



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 24 November 2009

location: council chambers

time: 6:30 p.m.



mission
statement

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

How Council Operates

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

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

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

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

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

Public Participation

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

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

A Point of Interest

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

Planning Decision

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

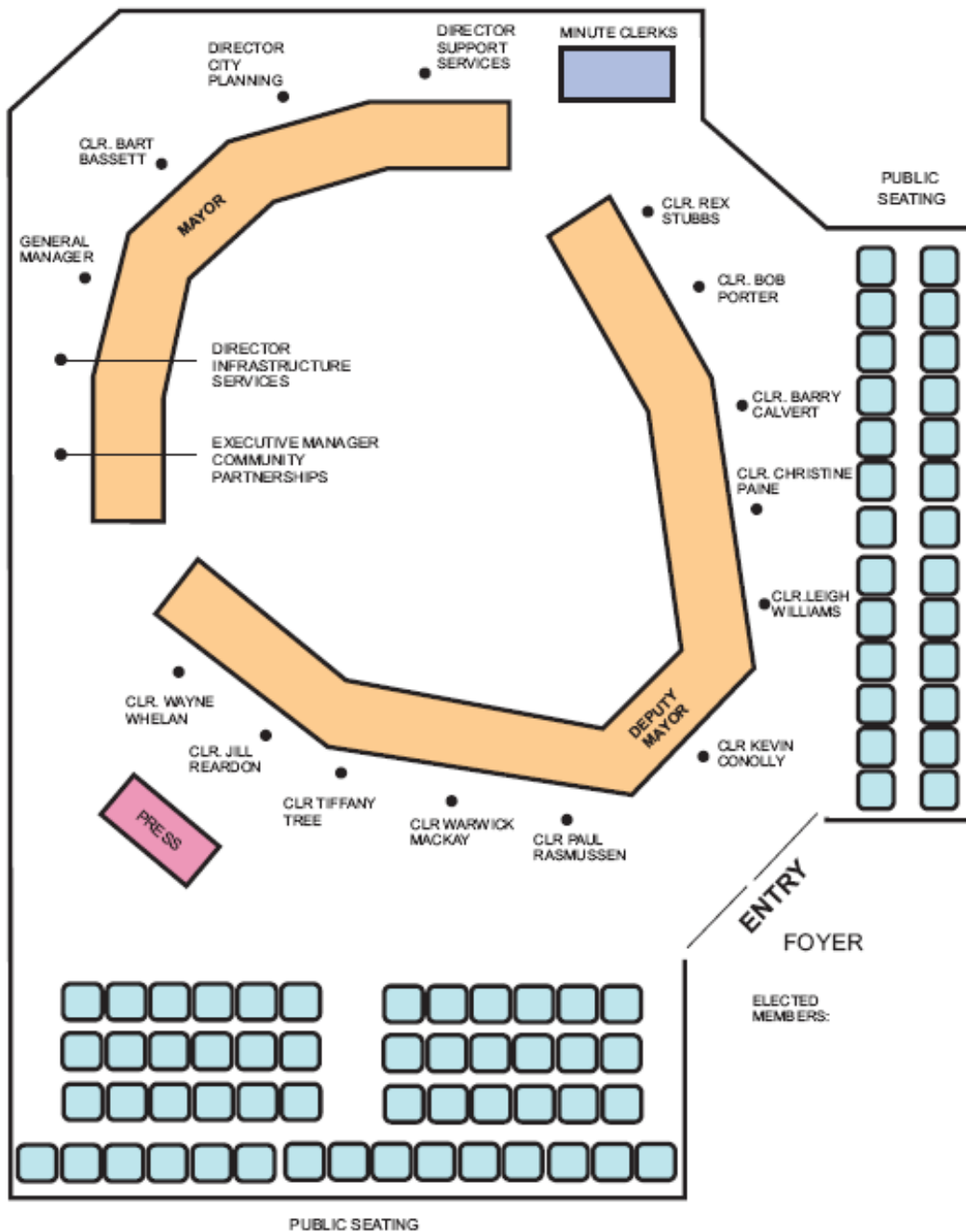
Website

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

Further Information

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

hawkesbury city council council chambers



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- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **PRESENTATION BY COUNCIL'S AUDITOR, MR DENNIS BANICEVIC OF PRICEWATERHOUSECOOPERS, IN RESPECT OF COUNCIL'S AUDITED 2007/2008 FINANCIAL REPORTS**
- **SECTION 1 - Confirmation of Minutes**
- **AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **QUESTIONS WITH NOTICE**
- **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

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SECTION 1 - Confirmation of Minutes

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SECTION 4 - Reports for Determination

CITY PLANNING

Item: 252 **CP - Development Application - Dwelling Additions - 19 Macquarie Place, Glossodia - (DA0134/09, 101833, 101832, 95498)**

Development Information

Applicant: GP Bates & AM Wellington
Owner: Mr GP Bates & Ms AM Wellington
Zone: Housing
Exhibition Dates: 31 March 2009 - 24 April 2009
Date Received: 18 March 2009

Key Issues: ♦ Front setback

Recommendation: Refusal

REPORT:

Description of Proposal

The development involves the construction of dwelling alterations and additions to the ground floor of an existing dwelling on the above property. The proposed works involve an extension to the front of the living area, a front porch, two bedrooms, a laundry, verandah extension and a carport to the front of the dwelling which is forward of the building line. The design of the carport utilises a pitched roof form with a gable end facing the street.

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

History

The original proposal submitted to Council involved the construction of a first floor addition and a garage forward of the building line. An objection from the owners of the property to the west was received in relation to this original proposal on the grounds of loss of privacy from the first floor additions. Council staff requested an amended design to address the issues raised in the objection and also to address the issue of non-compliance with the front setback requirement of Hawkesbury Development Control Plan.

Amended plans were submitted which deleted the first floor addition and changed the garage into an open carport, which is the proposal currently before Council.

Issues Relevant to the Decision - In Point Form

Non-compliance with Hawkesbury Development Control Plan regarding the setback to the front property boundary.

Council Policies, Procedures and Codes to Which the Matter Relates

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

Section 79C Matters for Consideration

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

a. The provisions (where applicable) of any:**i. Environmental Planning Instrument:**

The proposal is permissible and is not inconsistent with any Environmental Planning Instrument.

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

There are no draft Environmental Planning Instrument's applicable to the land or the proposed development.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan (HDCP) applies to the subject land.

The **general aims** of Hawkesbury DCP for residential development in the Hawkesbury are to:

- *provide clear guidelines for residential development in the City;*
- *ensure that all forms of residential development is designed to be compatible with the built environment in which they are located in terms of height, size, bulk, scale, setbacks, materials and open space;*
- *ensure that the building form, including alterations and additions, is sympathetic with the existing surrounding neighbourhood;*
- *ensure that all types of housing meet community expectations about health, safety and amenity;*
- *ensure that proposed development does not detract from the amenity of adjacent residents or the quality of the environment;*
- *encourage innovative housing which is pleasant to live in and is responsive to the site; and*
- *ensure that proposed development is sympathetic to items of environmental heritage.*

Hawkesbury DCP also has aims and objectives specific to **setbacks**. Such as:

- *To establish, maintain or enhance attractive streetscapes.*
- *To maintain roadways that are safe for all users - pedestrians, cyclists and motor vehicles - by ensuring adequate sightlines.*

There is a non-compliance with the front setback provisions of the DCP in relation to the carport only. HDCP requires a setback of 7.5 metres from the front property boundary or otherwise consistent with an established pattern of development. The carport is proposed to be 3.5 metres from the front property boundary.

With one exception (as discussed late in this report) there is a general consistency of front building setbacks within the street. It is considered that the setback of 3.5 metres from the front boundary will have an adverse impact upon the streetscape. Neither the proposal, or the site warrants any special consideration by way of circumstance (see below).

Background on setbacks

A building set back from the street assists in the establishment of an attractive streetscape. The reason for a setback standard is to reduce the prominence and visual impact of a structure upon the street and to provide a landscape and visual setting for the building.

On 4 August 2009 a Briefing Session for Councillors was held in relation to front setback standard and the requirements of the DCP. Following the Briefing Session, an interim practice was developed to provide guidance to Council staff and the community as to what constitutes an appropriate variation to the DCP setback requirements, until such time as Hawkesbury Development Control Plan is formally reviewed. It should be noted that the briefing session did not change the DCP setback standard, but simply provided some guidance in relation to acceptable variations to the current DCP standards.

Interim Practice Approach

The current minimum setback of 7.5 metres should be maintained to prevent unsightly structures forward of the building line dominating an existing and attractive streetscape.

Where variations to the DCP requirements are sought by an applicant, these cases should be described in detail and should only be considered where there are exceptional circumstances or where development options are limited.

The following options are recommended to provide guidance for variation requests:-

1. *Where there is adequate space for development elsewhere on the site – in other words – where there is no justification for a variation - then the existing setback shall remain unaltered.*
2. *Where there are limited alternative options to provide for the development behind the building alignment, a variation of the DCP setback requirement of 5.5 metres from the front property boundary be considered on merit. (This would provide a reasonable setback to the street, allow for suitable landscape treatment and maintain an open streetscape free from the encroachment of structures).*
 1. *Where variations less than 5.5 metres are requested, the following matters be considered:*
 - a. *Established streetscape and setbacks of adjoining premises;*
 - b. *Traffic and pedestrian safety;*
 - c. *Heritage vistas and other site specific matters.*

The proposal before Council does not appear to be the most appropriate development option for the site. Council staff do not object to the dwelling additions, however the proposed location and nature of the additions subsequently determine the location of the car parking area. It is considered there are suitable alternative options for development that are more appropriate for the site which would comply with Hawkesbury DCP. Some of these options may involve a redesign of the development, or construction of a detached garage to the rear yard, or not proceeding with the carport component.

