



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 27 March 2012

location: council chambers

time: 6:30 p.m.



mission statement

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

How Council Operates

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

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

Ordinary Meetings of Council are 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 arouse@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.

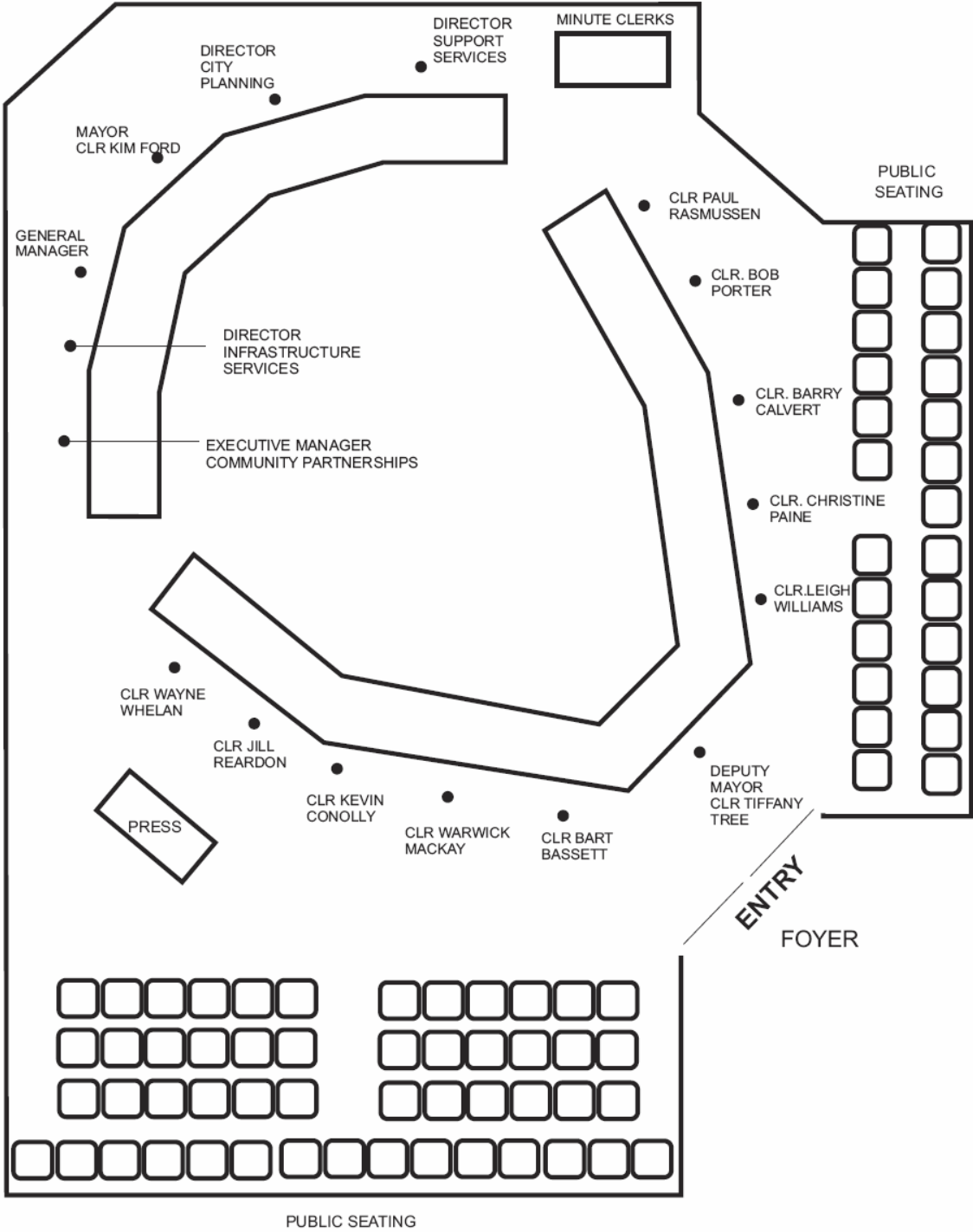
Website

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.

council chambers



ORDINARY MEETING

Table of Contents

Meeting Date: 27 March 2012

AGENDA

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **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

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

ORDINARY MEETING

Table of Contents

Meeting Date: 27 March 2012

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

ITEM	SUBJECT	PAGE
SECTION 1 - Confirmation of Minutes		3
SECTION 3 - Notices of Motion		7
NM1 - Flood Mitigation Activities and Water Storage - (79351, 80106)		7
NM2 - Historical Significance of Thompson Square - (80105)		9
SECTION 4 - Reports for Determination		13
GENERAL MANAGER		13
Item: 38	GM - Waste 2012 Conference - (79351)	13
CITY PLANNING		15
Item: 39	CP - Development Application - Two Lot Torrens Title Subdivision - Lot 7 in DP249442, 33 Griffins Road, Tennyson NSW 2754 - (95498, 102260, 10221, 88830)	15
Item: 40	CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)	33
Item: 41	CP - Planning Proposal - 533 - 547 Windsor Road and 7 Chapman Road, Vineyard - (95498)	47
SUPPORT SERVICES		70
Item: 42	SS - Pecuniary Interest Returns - (95496, 96333)	70
Item: 43	SS - Monthly Investments Report - February 2012 - (96332, 95496)	72
SECTION 5 - Reports of Committees		79
ROC - Human Services Advisory Committee - 23 February 2012 - (95498, 123486)		79
ROC - Floodplain Risk Management Advisory Committee - 5 March 2012 - (95498, 86569)		83
ROC - Heritage Advisory Committee - 8 March 2012 - (95498, 80242)		87
ROC - Local Traffic Committee - 12 March 2012 - (80245)		91
QUESTIONS FOR NEXT MEETING		109
Councillor Questions from Previous Meetings and Responses - (105109)		109

ORDINARY MEETING

Table of Contents

Meeting Date: 27 March 2012

ordinary

section 1

confirmation of minutes

ORDINARY MEETING
Confirmation of Minutes

ORDINARY MEETING
Confirmation of Minutes

SECTION 1 - Confirmation of Minutes

ORDINARY MEETING
Confirmation of Minutes

ordinary

section

3

notices of motion

ORDINARY MEETING

Notices of Motion

SECTION 3 - Notices of Motion

NM1 - Flood Mitigation Activities and Water Storage - (79351, 80106)

Submitted by: Councillor P Rasmussen

NOTICE OF MOTION:

That Council lobby the State Government to amend the operating license for the Sydney Catchment Authority (SCA) and the Sydney Water Catchment Management Act 1998 to include an objective and a specific function to enable the SCA to undertake flood mitigation activities as well as water storage.

BACKGROUND:

- During the lead up to the recent floods in the Hawkesbury Nepean valley the SCA allowed Warragamba Dam to fill to 100% of capacity and then to overspill releasing very large volumes of water into the Hawkesbury Nepean river system;
- Had the Warragamba Dam been drawn down to say 75-80% of capacity a week or so prior to the flood waters arriving above the Dam it is highly likely that the relatively rapid rise in the river level below the Dam would not have occurred and that the peak river levels reached would have been lower possibly preventing much of the flood water damage, community disruption and loss of production which has eventuated.
- The SCA operating license permits the storage and supply of bulk water to customers such as Sydney Water Corporation and the Shoalhaven City Council, but it does not allow the system of dams which the SCA operates to be used for flood mitigation downstream of those dams.
- Warragamba Dam in particular if held at say 75-80% of capacity would be able to provide some smoothing and buffering effect on flooding volumes of water known to be making its way downstream to Hawkesbury LGA settlements.
- Given that the desalination plant is now operational and capable of providing at least 15% (and up to 30% at full capacity) of Sydney's urban water supply there is the capacity within Sydney's water supply system to function as a flood mitigation measure if and when the need arises as it did recently.
- Moreover, if the desalination plant was used to its capacity and allowed to supply up to 30% of Sydney's water supply then it would be possible to reduce the 'take' of water from the Hawkesbury Nepean river system for Sydney's urban use thus allowing much more water to flow in our river. The environmental benefits of a higher water flow in the river geared to seasonal variations is well documented and may even reduce the annual weed 'blooms' so often experienced in our river.

ORDINARY MEETING

Notices of Motion

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM2 - Historical Significance of Thompson Square - (80105)

Submitted by: Councillor L Williams

NOTICE OF MOTION:

That Council:

1. Recognise that Thompson Square, Windsor, is the oldest civic square in Australia, the only such square surviving from the eighteenth century, and that as a result it is a unique and highly significant part of Australia's heritage, and;
2. Further recognise that the heritage values of Thompson Square should be respected and maintained.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

ordinary

section 4

reports
for determination

ORDINARY MEETING

Meeting Date: 27 March 2012

SECTION 4 - Reports for Determination**GENERAL MANAGER****Item: 38 GM - Waste 2012 Conference - (79351)**

REPORT:**Executive Summary**

The Waste 2012 Conference will be held 1 to 3 May 2012 in Coffs Harbour, NSW. Due to its relevance to Council's business, it is recommended that the Waste 2012 Conference be attended by Councillors and appropriate staff.

Consultation

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

Background

The Waste 2012 Conference will be held 1 to 3 May 2012 in Coffs Harbour, NSW. The Conference program will focus on practical outcomes and will include keynote addresses from both international and national leaders, case studies, workshops and panel discussions covering a wide range of topics relevant to Council, particularly in relation to the operation of the Waste Management Facility and waste and recycling services.

Cost of attendance at the Waste 2012 Conference will be approximately \$2,300.00 per delegate.

Budget for Delegate Expenses - Payments made

• Total Budget for Financial Year 2011/2012	\$43,000
• Expenditure to date	\$35,418
• Budget balance as at 19/3/12	\$ 7,582
• Outstanding commitments	\$ 8,700

The estimated costs associated with attendance at conferences in the 2011/2012 financial year already approved by Council but not yet incurred and are reflected as an outstanding commitment shown above.

Conformance to Community Strategic Plan

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

- Take active steps to encourage lifestyle choices that minimise our ecological footprint.

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

- Develop and implement waste and recycling strategies.
- Encourage and educate the community to care for their environment.

Financial Implications

ORDINARY MEETING

Meeting Date: 27 March 2012

Funding for this proposal will be provided from the Delegates Expenses Budget and in view of the predicted movement into deficit an appropriate adjustment will be made as part of the upcoming March Quarterly Review.

RECOMMENDATION:

That the attendance of nominated Councillors and staff members as considered appropriate by the General Manager, at the Waste 2012 Conference at an approximate cost of \$2,300.00 plus travel expenses per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 27 March 2012

CITY PLANNING

Item: 39 **CP - Development Application - Two Lot Torrens Title Subdivision - Lot 7 in DP249442, 33 Griffins Road, Tennyson NSW 2754 - (95498, 102260, 10221, 88830)**

Development Information

File Number: DA0018/12
Property Address: Lot 7 in DP249442, 33 Griffins Road, Tennyson NSW 2754
Applicant: Montgomery Planning Solutions
Owner: Mr WR Johnson and Mrs BE Johnson
Proposal Details: Two Lot Torrens Title Subdivision
Estimated Cost: \$0
Zone: Mixed Agriculture under HLEP 1989
Date Received: 17 January 2012
Advertising: 31 January 2012 to 14 February 2012

Key Issues:

- ◆ SEPP 1 Objection
- ◆ Allotment size

Recommendation: Refusal

REPORT:

Executive summary

The application seeks approval for the two lot Torrens Title subdivision of Lot 7 in DP249442, 33 Griffins Road, Tennyson. This current allotment complies with the minimum lot size of ten hectares.

The proposal is contrary to the minimum allotment size requirement of ten hectares for subdivision of land zoned Mixed Agriculture under Hawkesbury Local Environmental Plan 1989 as it seeks to create two undersized lots. The SEPP1 objection issues surrounding allotment sizes created circa 1975 prior to the existing Planning Instrument, as justification for variation to the existing lot size controls. Consideration of these surrounding allotment sizes has already been made as part of the introduction of the current controls. It is recommended that the objection made pursuant to State Environmental Planning Policy No. 1 not be supported and that the minimum allotment size provision be upheld.

The application is being reported to Council as the variation to the minimum allotment size exceeds 10% and it is a requirement for all State Environmental Planning Policy No. 1 variations greater than 10% be considered by Council.

Description of Proposal

The proposal involves the subdivision of Lot 7 in DP249442, 33 Griffins Road, Tennyson into two separate allotments consisting of the following:

Proposed Lot 701 Proposed to front Griffins Road, Tennyson Road and Murrays Road, total 8.12ha in area and contain an existing dwelling, shed and dam.

Proposed Lot 702 Proposed to front Tennyson, total 2ha in area and contain two existing dams.

The purpose of the subdivision is to provide an additional lot for future rural residential purposes.

ORDINARY MEETING

Meeting Date: 27 March 2012

History

S0151/95 – three lot subdivision refused by Council and the refusal upheld by Land and Environment Court

It is noted that Council has previously considered the suitability of the subdivision of the subject property as part of development application S0151/95. This application proposed three lots below the 10ha minimum allotment size of the land which was refused by Council on 23 February 1996. The reasons for refusal were based on the facts that the proposal did not comply with Council's minimum allotment size requirement and approval would result in an undesirable precedent inconsistent with the public interest. The applicant appealed Council's decision in the NSW Land and Environment Court which was dismissed on 20 January 1997.

