Wollombi Road, between the Park and the Inn.

Mr Chris Amit advised the Committee that the site, which includes Wollombi Road and Wharf Street, St Albans, will be investigated and appropriate action be under taken.

Councillor Mike Creed indicated that it would be best to undertake this investigation in consultation with the operators of the St Albans Inn.

**COMMITTEE RECOMMENDATION:**

Resolved on the motion of Councillor Mike Creed, seconded by Mr Bart Bassett, MP.

That Council investigate and implement appropriate warning signs for pedestrians in the vicinity of St Albans Park and the St Albans Inn adjacent to Wollombi Road and Wharf Street, in consultation with the operators of the St Albans Inn.

**Item 4.4      LTC - 12 November 2012 - Item 4.4 - Issues relating to large vehicles on Inalls Lane and Yarramundi Lane, Richmond (Londonderry) - (80245)**

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**REPORT:**

Councillor Mike Creed advised the Committee that he has received correspondence from Councillor Lyons-Buckett relating to large vehicles travelling on Inalls Lane and Yarramundi Lane using these roads as an alternate by-pass to the state road network of Castlereagh Road and Kurrajong Road. It is requested that options to limit their use be investigated.

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

Mr Chris Amit advised the Committee that this area is a rural area with large vehicles requiring access to properties and as such a load limit cannot be imposed. Furthermore, RMS is currently investigating the Richmond to North Richmond Road Corridor as part of the North Richmond Bridge investigation. The study is currently investigating and considering options to improve traffic flow between Richmond and North Richmond. Senior Constable Debbie Byrne advised that any restrictions imposed along these roads would be difficult to monitor and enforce due to the adjoining land use.

The Committee agreed that no action be taken along Inalls Lane and Yarramundi Lane until RMS complete the Richmond to North Richmond road corridor investigations.

**COMMITTEE RECOMMENDATION:**

Resolved on the motion of Mr Bart Bassett, MP, seconded by Councillor Mike Creed.

That the information be received.

**SECTION 5 - Next Meeting**

The next Local Traffic Committee meeting is proposed to be held on Monday 14 January 2013 at 3.00pm in the Large Committee Room.

The meeting terminated at 4.30pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

**Councillors Questions from Previous Meetings and Responses.doc**

**REPORT:**

**Questions – 13 November 2012**

#	Councillor	Question	Response
1	Creed	Asked if the General Manager was aware of any Councillors that are in breach of the Code of Conduct and in particular the section that refers to their legislative obligations if they declare any significant pecuniary interest, leave the debate but then attend public forums as a Councillor and discuss the matter.	<p>The General Manager advised that under the Council's Code of Conduct (the Code) it is not the General Manager's role to determine whether or not a Councillor has breached the Code. The General Manager's role is to assess such complaints and depending upon the circumstances, determine, in summary, to take no further action; resolve the complaint by use of alternative and appropriate strategies; refer the matter to another body or person; or refer the matter to a conduct reviewer/committee.</p> <p>In respect of the circumstances suggested in the question, the Division of Local Government (DLG) has indicated a councillor does retain their rights as an individual resident/ratepayer and any actions would need to be assessed under the Code. If a complaint were to be lodged and referred elsewhere or to a reviewer, individual circumstances would determine if a breach had, in fact, occurred.</p> <p>Currently, if a complaint were to be lodged under the Code alleging a breach of the pecuniary interest provisions it could be referred to the DLG under Clause 12.9 (c) of the Code. It is understood that procedures to be incorporated with the proposed new Model Code of Conduct to be released in the near future will make this a requirement.</p>

**ORDINARY MEETING****Questions for Next Meeting**

#	Councillor	Question	Response
2	Reardon	Referred to a previous meeting when it was indicated to Councillors that a 'Hawkesbury City Council' sign would be placed on the main road. Councillor Reardon asked when this sign would be erected.	The Director City Planning advised that the design of the sign and banner poles has been completed and costed. There has been a delay in proceeding to the DA stage due to the need to assess any requirements and associated cost for altering existing signage to ensure a consistent look. It is anticipated that the DA will be prepared and lodged early in the new year.
3	Mackay	Asked if Council could investigate the collection of buses on Old Stock Route Road.	The Director City Planning advised that the property at 2 Scheyville Road, Oakville has a development approval (DA0041/1978) to operate as a bus depot. The existing consent conditions only briefly deal with certain issues making compliance in certain areas difficult to define. As a result Council staff have been attempting to work with the owners to improve the site conditions with the most recent negotiation being held on 14 September 2012. The agreed actions and timeframes from that meeting are currently being pursued.
4	Lyons-Buckett	Asked if Council staff could investigate the rubbish dumped on Old Kurrajong Road, on the Richmond side of the polo ground, which has been cordoned off by tape with an 'Asbestos' sign on it which has been there for three weeks.	The Director City Planning advised that the removal of suspected asbestos dumping must follow some strict procedures. These include cordoning off the site, taking samples, testing those samples, obtaining quotes from suitably qualified contractors, obtaining approval for that contractor to undertake that removal from the Office of Environment and Heritage (OEH) and then undertaking the removal. There has been some difficulty obtaining the quotations from suitably qualified contractors. However, this is being pursued and will be completed as soon as practicable.