It is considered that in this case, given that established streetscapes and setbacks of adjoining premises are compliant with a 7.5 metre setback that there are no special circumstances to warrant the support of the development as proposed.

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

Not applicable.

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v. Matters prescribed by the Regulations:

There are no matters prescribed by the regulations.

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

The carport is likely to have an adverse visual impact upon the street as the proposal will be visually prominent within the front building alignment. It is also considered that the proposed development is inconsistent with the established character of the area.

It is noted that opposite the subject site, there exists a garage with a reduced setback to Macquarie Place. This premise, known as 16 Macquarie Place, is a corner allotment and actually faces Mitchell Drive. In this particular case, the garage is located within the secondary setback. As such, that development is considered acceptable as it complies with the secondary setback provision in Hawkesbury Development Control Plan for corner allotments.

Access, Traffic & Pedestrian Safety

There are not considered to be any demonstrable adverse impacts associated with the proposal concerning access, traffic movements or pedestrian safety.

c. Suitability of the site for the development:

The site is suitable for the development.

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

One submission (to the original two storey proposal). The points of objection related to privacy concerns and these issues were addressed with the submission of amended plans which reduced the proposal from a two storey to a single storey development.

e. The Public Interest:

Approval of the development may set an undesirable precedent for similar inappropriate development which would not be in the public interest.

Developer Contributions

The development is exempt from contributions under Section 94E of the Environmental Planning and Assessment Act 1979 or Council's Section 94A Contributions Plan.

Conclusion

The dwelling additions are not in contention. The only matter of concern relates to the non-compliance of the front carport setback with HDCP. It is considered that in the light of the recent Councillor Briefing Session, the proposal before Council does not have sufficient justification to warrant approval as there are alternative options for re-design of the proposal which would comply with HDCP.

Planning Decision

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

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RECOMMENDATION:

That development application DA0134/09 at No. 19 Macquarie Place, Glossodia for dwelling alterations and additions and attached carport be refused for the following reasons:

Reason for Refusal

1. Pursuant to the provisions of Section 79C(a)iii of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the aims and objectives of Hawkesbury Development Control Plan.
2. Pursuant to the provisions of Section 79C(a)iii of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with the provisions of Clause 1.4 – Setbacks - of Hawkesbury Development Control Plan.
3. Pursuant to the provisions of Section 79C(a)iii of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the established character of the area.
4. Pursuant to the provisions of Section 79C(b) of the Environmental Planning and Assessment Act 1979 the proposed development would have an unacceptable impact upon the visual quality of the area.
5. Pursuant to the provisions of Section 79C(e) of the Environmental Planning and Assessment Act 1979 approval of the development may set an undesirable precedent for similar inappropriate development which would not be in the public interest.

ATTACHMENTS:

- AT - 1** Location Map
- AT - 2** Aerial Photo
- AT - 3** Site Plan
- AT - 4** Elevations

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AT - 1 Location Map

**To View This Image,
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AT - 2 Aerial Photo

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AT - 4 Elevations

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oooO END OF REPORT Oooo

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Item: 253 **CP - Development Application - Removal of one tree - Lot B DP 158118 13 Kable Street, Windsor / Lot 21 DP 603166 12 Fitzgerald Street, Windsor - (DA0304/09, 6385, 6384, 95498)**

Development Information

Applicant: Mr JD Paine
Owner: Mr JD Paine & Mrs CA Paine
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
 Hawkesbury Development Control Plan 2002
Area: 12 Fitzgerald St - 9514m² - 13 Kable St - 569m²
Zone: Housing
Advertising: Not required
Date Received: 9 June 2009

Key Issues: ♦ Health and significance of tree
 ♦ Tree Preservation Order

Recommendation: Refusal

REPORT:

Description of Proposal

The applicant seeks approval to remove one silky oak tree from the premises. The tree is located upon the northern boundary of an existing one storey dwelling at 13 Kable Street and is partially located within the access handle that leads to 12 Fitzgerald Street. The tree, including the existing dwelling at 13 Kable Street is surrounded by heritage listed items, and is visually prominent in the streetscape, due to its height and size. The mature tree forms part of a landscape hedge and is approximately 26 metres in height and has a canopy spread of approximately 11 metres. The tree is not an item of heritage significance.

Section 79C Matters for Consideration

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

- a. **The provisions (where applicable) of any:**
 - i. **Environmental Planning Instrument (i.e LEPs, REPs & SEPPs)**

Statutory Situation

The sites are zoned housing under Hawkesbury Local Environmental Plan 1989 and is also subject to:

- Sydney Regional Environmental Plan 20 (Hawkesbury Nepean)

The following clauses of Hawkesbury Local Environmental Plan 1989 were taken in to consideration:

Clause 2 - Aims, objectives etc
Clause 9a - Zone objectives

An assessment of the Development Application reveals that the proposal is inconsistent with clause 2 of Hawkesbury Local Environmental Plan as it is considered that the removal of the silky oak tree would diminish the appearance of the existing landscape as the tree has landmark significance.

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

There are no draft environmental planning instruments applicable to the proposed development.

iii. Development Control Plan applying to the land

The application was not required to be neighbour notified in accordance with Hawkesbury Development Control Plan 2002 Part A, Chapter 3. In respect to development standards for the removal of trees, no specific development control plan exists.

iii(a) Planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

There are no planning agreements applicable to the proposed development.

iv. Matters prescribed by the Regulations

The proposed development is not inconsistent with the provisions of the Environmental Planning and Assessment Regulation, 2000.

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

The application was referred to Council's Heritage advisor as the land contains a heritage item. However, there is no objection to tree removal in this case on heritage grounds.

The application for the removal of the tree was referred to Council's Acting Parks Officer for consideration. In assessment of such applications, consideration is given to the trees characteristics and health; site conditions, the landuse surrounding the tree, whether the tree can be relocated, tree defects; hazard rating and abatement before making a recommendation on whether a tree can be removed.

In this instance, the recommendation was that permission to remove the silky oak be refused for the following reasons:

- It is a healthy and significant landmark tree
- At the time of inspection, the tree did not exhibit any obvious structural faults.

Council has a Tree Preservation Order Policy which specifies that a person shall not ring-bark, cut down, top, lop, remove, injure or wilfully destroy any tree within the Hawkesbury City Council area except with prior development consent of Hawkesbury City Council.

Exemptions in the Tree Preservation Order Policy exist, one of which permits the removal or clearing of any vegetation on land zoned for housing with an area of 1,000 square metres or less, except for land located in Kurrajong or Kurrajong Heights. It is noted that the property at 13 Kable Street has an area of 569m² and is located within the Housing zone and subject to the Policy, a tree wholly contained within this property could be removed without Council consent.

However, in this instance Council is unable to clearly define the location of the tree and it appears to straddle the boundary of both Kable Street and Fitzgerald Street properties. No survey plan was submitted with the application to identify the exact location of the tree. As the area of the allotment at 12 Fitzgerald Street exceeds 1000m², Council is unable to utilise the exempt provisions of the Tree Preservation Order Policy and therefore a development application is required to consider the removal of the tree.

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As the tree appears to straddle across two allotments thus preventing the use of exemptions within the Tree Preservation Order Policy and with consideration of comments received from Council's Acting Parks Officer, it is considered that removal of the tree would be detrimental to the natural and built environment in this instance, as the tree is healthy and has landmark significance, which contributes to the streetscape within the locality.

c. Suitability of the site for the development

The site is currently being used for residential purposes and does not require the removal of the tree to create asset protection zones, improve internal manoeuvrability on site or for safety reasons.

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

The application was not required to be neighbour notified.

e. The Public Interest

The site is currently being used for residential purposes and does not require the removal of the tree to create asset protection zones, improve internal manoeuvrability on site or for safety reasons. Having regard to the relevant planning considerations, it is concluded that it would be in the public interest to refuse the application to enable the tree to be retained, which has landmark significance.

Conclusion

As the tree appears to straddle across two allotments thus preventing the use of exemptions within the Tree Preservation Order Policy and with consideration of comments received from Council's Acting Parks Officer, it is viewed that removal of the tree would be detrimental to the natural and built environment in this instance, as the tree is healthy and contributes to the streetscape within the locality.

Planning Decision

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

RECOMMENDATION:

That development application DA0304/09 at Lot B DP 158118, 13 Kable Street, Windsor and 12 Fitzgerald Street, Windsor for the removal of one tree be refused for the following reasons:

Reason for Refusal

1. The proposal fails to comply with the objectives of Hawkesbury Local Environmental Plan 1989 Clause 2, as the development would diminish the appearance of the existing landscape as the tree has landmark significance pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act, 1979.
2. The proposal is not considered to be in the public's wider interest pursuant to Section 79C(1)(e) of the Environmental Planning and Assessment Act, 1979.