It is considered that the original reasons for refusal by Council, and supported by the NSW Land and Environment Court, are still relevant with this application as the HLEP 1989 provisions remain the same. It is considered that the application has not provided any additional justification as to why Council should support a variation to the minimum allotment size criteria.

Description of the Land and its Surroundings

The subject site is known as Lot 7 in DP249442, 33 Griffins Road and totals 10.12ha in area. The site has frontages to Griffins Road, Tennyson Road and Murrays Road and contains one dwelling, a shed, tennis court, numerous outbuildings and three dams.

Two intermittent streams have been identified running thorough the property (as shown on the Kurrajong 9030-4N 1:25000 topographic map).

Surrounding lots consist of a variety of sizes between 12ha and 4,050sqm and are primarily used for a combination of agricultural and rural residential uses.

Council Policies, Procedures and Codes to Which the Matter Relates

- State Environmental Planning Policy 1 – Development Standards (SEPP 1)
- State Environmental Planning Policy No. 44 - Koala Habitat Protection (SEPP 44)
- Sydney Regional Environmental Plan 20. (No.2 - 1997) - Hawkesbury Nepean River (SREP No. 20)
- Hawkesbury Local Environmental Plan (HLEP) 1989
- DRAFT Hawkesbury Local Environmental Plan (DHLEP) 2011
- Hawkesbury Development Control Plan (HDCP) 2002

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

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

a. The provisions of any:

i. Environmental Planning Instrument:

State Environmental Planning Policy No. 1 – Development Standards

An objection under State Environmental Planning Policy No. 1 was lodged requesting a variation from the minimum allotment size requirement of Hawkesbury Local Environmental Plan 1989. Clause 11(2) of this plan limits lot sizes to 10ha for land zoned Mixed Agriculture (other than land shown hatched on the map). The application proposes the creation of an 8.12ha (18.8% deviation from the standard) and 2ha (80% deviation from the standard) allotment.

ORDINARY MEETING

Meeting Date: 27 March 2012

The grounds for objection under State Environmental Planning Policy No. 1, submitted by the applicant with the development application states:

1. *The land has frontages to three roads, i.e. Griffins, Murrays and Tennyson Roads, therefore no earthworks are required and no new road construction is necessary.*
2. *The land is not suitable for agriculture, as suggested by the Mixed Agriculture zoning.*
3. *The proposed lots are consistent with the size of surrounding lots. Refer to Figure A below which shows numerous lots in the immediate locality which range from 4000m² to 3 hectares.*

Proposed lot 701 will be smaller in size and shape to the existing lots adjacent to the west, while proposed lot 702 is similar in size and shape to the adjacent lots to the north, south and east
4. *The proposal will not create any land use conflict within the zone as it is consistent with surrounding rural residential allotments.*
5. *The proposal will not create any unreasonable demands for public services.*
6. *The proposal will not have adverse environmental impact as demonstrated by the statement of environmental effects.*
7. *The proposal is essentially infill development. It will not create a precedent as the proposal simply follows the lot size precedent already set in the locality.*

Assessment of Grounds for objection under SEPP 1

In determining whether or not an objection to SEPP 1 should be supported it is recommended any assessment use a set of planning principles provided by his honour Chief Judge Preston in Land and Environment Court hearing *Wehbe v Pittwater Council* [2007] NSWLEC 827 - 21 December 2007. The Chief Judge suggests that support of an Objection should be based on the following:

1. *The objectives of the standard are achieved notwithstanding non-compliance with the standard;*

Comment: The main objectives of the standard are to prevent the fragmentation of agricultural land by retaining large rural allotments which have the potential to be used for agricultural activities.

The SEPP 1 objection attempts to demonstrate that the objectives of the mixed agriculture zone are met on the basis that the land is not suitable for agriculture and that future rural residential use of the land will fit in with a number of undersized allotments within the locality.

The applicant has not addressed the minimum lot size objectives, rather has sought to question the underlying zone provisions.

The applicant's reasoning for non compliance with the standard, i.e., many surrounding allotments are of a smaller size, is not supported as valid grounds for objection as the surrounding allotments were created circa 1975 which was prior to the current planning controls relating to lot size. It is considered that a variation of this degree does not meet the overall objective of the standard relating to minimum lot size.

2. *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;*

Comment: The underlying objective of the standard is considered to be relevant to the development as the proposed minimum allotment size has been imposed since the creation of

ORDINARY MEETING

Meeting Date: 27 March 2012

the adjoining allotments to control the amount of smaller rural allotments being created within the locality.

It is considered that the creation of two undersized allotments is contrary to that development standard. Further, the existing lot size of 10.12 ha is compliant with the zone objective and development standard.

3. *The underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;*

Comment: The underlying objective of the minimum allotment size requirement will not be defeated should the minimum subdivision size provision be upheld. The retention of the existing lot will aid in preserving larger rural allotments with the potential for agriculture in the locality.

Compliance with the minimum allotment size requirement is not considered unreasonable in this case, as the non-support of the proposal will not hinder the development of the land consistent with the objectives of HLEP 1989.

4. *The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;*

Comment: An assessment for the surrounding area has revealed that the minimum allotment size standard has been upheld. Lots below the minimum allotment size requirement within the area were created circa 1975, prior to the gazettal of HLEP 1989. Further the draft LEP, which is imminent and certain, upholds the minimum lot size and zoning intent.

5. *The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.*

Comment: Land within the surrounding area is currently used for a combination of agricultural and rural residential purposes.

Support of the variation will result in the creation of two lots well below the minimum allotment size requirement which has the potential to set an undesirable precedent in supporting substantial variations to this standard.

It appears that there are no special circumstances in which the subdivision variation should be supported as there are numerous allotments in the locality which, should the precedent of approving this application be set, could be subdivided based on the reasons put forward in the objection received. It is considered that the minimum allotment size standard applying to the subject zone is not unreasonable or unnecessary and that the subject site is zoned appropriately.

Chief Judge Preston also highlighted the assessment process shall look at the following points:

1. *The applicant must satisfy the consent authority that "the objection is well founded", and compliance with the development standard is unreasonable or unnecessary in the circumstances of the case;*

Comment: The grounds for objection submitted are not considered to be suitable reasons for justifying the support of a variation to the minimum allotment size requirement. The retention of the existing large rural allotment will prevent the fragmentation of potential agricultural land, whereas the support of the proposal will result in the creation a lot for rural residential purposes ultimately resulting in further reducing the agricultural potential of the land.

ORDINARY MEETING

Meeting Date: 27 March 2012

The subdivision of the site for the purposes of rural residential use is contrary to the overall objectives of the standard. Compliance with the minimum allotment size is not unreasonable.

2. *The consent authority must be of the opinion that granting consent to the development application would be consistent with the policy's aim of providing flexibility in the application of planning controls where strict compliance with those controls would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in s 5(a)(i) and (ii) of the Environmental Planning & Assessment Act 1979; and*

Comment: The grounds of objection are considered to be general in nature and would be applicable to many sites in the locality. Approval of the objection would create an adverse planning precedent which would undermine the purpose of the standard.

Further, the applicant has not addressed the significant degree of variation from the development standard that is being sought. The variations proposed are 18.8% (Proposed Lot 701) and 80% (Proposed Lot 702). It is highlighted that these are not minor variations to the minimum allotment size criteria. The proposal seeks to make a currently compliant allotment into two undersized lots.

3. *It is also important to consider:*

- a) *whether non-compliance with the development standard raises any matter of significance for State or regional planning; and*

Comment: It is considered that non compliance with this standard does not raise any matter of significance for state or regional planning.

- b) *the public benefit of maintaining the planning controls adopted by the environmental planning instrument.*

Comment: The granting of concurrence to the subject development application would set an undesirable precedent for other subdivision applications in the vicinity and in the Mixed Agriculture zone. This precedent and its impact will undermine the objectives of the zone and HLEP 1989. In this light it is considered that there is a public benefit in maintaining the minimum allotment size standard for the zone.

It is considered that the SEPP No. 1 objection has not demonstrated that compliance with the development standard is unreasonable or unnecessary in this case, nor has it provided sufficient justification on planning grounds to warrant contravening the development standard in this instance.

In view of the above, it is recommended that the objection made under SEPP 1 not be supported.

State Environmental Planning Policy No. 44 - Koala Habitat Protection

State Environmental Planning Policy No. 44 applies to land within the Hawkesbury Local Government Area for which development consent is sought having a total land area in excess of 1 hectare. The application does not propose the removal of any vegetation which is considered to be core koala habitat or potential koala habitat. Council is not prevented from granting consent to the proposal under this plan.

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

The proposal is consistent with the aims and objectives of SREP No. 20. It is considered that the proposed development will not significantly impact on the environment of the Hawkesbury-Nepean River either in a local or regional context and that the development is not inconsistent with the general and specific aims, planning considerations, planning policies and recommended strategies.

Hawkesbury Local Environmental Plan 1989

The proposal is inconsistent with the requirements of Hawkesbury Local Environmental Plan 1989. The subject property is zoned Mixed Agriculture. Subdivision of land within the Mixed Agriculture zone is permissible under Clause 11 (2) of this plan only if the area of each of the allotments to be created is not less than 10ha. The subdivision proposal involves the creation of an 8.12ha allotment and a 2ha allotment. An objection under SEPP No.1 seeking a variation to the allotment size has been submitted with the application and has been assessed previously in this report. It is recommended that Council not support the variation requested.

The proposal is further considered to be contrary to Clause 2 (a) of this plan which is to provide a mechanism for the management, orderly and economic development and conservation of land within the City of Hawkesbury. It is considered that the proposal is inconsistent with the overall objectives of the zone in that the creation of two lots below the minimum allotment size requirement has the potential to fragment potential agricultural land and increase the potential for land use conflicts.

In addition to the above, the following clauses of Hawkesbury Local Environmental Plan 1989 were taken into consideration:

Clause 2 - Aims, objectives etc
Clause 5 - Definitions
Clause 9 - Carrying out of development
Clause 10 - Subdivision general
Clause 18 - Provision of water, sewerage services, etc
Clause 28 - Development within the vicinity of heritage items
Clause 37A - Development on land identified on Acid Sulfate Soils Planning Map

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

Draft Hawkesbury Local Environmental Plan 2011 applies to the proposal. This draft Plan was adopted by Council on 7 June 2011 and is currently awaiting gazettal. The Draft Plan is therefore now considered to be imminent and certain.

Clause 4.1 permits subdivision with development consent subject to the minimum subdivision lot sizes as shown on the Lot Size Map. DRAFT Hawkesbury Local Environmental Plan 2011 does not seek to change the minimum subdivision lot size that currently applies to the subject site under Hawkesbury Local Environmental Plan 1989.

The proposal is contrary to the minimum 10 ha allotment size requirement contained within the draft plan. The draft Standard Instrument LEP also contains provisions that will result in SEPP 1 being incorporated into the LEP and superseded. Clause 4.6 (a compulsory Clause as required by the Department of Planning) contains provisions for the flexibility of planning controls and development standards under certain conditions.

In the RU1Primary Production zone Council can support variations to lot sizes up to 10% of the standard. The current proposal seeks a variation of 18.8% for proposed Lot 701 and 80% for proposed Lot 122 which is not consistent with the draft plan.

It is considered that supporting the variation requested would be inconsistent with the objectives of Draft LEP 2011.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan (HDCP) 2002

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

Part A Chapter 2 - General Information

ORDINARY MEETING**Meeting Date:** 27 March 2012

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

Part A Chapter 3 - Notification

The application was notified to adjacent property owners in accordance with HDCP 2002. Five submissions all raising objection to the proposal were received in response to the application and are discussed under the public submission section of this report. One of the submissions received included a petition with 26 signatures.