# ORDINARY MEETING

## Questions for Next Meeting

#	Councillor	Question	Response
5	Lyons-Buckett	Asked if Council's Roadside Vegetation Management Plan, which was prepared in August 2010 but never adopted, could be presented to Council.	Director Infrastructure Services advised that whilst this is an operational plan and does not require adoption by Council, more recent specific grant programs have emerged which have required the adoption of a Policy document. The Operational Plan is currently being revised to incorporate a policy component for adoption by Council and will be reported to Council early in the new year.
6	Tree	Referred to the Strategic Planning weekend where it was collectively decided to hold a number of Planning days which identified the key issues and asked when these days might occur.	<p>The General Manager advised that following the Community Strategic Plan Review weekend, the focus of activity is currently being directed toward the refinement/development of a draft document for Council's consideration with it being placed on public exhibition early in the New Year. This is in line with the proposed timetable previously endorsed by Council.</p> <p>In view of this, it is proposed to review these "key issues" early in the New Year and determine suitable dates and available resources in consultation with the Mayor and Councillors to enable this to occur.</p>
7	Williams	Asked if Council could request the Roads and Maritime Services to place a road sign at Putty Road and Sackville Road, Wilberforce intersection to advise drivers of the sharp right hand turn as the current signage is inadequate.	Director Infrastructure Services advised that Council staff have previously been in discussion with the Roads and Maritime Services (RMS) regarding the intersection, and correspondence has been forwarded to RMS requesting a safety audit be undertaken.
8	Williams	Asked if Council staff could mow behind Ross Street along the creek.	Director Infrastructure Services advised that the area is on a cyclic mowing maintenance program, and as such the mowing has recently been undertaken.
9	Williams	Asked if the width of the traffic island on Toll House Way could be reduced, outside No. 18, as it is nearly impossible for residents to pull in and out of their driveway.	Director Infrastructure Services advised that the matter will be investigated.
10	Williams	Advised that rubbish has been dumped at the Packer Road Depot, West Portland Road end and asked if Council staff could remove it.	Director Infrastructure Services advised that the material contains asbestos and appropriate arrangements have been commenced to have the rubbish removed.

**ORDINARY MEETING**  
Questions for Next Meeting

#	Councillor	Question	Response
11	Williams	Wished to pass on his thanks to Richard Vaby for the works undertaken on Roberts Creek Road Crossing.	Director Infrastructure Services advised that Council's appreciation has been forwarded to Mr Vaby and all staff involved in the works.
12	Paine	Asked when the works on the new toilet block in Windsor would be undertaken and if works are planned during Christmas could they be delayed so that there is no disruption to those visiting the area.	Director Infrastructure Services advised that a tender is currently being prepared for the toilets and carpark. It is anticipated that works will commence in late February 2013.
13	Paine	Asked what the odour was coming from Blacktown which the residents of Windsor Downs had been subjected to.	The Director City Planning advised that Hawkesbury City Council staff were advised of this matter on 5 November 2012. Following investigations on 6 November staff located the poultry farm that was the source of the odour. The farm is located in Blacktown City Council area and the Senior Environmental Health Officer at Blacktown City Council was advised of the issue and farm location as they are the appropriate officers to deal with the matter. All complainants were advised of the investigations and were directed to Blacktown City Council.
14	Calvert	Asked if the submission suggested by the Heritage Advisory Committee had been sent forward to the Heritage Council regarding the areas of North Richmond which are subject to investigation for housing and if a copy of the submission could be forwarded to himself.	The Director City Planning advised that a copy of the submission sent to the Heritage Branch has been supplied to Councillor Calvert.
15	Calvert	Referred to grants available for alternate Energy sources that were referenced in a recent Councillor newsletter and asked if Council would be submitting any applications.	Director Infrastructure Services advised that staff are currently assessing the grant programs and will prepare submissions for the relevant energy efficiency programs.
16	Porter	Asked for an update in relation to the trucks parking on Sackville Road.	The Director City Planning advised that a Notice of Intention to Serve an Order was issued on the property owner on 1 November 2012 following investigation instigated via the "Question for Next Meeting" process. The owner has made representations on that Notice and a meeting will be held with the owner in the near future.

**ORDINARY MEETING**  
Questions for Next Meeting

#	Councillor	Question	Response
17	Rasmussen	Asked for a condition report on Reserve Road at Freemans Reach.	Director Infrastructure Services advised that the road will be inspected and a copy of the report will be distributed to Councillors.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

Questions for Next Meeting



ordinary  
meeting

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business  
paper

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