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ATTACHMENTS:

- AT - 1** Location Plan
- AT - 2** Aerial Photo

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AT - 1 Location Plan

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AT - 2 Aerial Photo

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oooO END OF REPORT Oooo

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Item: 254 **CP - Development Application - Rural Shed - 672 Slopes Road, The Slopes - (DA0525/09, 75919, 112088, 95498)**

Development Information

Applicant: Steven Allen Masters
Owner: Mr SA Masters & Mrs JA Masters
Zone: Rural Living
Exhibition: 18/09/2009 - 2/10/2009
Date Received: 7 September 2009

Recommendation: Approval

REPORT:

Description of Proposal

The proposal involves the construction of a colourbond rural shed 140 square metres in area. The shed is proposed to be located three metres from the adjoining property boundary. The shed will have open bays with no roller doors. The shed will be used for the storage of vehicles, machinery and equipment. The colour of the shed is to be cream walls and roof and red guttering.

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

Recommendation

Approval

Issues Relevant to the Decision - In Point Form

- 1 objection received

Council Policies, Procedures and Codes to Which the Matter Relates

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

Section 79C Matters for Consideration

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

Issue	Comments (in point form)
Any Environmental Planning Instrument (EPI)	<ul style="list-style-type: none">• The proposal is consistent with all Environmental Planning Instruments
Any draft EPI that has been placed on public exhibition	<ul style="list-style-type: none">• There are no draft instruments that are applicable.

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Issue	Comments (in point form)
Any DCP in force	<ul style="list-style-type: none"> The proposal is consistent with Hawkesbury DCP.
Any matters prescribed by the Regulations	<ul style="list-style-type: none"> There are no matters prescribed.
Likely impacts, including environmental, on both natural and built environments and the social and economic impacts of the locality	<ul style="list-style-type: none"> There are no adverse impacts associated with the development.
The suitability of the site	<ul style="list-style-type: none"> The site is considered suitable for the development.
Any submissions (see attached scheduled for details)	<ul style="list-style-type: none"> 1 Objection (see below for comments)
The public interest	<ul style="list-style-type: none"> Approval of the Shed would not be against the public interest.

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

One objection was received from the property adjoining the western boundary of the subject property.

The points of concern are as follows:

- The location of the proposed shed is of concern in that it will block the views that the objector currently enjoys from the rear deck of his dwelling;

Comment: The principles of view sharing have been considered in a case heard in the NSW Land and Environment Court – Tenacity Consulting v Warringah [2004] NSWLEC 140. That case set principles for the assessment of view impacts. The Senior Commissioner of the Land and Environment Court – Dr John Roseth – in his judgement set four steps for assessment of views:

- The first is the assessment of views affected (water and iconic views are more highly valued than land views and whole views are more highly valued than partial views);
- The second is to consider from what part of the property the views are obtained (“The impact on views from living areas is more significant than from bedrooms or service areas”);
- The third is to assess the extent of the impact (“assess the view loss qualitatively as negligible, minor, severe or devastating”);
- The fourth is to assess the reasonableness of the proposal that is causing the impact.

Senior Commissioner Dr Roseth goes on to mention in paragraph 27 of the judgement that “...the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries....The expectation to retain side views...is often unrealistic.”

The neighbour has enjoyed the benefit of a broad rural vista for many years and would obviously prefer to retain their existing rural views of their own property and adjoining land. It is acknowledged that the development as proposed will marginally reduce the objectors previously enjoyed view. However, it should be noted that this view is over the adjoining property, not owned by the objectors, and noted by Commissioner Dr Roseth in the above judgement as “unrealistic” to keep. The objectors do not own the view they previously

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enjoyed. It is unreasonable to require the owners of the subject land to maintain a corridor over their land for the views of adjoining neighbours, particularly when that view does not involve any iconic feature. Hence there is a minor impact in this case for a modest size shed that is a permitted land use in the zone.

2. There are suitable alternative locations for the proposed shed;

Comment: Council staff have raised with the applicant, the option of relocation of the proposed shed to a position further down the hill toward the rear of the property. Such a position would satisfy the objectors concerns and the shed would potentially be 'exempt development'. Council staff are of the opinion that there is no impediment to such a location. The applicant indicated that this was not an option and did not wish to amend the proposal.

The neighbours view from the deck (as explained above) is only partially obscured. If the application were to be refused, an alternative location could be chosen without reference to Council or the neighbour. An alternative location could also have an unsatisfactory view outcome for the neighbour.

It should be noted that the applicant has already commenced earthworks in connection with the proposed shed without approval. This work involves the importation of fill material to the site and levelling the area. This matter is being pursued separately.

3. Access to the proposed shed. The objector has concerns that the access road may extend past the Western side of the dwelling (adjacent to the objector's dwelling) ;

Comment: Access to the shed has not been indicated on the plans, however the existing driveway enters the property on the eastern side. The applicant has verbally indicated that the driveway would continue past the dwelling on the eastern side and then traverse behind the dwelling to service the shed.

It has been indicated to the neighbour that the shed complies with all the requirements set out under Hawkesbury Development Control Plan.

Conclusion

It is considered that the shed complies with Hawkesbury Development Control Plan and is not of a size and scale as to have a demonstrable impact upon the scenic quality of the area. Given the above, the application is recommended for approval.

Planning Decision

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

RECOMMENDATION:

That development application DA0525/09 at Lot 4 DP 976395, 672 Slopes Road, The Slopes for a rural shed be approved subject to the following conditions:

General Conditions

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.

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2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
3. The development shall comply with the provisions of the Building Code of Australia at all times.
4. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within 7 (seven) days of issuing the certificate. A registration fee applies.
5. The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

Prior to Commencement of Works

6. A waste management plan shall be submitted to and approved by Council. The plan shall address any builder's waste and waste generated during the day to day operation of the development. Particular attention shall be paid to type and quantity of waste, recycling, reuse, storage and disposal.
7. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
8. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
9. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
10. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
11. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.

During Construction

12. All fill to be adequately compacted by track rolling or similar in layers not exceeding 300mm.
13. Any water tanks, outbuildings or other ancillary structures shall be finished in colours and materials of earth tones of low reflective quality to blend in with the bushland.
14. Exterior surfaces of the proposed structure shall be painted or treated with an earth toned non-reflective material.
15. No excavated material, including soil, shall be removed from the site.

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16. The site shall be secured to prevent the depositing of any unauthorised material.
17. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
18. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
19. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
20. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
21. No trees are to be removed without the approval of Council.
22. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
23. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
24. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
 - (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
 - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
25. The footings shall be piered or shall penetrate through any fill or unstable foundation material to bear upon a structurally adequate foundation material of a uniform load-bearing value.
26. All roofwater shall be drained to the water storage vessel/s. The overflow from the tank is to be directed to an approved absorption trench of suitable size. The absorption trench shall be a minimum of three metres from any structure or boundary.
27. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.

Use of the Development

28. No internal or external alterations shall be carried out without prior approval of Council.
29. The development shall be limited to the area shown on the submitted plans.
30. The Shed shall not be occupied for human habitation/residential, industrial or commercial purposes. The rural shed is only to be used in conjunction with, or ancillary to, the agricultural use of the land.

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ATTACHMENTS:

- AT - 1** Locality Plan
- AT - 2** Aerial Photo
- AT - 3** Site Plan
- AT - 4** Floor Plans and Elevations

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AT - 1 Locality Plan

**To View This Image,
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AT - 2 Aerial Photo

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AT - 3 Site Plan

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ORDINARY MEETING

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AT - 4 Floor Plans and Elevations

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Attachments Document (Maps)**

oooO END OF REPORT Oooo

Item: 255 CP - Implementing the Integrated Planning and Reporting Framework - (79385, 95498)

REPORT:

Introduction

The NSW Division of Local Government has introduced a new planning and reporting framework for NSW local government. The *Local Government Amendment (Planning and Reporting) Act 2009* (the Act), was assented to on 9 October 2009. The purpose of this report is to further advise Council of the requirements of the amendment to the Act, and to nominate a Group for the timeframe to complete implementation of the changes.

Division of Local Government's - Planning for a Sustainable Future: Integrated Planning and Reporting Framework

The reforms replace the former Management Plan and Social Plan with an integrated framework, consisting of a hierarchy of documents which include a long-term Community Strategic Plan, a Resourcing Strategy and a Delivery Program for each elected council term. An Operational Plan is then developed for each year to outline the specific details of Council's activities and budget and report on the progress of its activities to the community through the Annual Report.

The Division of Local Government (DLG) released for public consultation, in May 2009, the Integrated Planning and Reporting Legislation and Guideline Exposure Draft Local Government Amendment (Planning and Reporting) Bill 2009, and the Local Government (General) Amendment (Planning and Reporting) Regulation 2009. The draft legislation was supported by draft Planning and Reporting Guidelines (compliance is mandatory), and a draft Planning and Reporting Manual (supporting information to assist councils).

The Bill was tabled in the NSW Parliament in early July 2009 and was assented to (commenced) on 9 October 2009.

Councils will be required to address all essential elements of the legislation in their plans and prepare a compliance report in accordance with the Act. The following diagram shows the basic structure of the proposed new planning and reporting system.



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The contents of the Manual are not mandatory requirements. However, councils are required to consider the content of the Manual when they are making decisions on the transition to the new planning and reporting system.

The implementation of the new requirements will be staged, to comply with the requirements of the legislation. However, all councils by 2012 will need to have in place the following planning processes:

- a community engagement strategy that sets out how each council will engage its community when developing or reviewing its Community Strategic Plan,
- a Community Strategic Plan,
- a Resourcing Strategy that includes a long term financial plan, a workforce management strategy and an asset management policy, strategy and plans,
- a Delivery Program,
- an Operational Plan, including a statement of revenue policy, and a detailed annual budget.