Subdivision Chapter

The following table contains an assessment of the proposal against the rules of the Subdivision Chapter:

Element	Rule	Provides	Complies
General			
Flora and Fauna Protection	(a) Any subdivision proposal which is likely to result in any clearing of native vegetation or impact on any environmentally sensitive area is to be accompanied by a flora and fauna assessment report prepared by a suitably qualified person. This report is to primarily address the Eight Part Test pursuant to the Act (Section 5A), State Environmental Planning Policy 44 – Koala Habitat protection.	No vegetation is proposed to be removed as part of the proposal	Yes
	(b) Vegetation cover should be retained where ever practicable as it acts to stabilise soils, minimise runoff, acts as a pollutant trap along watercourses and is important as a habitat for native fauna.	The building envelope on proposed lot 702 will be clear of existing watercourses	Yes
	(c) Degraded areas are to be rehabilitated as part of the subdivision.	Existing vegetation will not be required to be disturbed as a result of the proposal	Yes
	(d) Vegetation should be retained where it forms a link between other bush land areas.		Yes
	(e) Vegetation which is scenically and environmentally significant should be retained.		Yes
	(f) Vegetation which adds to the soil stability of the land should be retained.		Yes
	(g) All subdivision proposals should be designed so as to minimize fragmentation of bushland.		Yes
Visual Amenity	(a) Building envelopes, accessways and roads shall avoid ridge tops and steep slopes.		Yes
	(b) Subdivision of escarpments, ridges and other visually interesting places should:		Yes

ORDINARY MEETING

Meeting Date: 27 March 2012

Element	Rule	Provides	Complies
	<ul style="list-style-type: none"> Be managed in such a way that the visual impact rising from development on newly created allotments is minimal; and Retain visually significant vegetation such as that found on ridge tops and other visually prominent locations. <p>(b) Development Applications for subdivision shall take into consideration the provisions of SREP No. 20 in relation to scenic quality</p>		Yes
Heritage	(a) A subdivision proposal on land which contains or is adjacent to an item of environmental heritage as defined in Schedule 1 of the Hawkesbury LEP should illustrate the means proposed to preserve and protect such items.	Site does not contain an item of environmental heritage and the proposal will not have an adverse impact on the nearby heritage item (residence) listed under known as item No. 460 in schedule 1 of HLEP 1989.	Yes
Utility Services	(a) Underground power provided to all residential and industrial subdivisions. Where infill subdivision is proposed, the existing system, whether above or underground shall be maintained.	The existing system will be maintained	Yes
	(b) All lots created are to have the provision of power.	Available	Yes
	(c) Where reticulated water is not available, a minimum storage of 100,000 litres must be provided. A minimum of 10,000 litres must be available during bush fire danger periods.	Onsite water collection available to the existing dwelling. Future dwelling on proposed lot 702 would require water storage.	Yes
Flooding, Landslip & Contaminated Land	(a) Compliance with clause 25 of Hawkesbury Local Environmental Plan 1989.		Yes
	(b) Access to the subdivision shall be located above the 1% AEP flood level.		Yes
	(c) Where a subdivision proposal is on land identified as being potentially subject to landslip, the applicant shall engage a geotechnical consultant to prepare a report on the viability of subdivision the land and provide recommendations as to the siting and the type of buildings which could be permitted on the	Not identified as land being potentially subject to landslip.	Yes

ORDINARY MEETING

Meeting Date: 27 March 2012

Element	Rule	Provides	Complies
	subject land.		
	(d) In the event the Council deems that there is the potential that land subject to a subdivision application is contaminated then the applicant shall engage a suitably qualified person to undertake a soil and ground water assessment.	Not considered to be contaminated.	Yes
	(e) Contaminated Land shall be remediated prior to the issue of the Subdivision Certificate.	N/A	Yes
Rural and Residential Subdivision			
Rural lot size and shape	(a) The minimum allotment size for land within rural and environmental protection zones are contained within the Hawkesbury Local Environmental Plan 1989.	Proposed Lot 701 would result in a variation of 18.8% and proposed Lot 702 will result in an 80% variation. See assessment in report above.	No
	(b) Lots should be able to accommodate a building envelope of 2000m ² with a minimum dimension of 20m. Building envelopes should be located a minimum of 30m from significant trees and other significant vegetation or landscape features. Building envelopes would contain the dwelling house, rural sheds, landscaping, and on-site effluent treatment and disposal areas, and bushfire mitigation.	Proposed	Yes
	(c) In calculating the area of a battle-axe or hatched shaped allotment, the area of the battle-axe handle should be included.	No battle axe allotment proposed	Yes
	(d) The width to depth ratio of allotments should not exceed 1:5		Yes
	(e) Lot layout shall consider the location, the watercourse vegetation and other environmental features.		Yes
Boundary Adjustment	Proposal is not for a boundary adjustment.	N/A	N/A
Rural Road and Accessway Design	(a) The design specifications in Figure D3.9 at the end of this clause are to be met.	N/A	Yes
	(b) Where the road width is insufficient or unsatisfactory, an applicant should dedicate or provide land required for local road widening or new roads at no cost to council.	N/A	Yes
	(c) Upgrading of the accessway from the nearest sealed road to the proposed subdivision to an all weather standard suitable for the expected traffic generation arising from the subdivision.	N/A	Yes

ORDINARY MEETING

Meeting Date: 27 March 2012

Element	Rule	Provides	Complies
	This work may require the sealing of the pavement dependent upon traffic generation		
	(d) Where access to the subdivision is via a Crown or Reserve road in addition to the above, the road should be fully constructed to a standard commensurate with roads in the locality and linked to the nearest Council road. Prior to any construction works being undertaken the relevant section of Crown road is to be transferred to Council.	N/A	Yes
	(e) The road fronting the subdivision shall be sealed into half width (minimum 3.5 metres). An all weather standard of road construction may be acceptable where the expected traffic volume generated by the subdivision proposal is low and no sealed roads in the vicinity.	N/A	Yes
	(f) Water courses should be piped where they cross roads and the applicant should create drainage easements generally 10 metres long and 4 metres wide over the point of any discharge of any water from any public road onto private property.	N/A	Yes
	(g) All internal driveways shall be constructed to an all weather standard suitable for the expected traffic generation. An all weather access should also be provided across the footway to any battle-axe lot. Such access should be sealed within the vicinity of existing houses on adjoining lots where dust nuisance may occur and also on steeply sloping land.	Can be provided	Yes
	(h) Where 3 or more individual access handles are proposed, common roads are to be provided.	N/A	Yes
	(i) Battle axe handles shall have a minimum width of 6 metres.	N/A	Yes
	(j) Accessways should have a maximum grade of 25% (1:4) and be sealed if the grade exceeds 1:6, concrete if exceeds 1 in 5.	Can be provided	Yes
	(k) Where an accessway meets a public road there should be a minimum sight distance of 70 m. This may be increased on roads with a high speed limit.	Yes	Yes
	(l) Cul-de sacs for rural roads should have minimum seal radii of 12.0m and boundary radii of 17.0m.	N/A	Yes
Effluent	a) An effluent disposal report prepared by a suitably	Effluent disposal	Yes

ORDINARY MEETING**Meeting Date:** 27 March 2012

Element	Rule	Provides	Complies
Disposal	qualified person is required to accompany any development application for rural-residential subdivisions.	report has been submitted and considered to be satisfactory	Yes
	b) Any system proposed other than a Household Aerated Wastewater Treatment System is required to be installed prior to release of subdivision certificate.	N/A	

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

Not applicable.

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

Not applicable.

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

Context and setting

The surrounding locality is used for a combination of rural residential and agricultural purposes. The majority of lots within the locality/zone are generally greater than 10ha in area. Support of the proposal will be inconsistent with the overall objectives of the zone and context of the area. Whilst there are surrounding allotments below the minimum allotment size these lots were created prior to the gazettal of HLEP 1989.

Cumulative Impacts

The cumulative impacts of approving subdivisions below the minimum allotment size standard is inconsistent with the overall objectives of the planning control as reviewed in the report above. It is considered that compliance with this standard is neither unreasonable nor unnecessary in this circumstance and that support of the variation requested to this development would set an undesirable precedent with respect to breaching the minimum subdivision lot size provision.

If the variation requested was to be applied on the basis of the objection submitted, numerous allotments within the locality could potentially be subdivided below the minimum allotment size changing the character of the area.

Economic impacts on the locality

Council has previously reviewed the subdivision of rural land within the Hawkesbury as part of the Hawkesbury Sustainable Agricultural Development Strategy and the subsequent gazettal of Amendment 108 in August 2006. The aim of this strategy was to retain existing agricultural activities as well as to encourage new activities within appropriate zones. The strategy did not recommend changes to zone boundaries nor minimum allotment sizes for subdivision.

Similarly, Council has most recently reviewed the future residential development of the Hawkesbury and in May 2011 adopted the Hawkesbury Residential Land Strategy. This strategy seeks to identify areas which are suitable for future residential development and acknowledges that "while rural residential developments play a role in providing housing there is not a need to further investigate the expansion of rural residential development within the Hawkesbury". The proposed allotment size variation is not consistent with the Residential Land Strategy directions. While the applicant has demonstrated that the proposed new lot will be suitable for future rural residential development it is

considered that this should not be used as sufficient justification for the subdivision of land below the minimum allotment size requirement.

It is considered that if Council were to consider increasing rural residential developments within the locality it would be more appropriate to address this matter at a strategic level rather than via the provisions of SEPP 1. This in turn will allow for the orderly and economic development of the land. However, Council has, with the adoption of the Residential Land Strategy, undertaken that strategic review and the current proposal is not consistent with that adopted review.

c. Suitability of the site for the development:

The proposal is inconsistent with the various planning controls affecting the site and it is therefore considered that the site is not suitable for subdivision. While the current use of the subject land will not change as a consequence of the proposal it is considered that the future, ongoing agricultural potential of the land will be adversely impacted should it be further subdivided.

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

Department of Planning & Infrastructure

The application was forwarded to the Department of Planning & Infrastructure (DP&I) following the receipt of an objection to HLEP 1989 under SEPP 1. In their letter dated 3 February 2012, the DP&I advised that given that the proposal involves a variation to the 10ha minimum subdivision standard concurrence is required if Council proposes to grant development consent to the development application.

It is recommended that Council decline support for the proposed development. However, should the application be approved, then the application is required to be referred back to the DP&I to obtain their concurrence.

NSW Office of Water

The application was referred to the NSW Office of Water for comment given that two watercourses have been identified on the subject site.

In their correspondence dated 7 February 2012 the NSW Office of water raised no objection to the proposal.

NSW Rural Fire Service

The application was forwarded to the NSW Rural Fire Service being integrated development under Section 91 of the Environmental Planning and Assessment Act 1979. In their response dated 24 February 2012 the NSW Rural Fire Service granted concurrence subject to conditions.

Should the application be supported the conditions recommended by the NSW Rural Fire Service must be included as part of any approval.

Public Submissions

Five submissions were received in respect to the notification of the development raising the following issues:

- The increased number of lots for rural residential purposes will change the character of the locality with the creation of smaller lots within the Mixed Agriculture Zone.
- Council have an obligation to uphold the 10ha minimum allotment size area as there are already too many lots below the minimum allotment size within the locality.
- Potential grazing land will be lost due to the future rural residential use of the land.
- The minimum allotment size was brought in to reduce the number of smaller allotments being created in the locality.
- The reasons for support of the variation could apply to the majority of lots within the area.
- Support of a variation could set an undesirable precedent for the development of the area.
- An additional residence in the locality will increase noise, visual and traffic impacts.

ORDINARY MEETING

Meeting Date: 27 March 2012

- Support of a variation of this scale should be done at a strategic planning level reviewing the minimum allotment size of the entire mixed agriculture zone.
- Increased number of smaller lots will have an impact on infrastructure within the area.
- An additional rural residential lot will create land use conflicts with agricultural activities within the area.
- If large rural lots are subdivided the potential for agriculture in the area will be reduced as rural residential lots cannot be turned back to agricultural lots.
- The previous application for subdivision of the property has been refused by both Council and the Land and Environment Court in the past.
- The proposal will affect the existing easement for water supply running through the property.
- The proposal will have an impact on neighbouring property values
- The proposal will impact a nearby heritage item and an old shed located on the subject site

In response to the issues raised in the submissions received the applicant detailed that:

- The proposal will not set an undesirable precedent.
- The character of the locality is already rural residential in nature.
- Tennyson Road is large enough to cater for a small increase in traffic.
- There is no evidence to suggest that one additional property will decrease property values.
- The proposal will not have an impact in terms of privacy or light spillage.
- The submissions received do not detail how the proposal will result in land use conflicts as the predominant land use is rural residential.
- Effluent disposal can be appropriately managed onsite.
- The Tennyson Water Co-op irrigation line will not be modified.
- Any proposed building will not be in view of the nearby heritage item and the shed onsite is not listed.
- Sustainable agriculture on 10ha is not viable as it will likely have impacts on adjoining rural residential properties.
- Existing trees onsite will not be removed
- It is not known whether or not the people signing the petition were aware of all the facts of the application.

Comment: The matters raised in the submissions received and the applicant's response to those issues have been considered and it is noted that the proposal still remains inconsistent with the underlying objective of the minimum allotment size requirement.

The application suggested that agricultural activities on the land may result in adverse impacts on adjoining rural residential development. However, it is noted that there are a number of agricultural activities which could occur on the site which are less invasive than what was mentioned such as grazing and organic farming.

The applicant contends that the proposal will not result in an undesirable precedent for creation of lots below the 10ha requirement as:

- There a number of allotments already below the minimum 10ha lot size,
- Council can control the precedent as they have to consider all variations on the merits of the proposal, and,
- DHLEP 2011 will prohibit the creation of lots more than 10% below the minimum allotment size

Although Council can consider variations on merits and DHLEP 2011 will not allow Council to consider variations greater than 10%, it is considered that support of this application will be inconsistent with the way Council have upheld the 10ha minimum allotment size requirement within the locality in the past and is also inconsistent with the recent strategic review of residential development (Residential Land Strategy) that was adopted in May 2011.

ORDINARY MEETING

Meeting Date: 27 March 2012

It is considered that many of the matters raised in the submissions objecting to the proposal are warranted as the proposal remains inconsistent with the various planning controls affecting the site.

e. The Public Interest:

The current planning controls seek to retain large rural allotments of sufficient size for sustainable agricultural activities. To permit the subdivision of a lot below Council's minimum allotment size would be inconsistent with the existing and future planning controls being HLEP 1989 and Draft HLEP 2011 respectively.

The submitted SEPP No. 1 objection to the minimum lot size standard fails to adequately address how the standard is unreasonable or unnecessary in this case. The submission also fails to adequately address the significant degree of variation sought.

The applicant has not explained how the removal of a currently compliant lot into two non-compliant lots would be upholding the intent of the current and proposed planning controls adopted by Council.

Given that the proposal fails to satisfy the relevant planning controls affecting the site and is inconsistent with the objectives of the zone it is concluded that the proposal is contrary to the general public interest.

Conclusion:

The proposal is inconsistent with the minimum allotment size requirement for subdivision under Clause 11(2) of Hawkesbury Local Environmental Plan 1989. The grounds for objection under SEPP No. 1 are inadequate and have not demonstrated that the minimum allotment size requirement is unreasonable and unnecessary.