To comply with the requirements of the legislation and the *Planning and Reporting Guidelines for local government in NSW*, councils will also need to have in place the following reporting processes:

- an Annual Report outlining achievements against the Delivery program,
- a State of the Environment Report as part of the Annual Report, which outlines achievements in relation to the environmental objectives in the Community Strategic Plan,
- audited financial statements as part of the Annual Report,
- an end of term report by each outgoing council outlining the achievements in implementing the Community Strategic Plan presented to the final meeting of that council.

The implementation of the new integrated planning framework is proposed over a three year period. The Division of Local Government wrote to Council on 14 October 2009 (copy attached) requiring Council to nominate, by resolution, its choice of Group for the implementation of the new requirements. The timeframe groups are as follows:

- Group 1: Community Strategic Plan and Delivery Program adopted by 30 June 2010.
- Group 2: Community Strategic Plan and Delivery Program adopted by 30 June 2011.
- Group 3: Community Strategic Plan and Delivery Program adopted by 30 June 2012.

The Division has suggested that Councils should consider the following matters in determining which Group to nominate:

- its capacity to meet the new legislative requirements within the timeframe,
- if there is sufficient time to effectively engage the community in preparing the relevant plans,
- the status of its Resource Strategy development. The Council should have an asset management strategy developed that identifies how it will manage its assets and how and over what timeframe it will develop asset management plans for all classes of assets.

The letter from the Division also states that if councils are well progressed, or have already adopted, a Community Strategic Plan, that consideration should be given to nominating for Group 1, i.e., to be completed by 30 June 2010.

As Council is aware, the Hawkesbury Community Strategic Plan was adopted at the meeting of 13 October 2009. Notwithstanding, there is a significant amount of work still required prior to Council fully implementing the legislative requirements. These include Resource Strategy matters, such as asset management processes, preparation and budgeting, Delivery Plan preparation and necessary amendments to Council operations and development of Council processes to enable the necessary reporting regime.

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The adoption of the Community Strategic Plan will ensure that Council is well placed to embrace and comply with the planning reform requirements. However, given the amount of work required and the impact this work will have on Council's limited resources, it is recommended that Council nominate for Group 3, i.e., implementation of the requirements by 30 June 2012.

Conformance to Strategic Plan

The implementation of the Integrated Planning and Reporting framework is a legislative requirement. However, it should also be noted that this framework involves the development and implementation of strategic policy throughout Council and its operations. The first part of this strategic policy has been the development and adoption of the Community Strategic Plan. All future decisions of Council will need to be consistent with, or flow from, the directions and strategies articulated in the Community Strategic Plan.

Funding

Funding for some of the required work is already included in the current budget as the work will essentially involve modifications to current practices. As the need for additional budget allocations are identified, the proposed changes will be developed and reported via the usual budget process.

RECOMMENDATION:

That the Division of Local Government be advised that Council nominates to be included in "*Group 3: Community Strategic Plan and Delivery Program adopted by 30 June 2012*", for the implementation of the integrated planning and reporting framework.

ATTACHMENTS:

AT - 1 Correspondence from the Division of Local Government dated 14 October 2009.

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AT - 1 Correspondence from the Division of Local Government dated 14 October 2009

**To View This Image,
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ORDINARY MEETING

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Item: 256 CP - Community Sponsorship Program - (2009/2010 - Round 2) - (96328, 95498)**REPORT:**

This report has been prepared to advise Council of applications for financial assistance to be determined under Round 2 of the 2009/2010 Community Sponsorship Program.

Background

On March 13 2007 Council adopted a Sponsorship Policy, prepared in accordance with the guidelines issued by the Independent Commission Against Corruption. To give effect to the Sponsorship Policy, criteria and administrative arrangements for a Community Sponsorship Program were developed with implementation commencing in 2007/2008.

The adopted financial estimates for 2009/2010 include an allocation of \$60,770 for the Community Sponsorship Program. At its Ordinary Meeting 25 August 2009, Council resolved to allocate an additional \$10,000 to the Community Sponsorship Program for 2009/2010.

Community Sponsorship Program 2009/2010

Budget for Community Sponsorship Program

Total (amended) Budget for Financial Year 2009/2010	\$70,770
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Expenditure to date:

Allocated to Hawkesbury Eisteddfod	\$18,540
Approved under Round 1(21 applicants)	\$31,322
Allocated to Macquarie 2010 Seed Seeding Grants	<u>\$10,000</u>
<u>Total</u>	<u>\$59,862</u>

Balance as at 16/11/2009	\$10,908
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Community Sponsorship Program (2009/2010) – Round 2

In accordance with Council's Community Sponsorship Policy, applications for community sponsorship under Round 2 of the Community Sponsorship Program 2009/2010 were called for and closed on October 30, 2009. 14 applications were received. Table 1 summarises the applications received, and the proposed level of financial assistance.

	Applicant	Type	Proposal	\$
1	Dylan Cruse	MA	Representative baseball	100
2	Bridgewater Church	SG	Carols in Hanna Park North Richmond	1000
3	Bede Polding College	MA	Students travelling to Thailand for Community work	500
4	Kaitlyn Griffin	MA	Representative indoor netball	100
5	Rachele Griffin	MA	Representative indoor netball	100
6	Hawkesbury District Health Service	SG	Calendar promoting health lifestyle for the elderly	nil
7	FOHAC & RG.	SG	Replacement of "Artists Trial" sign	1,593
8	St Matthews Primary School	CF	"Voices of Youth" Public Speaking Competition	155
9	Sarafina Taufa	MA	Representative indoor netball	100
10	Caring Hearts community Quilters	MA	Quilting supplies	500
11	Hawkesbury City Pipe Band Inc	SG	Purchase of kilts for band members	500

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	Applicant	Type	Proposal	\$
12	CWA – Windsor Branch	MA	80 th birthday celebration of the CWA in Windsor	500
13	Kinship at Christmas Foundation	MA	Christmas dinner for those with no family	400
14	Kieren Moss	MA	Representative rugby	100
			TOTAL	5,648

Table 1 - Requests for financial assistance Round 2 of 2009/2010 Community Sponsorship Program

The applications received were assessed against the applicable criteria outlined in Council's Community Sponsorship Program. This criteria reflects the provisions of Council's adopted Sponsorship Policy and the amounts recommended for approval are consistent with the Policy. A more complete summary of the assessment of applications against the Community Sponsorship Program is appended to this report - including the details of special conditions to be applied to the recommended financial assistance (Attachment 1).

Should Council approve the provision of the proposed financial assistance, Council's standard Sponsorship Agreement will need to be executed for Applications 2 (Bridgewater Church) and 7 (Friends of the Hawkesbury Art Community & Regional Gallery). Sponsorship Agreements are not required for the other recommended applicants.

There are sufficient funds to cover the total recommended amount of \$5,648 for Round 2 of the 2009/2010 Community Sponsorship Program leaving a balance of \$5,260 for allocation in further rounds.

Funding

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

RECOMMENDATION:

That Council approve:

1. Payments of Section 356 Financial Assistance to the organisations or individuals listed, and at the level recommended in Table 1 of this report.
2. The execution of Council's standard Sponsorship Agreement for Applications 2 and 7 as identified in Table 1 of this report.

ATTACHMENTS:

AT - 1 Assessment of Applications under Round 2 Community Sponsorship Program 2009/2010

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AT - 1 Assessment of Applications under Round 2
Community Sponsorship Program 2009/2010

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oooO END OF REPORT Oooo

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Item: 257 **CP - Hawkesbury City Council - Annual Report - 2008/2009 - (95498)**

REPORT:

The attached Annual Report has been prepared in accordance with the requirements of Section 428 of the *Local Government Act 1993* and Division of Local Government Circular to councils number 09-30 dated 24 August 2009.

Background

Section 428 of the *Local Government Act 1993* requires that "within five months after the end of each year, a council is required to prepare a report as to its achievements with respect to the objectives and performance targets set out in its management plan for that year".

The Act also prescribes specific reporting requirements that govern the content of the report and submission of audited financial statement and State of the Environment report for the year ending 30 June 2009.

The annual report is a statutory requirement for all New South Wales Councils and must be submitted to the Division of Local Government by the 30 November 2009.

Funding

There are no funding implications from the preparation of this report.

RECOMMENDATION:

That:

1. The completion of Council's 2008/2009 Annual Report information be received and noted and a copy be forwarded to the Division of Local Government and any other necessary authorities prior to the end of November 2009 as required.
2. Council display the full Annual Report on Council's website by the 30 November 2009.

ATTACHMENTS:

- AT - 1** Annual Report 2008/2009 - *(Distributed Under Separate Cover)*
- AT - 2** General Purpose and Special Purpose Financial Report and Special Schedules for the period ending 30 June 2009 - *(Distributed Under Separate Cover)*
- AT - 3** State of the Environment Report - *(Distributed Under Separate Cover)*
- AT - 4** Policy for Payment of Expenses and Provisions of Facilities to Councillors - *(Distributed Under Separate Cover)*

oooO END OF REPORT Oooo

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Item: 258 CP - Increase in Contract Charge to Perform Kerbside Household Cleanup Service - (96330, 95498)

REPORT:

On 14 July 2009 Council resolved to approve the continuance of the contract for the Kerbside Household Cleanup Service provided by Transpacific Cleanaway Pty Ltd for a period of two years in accordance with the extension clause of the existing contract. The resolution from that meeting was as follows:

"That Council:

- 1. Offer Cleanaway the two year extension to the kerbside household collection service contract under the current terms and conditions.*
- 2. Write to those St Albans residents who may be eligible for the proposed service to determine whether there is sufficient support for either of the service options, with the results to be reported to Council."*

Upon notifying Transpacific Cleanaway Pty Ltd of Council's decision to extend the contract by the two year period, a response was forwarded to Council accepting the extension period, but it also informed Council that the company was unable to continue the service at the same rate of costs, as, over the preceding five year period, the service being provided to Council was running at a loss to the company, due to increases in transport costs, and the unexpected, and large increases to the Department of Environment Climate Change and Water (DECCW) Section 88 charges, levied for waste disposal that Transpacific Cleanaway Pty Ltd is required to pay.