Based on the assessment of the proposal against the relevant planning controls affecting the site and for the reasons discussed in this Report it is recommended that the minimum allotment size provision be upheld, the SEPP No. 1 objection not be supported and the application be refused.

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.

Developer Contributions

The development is exempt from contributions under Council's Section 94A Contributions Plan.

ORDINARY MEETING

Meeting Date: 27 March 2012

RECOMMENDATION:

That:

1. The objection under SEPP No. 1 not be supported.
2. Development Application No. DA0018/12 for a Two Lot Torrens Title at Lot 7 in DP 249442, No. 33 Griffins Road, Tennyson be refused based on the following:
 - a) The State Environmental Planning Policy No. 1 objection received in respect to the minimum allotment area is not supported as compliance with the statutory development standard was not considered to be unreasonable or unnecessary in the circumstances.
 - b) The proposal does not comply with the requirements of the Hawkesbury Local Environmental Plan 1989.
 - c) The proposal is inconsistent with the DRAFT Hawkesbury Local Environmental Plan 2011.
 - d) The development does not comply with the Hawkesbury Development Control Plan 2002 Part D Chapter 3 – Subdivision.
 - e) The application, seeking a significant variation to Council's minimum allotment size requirement, is considered to not be in the general public interest.

ATTACHMENTS:

- AT - 1** Aerial Photograph
- AT - 2** Locality Plan
- AT - 3** Subdivision Plan

Meeting Date: 27 March 2012

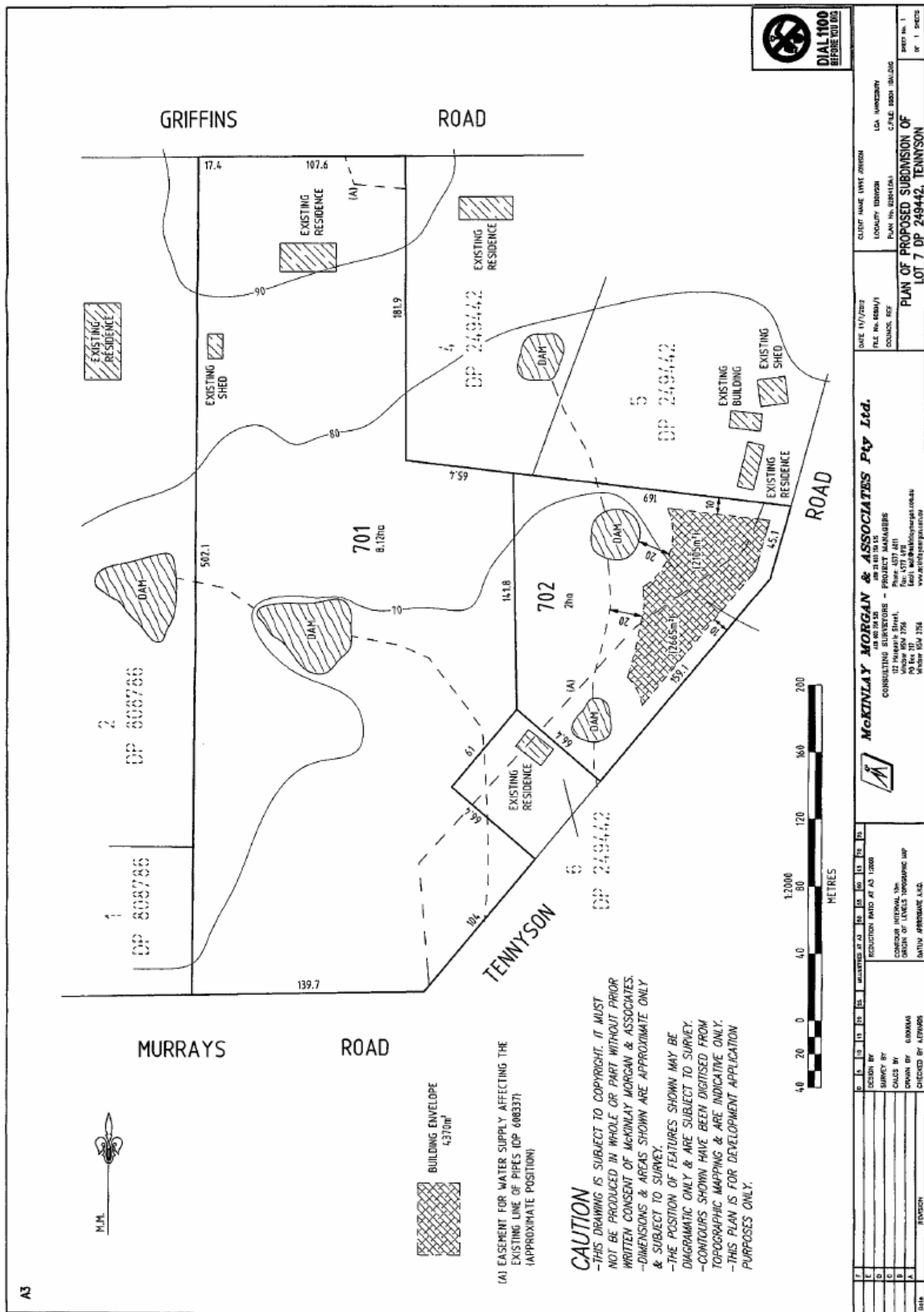
This aerial map displays a residential neighborhood with property boundaries and lot numbers. A large cyan-outlined polygon highlights a specific area. The map includes labels for 'Alingara Road', 'Griffins Road', and 'Jennison Road'. Property identifiers like 'DP 808786' and 'DP 249442' are visible. Red numbers (e.g., 45, 33, 21, 316) are overlaid on various lots.

Meeting Date: 27 March 2012

ORDINARY MEETING

Meeting Date: 27 March 2012

AT - 3 Subdivision Plan



oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 27 March 2012

Item: 40 **CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)**

Previous Item: 161, Ordinary (26 July 2011)
 263, Ordinary (29 November 2011)

REPORT:

Executive Summary

This report discusses a planning proposal which seeks to rezone land immediately to the south of the Glossodia township for residential purposes.

The proposal has been previously reported to Council on 26 July 2011 and 29 November 2011. When previously reported the proposal was for 179 rural-residential subdivision and the retention of an existing egg production farm.

As a result of previous assessments and Council resolutions that required the removal of the existing egg production farm, the proponent (EG Property Group) has provided additional information including an increase in the proposed lot yield, to cover the costs of the farm removal, etc, to approximately 580 lots.

This report provides commentary on the additional information and is to be considered in conjunction with the previous reports to Council.

The purpose of this report is for Council to provide the proponent suitable direction in terms of proposed zone, infrastructure provision, and site constraints to enable an amended planning proposal to be prepared.

Consultation

The planning proposal has not been formally exhibited as Council must initially resolve to proceed to a Gateway determination and that determination from the Department of Planning & Infrastructure will advise Council of the minimum exhibition requirements. If the planning proposal is to proceed it will be exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and associated Regulations.

Background

On 29 November 2011 Council considered a report concerning a planning proposal for the rezoning of land known as Jacaranda Ponds for 179 rural-residential allotments. Note this report followed a previous report to Council on 26 July 2011.

Council resolved as follows:

"That:

1. *Council support, in principle, the preparation of a Planning Proposal for the land comprising of:*

*Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach*

ORDINARY MEETING

Meeting Date: 27 March 2012

Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond

to rezone the land for large lot residential and/or residential development.

2. *The planning proposal, submitted by the applicant, in its current form not be supported.*
3. *The concept plan titled “Jacaranda Ponds Planning Proposal Concept Plan, November 2011” attached to this report be adopted for the purposes of investigating the issues raised in this report and the report to Council on 26 July 2011, and for the purposes of preparing an amended planning proposal.*
4. *Council consider no future planning proposal for this site that includes the retention of the existing egg farm and/or poultry facility.*
5. *The Department of Planning and Infrastructure and NSW Roads and Traffic Authority be advised of this planning proposal and invited to provide comment on the current proposal and input into the preparation of an amended planning proposal.*
6. *The applicant be responsible for preparing an amended planning proposal to be reported back to Council”.*

In response to this resolution, particularly Part 4 of the resolution, the proponent now proposes a 580 lot (approximately) residential development and has provided an amended concept plan (attached to this report) and the following additional information.

Poultry Farm

Additional Information

Council's resolution stipulates that it will not accept a residential rezoning of this site if the poultry farm is to be retained. Pace (the owner and operator), has therefore agreed to remove the poultry farm as part of any residential development at the site.

In order to cover the cost of the farm's removal (and to also accommodate a package plant sewerage system) the proponent has increased the number of lots on the site to approximately 580. These are still large, non-urban, lots of approximately 2,000sqm (1/2 acre) to 1,000sqm (1/4 acre). The cost of relocating a large egg-producing facility is otherwise prohibitive and the development unfeasible if this extra lot yield is not achieved.

Response

The possibility of increasing the number of proposed lots in order to make the development economically viable was discussed in the 29 November 2011 report to Council.

The removal of the poultry farm and increase in the number of lots is consistent with Council's previous resolution and report to Council.

Wastewater

Additional Information

In both its July and November reports, Council expressed concern regarding the proposed on-site enviro-cycle sewer treatment system. In their report for the November 29th Council meeting, the Officers expressed the view that a site-specific package plant system with its own Sewerage Treatment Plant would be preferable in terms of effects on Currency Creek, maintenance requirements and accommodating the slope of lots.

Council Officers acknowledged however the significant expense of a package plant and suggested that the feasible delivery of one may require a significantly higher lot yield at the development.

ORDINARY MEETING

Meeting Date: 27 March 2012

Following Council's suggestion, the proponent entered into discussions with Veolia Water Group, an international operator that has constructed and operated similar package plant schemes across NSW, including at Bingara Gorge in Wilton. Veolia has confirmed that it is possible to implement a package plant system at Jacaranda Ponds with:

- (1) A high quality recycled water scheme for toilet flushing and lot irrigation, delivering a 30% reduction in potable water demands*
- (2) A recycled water plant that will incorporate screening, disinfection and will discharge excess recycled water onto dedicated irrigation/disposable areas.*
- (3) Irrigation will be via conventional spray application onto a designated area.*
- (4) An emergency/disaster management system run by Veolia.*
- (5) 24-Hour monitoring and customer website.*
- (6) Thorough customer accounts.*

This clean, efficient, Package Plant system will be operated by a respected provider and will have full maintenance and disaster management procedures in place. We believe this solution addresses Council's issues with respect to wastewater.

Response

The commitment to serve the development with a site-specific package sewage treatment plant is preferable to the previously proposed individual on-site systems. Further details regarding the treatment plant can be provided if the planning proposal progresses. Note; buffer zones required for the sewage treatment plant and/or irrigation area may impact on its location and selection of zone. This can be further investigated during consultation with government authorities, in particular the Office Environment and Heritage and IPART who would be the licensing authorities for the facility.

Infrastructure

Additional Information

The proponent appreciates that the local community expect proposals for residential housing to be accompanied by appropriate levels of new infrastructure. At the Council meeting on November 29th the proponent's representative stated that it would be prepared to put 2/3rds of its contributions towards maintaining local roads and 1/3rd towards other community facilities.

Several Councillors stated that this undertaking was insufficient and that the proponent must make clear the dollar amounts it is prepared to provide in the way of infrastructure. At 580 lots this development will generate approximately \$17.5 million worth of developer contributions that can be spent on local infrastructure. Given the importance of this issue to the local community, the proponent is prepared to agree to add a bonus \$10,000 per lot towards infrastructure provision in the local area. This equates to a \$6 million bonus payment above the statutory contributions requirement. We have suggested that this money could contribute towards a fund that would enable the construction of a third-lane over the Hawkesbury River at Windsor. This is just one suggestion of many. In total, this development will make approximately \$23.5 million available to the local community for infrastructure provision.

To allay the local community's understandable scepticism about the delivery of promised infrastructure, the developer will enter into a legally enforceable Voluntary Planning Agreement prior to the final rezoning of the site which will publicly describe exactly where the \$23.5 million will be spent.

ORDINARY MEETING

Meeting Date: 27 March 2012

Response

As previously stated in the report to Council on 29 November 2011 the preferred method of determining future public services and amenity requirements is to firstly determine the likely additional lot yield and population, calculate the corresponding additional demand for open space, recreational facilities, community facilities, road works etc, generated by the additional population, estimate the cost of these works, and apportion this cost across the number of additional lots.

If the planning proposal is to proceed, this matter would be investigated in greater detail and reported back to Council for consideration as part of a Voluntary Planning Agreement negotiation. Voluntary Planning Agreements have specific public exhibition periods and procedures to be followed that are set out in the Environmental Planning and Assessment Act 1979 and Regulations. This includes a separate exhibition period of 28 days for that draft agreement.

Preliminary discussions with the applicant have indicated that there is a need to update the original traffic study that was submitted with the original application. This is primarily due to the increase in proposed lot yield from 179 to 580. The discussions also included some indicative local road improvements and costs that may be considered as part of any Planning Agreement. A copy of a plan showing some of the possible local road improvements in the Glossodia locality is shown in attachment 3 to this report.

The discussions to date have been preliminary only so that some indicative works could be identified to determine if a Voluntary Planning Agreement was possible. As stated previously the applicant has made an offer to enter into a Voluntary Planning Agreement that will address all the required detail of any proposed works and costings. However, this work, including the upgrading of the traffic study, is not proposed to commence until there is some certainty in the planning proposal proceeding. It is recommended that Council support the preparation of the planning proposal and forwarding to the DP&I to gain a Gateway determination so that the required detailed investigations and negotiations can proceed with more certainty.

RMS

Additional Information

Council's resolution of 29th November states that consultation should be sought from the RTA. The proponent has been in contact with RTA representatives who have expressed a desire to review the project but only once it has been through the Gateway Process.

Response

Council staff have discussed this proposal with representatives of the Roads and Maritime Services (RMS) (Formally the RTA) during other discussions regarding the Windsor Bridge process. The response to Council staff is similar to the above response received by the applicant in that the RMS do not enter into discussions regarding planning proposals until there has been a Gateway determination.

Should the planning proposal be supported and receive a Gateway determination to proceed, discussions with the Roads and Maritime Services will again raise the concerns of the community and Council in relation to the significant existing traffic problems along Bells Line of Road through North Richmond and Richmond and the delays in the replacement of Windsor Bridge and request that these issues be addressed as soon as possible.

Community Consultation

Additional Information

While there has been some discussion at Council about the local community objecting to any new development on the northern/western side of the Hawkesbury River we have found otherwise.

ORDINARY MEETING

Meeting Date: 27 March 2012

We have found out first-hand, especially in Glossodia, that there is support for appropriate development provided developers honour their infrastructure commitments and deliver local improvements.

We understand that there have been concerns in the past regarding the level of communication developers have had with local residents and that residents understandably want assurances that development in the region will be accompanied by high quality infrastructure. To this end we held, at our own initiative, a non-statutory community consultation at the Glossodia Community Centre on Saturday 11th of February from 4-8pm. The response we received was excellent, with several hundred people attending.

On arrival, each person was handed a fact sheet outlining the following ten points about the proposed development:

- (1) The development as proposed is for approximately 580 lots and will include over 30ha of open space, bike paths, walkways, picnic areas, sports and recreation facilities and revegetated creek lines.*
- (2) This is a large lot development. The average lot size is 2000sqm (1/2 acre) with a small area of approximately 5% of the site allocated for 1000sqm (1/4 acre) lots. It is not a typical urban development.*
- (3) If approved, these lots will be built over the next 10-15 years.*
- (4) Following future community consultation and before the site is rezoned we will announce what infrastructure we plan to build as part of the development.*
- (5) With our development contributions this development will provide up to \$17.5 million that can be spent on infrastructure in the local area. An example of what that money could do for the local road network, community centre and other local infrastructure is shown on the boards at this afternoon's information session (it should be noted that the level of contribution relates to the number of lots. The law requires a max contribution of \$30,000 per lot).*
- (6) In addition, we will also contribute an extra \$10,000 per lot above what we are required to pay into a fund that can be used solely to upgrade Windsor Bridge to 3 lanes. Up to \$6 million dollars can be paid into this fund as a result of the development. No government funding is currently available to upgrade the bridge to 3 lanes. Our voluntary contribution equates to approximately 50% of the cost of the 3rd lane.*
- (7) This makes a total of up to \$23 million to be spent on infrastructure in the local area as a result of the development.*
- (8) There are many steps to come before this site is rezoned. At this stage we are just asking for Hawkesbury City Council to send the proposal to the Department of Planning for further investigation.*
- (9) If the Department believes the project has merit then there will be a formal community consultation where the community can give detailed feedback.*
- (10) It is our hope that as a result of the development the State Government and Council will be encouraged to increase the number of public services to Glossodia including bus routes and a GP Clinic.*

It was a very constructive session. Residents liked the proposed large lot sizes, were pleased to see major infrastructure upgrades being discussed, and had many suggestions regarding the infrastructure upgrades that they would like to see in the local area. There was a real sense that Glossodia had been "left behind" to date.

ORDINARY MEETING

Meeting Date: 27 March 2012

120 people took our feedback forms, of which only 7 objected to the development. The overwhelming majority either supported the development or had suggestions about what should be built if the planning proposal proceeds. Since the consultation several people have even been in touch to enquire about purchasing lots at the site.

We got the message that people are very keen for infrastructure, specifically roads infrastructure from Glossodia to Windsor Bridge, to be provided but they want adequate assurances that it will be delivered along with the housing. As mentioned previously, in order to put the public's mind at ease we will outline the infrastructure that we will be delivering in a VPA prior to the site's final rezoning.

We believe that the majority of suggestions, in particular the road upgrades, can be met. We informed residents that the next Council vote was not for the site's rezoning but for a planning proposal to be sent to the Department of Planning & Infrastructure for further investigation.

Response

Councillors were advised previous to the holding of the “non-statutory community consultation at the Glossodia Community Centre” on Saturday 11 February 2012 and residents were advised by the applicant via a letterbox drop. It is noted that this consultation was an informal information display and was attended by some Councillors and the Director City Planning. The information display included the plan that is shown as attachment 3 to this report.

The proponent has provided Council with copies of the completed feedback forms. The feedback form requested respondents provide general feedback as well as to nominate the three most important pieces of infrastructure or public amenities to be delivered as part of the proposed development. Assessment of the feedback forms shows that 11 respondents clearly said they supported the development, 12 respondents opposed the development totally or in part, and 34 respondents provided comment about the development/infrastructure without necessarily supporting or opposing the development.

Comment regarding the development mainly related to the provision of infrastructure with road improvements (including kerb and gutter), road safety, pedestrian and cyclist safety and Windsor Bridge upgrade being the most common. Other comments related to the capacity of local schools, expansion to the Glossodia Shopping Centre, provision of a medical centre, provision of a public swimming pool, improvements to Woodbury Reserve, increased car parking in Glossodia Town Centre, provision of public transport, provision of a bicycle track to Windsor and North Richmond, James Street and Derby Place not to be used to gain access to the development, no small residential lots (in this regard 2000m² lots seemed an acceptable minimum lot size), retain vegetation and widen fauna corridor.

The community consultation undertaken by the proponent, whilst not part of the statutory requirements, is of value and the results can be used by Council and the proponent if the planning proposal is to proceed.

If the planning proposal is to proceed it will be formally exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and associated Regulations and comments reported back to Council for consideration. In this regard the previous, non-statutory, consultation can inform this process.

Topography

The additional information provided by the proponent has not addressed the previously identified site constraint concerning land with a slope generally in excess of 15% running through the middle of the site. This is shown in the concept plan attached to the November 2011 report. However, the submitted, concept information is sufficient for this stage of the process.

The Hawkesbury Residential Land Strategy, at Sustainability Criteria G3.2.1, states that urban development is to be limited to areas with a slope of 15% or lower. Developing land with a slope in excess of 15% is problematic in that it creates the potential for:

ORDINARY MEETING

Meeting Date: 27 March 2012

- reduced slope stability,
- changed drainage patterns and increased soil erosion,
- increased cost and difficulty in the provision and maintenance of infrastructure
- longer roads and driveway with more curves and switchbacks with increased erosion and runoff, higher accident rates and difficulty for emergency vehicles to access to the development
- increased cut and fill or elevated development with associated privacy, overshadowing and visual amenity issues
- loss of vegetation and wildlife habitat
- increased fire risk

If Council wishes to exclude land on the site that is greater than 15% from future development it can be achieved:

- broadly at the local environmental plan amendment stage via zone selection, minimum lot size provisions, site specific special provisions; or
- with detailed controls in an additional chapter to the Hawkesbury Development Control Plan and future development applications demonstrating, on a case by case basis, compliance with the development controls.

Excluding the land via the LEP would remove any doubt as to the development potential of the land; however, the blanket exclusion may be seen as being overly restrictive. Excluding the land via development control provisions (DCP) allows for a more detailed consideration of slope at the development application stage. However, this could be seen as a weaker control to the LEP and subject to ad-hoc variation.

Both approaches have advantages and disadvantages and this matter requires further consideration by the proponent and Council prior to the planning proposal advancing. In light of this the recommendation to Council reiterates the importance of the November 2011 concept plan by requiring it be adopted for the purposes of preparing an amended planning proposal.

Ecology

In terms of wildlife corridors and riparian corridors the proponent's amended plan is generally consistent with the November 2011 concept plan with respect to the north-south running corridors and the land adjacent to Currency Creek.

The concept plan's wildlife corridor running through the middle of the site for the most part is shown as being for residential development on the proponent's amendment plan. This area generally coincides with the above mentioned steep sloping land and therefore the potential for residential development in this area requires further consideration.

The concept plan showed a wildlife corridor to the north of the existing egg farm sheds. Given the proposed removal of the egg farm, the increased yield required to make the development economically feasible and the existing residential development to the north it is considered appropriate that the extent of the wildlife corridor as shown on the November 2011 concept plan be reconsidered. This can be further investigated with the proponent if the planning proposal is to proceed.

Conformance to Community Strategic Plan

Provisions of the CSP which are of most relevance to the planning proposal are:

Looking after people and place

Directions

- *Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.*
- *Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.*
- *Have development on both sides of the river supported by appropriate physical and community infrastructure.*
- *Have friendly neighbourhoods, connected communities, and supported households and families.*
- *Have future residential and commercial development designed and planned to minimise impacts on local transport systems allowing easy access to main metropolitan gateways.*

Goals

- *Maintain and foster the rural character of villages within the Hawkesbury.*
- *Accommodate at least 5,000 new dwellings to provide a range of housing options (including rural residential) for diverse population groups whilst minimising environmental footprint.*
- *Towns and villages to be vibrant place that people choose to live in and visit.*
- *Plan, provide and advocate for a range of community, cultural, recreational, sporting, health and education services and facilities to meet the needs of residents and visitors.*

Caring for Our Environment

Directions

- *Be a place where we value, protect, and enhance the cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural eco-systems, rural and cultural landscape.*
- *Take active steps to encourage lifestyle choices that minimise our ecological footprint.*
- *Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment.*

Goals

- *Balance the needs of our ecology, recreational and commercial activities.*

ORDINARY MEETING

Meeting Date: 27 March 2012

- *Sustainable use of potable and recycled water.*
- *Reduce greenhouse gas emissions*

Linking the Hawkesbury

Directions

- *Have a comprehensive system of transport connections which link people and products across the Hawkesbury and with surrounding regions.*
- *Be linked by accessible, viable public transport, cycleways and pathways to the major growth and commercial centres within and beyond the Hawkesbury.*
- *Have a comprehensive system of well maintained local and regional roads to serve the needs of the community.*
- *Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connections for the benefit of residents, visitors and businesses.*

Goals

- *An efficient transport network that links the Hawkesbury internally and to regional growth centres.*

Supporting Business and Local Jobs

Directions

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

Goals

- *Increased patronage of local businesses and attract new residents and visitors.*

Shaping Our Future Together

Directions

- *A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles.*

Goals

- *Work together with the community to achieve a balanced set of decisions that integrate jobs, housing, infrastructure, heritage and environment.*
- *Council demonstrate leadership by implementing sustainability principles.*

The planning proposal would assist in the achievement of some of the above mentioned Directions and Goals, e.g., the dwelling house target, provision of recreational facilities, increased patronage of local business, attracting new residents to the Hawkesbury.

Financial Implications

The applicant has paid the fees required by Council's Revenue Pricing Policy for the preparation of a local environmental plan.

ORDINARY MEETING

Meeting Date: 27 March 2012

Conclusion

Previous reports to Council have concluded that the site does have development potential notwithstanding various constraints of the site and potential off-site impacts. Council resolutions have supported the proposal "In Principle".

The proponent has sought to address previously raised concerns regarding the retention of the egg farm, sewage management, and provision of infrastructure. In doing so, the proponent, in order to make the development economically feasible, has proposed an increase in the lot yield from 179 to approximately 580 lots.

There are issues that still require resolution of details prior to the planning proposal advancing to public exhibition and finalisation. These primarily relate to traffic management, road and bridge improvements, provision of public infrastructure and facilities, restricting development from land in excess of 15% in slope, and refinement of proposed wildlife corridors.

Finally, as the planning proposal originally reported to Council has been significantly amended a revised planning proposal that satisfies DP&I's required format and content for planning proposals needs to be prepared prior to the matter being forwarded to DP&I for "gateway" determination.

Planning Decision

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

RECOMMENDATION:

That:

1. Council support the preparation of a Planning Proposal for the land comprising of:

Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
Lots 1, 2 and 3DP 784300, 780A - 780C Kurmond Road, North Richmond

to rezone the land primarily for large lot residential and/or residential development.

2. The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, November 2011" and plan titled "Glossodia - Jacaranda Ponds Proposed Layout and Recreational Areas", reference number 9420/SK07 A, prepared by J. Wyndham Prince attached to this report be adopted for the purposes of preparing the planning proposal.
3. EG Property Group, in consultation with Council staff, be requested to provide Council with a planning proposal consistent with resolution 1 and 2 and Department of Planning and Infrastructure's "A guide to preparing planning proposals".
4. The planning proposal be forwarded to the Department of Planning and Infrastructure for a "gateway" determination.