When Council received this information and request for additional payments for the provision of the service, Senior Management of Council met with the Regional Manager of Transpacific Cleanaway Pty Ltd, to gain more information, and view the profit and loss details of the company, to validate their claim for additional funding prior to making any recommendation to Council on accepting or rejecting their offer to continue the service.

It has taken some time to gain all the necessary information, and to examine accounting details and negotiate a reasonable increase in the cost for the service, based on value for money and a reasonable expectation of income to the provider. This was recently completed and both these aims appear to have been achieved.

The negotiated increase that Transpacific Cleanaway Pty Ltd is requesting is an additional \$32,000 per year or \$2,666 per month, which is inclusive of the most recent increase of \$10.00 plus CPI to Section 88 Waste Levy charge for disposal of the waste collected.

After due consideration of all the aspects of Transpacific Cleanaway Pty Ltd claims for additional funding, it is apparent that their request is justified, and that there would be no advantage in retendering the service at this time, as this may create an even higher charge to provide the same service, as that which we currently receive.

By accepting the two year extension to the current contract with additional costs, this will allow the public consultation to take place during this period, as outlined in the previous report to Council, which includes the St Albans area and possibly the whole of the Hawkesbury local government area.

Funding

The additional \$32,000 annually requested by Transpacific Cleanaway Pty Ltd can be accommodated from the current domestic waste budget reserves held for such unforeseen increases in waste disposal costs.

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RECOMMENDATION:

That:

1. Council approve the requested increase in payments to Transpacific Cleanaway Pty Ltd by \$32,000 annually plus CPI over the next two year period.
2. A letter of acceptance of the increased costs be forwarded to Transpacific Cleanaway Pty Ltd.
3. The public consultation process outlined in the previous resolution of Council dated 14 July 2009 be implemented.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 259 IS - State Heritage Listing, Wilberforce Cemetery - (95495)

REPORT:

Following community requests to re-open Wilberforce Cemetery, a budget of \$10,000 was allocated in the 2006/2007 Capital Works Program to develop a Conservation Management Plan. Hubert Architects, in conjunction with Ian Jack Heritage Consulting, were the successful Heritage Consultants who undertook the project and it was completed in 2007.

At the end of February 2009 the NSW Minister for Planning, the Hon Kristina Keneally MP launched a new Thematic Listings Program for the identification and inclusion of items to be included on the State Heritage List.

As a result, the NSW Heritage Council has identified four themes under which priority listing will take place in 2009/2010. These themes are Aboriginal heritage, Governor Macquarie heritage, Convict heritage and the heritage of World Wars I and II.

As part of the Convict theme, the NSW State Heritage office is seeking to list Wilberforce Cemetery on the State Heritage Register, as burials within the Cemetery date from 1817 and include approximately 70 First, Second and Third Fleet convicts and ex-convicts.

On the 19 October 2009, notice was received from the NSW Heritage Council, that it had resolved to include Wilberforce Cemetery for State Heritage Listing and are inviting public submissions regarding the proposed listing.

The Heritage Office provides listed sites with tools to allow for the maintenance and management of sites, which are Standard Exemptions and Site Specific Exemptions under Section 57 (2) of the Heritage Act 1977.

The purpose of the standard exemptions is to clarify for owners, the Heritage Branch and local councils what kind of maintenance and minor works can be undertaken without needing Heritage Council approval. This ensures that owners are not required to make unnecessary applications for minor maintenance and repairs. Specific exemptions apply to sites with specific exemptions for works other than those in the standard list.

The listing of Wilberforce Cemetery on the State Heritage Register will not effect the normal operations or management and maintenance regimes as the Heritage Office applies the Standard Exemptions under Section 57(2) of the Heritage Act, 1977, however it is recommended that as part of Council's submission the inclusion of the following site specific exemptions be sought:

1. Implementation of the current management plan adopted by Council in accordance with the Local Government Act 1993;
2. Horticultural maintenance, including lawn mowing, cultivation, pruning and remedial tree surgery;
3. Maintenance and repair of existing roads, paths, fences, gates, drains, water reticulation facilities and other utilities.

Whilst a submission by the owner is not mandatory, it is recommended that Council draft a submission outlining its endorsement with the listing of Wilberforce Cemetery and requesting the inclusion of the additional site specific exemptions to ensure the effective management of the cemetery.

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Funding

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

RECOMMENDATION:

That:

1. The recommendation that Wilberforce Cemetery be listed as a State Heritage Item be endorsed.
2. A submission be forwarded the NSW Heritage Council requesting the inclusion of additional site specific exemptions as outlined within the report to ensure the effective management of Wilberforce Cemetery.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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SUPPORT SERVICES

Item: 260 SS - General Purpose Financial Report and Special Purpose Financial Report for the period ended 30 June 2009 - (96332, 95496)

REPORT:

Council's General Purpose Financial Report and Special Purpose Financial Report for the period ended 30 June 2009 have now been completed, audited and advertised in accordance with the provisions of the Local Government Act 1993 (LGA). The unqualified audit certificate from Council's Auditors, PricewaterhouseCoopers (PwC), has been received and is available for inspection by Councillors and the community.

The LGA requires that the meeting set for the presentation of the financial reports must be at least seven days after public notice is given and within five weeks after the Auditor's reports are given to Council. The Auditor's reports were received on 22 October 2009, and public notice was given in the Northern News on 10 November 2009, in the Hawkesbury Courier on 12 and 19 November 2009 and in the Hawkesbury Gazette on 18 November, 2009.

In accordance with Section 420(1) of the LGA, any person may make a submission to Council regarding the financial reports or with respect to the Auditor's reports. All submissions must be in writing and will be referred to Council's Auditor's, PwC, and Council can take such action as it considers appropriate.

This report recommends that Council note the completion of the financial reports for 2008/2009 and it also recommends that Council suspend Standing Orders to allow Council's Auditor, Mr Dennis Banicevic, to make a presentation to Council.

Operating Performance

Given below is a summary of Council's financial result for the period ended 30 June 2009.

Statement of Financial Performance	2008/09 \$'000	2007/08 \$'000	Movement Inc/(dec)
Income from continuing operations	64,081	58,549	5,532
Expenses from continuing operations	57,141	55,427	1,714
Net Operating Result for the year	6,940	3,122	3,818
Capital Grants & Contributions	7,261	3,790	3,471
Net Operating Result before Capital grants & Contributions	(321)	(668)	347

Details of revenues and expenses for 2008/2009, as compared to the previous year, are as follows:

Income from continuing operations	2008/09 \$'000	2007/08 \$'000	Movement Inc/(dec)
Rates and Annual Charges	34,419	33,663	756
User Charges and Fees	6,416	6,506	(90)
Interest	2,695	1,562	1,133
Grants & Contributions – Operating	8,769	9,471	(702)

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Income from continuing operations	2008/09 \$'000	2007/08 \$'000	Movement Inc/(dec)
Grants & Contributions – Capital	7,261	3,790	3,471
Other Operating Revenue	3,986	3,183	803
Profit from Disposal of Assets & Joint Venture Equity	535	374	161
Total Income from Continuing Operations	64,081	58,549	5,532

Expenses from continuing operations	2008/09 \$'000	2007/08 \$'000	Movement Inc/(dec)
Employee costs	20,376	19,490	886
Materials and Contracts	17,793	18,373	(580)
Borrowing costs	5	222	(217)
Depreciation & Amortisation	10,424	8,608	1816
Other Expenses	8,543	8,734	(191)
Total Expenses from Continuing Operations	57,141	55,427	1714

Statement of Financial Position

The Statement of Financial Position discloses the assets, liabilities and equity of Council. The table below displays Council's reported Statement of Financial Position for the period ended 30 June 2009.

Statement of Financial Position	2008/09 \$'000	2007/08 \$'000	Movement Inc/(dec)
Current Assets	44,368	42,844	1,524
Non Current Assets	453,943	447,386	6,557
Total Assets	498,311	490,230	8,081
Current Liabilities	11,033	10,560	473
Non Current Liabilities	4,645	5,080	(435)
Total Liabilities	15,678	15,640	38
Net Assets	482,633	474,590	8,043
Equity	482,633	474,590	8,043

Performance Indicators

Council's financial reports disclose a number of financial indicators, which are detailed below:

Financial Performance Indicator	June 2009	June 2008	Industry Benchmark
Unrestricted Current Ratio	437	443	100
Debt Service Ratio	0.11%	0.02%	10%
Rate Coverage %	54%	58%	50%
Rates Outstanding %	6.1%	6.7%	5.0%

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Interpretation of Financial Results

Council's financial position for the period ended 30 June 2009 remains sound. However, projections based on current income and expenditure levels indicate future financial difficulties for Council, if not addressed. Increasing difficulties will be experienced to maintain a balanced budget position, with decreasing funds being available to maintain Council's infrastructure network. It is important to take into consideration Special Schedule 7 which provides estimates on the amount of funds required to bring the existing infrastructure back to a satisfactory condition. As tabled in Special Schedule 7, it is estimated that Council needs to spend over \$96 million to bring its assets back to a satisfactory standard, with an annual maintenance requirement of \$17.3 million compared with the current funding of \$8.2 million.