ORDINARY MEETING

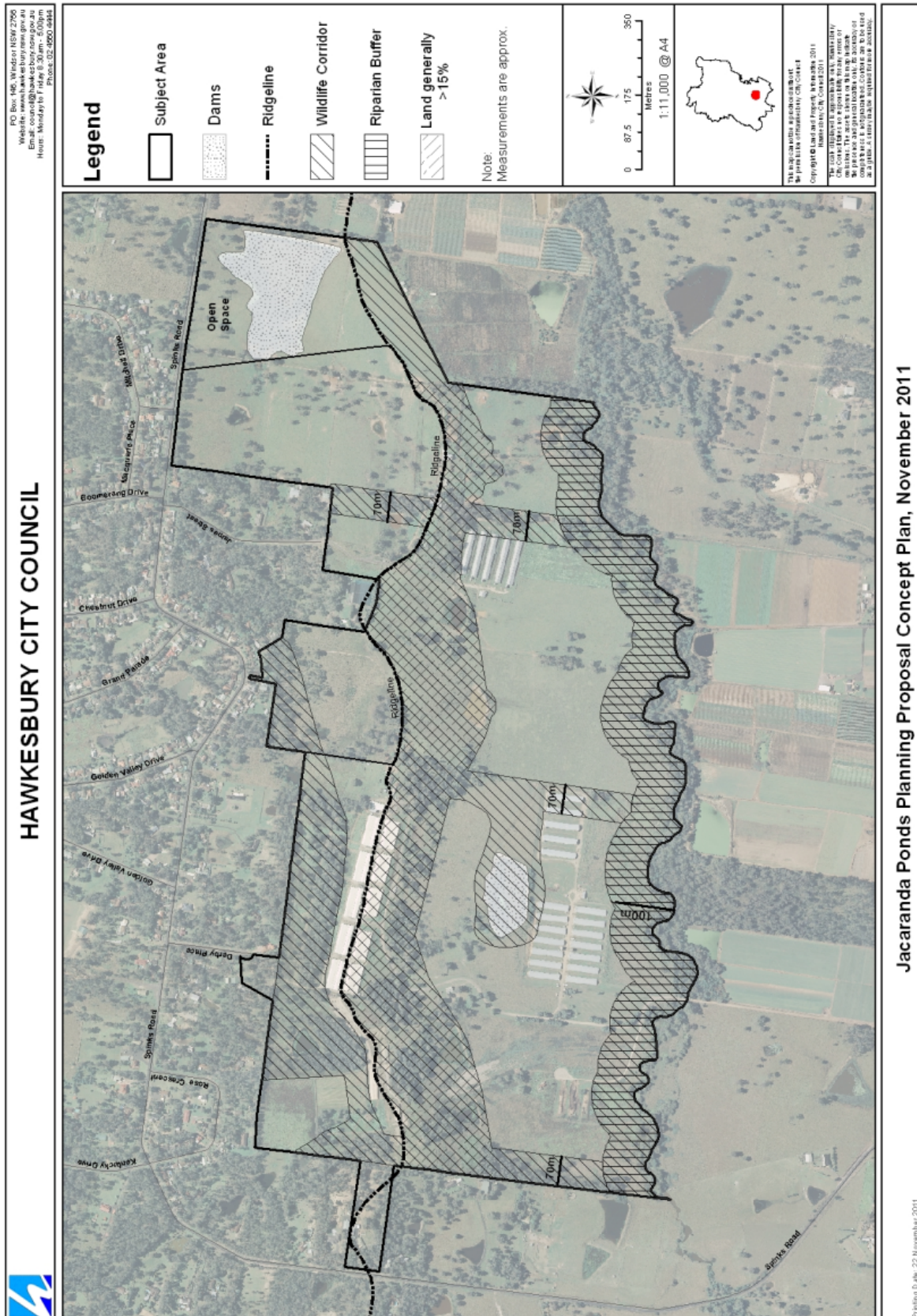
Meeting Date: 27 March 2012

5. If the Department of Planning and Infrastructure determines that the planning proposal is to proceed, Council commence Voluntary Planning Agreement negotiations with EG Property Group and any other relevant party.
6. The Department of Planning and Infrastructure and EG Property Group be advised that in addition to all other relevant planning considerations being addressed, final Council support for the proposal will only be given if Council is satisfied that satisfactory progress has been made by the Roads and Maritime Service towards resolving the existing traffic problems along Bells Line of Road through North Richmond and Richmond and replacement of the Windsor Bridge.

ATTACHMENTS:

- AT - 1** Jacaranda Ponds Planning Proposal Concept Plan, November 2011
- AT - 2** "Glossodia - Jacaranda Ponds Proposed Layout and Recreational Areas", reference number 9420/SK07 A, prepared by J. Wyndham Prince
- AT - 3** Possible Local Infrastructure Improvements for consideration

AT - 1 Jacaranda Ponds Planning Proposal Concept Plan - November 2011

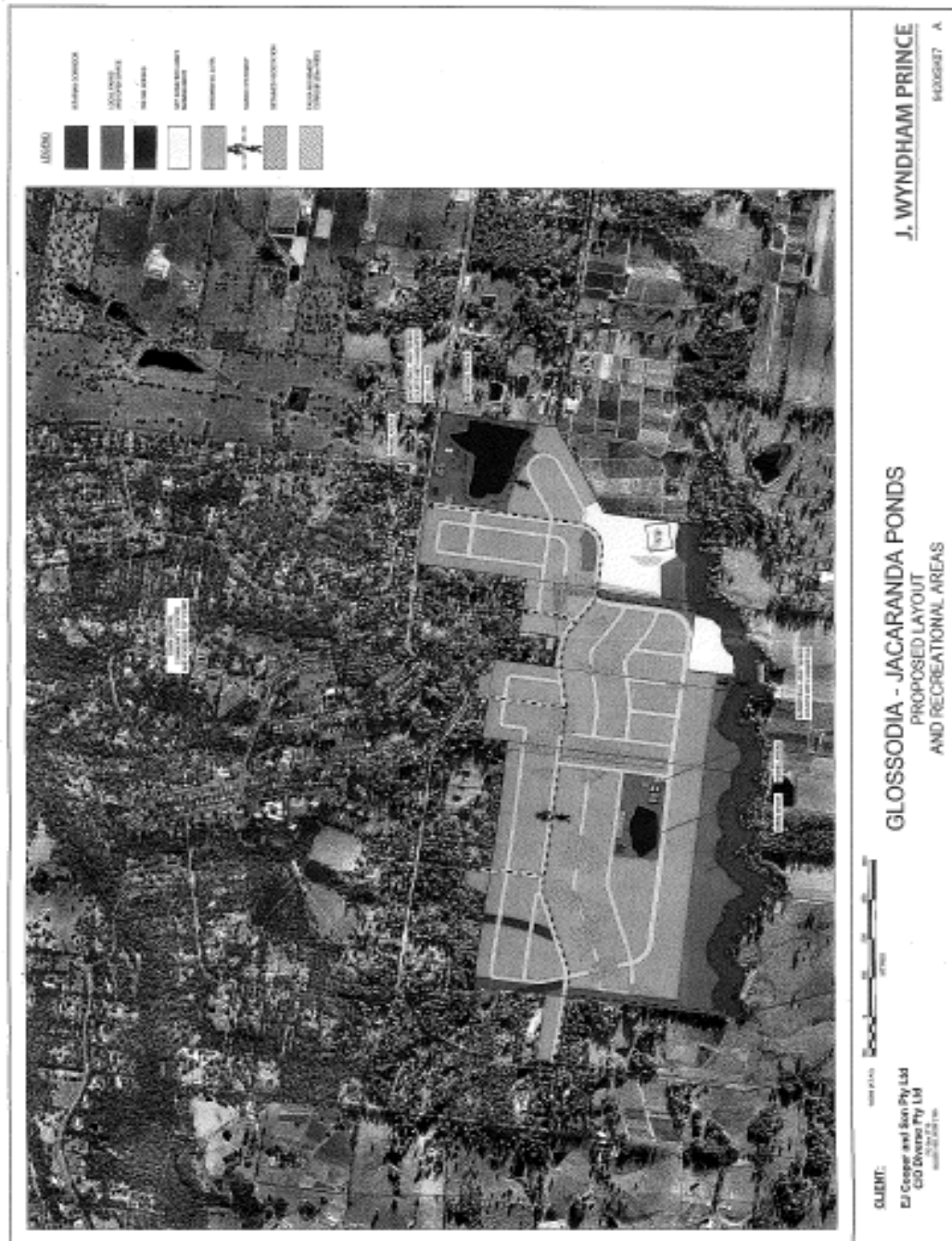


ORDINARY MEETING

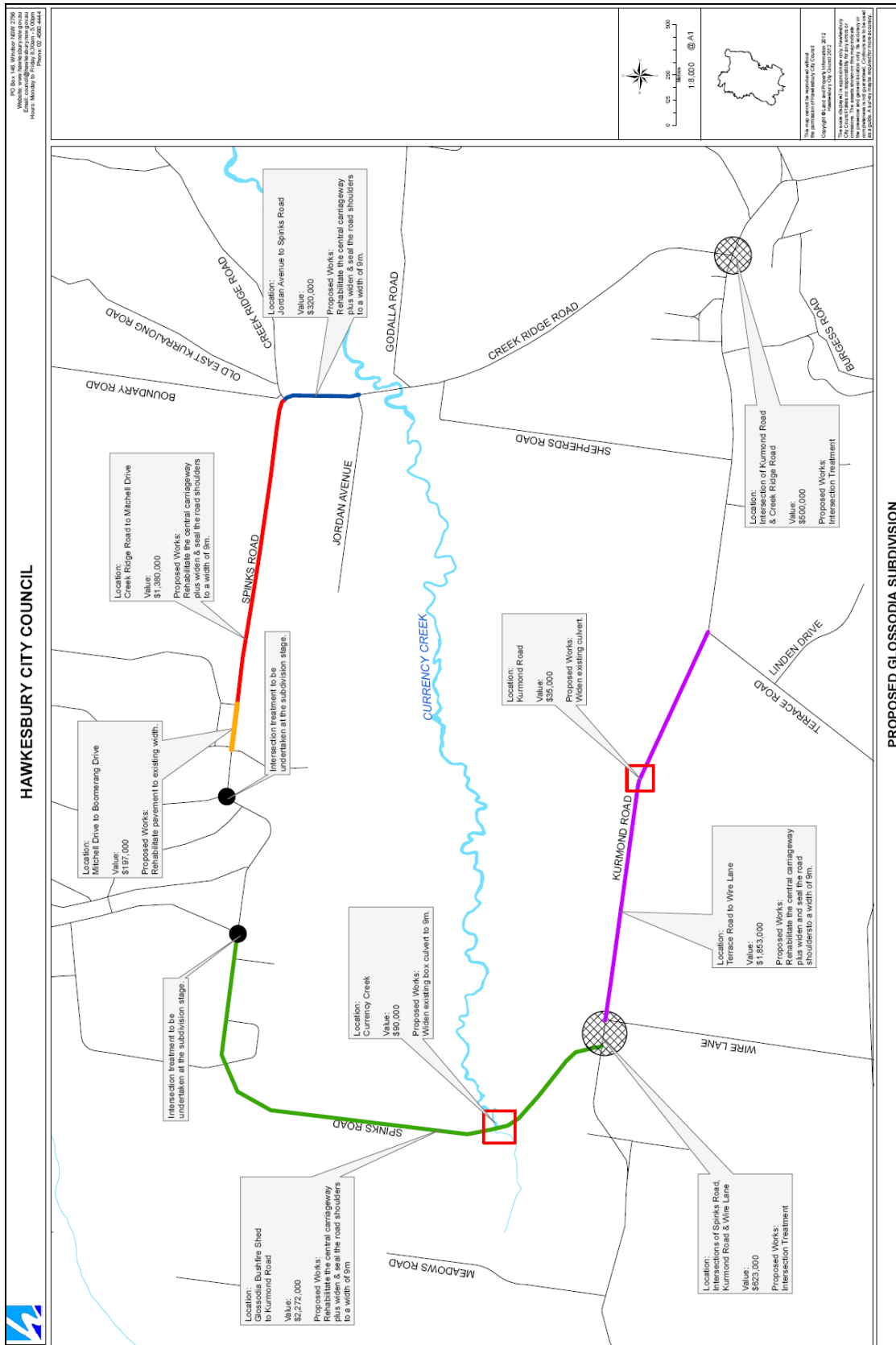
Meeting Date: 27 March 2012

AT - 2 "Glossodia - Jacaranda Ponds Proposed Layout and Recreational Areas"

Reference number 9420/SK07 A, prepared by J. Wyndham Prince



AT - 3 Possible Local Infrastructure Improvements for Consideration



oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 27 March 2012

Item: 41 **CP - Planning Proposal - 533 - 547 Windsor Road and 7 Chapman Road, Vineyard - (95498)**

Previous Item: 147, Ordinary (12 July 2011)

REPORT:

Executive Summary

On 12 July 2011 Council resolved to defer a Planning Proposal seeking rezoning of 533 – 547 Windsor Road and 7 Chapman Road, Vineyard to permit certain retail/business and light industrial activities on the land, to allow the applicant to consult with the adjoining property owners and the Department of Planning and Infrastructure (DP & I) with a view to considering a planning proposal in the broader planning context.

The DP & I advised Council by its letter dated 16 July 2011 (received at Council 18 August 2011) that it does not support any rezoning of land within the Vineyard Precinct until the precinct is released and rezoned under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP). Following discussions between Council staff and DP & I staff subsequent advice was received from the Department indicating that the use of Schedule 1 - Additional Permitted Uses in the draft Hawkesbury Local Environmental Plan 2011 (HLEP 2011) is considered to be the appropriate mechanism to legitimise the existing uses on the subject land.

This report recommends that a revised planning proposal be prepared and submitted to the Minister for Planning & Infrastructure in accordance with the Department's recent advice.