Funding

Not applicable.

RECOMMENDATION:

That Council:

1. Note the completion of the General Purpose, Special Purpose Financial Reports and Special Schedules for the period ended 30 June 2009.
2. Suspend Standing Orders to allow Council's Auditor, Mr Dennis Banicevic of PricewaterhouseCoopers, to make a presentation in respect of Council's audited 2008/2009 financial reports.

ATTACHMENTS:

- AT - 1** General Purpose and Special Purpose Financial Reports and Special Schedules for the Period Ended 30 June 2009 - (*Distributed under Separate Cover*)

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 24 November 2009

Item: 261 SS - Monthly Investments Report - October 2009 - (96332, 95496)

Previous Item: 17, Ordinary (3 February 2009)

REPORT:

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

October 2009

The following table indicates that Council held \$38.3 million in investments as at 31 October 2009. 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 and the investments and the percentage of the total portfolio, are provided below.

Investment Type	Institution Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Investment Rating	Total \$
On Call								
CBA	AA	31-Oct-09		3.75%	4,790,000	12.56%	A1+	4,790,000
Term Investments								
ANZ	AA	22-Sep-09	24-Mar-10	4.75%	2,000,000	5.22%	A1+	
ANZ	AA	29-May-09	25-Nov-09	4.25%	1,000,000	2.61%	A1+	
ANZ	AA	24-Jun-09	21-Dec-09	4.50%	3,000,000	7.83%	A1+	
ANZ	AA	02-Sep-09	02-Sep-10	5.25%	2,000,000	5.22%	A1+	
Bank of Cyprus	A	04-May-09	02-Nov-09	4.50%	1,000,000	2.61%	Moody's P-1	
Bank of Queensland	BBB+	20-Jul-09	19-May-10	4.50%	1,000,000	2.61%	A-2	
Bankwest	AA	19-Aug-09	19-Aug-10	5.00%	1,000,000	2.61%	A1+	
Bendigo and Adelaide Bank	BBB+	09-Oct-09	13-Oct-10	5.30%	1,000,000	2.61%	A-2	
Citibank	A+	20-Jul-09	21-Apr-10	4.60%	1,000,000	2.61%	A-1	
Credit Union Australia	BBB	30-Jul-09	24-Mar-10	4.62%	1,000,000	2.61%	unrated	
Elders Rural Bank	BBB	15-Jun-09	15-Jun-10	4.64%	1,000,000	2.61%	A-2	
IMB	BBB	30-Jul-09	27-Jan-10	4.45%	1,000,000	2.61%	A-2	
Investec Bank	BBB	02-Sept-09	02-Sep-10	5.74%	1,000,000	2.61%	Moody's P-2	
Macquarie Bank	A	18-Jun-09	15-Jun-10	4.50%	1,000,000	2.61%	A-1	
Members Equity	BBB	03-Aug-09	03-Mar-10	4.65%	1,000,000	2.61%	A-2	

ORDINARY MEETING

Meeting Date: 24 November 2009

Investment Type	Institution Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Investment Rating	Total \$
NAB	AA	29-May-09	16-Dec-09	4.28%	3,500,000	9.14%	A1+	
NAB	AA	05-Jun-09	16-Dec-09	4.40%	2,000,000	5.22%	A1+	
NAB	AA	02-Sep-09	04-Aug-10	5.20%	1,000,000	2.61%	A1+	
Newcastle Permanent	BBB+	18-Jun-09	15-Jun-10	4.55%	1,000,000	2.61%	A-2	
Suncorp	A	12-Jun-09	14-Jun-10	4.60%	1,000,000	2.61%	A-1	
Westpac	AA	20-Jul-09	20-Jan-10	4.40%	3,000,000	7.83%	A1+	
Westpac	AA	24-Jun-09	24-Feb-10	4.41%	3,000,000	7.83%	A1+	33,500,000
TOTAL INVESTMENT AS AT 31 OCTOBER 2009								38,290,000

	Bench Mark	Actual
Bench Mark - UBSA 90 Day Bank Bill Index	3.94%	4.62%
Bench Mark - 11am Cash Rate	3.25%	3.75%

Performance by Type

Category	Balance	Average Interest	Difference to Benchmark	Restriction Type	Amount
Cash at Call	4,790,000	3.75%	0.50%	External Restrictions -S94	7,076,145
Term Deposit	33,500,000	4.62%	0.68%	External Restrictions - Other	10,451,176
				Internal Restrictions	15,782,173
				Unrestricted	4,980,506
	38,290,000	4.51%	0.57%	Total	38,290,000

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

External Restrictions – Section 94 Contributions

External Restrictions – Other (reserve details below)

- Waste Management
- Sewerage
- Unexpended Grants
- Stormwater Management

Internal Restrictions (reserve details below)

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

ORDINARY MEETING

Meeting Date: 24 November 2009

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

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

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

Investment Commentary

The investment portfolio decreased by \$2.63 million for the month. During October, various income was received totalling \$3.55 million, including rate payments amounting to \$0.96 million, while payments to suppliers and staff costs amounted to \$6.14 million.

The investment portfolio currently involves a number of term deposits and on-call accounts.

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

Council at its meeting on 3 February 2009, considered a report on the Federal Government’s Guarantee Scheme on deposits and wholesale funding of eligible authorised deposit-taking institutions and resolved as follows:

"That:

- 1. In respect of Council funds invested with acknowledged tier one major Australian trading banks (ANZ, CBA, NAB and Westpac), that Council accept the coverage available, without cost, from the Federal Government’s “Guarantee Scheme”, and not optionally guarantee additional funds.*
- 2. Council’s investments in other banking institutions, not referred to in 1 above, and authorised under the current Ministerial Investment Order and Council’s Investment Policy, be limited to an amount equivalent to the level of funds that receive coverage under the Federal Government’s “Guarantee Scheme” without additional cost to Council.*
- 3. All investments be made in accordance with Council’s investment policy.*
- 4. Council receive a further report updating Council’s Investment Policy following the release of new investment guidelines by the Department of Local Government."*

Action was taken to comply with the above resolutions, by not optionally guaranteeing amounts invested with the tier one major Australian trading banks (ANZ, CBA, NAB and Westpac), over and above the amounts that are covered by the free Government Guarantee Scheme. Further, at its meeting on 28 April 2009, Council considered a report on a revised Investment Policy and resolved to adopt a revised Investment Policy. Council’s revised Investment Policy fully complies with the Department of Local Government Investment Guidelines that were distributed on 25 May 2009.

ORDINARY MEETING

Meeting Date: 24 November 2009

As at 31 October 2009, Council has invested \$13 million with 2nd tier financial institutions, noting that one of these institutions is a subsidiary of a major Australian trading bank. The investment of \$1 million with thirteen 2nd tier banks is entirely covered by the free Government Guarantee Scheme, and is in accordance with the revised Ministerial Investment Order, Council's Investment Policy, and Council's resolution at its meeting on 3 February 2009.

Effective from 4 November 2009, the Reserve Bank raised official interest rates by one quarter of one percent to a cash rate of 3.50%.

The Governor of the Reserve Bank of Australia released the following statement on monetary policy on 3 November 2009:

"At its meeting today, the Board decided to raise the cash rate by 25 basis points to 3.5 per cent, effective 4 November 2009.

The global economy has resumed growth. With economic policy settings likely to remain expansionary for some time, the recovery is likely to continue during 2010 and forecasts have been revised higher. The expansion is generally expected to be modest in the major countries, due to the continuing legacy of the financial crisis. Prospects for Australia's Asian trading partners appear to be noticeably better. Growth in China has been very strong, which is having a significant impact on other economies in the region and on commodity markets. For Australia's trading partner group, growth in 2010 is likely to be close to trend.

Sentiment in global financial markets is much better than earlier in the year. Nonetheless, the state of balance sheets in some major countries remains a potential constraint on their expansion.

Economic conditions in Australia have been stronger than expected and measures of confidence have recovered. Some spending has probably been brought forward by the various policy initiatives. With those effects now diminishing, these areas of demand may soften somewhat. Some types of capital spending are likely to be held back for a while by financing constraints, but it now appears that private investment will not be as weak as earlier expected. Medium-term prospects for investment appear, moreover, to be strengthening. Higher dwelling activity and public infrastructure spending are also starting to provide more support to spending. There have been some early signs of an improvement in labour market conditions. The rate of unemployment is now likely to peak at a considerably lower level than earlier expected.

Inflation has been declining for the past year. In underlying terms, inflation should continue to moderate in the near term, but now will probably not fall as far as earlier thought. Headline CPI inflation on a year-ended basis has been unusually low because of temporary factors, and will probably rise somewhat over the coming year. Both CPI and underlying inflation are expected to be consistent with the target in 2010.

Housing credit growth has been solid and dwelling prices have risen appreciably this year. Business borrowing has been declining as companies have sought to reduce leverage in an environment of tighter lending standards. For many business borrowers, increases in risk margins are still coming through. The decline in credit has been concentrated among large firms, which have had good access to equity capital and, more recently, to debt markets. Share markets have recovered significant ground.