Consultation

The Minister for Planning and Infrastructure will advise Council of requirements for consultation with public authorities and the community as part of the Gateway Determination of the Planning Proposal under Section 56 of the Environmental Planning and Assessment Act, 1979.

Background

The subject site is currently zoned Rural Living under Hawkesbury Local Environmental Plan 1989 and the corresponding new zone under draft HLEP 2011 is RU4 Rural Small Holdings. According to Council's records the site has been approved and used for a range of business, retail and light industrial uses such as general machine shop, joinery works, builders hardware store, warehouse, shop, and key and timber cutting factory in the period of pre 1951- 2001. Both the current Rural Living and new RU4 zones prohibit business, retail and light industrial uses and therefore these activities are now non-conforming uses on the land.

On 12 July 2011 Council considered a Planning Proposal seeking rezoning of the subject land to part B1 Neighbourhood Centre and part IN2 Light Industrial under HLEP 2011 to allow certain retail/business and light industrial activities on the land. The resolution of that meeting was as follows:

"That the matter be deferred to allow the applicant to confer with adjoining property owners and the Department of Planning with a view to considering a planning proposal for a larger area in the location".

Given the Council's resolution and in order to enable Council to consider any future planning proposals within or in the vicinity of the North West Growth Centre in the broader planning context advice was sought from the DP & I.

ORDINARY MEETING

Meeting Date: 27 March 2012

On 18 August 2011 Council received a response from DP & I (dated 16 July 2011) advising Council that the Vineyard Precinct has not been declared a release precinct under the *Environmental Planning and Assessment Regulation 2000* and currently there is no time schedule for the release of the precinct.

The DP & I also advised that it does not support any rezoning of land in a precinct ahead of precinct planning and until the Vineyard Precinct is released and rezoned. Council should continue to assess development applications under the current planning provisions including the Growth Centres SEPP.

On 7 October 2011 Council Officers met with the applicant and the owner of the land to explain the DP & I's view on the Planning Proposal and discuss possible alternatives to address the current land use issues on the land. The inclusion of certain non-confirming land uses as additional permitted uses in Schedule 1 of draft HLEP 2011 was considered to be the only mechanism available for Council to receive and assess development applications and facilitate orderly development with no adverse impacts on the surrounding development.

As a result, on 13 October 2011 Council sought advice on this alternative approach from the DP & I. A response dated 14 November 2011 was received from the DP & I advising that the proposed mechanism, with no negative impacts or impediments on the future precinct planning, is considered to be appropriate.

Revised Planning Proposal

The objective of the revised Planning Proposal is to specify certain non-confirming land uses on the subject land as additional permitted development that may be carried out with development consent under draft HLEP 2011.

Schedule 1 of draft HLEP 2011 makes provision for carrying out development on particular land with or without Council's consent. Therefore the Planning Proposal seeks to utilise this provision to allow the following non-confirming development as additional permitted uses on the land with Council's consent.

- Use of part of Lot 53 DP 593354, 533 Windsor Road, being for the purpose of a sawmill, timberyard and associated parking (with the total land area including the area for parking not exceeding 10,000m²)
- Use of part of Lot 5 DP 536674, 541 Windsor Road for the purpose of general industry and industrial retail premises being saw manufacturing, repairs and sales and associated parking (with the total land area including the area for parking not exceeding 3,000m² and a gross floor area of the industrial retail premises not greater than 150m²)
- Use of part of Lot 5 DP 536674 and Lots 10 & 11 DP 1080426, 541-547 Windsor Road for the purpose of hardware and building supplies, a trailer hire business and associated parking (with the total land area including the area for parking not exceeding 5,000m² and the gross floor areas of the trailer hire premises and building hardware store are not to exceed 325m² and 250m² respectively)

Attachment 4 to this report depicts the areas of proposed additional uses within the subject land.

Given the subject land is predominantly surrounded by rural land uses and located within the Vineyard Precinct it is considered appropriate to include the current trailer hire business, occupying part of the hardware store on the land, as an additional permitted use to legitimise the current operation. All existing development consents that apply to the land would not be affected and would remain in force.

Sunset Clause

The DP & I also advised Council that the inclusion of suitable conditions or a sunset clause in Schedule 1 in relation to proposed additional uses on the subject land is considered important to ensure that these uses do not impede the future precinct planning. The Planning Proposal therefore proposes the inclusion of a sunset clause allowing applications to be submitted for development specified in Schedule 1 within 2 years from the gazettal of this plan, after which the effect of the clause lapses.

ORDINARY MEETING

Meeting Date: 27 March 2012

The Planning Proposal should also contain a provision that limits the life of any new development consents for the abovementioned additional uses, as per the advice from the DP& I. In this regard it is proposed to limit new development consents so that they expire upon the finalisation of the precinct planning process for the Vineyard precinct.

The Planning Proposal can be justified for the following reasons:

- This is the only mechanism to address the existing land use anomalies on the land.
- Given the site's location and long term uses it is more suited to business and industrial activities.
- The proposed development can be adequately serviced with existing infrastructure.
- The site has easy and convenient access to the regional road network.
- The proposed land uses will enable increased economic activities within the LGA.
- The development provides employment opportunities.
- It will enable economical use of the land and orderly development.
- It has potential to meet the needs of the surrounding residential areas and the future population within the North West Growth Centre.

Conformance to Community Strategic Plan

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

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

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

- Implement Employment Lands Strategy.

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

Financial Implications

There are no financial implications arising from this report.

Planning Decision

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

ORDINARY MEETING

Meeting Date: 27 March 2012

RECOMMENDATION:

That:

1. The Planning Proposal as outlined in this report be prepared and forwarded to the Minister for Planning and Infrastructure seeking a Gateway Determination.
2. Upon receipt of notification of the Gateway Determination to proceed, Council exhibit the Planning Proposal in accordance with the requirements of the Gateway Determination and the Environmental Planning and assessment Act, 1979.

ATTACHMENTS:

- AT - 1** Report to Council Meeting on 12 July 2011
- AT - 2** Correspondence from DP & I dated 16 July 2011
- AT - 3** Correspondence from DP & I dated 14 November 2011
- AT - 4** Map depicting the areas of the proposed additional uses

AT - 1 Report to Council Meeting on 12 July 2011**REPORT:****Executive Summary**

Council has received a Planning Proposal from PGH Environmental Planning, acting on behalf of Vineyard Hardware Pty Ltd and Henry Bros Saws Pty Ltd to rezone the land at 533-547 Windsor Road and 7 Chapman Road, Vineyard, from Rural living to part B1 Neighbourhood Centre and part IN2 Light Industrial under draft Hawkesbury Local Environmental Plan 2011 to allow a range of small scale retail/business and light industrial activities on the site.

The purpose of this report is to provide an assessment of the Planning Proposal.

Consultation

The Minister for Planning and Infrastructure will advise Council of requirements for consultation with public authorities and the community as part of the Gateway Determination of the Planning Proposal under s.56 of the Environmental Planning and Assessment Act, 1979.

Background

According to Council records, the subject site has a long history of approvals for a range of land uses since pre 1951. These include general machine shop for building timber and storage, builder's hardware store, roofing supply and repair shop, storage shed, residential flats, residence, carport, swimming pool, bee apiary, honey processing and packaging, sawmill, production of bee boxes, pallets and associated timber products and refreshment room (see Attachment 1 to this report). Over the last sixty years the site has been used for many uses including a shop and dwelling, warehousing, wholesaling, manufacturing of building components such as architraves, small joineries, mouldings, folding garden lattice sheets, hardwood slabs, structural softwood and hardwood timber planks.

The Planning Proposal indicates that in the early 1980s' the site was used for other uses such as a newsagency, gardenware, equipment hire service and, a saw sharpening and maintenance.

In June 2001, Council approved the use of part of a building fronting Windsor Road as a refreshment room which was operated until its closure in March 2006. Later a trailer hire business occupying that part of the building occupied by the former refreshment room and part of the site commenced with no approval from Council. In March 2007, Council advised the trailer hire business operator of this unauthorised use of the land and as a result, in July 2007, Council received a development application seeking approval for the use of that part of the building fronting Windsor Road and associated outdoor parking area as a general hardware store including the hiring, display, maintenance and repairs of trailers on Lots 10 and 11 DP 1080426 and Lot 5 DP 536674, 541-547 Windsor Road, Vineyard. As the proposed land use was prohibited in the Rural Living zone, the application sought approval under existing use rights to expand its existing use utilising the existing infrastructure and later the application was withdrawn.

Planning Proposal

The Planning Proposal seeks to rezone the subject site from Rural Living to part B1 Neighbourhood Centre and part IN2 Light Industrial under draft Hawkesbury Local Environmental Plan 2011 to allow a range of small scale retail, business and light industrial uses generally consistent with the current land uses on the land (see Attachment 2 to this report).

Site and Surrounds

The site is located on the northern side of the signalised intersection of Windsor Road/Chapman Road, close proximity to the North West Growth Centre and approximately 800m to the Vineyard Railway Station (see Attachment 3 to this Report). The site is bounded by Windsor Road to the south-west, Chapman Road to the south-east, Old Hawkesbury Road to the north-east and Lot 52 DP 593354, 523 Windsor

ORDINARY MEETING

Meeting Date: 27 March 2012

Road to the north-west. The total site area is approximately 3.44ha and consists of the following five (5) allotments zoned Rural Living (see Attachment 3 to this report).

Property Description	Street Address	Area
Lot 53 DP 593354	533 Windsor Road	1.877ha
Lot 4 DP 536674	7 Chapman Road	999m ²
Lot 5 DP 536674	541 Windsor Road	1.289ha
Lot 10 DP 1080426	545 Windsor Road	871.9m ²
Lot 11 DP 1080426	547 Windsor Road	837.5m ²

The site has a main frontage to Windsor Road of approximately 145m and average depth of approximately 215m. The site is generally flat with a gentle slope in a northerly-easterly direction, and contains different land uses. A building containing a saw mill and woodwork and carpentry areas occupies Lot 53 DP 593354 and a residential flat building containing four dwellings with access to Chapman Road occupies Lot 4 DP 536674. A trailer hire business, Vineyard Hardware, sawmill, single dwelling house and open space occupy Lot 5 DP 536674, outdoor storage of trailers and parking area occupy Lots 10 and 11 DP 1080426.

The surrounding area is predominantly characterised by 2 hectare allotments zoned Rural Living under Hawkesbury Local Environmental Plan 1989 (see Attachment 4 to this report). The site is surrounded by a number of land uses. These include Vineyard Public School, childcare centre, retirement village (Windsor Country Village), Pilequip Australia engineering firm specialising in piling and foundation engineering equipment, materials and accessories, construction crane hiring and storage and pet supplies and sheds.

Applicant's Justification of the Proposal

The applicant has provided the following justification in support of the Planning Proposal.

- "The site is located within the North-West Growth Centre diagonally opposite the northern edge of the Riverstone Release Area. Ultimately the site will form part of Vineyard Release Area Precinct and consequently we submit that the Council should be considering the long-term use of our client's land within this release area precinct.*
- Windsor Road is a main road and Bandon Road will carry high volumes of traffic from the Vineyard Railway Station. Our clients have for some time maintained that the site is therefore suitable for commercial and other land use activities that provide employment opportunities.*
- The proposed amendment is considered to be consistent with the existing land use pattern of the site. The surrounding area contains a range of land uses, ranging from residential to commercial which will not suffer any long term adverse impacts.*
- Our preliminary investigations demonstrate that there are no prohibitive issues or matters that are inconsistent with Council's strategic framework or directions issued by the State Government. The proposed zoning does not create an unnecessary demand upon existing infrastructure or services, rather it seeks to utilise the land in an orderly and economic manner having proper regard to identified physical and ecological constraints."*

Assessment

Draft North West Subregional Strategy

The draft North West Subregional Strategy 2007 provides a direction for local councils in preparing Local Environmental Plans (LEP). A general direction is to provide sufficient zoned and serviced employment land to meet the employment capacity targets within their local government areas. Protecting Employment Lands is also a key direction of the strategy. The strategy acknowledges that Mulgrave/Vineyard industrial area is a well established industrial area comprising a mix of industrial uses such as manufacturing, automotive servicing, and automotive sales as well as bulky goods retailing. The industrial area has good access to Windsor Road and is also located within close proximity to the North West Growth Centre. It also points out that adjoining areas are predominantly rural and are unlikely to be developed further within the life of the strategy due to flooding and flood evacuation constraints.

The Strategy identifies 3,000 new jobs target for Hawkesbury Local Government Area by 2031, and Council is required to plan for sufficient land and infrastructure to achieve this target.

Hawkesbury Employment Lands Strategy 2008

In December 2008 Council adopted the Hawkesbury Employment Lands Strategy. The purpose of the strategy is to provide a planning framework for employment precincts (industrial, commercial, retail) and locations for a range of employment types to support and enhance the economic competitiveness of the Hawkesbury region.

The Employment Lands Strategy has recommended a number of strategies for Council to pursue to address the economic prosperity of the LGA. Strategy 5 in the Employment Lands Strategy is to “Investigate additional industrial land supply to address potential future employment growth”. It suggests that additional land could be zoned industrial where demand is identified and conditions are met. Although the subject site is not located within a recommended area for investigation, the site’s close proximity to a future residential precinct containing 70,000 new dwellings for approximately 200,000 people within the North West Growth Centre, the sufficient infrastructure (e.g. water and power), easy access to Windsor Road which provides access to both the M7 and M2 Motorways and proximity to Vineyard Railway Station the Planning Proposal is generally consistent with the Employment Lands Strategy (December 2008).