The Board noted that the rise in the exchange rate is likely to constrain output in the tradeables sector and dampen price pressures. Nonetheless, growth is likely to be close to trend over the year ahead and inflation close to target. With the risk of serious economic contraction in Australia now having passed, the Board's view is that it is prudent to lessen gradually the degree of monetary stimulus that was put in place when the outlook appeared to be much weaker. The adjustments at the October and November meetings will work to increase the sustainability of growth in economic activity and keep inflation consistent with the target over the years ahead."

ORDINARY MEETING

Meeting Date: 24 November 2009

Investment Certification

I, Rob Stalley (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.

Funding

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

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: 24 November 2009

Item: 262 **SS - September 2009 Quarterly Review - 2009/2010 Management Plan - (96332, 95496)**

Previous Item: 109, Extraordinary (16 June 2009)

REPORT:

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

Management Plan

Council adopted its Management Plan for 2009/2010 on 16 June 2009.

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

The September 2009 Quarterly Review has been prepared and is attached for your information.

Financial Position

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

The September 2009 review 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 more significant items of the September 2009 review include:

Operating Revenue Variations

- ***Financial Assistance Grant – Unfavourable Variance \$149K***

The Financial Assistance Grant for 2009/2010 was budgeted at \$4.4 million. This budget was based on a 1% increase on 2008/2009 amounts for the general component of the grant and a 1.9% increase for the roads component. Subsequent to the budget being prepared on this basis, Council was advised by the NSW Local Government Grants Commission that the indicative payments were \$4.3 million. Based on this advice the budget for the Financial Assistance Grant has been reduced by \$149,000.

- ***Interest Income – Favourable Variance \$200K***

The full year budget for interest earnings for 2009/2010 is \$0.8 million. As at the end of September 2009, Council's earnings were \$0.4 million. This positive variance results from a combination of a variation in the capital invested and the interest rate movements. The full year budget was based on an interest rate of 3% and capital invested of \$25 million. As at the end of the first quarter, Council has an investment portfolio of \$40.9 million averaging earnings of 4.32%. In light of the recent cash rates increases, the interest earned on Council's investment portfolio is expected to track positively against budget. A positive variance of \$200,000 is included in this review.

ORDINARY MEETING

Meeting Date: 24 November 2009

- **Rating Interest and S603 Certificates - Favourable Variance \$34K**

A favourable adjustment of \$23,000 is included in this review for an increase in interest earned on overdue rates and charges. The budgeted income for S603 Certificates is also being increased by \$10,000 based on the current positive trend.

- **Fleet and Plant Disposals – Favourable Variance \$160K**

A number of leaseback vehicles and public works plant have been sold during the first quarter of 2009/2010. The sales proceeds have been included in this review.

Operating Expenditure Variations

- **Employee Costs – Unfavourable Variance \$74K**

A review of superannuation payments by Council in respect of a number of staff following a 100% increase in contribution rates for the Local Government Superannuation Scheme Retirement and Defined Scheme due to the effects of investment returns as previously reported to Council has resulted in an unfavourable budget variation in the employee costs budget of \$56,000. A further \$18,000 has been transferred from other line items to cover unbudgeted casual staff costs.

- **Donations – Unfavourable Variance \$30K**

At the meeting of 29 September 2009 (Item 211), Council resolved to provide financial assistance of \$30,000 to St. Monica's Catholic Primary School, Richmond. This amount is included as a donation in this review.

- **Valuer General Fees – Unfavourable Variance \$14K**

The Land and Property Information Division of the Department of Lands provides rating valuation services on behalf of the Valuer General under the terms of the Valuation of Land Act 1916 to enable Council to levy ad valorem rates. During 2008, IPART undertook a review of the pricing of rating valuation services and made a new price determination to have effect from 1 July 2009 to 30 June 2014. The new prices are structured similarly to the previous determination and are based on separate prices for residential and non-residential properties. IPART calculated that these new prices are comparable to the previous prices adjusted for inflation. This review has resulted in an increase of 17.8% over the budgeted amounts for both residential and non-residential properties. A budget variation of \$14,000 is included in this review.

- **Hawkesbury Leisure Centre – Unfavourable Variance \$25K**

As at the end of September 2009, \$45,000 has been spent on reactive maintenance at the Hawkesbury Leisure Centre. This represents 54% of the total funds allocated. Based on this trend, and the unpredictability of breakdowns requiring urgent attention, an additional \$25,000 has been allocated to reactive maintenance for the Hawkesbury Leisure Centre.

- **State Emergency Services Contribution – Unfavourable Contribution \$55K**

Under the provisions of the Fire Brigades Act 1989, the Rural Fires Act 1997 and State Emergency Service Act 1989, local councils are required to contribute to the costs of the NSW Fire Brigades, the NSW Rural Fire Service and the State Emergency Service. Council was advised of the addition of the latter after the budget for 2009/2010 had been completed, resulting in this contribution not being budgeted for. This review includes an unfavourable variance of \$55,000 to cover this contribution.

- **Depreciation – Nil Effect**

A number of depreciation adjustments are included in this review. These adjustments are required to bring the depreciation allocation to the level required as a result of the fair valuation of infrastructure assets as outlined in the Division of Local Government Circular 09-09 dated 17 March 2009. This Circular requires all council's roads, bridges, footpaths and drainage assets to be valued at fair value by June 2010. This will result in increase in the value of Council's infrastructure assets and a corresponding increase in the applicable depreciation. While the depreciation adjustments have no overall effect on the net position of Council's Operating Statement, it does affect the operating result before capital items. The operating result before capital items reflects Council's financial sustainability. An operating deficit means that a Council is not generating sufficient surplus through its operating activities to fund the replacement or renewal of capital. The total depreciation adjustment included in this review is \$1.7 million for the full year.

Grants & Contributions Variations

- **Planning Agreement – Nil Variance**

Council entered into a planning agreement with Alchemy Holding Pty Ltd in relation to DA 0537/08 at 263 Windsor Street, Richmond. This agreement required Alchemy Holding Pty Ltd to pay either a cash contribution of \$50,000 to Council towards improvements to the existing public toilet facilities, or works to the equivalent value towards community infrastructure in the immediate proximity of the Richmond business and commercial centre. This contribution and the corresponding capital expenditure have been included in this review.

- **Grants / Contributions – Nil Effect**

Included in this review there is a number of adjustments relating to operating and capital grant funding which Council has received or has been advised it will receive. These budget adjustments include:

- Estuary Management Program – South Creek Restoration - \$15,000
- Hawkesbury Rural Community based Heritage Study - \$12,500
- Yarramundi Reserve Restoration Project - \$90,000
- Auslink Black Spot Freemans Reach / Gorricks Lane - \$442,300
- Auslink Black Spot George / Drummond Streets - \$439,500
- Auslink Black Spot Saunders Rd - \$50,000
- Old Morgue Conservation & Interpretation - \$200,000
- NSW Capital Assistance Program (Smith Park, Pughs Lagoon) - \$20,000
- NSW DLG Playgrounds Grant (Richmond Park) - \$20,000
- Conservation Works Wilberforce Cemetery - \$183,000
- South Windsor Effluent Reuse Scheme (1st instalment) - \$699,250
- RTA George Street Roundabout Maintenance Contribution - \$50,000

Provision for Contingencies - Favourable

It is proposed that the surplus of \$56,217 resulting from this Quarterly Review be transferred to the Contingency Reserve.

Funding

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

ORDINARY MEETING

Meeting Date: 24 November 2009

RECOMMENDATION:

That the:

1. Information contained in the report on the 2009/2010 Management Plan – September 2009 Quarterly Review be received.
2. Quarterly Review of the 2009/2010 Management Plan and Financial Statement for the period ending 30 September 2009 be adopted.

ATTACHMENTS:

AT - 1 2009/2010 Management Plan Review – September 2009 Quarter - *(distributed under separate cover*

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 24 November 2009

CONFIDENTIAL REPORTS

INFRASTRUCTURE SERVICES

Item: 263 **IS - Tender No. 00710 - Bitumen Sealing and Resealing of Roads Within the Hawkesbury - (95495, 79344) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 24 November 2009

Item: 264 **IS - Tender No. 00810 - Provision of Repainting Various Sites - (95495, 79340)**
CONFIDENTIAL

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 24 November 2009

SUPPORT SERVICES

Item: 265 **SS - Property Matter - Lease to Clifford Griffiths, Danielle Griffiths and Allison Griffiths - Shop 5 Wilberforce Shopping Centre, Wilberforce - (39053, 112106, 111694, 102430) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 24 November 2009

ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Hawkesbury Bicycle and Access Mobility Committee Minutes - 11 November 2009 - (98212, 95498)

The meeting commenced at 3.05 pm in the Large Committee Room, Hawkesbury City Council.

Present:	Councillor Leigh Williams Councillor Christine Paine Alan Aldrich Doug Bathersby Chris Cameron	Chair - Councillor Representative Councillor Representative Community Representative Community Representative Community Representative
Apologies:	Peter McKenzie	Community Representative
In Attendance:	Chris Amit Kaylene Kelland Michael Laing Denise Oakes Danielle Cruickshank Brett Maynard	Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council GTA Consultants GTA Consultants

REPORT:

Clr Williams welcomed Brett Maynard and Danielle Cruickshank from GTA Consultants. It was agreed that the ordinary business of the Committee would be deferred to facilitate the Committee's consideration of the Draft Hawkesbury Mobility Plan.

The Draft Plan had been forwarded to Committee members prior to the meeting. Brett Maynard invited comments from the Committee in relation to the layout and content of the Draft Plan. The Committee discussed the Draft Plan and a number of issues and clarifications were considered and discussed. These matters were noted by Mr Maynard and Ms Cruickshank with the Draft Plan to be updated to reflect the Committee's comments and corrections. Committee members expressed their broad approval of the Draft Plan. On behalf of the Committee, Clr Williams thanked Mr Maynard and Ms Cruickshank for their work.

Mr Maynard, Ms Cruickshank, Mr Laing and Mr Amit then left the meeting.

RESOLVED on the motion of Clr Christine Paine and seconded by Chris Cameron that the apologies be accepted and that the resignation of Virginia Kruse from the Committee be noted

CONFIRMATION OF MINUTES:

1. Matters arising from Previous Minutes

Ms Oakes advised the Committee of the status of the approved and proposed cycleway construction program for 2009/2010 and 2010/2011.

2. Confirmation of Minutes

RESOLVED on the motion of Alan Aldrich and seconded by Doug Bathersby that the Minutes of the Hawkesbury Bicycle and Access Mobility Committee held on 20th August 2009 be confirmed.

SECTION 2 - REPORTS FOR DETERMINATION

Item 12: Draft Hawkesbury Mobility Plan

DISCUSSION:

- Following on from discussions held previously in relation to this Item, Clr Williams invited further comments from the Committee. A number of matters regarding the Draft Mobility Plan were discussed particularly in relation to the costings of the proposed works.

RECOMMENDATION TO COMMITTEE:

1. That the Draft Hawkesbury Mobility Plan be ratified and forwarded to Council for public exhibition.

MOTION:

RESOLVED on the motion of Clr Christine Paine and seconded by Alan Aldrich.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION.

1. That the Draft Hawkesbury Mobility Plan be ratified and forwarded to Council for public exhibition

SECTION 3 - GENERAL BUSINESS

- Chris Cameron drew the Committees attention to the poor state of the road verge on Wilberforce Road near Buttsworth Creek Bridge. Clr Williams requested that Mr Cameron forward this information to him by e-mail.
- Alan Aldrich sought advice on how to progress the idea of preparing information on providing relevant authorities with contact details for responding to emergency situations where carers may be admitted to hospital or similar events where carers would be unable to provide care for people with disabilities. Clr Paine suggested that she and Mr Aldrich arrange a meeting with Peter Blanchard from Hawkesbury District Health Service about this issue.
- Alan Aldrich provided an update on the Windsor Mobility Map.

NEXT MEETING – to be held at 4.00 pm on Thursday, 18 February 2010, at the Meeting Room Peppercorn Place, 320 George St. WINDSOR.

Meeting Closed at 4.35pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Hawkesbury Macquarie 2010 Committee - 12 November 2009 - (114013)

The meeting commenced at 9.05am in the Large Committee Room, Hawkesbury City Council.

Present:	Councillor Rex Stubbs Colin Mitchell John Christie Donald Cobcroft Carol Edds Frank Holland Brian Lindsay John Miller Judy Newland Clr Jill Reardon Gai Timmerman Keri Whiteley	Chair, Councillor Representative Deputy Chair Community Representative Community Representative Community Representative Community Representative Community Representative Community Representative Community Representative Hawkesbury City Council Community Representative Hawkesbury City Council
Apologies:	Clr Bart Bassett Fiona Mann Dudley Mercer Anthony Miller Esther Perry Jean Stephens	Hawkesbury City Council Hawkesbury City Council Community Representative Community Representative Hawkesbury City Council Community Representative
In Attendance:	Joseph Litwin	Hawkesbury City Council

REPORT:

RESOLVED on the motion of Judy Newland and seconded by Carol Edds that the apologies be accepted.

SECTION 1 - CONFIRMATION OF MINUTES

1. Confirmation of Minutes

RESOLVED on the motion of Brian Lindsay and seconded by Frank Holland that the Minutes of the Hawkesbury Macquarie 2010 Committee held on 8th October 2009 be confirmed.

2. Matters arising from Previous Minutes

There were no matters arising

Mr Litwin advised that there were Nil reports requiring the Committee's determination

SECTION 3 – REPORTS OF WORKING PARTY MEETINGS

ROWP - Hawkesbury Macquarie 2010 Programming Working Party

DISCUSSION:

- Ms Whiteley advised that the Programming Working Party had not met since the last Macquarie 2010 Committee Meeting and provided a brief outline of progress in the compilation of the Macquarie 2010 Program of Events noting that there were now 44 events included in the Program. The current program was tabled.

RESOLVED on the motion of Clr Rex Stubbs and seconded by Carol Edds that the verbal report of the Programming Working Party be received.

ROWP – Hawkesbury Macquarie 2010 Branding and Marketing Working Party.

- Colin Mitchell provided a verbal report to the Committee on the work of the Branding and Marketing Working Party. Mr Mitchell advised that he had held discussions with Damian Tomlinson of the Hawkesbury Gazette regarding the promotion of Macquarie 2010 Celebrations. A proposal for the Gazette to run a weekly column in 2010 on the 'life and times of Governor Macquarie' had been discussed and Mr Mitchell advised the Committee of possible options for design, size and purpose of the proposed weekly column and who might be best placed to contribute and/or produce the column. These options were discussed by the Committee.

RESOLVED on the motion of John Miller and seconded by John Christie that the Hawkesbury Historical Society be appointed to co-ordinate the preparation of information for a proposed weekly column on the life and times of Governor Macquarie to be featured in the Hawkesbury Gazette during 2010.

- Mr Litwin tabled proposed design for a Hawkesbury Macquarie 2010 Committee letterhead as prepared by the Branding and Marketing Working Party. The Committee considered the letterhead and suggested changes were discussed. The inclusion of Council's 2010 Corporate Logo was discussed. Mr Litwin advised that if Working Parties or other groups were seeking to include the Council's Corporate 2010 Logo on promotional material and/or letterhead then this arrangement would be governed by a Licence agreement stipulating the conditions for use of Council's Corporate 2010 Logo.

RESOLVED on the motion of Gai Timmerman and seconded by Judy Newland that

1. The design of the Macquarie 2010 Committee letterhead be adopted with the suggested changes identified by the Committee;
2. Two versions of the letterhead to be prepared and made available to Working Parties one with the Council 2010 Corporate Logo and one without the Council 2010 Corporate Logo;
3. Convenors of working parties be authorised as the sole signatories of Working party correspondence utilising the adopted letterhead;
4. Use of the letterhead be restricted to the completion of Working Party tasks consistent with the specific delegations conferred onto each Working Party by the Committee;

RESOLVED on the motion of Donald Cobcroft and seconded by Clr Jill Reardon that the verbal report of the Branding and Marketing Working Party be received.

ROWP – Hawkesbury Macquarie 2010 Event Support Working Party.

- Mr Litwin provided a verbal report to the Committee. Planning for event support workshop is underway with content determined by responses of groups seeking to hold Mac 2010 events. The workshop is tentatively scheduled for 30 January 2010.

RESOLVED on the motion of Clr Rex Stubbs and seconded by Donald Cobcroft that the verbal report of the Event Support Working Party be received.

ROWP – Hawkesbury Macquarie 2010 Sponsorship and Grants Working Party.

- Carol Edds tabled minutes of the Sponsorship and Grants Working Party meeting held on 20 October 2009. The minutes advised the following;
 - establishment of Finance Committee and procedures to manage corporate sponsorship.
 - proposed project budgets for use of \$25,000 in corporate sponsorship provided by the Richmond Club
 - proposed appeal for additional sponsorship for banner displays.

Various aspects of the minutes were discussed

RESOLVED on the motion of Clr Rex Stubbs and seconded by John Christie that Mr John Miller and Mr John Christie be delegated authority to approach Integral Energy to clarify procedures and approval process for erecting banners in Integral Energy structures.

RESOLVED on the motion of Clr Jill Reardon and seconded by Donald Cobcroft that the verbal report and minutes of the Sponsorship and Grants Working Party be received.

ROWP – Schools Involvement Working Party.

- Brian Lindsay tabled report from the Schools Involvement Working Party. The report outlined progress in the planning for a Macquarie 2010 Schools Competition. Mr Lindsay requested Council assistance in facilitating mail out to schools.

RESOLVED on the motion of Carol Edds and seconded by Clr Jill Reardon that the report of the Schools Involvement Working Party be received.

ROWP – Plaques Working Party.

- Mr Litwin tabled the minutes of the Plaques Working Party held on 8 October 2009. Carol Edds spoke to the minutes and various aspects of the minutes were discussed. It was agreed that suggestions for the wording and content of plaques could be forwarded to Ms Esther Perry.

RESOLVED on the motion of Clr Jill Reardon and seconded by Judy Newland that the minutes of the Plaques Working Party be received.

SECTION 4 - GENERAL BUSINESS.

- Mr Litwin advised the Committee of the requirement for the re-issue of Council's updated Code of Conduct and distributed copies to committee members in attendance requesting that they acknowledge the receipt of the document.

ORDINARY MEETING

Reports of Committees

- Mr Litwin advised that Council had approved the funding of applications received under the Macquarie 2010 Seed Funding Program and that a report on successful applicants would be included in the December Business Papers.
- Ms Whiteley advised that the Hawkesbury calendar 2010 would have a Macquarie 2010 theme
- Mr Miller requested a current Committee and Working Party membership list. Mr Litwin indicated that the current list would be distributed to committee members.

NEXT MEETING – to be held at 9.00 am on Thursday 8th December 2009, in the Council Chambers Hawkesbury City Council, 366 George St. WINDSOR.

Meeting Closed at 10.35 am

oooO END OF REPORT Oooo



ordinary
meeting

end of
business
paper

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