The Planning Proposal seeks to rezone the site Part B1 Neighbourhood Centre and part IN2 Light Industrial under Hawkesbury Local Environmental Plan 2011. It is considered that a significant retail development in this location is not consistent with the government’s centres policy, or with supporting the Windsor Town Centre. In this sense, a number of uses may be appropriate for the site, however the area proposed for B1 Neighbourhood Centre that permits retail development on the land should be restricted.

Future development of the site would require a higher standard of urban design to ensure an appropriate treatment of the frontage of Windsor Road. This is a requirement of the Employment Lands Strategy and may be controlled via the development of a site specific development control plan specifying appropriate development controls to ensure orderly development on the site and high urban design outcomes are achieved.

Section 117 Directions

Direction 1.1 Business and Industrial Zones

The objectives of this direction are to:

- (a) encourage employment growth in suitable locations,
- (b) protect employment land in business and industrial zones, and
- (c) support the viability of identified strategic centres.

The Planning Proposal seeks to rezone the subject site from Rural Living to part B1 Neighbourhood Centre and part IN2 Light Industrial under Hawkesbury Local Environmental Plan 2011. This will enable a formalisation of the current non-confirming land uses on the land and continued and economical use of the land for business, retail and industrial purposes to facilitate an orderly development in close proximity to the North West Growth Centre. The proposal will enable improved employment opportunities for the local community and the future population within the Growth Centre. It is therefore considered that the Planning Proposal is generally consistent with this direction.

Direction 1.2 Rural Zones

The objective of this direction is:

to protect the agricultural production value of existing rural land.

The Planning Proposal is inconsistent with part of this Direction. However, the Direction does permit an inconsistency under certain circumstances. Given that the land currently has no agricultural value (and is most unlikely that it will ever be used for agricultural purposes given the existing land uses rights

since the 1950s) and the proposal is consistent with the Hawkesbury Employment Lands Strategy, it is considered that the inconsistency with the Direction is acceptable.

Direction 3.4 Integrated Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) improving access to housing, jobs and services by walking, cycling and public transport,
- (b) increasing the choice of available transport and reducing dependence on cars,
- (c) reducing travel demand including the number of trips generated by development and the distances traveled, especially by car,
- (d) supporting the efficient and viable operation of public transport services, and
- (e) providing for the efficient movement of freight.

Comment:

The Department of Planning's guidelines *Integrated Landuse and Transport* seeks to improve the integration of land use and transport planning. The Planning Proposal will enable the protection of the existing development and may provide additional employment opportunities close proximity to the North West Growth Centre should the site be redeveloped. It is considered that the proposed LEP is generally consistent with this Direction.

Direction 4.1 Acid Sulphate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils. The subject area is identified as "Class 5" (less constrained) on the Acid Sulphate Soils Planning Maps having a probability of containing acid sulphate soils, as shown on Acid Sulphate Soils Planning Maps held by the Department of Planning. As the area is not located within 500 metres of another classification, acid sulphate soils risk assessment may not be required.

Direction 4.3 Flood Prone Land

The objectives of this direction are:

- a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005*, and
- b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

Comment

The proposal is inconsistent with this Direction. The majority of the site proposed to be rezoned is below the 1:100 year flood level (see Attachment 5 to this report). In accordance with the Floodplain Development Manual 2005, Council engaged Bewsher Consulting Pty Ltd to prepare a Flood Risk Management Study and Plan for the Hawkesbury River within the Hawkesbury LGA in June 2010, and this project is expected to be completed late 2011 or early 2012. Council will be able to assess any future development on the land against the Hawkesbury Flood Risk Management Plan to ensure effective development and management of the land with minimal impact of flooding on individual owners and occupiers of flood prone property and reduction in private and public losses resulting from major floods.

Direction 4.4 Planning for Bushfire Protection

The objectives of this direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the

ORDINARY MEETING

Meeting Date: 27 March 2012

- establishment of incompatible land uses in bush fire prone areas, and
- (b) to encourage sound management of bush fire prone areas.

The Applicant states that:

"The site is identified as being bushfire prone and is affected by a mix of Category 1, Category 2 and Vegetation Buffer land.

Any future development will need to have regard to the provisions of the Planning for Bushfire Protection (PfBP) 2006 document and relevant legislation under both the Environmental Planning and Assessment Act 1979 and Rural Fires Act 1997.

In our opinion the proposal is capable of satisfying the necessary statutory controls, and therefore complies with this direction."

Comment:

The subject area is identified as bush fire prone land with a mix of Vegetation Categories 1 and 2 and Vegetation Buffer land. Accordingly, Council is required to consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in accordance with section 57 of the Act, and take into account any comments so made.

Direction 6.1 Approval and Referral Requirements

The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

This planning proposal is consistent with this direction as it does not require the concurrence, consultation or referral of development applications to a Minister or public authority, and does not identify development as designated development.

Direction 6.3 Site Specific Provisions

The objective of this direction is to discourage unnecessary restrictive site specific planning controls. The proposal is consistent with this direction as it does not specify any restrictive provisions for future development on the land other than those already specified in Hawkesbury LEP 2011 for the B1 Neighbourhood Business Zone and IN2 Light Industrial Zone.

Direction 7.1 Implementation of the Metropolitan Strategy

The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the *Metropolitan Strategy*.

The applicant states that:

"The Metropolitan Strategy 'City of Cities A Plan for Sydney's Future' and North West Subregional Strategy were released by the Department of Planning in December 2005 and December 2007, respectively. These documents outline the broad vision for the future planning of Sydney and the North West subregion to 2031.

The North West Subregional Strategy translates objectives of the Metropolitan Strategy to the local level, with the economy and employment identified as a key component.

The Strategy identifies the existing Mulgrave and Vineyard industrial area as being located, just outside of the growth area but recognises that this area is well established, comprising a mix of

ORDINARY MEETING

Meeting Date: 27 March 2012

industrial uses, such as manufacturing, automotive servicing and automotive sales as was faulty good retailing. It also notes that the area surrounding it is flood prone and may not be suitable for further light industrial activities.

As stated previously, the site is located within the north-west growth centre and ultimately will form part of Vineyard Release Area Precinct. Consequently it is considered that the use of the site in the manner proposed is not inconsistent with the aim of the strategy in terms of job creation."

Comment

The planning proposal is consistent with the *Metropolitan Strategy*. One of the objectives of the proposal is to provide employment opportunities to assist achievement of Council's employment target under the *Metropolitan Strategy*. This planning proposal is therefore consistent with the NSW Government's *Metropolitan Strategy: City of Cities, A Plan for Sydney's Future*, published in December 2005 ('the *Metropolitan Strategy*').

Draft Hawkesbury Local Environmental Plan 2011

The applicant states that:

"The existing onsite businesses are well established, and need to be provided with a reasonable opportunity to expand and redevelop; the proposed RU4 zoning will unfortunately prevent this from occurring.

In our opinion the proposed rezoning of the site in the manner proposed in this application, will enable land to be redeveloped in an orderly fashion, without impacting upon the viability of the nearby Mulgrave light industrial and business centre."

Comment:

The current zoning provisions of Hawkesbury LEP 1989 have been converted into the corresponding NSW Standard Template LEP zones in draft Hawkesbury Local Environmental Plan 2011, and the new corresponding zone in Hawkesbury LEP 2011 for the current Rural Living zoning of the subject site will be RU4 Rural Small Holdings. Retail, business and light industrial activities are not permitted in RU4 Rural Small Holdings zones. Therefore, the Planning Proposal seeks to rezone the site from Rural Living to part B1 Neighbourhood Centre and part IN2 Light Industrial under draft Hawkesbury Local Environmental Plan 2011 to formalise certain land use activities within the site and allow redevelopment of the site for a range of small scale retail, business and light industrial purposes. With Council's consent, retail and business uses are permitted in B1 Neighbourhood Zone and light industrial and ancillary retail activities are permitted in IN2 Light Industrial Zone.

Given the site's close proximity to North West Growth Centre, easy and convenient access to regional road network including M2 and M7 Motorways and good access to infrastructure (e.g. water and electricity) and Vineyard Railway Station, the proposed rezoning of the land to part B1 Neighbourhood Centre and part IN2 Light Industrial to allow suitable business, retail and light industrial activities to meet the needs of surrounding residential areas such as McGrath Hills and Pitt Town and the future population in the North West Growth Centre is considered appropriate.

According to the Department of Planning's practice notes on the preparation of Local Environmental Plans using the Standard Instrument: Standard zones, B1 Neighbourhood Centres Zone is for neighbourhood centre that include small-scale convenience retail premises (neighbourhood shops), business premises, 'medical centres' and community uses that serve the day-to-day needs of residents in easy walking distance. Shop top housing is permitted in the zone, and other mixed use development may be considered appropriate. As mentioned in the early part of this report a significant retail development in this location is considered inconsistent with the Stage Government's centres policy, or with supporting the Windsor Town Centre, and therefore approximately 14,600m² land area (i.e. 42% of the site area) proposed as B1 Neighbourhood Centre in the Planning Proposal is considered excessive. In order to facilitate economical and viable redevelopment of the site, boost the current economic activities within the Hawkesbury Local Government Area and ensure economic viability of the Windsor Town Centre is remained unaffected, a maximum of 5,000m² land area (i.e. approximately 15% of the site area) incorporating Lots 10 and 11 DP

1080426, 545-547 Windsor Road and part Lot 5 DP 536674, 541 Windsor Road as shown in Attachment 6 to this report to allow limited retail opportunities is considered appropriate.

Traffic and Access

Given the site is located on the signalised intersection of Windsor Road/Chapman Road and has three street frontages, access to and from the site is not a significant issue. Currently the site is accessed via Chapman Road and Old Hawkesbury Road. Windsor Road is a Classified Road and generally the Roads and Traffic Authority (RTA) does not allow access from this road. The Planning Proposal proposes to continue with the current access arrangements with no access from Windsor Road. Also the site has a fairly good access to M2 and M7 Motorways which provide easy and convenient access to Sydney and its environs.

Given the size and location of the site it can provide easy vehicular access, safe and convenient vehicular movements, vehicles can enter and leave the site in forward direction and provide required parking on site.

Vegetation

In accordance with the Biodiversity Protection Map accompanying the adopted draft Hawkesbury Local Environmental Plan 2011, the site contains areas of remnant vegetation mainly along the north-western, north-eastern and south-western boundaries and middle of the site. However a large area of the site is free of any significant stand of vegetation. Given the presence of significant trees on the site, any future development would require preparation of a flora and fauna report in accordance with Section 5A of the Environmental Planning and Assessment Act, 1979. This will enable Council to determine the likely impact of the future development of the site on the existing vegetation.

Services

The site is adequately serviced by community infrastructure such as water, electricity, telecommunication and sewerage, and it will not place additional demands on the community infrastructure. The site is located approximately 800m from the Vineyard Railway Station.

Site Contamination

The site has been used for residential, commercial and industrial since pre 1951.

In terms of Clause 6 (1) of State Environmental Planning Policy No 55 - Remediation of Land it is considered that:

- (a) given there was no adequate information or evidence on the use of the subject site before 1950s' there may be a potential that the site may be contaminated however, at present this has not been investigated in detail by the proponent or by Council; and,
- (b) if the land is contaminated, Council is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the RU4 Rural Small Holdings zone is permitted to be used; and,
- (c) if the land requires remediation to be made suitable for any purpose for which land in the RU4 Rural Small Holdings zone is permitted to be used, Council is satisfied that the land will be so remediated before the land is used for that purpose. This can be dealt with at Development Application stage for any subsequent development of the land.

Existing Use Rights

The site is currently zoned Rural Living under Hawkesbury Local Environmental Plan 1989, and the corresponding new zone for the site under the adopted draft Hawkesbury Local Environmental Plan 2011 is RU4 Rural Small Holdings. Both the zones prohibit business, retail and light industrial uses. According to Council's records the site had been approved for business, retail and light industrial uses such as

ORDINARY MEETING

Meeting Date: 27 March 2012

general machine shop, joinery works, builders hardware store, warehouse, shop and key and timber cutting factory in the period of pre 1951- 2001. All these land uses are now non-confirming uses on the subject site under the current Rural Living zoning or the corresponding new RU4 Rural Living zoning.

In June 2001, development consent was granted for the use of the existing building located on the south-western corner of the site as a refreshment room, and a large part of the remainder of the site as a car park associated with the refreshment room. A 'refreshment room' is a permissible land use in the current Rural Living zone as well as in the corresponding new RU4 Rural Living zone in the adopted draft Hawkesbury Local Environmental Plan 2011.

The last development application received for the site in March 2007 was for the use of that part of the building fronting Windsor Road and associated outdoor parking area as a general hardware store and trailers hire business. The application claimed that there was sufficient evidence to demonstrate that the hardware store approved in 1965, the subsequently approved extension to the hardware store in 1971, the shop, shed and the associated car parking area had continuously been operated within the site since their lawful commencement.

The legal advice received by Council in January 2009 with respect to the existing use rights of 543 -547 Windsor Road, Vineyard stated that the use of the refreshment room premises for a period of five (5) years resulted in the existing use of that building for the purposes of a hardware store being "abandoned" and it was of the view that existing use rights for the purposes of a builders hardware store no longer apply to the refreshment room premises.

The advice was not conclusive that the outdoor car park was not in fact used for the purposes of the refreshment room as well as the existing use for the purposes of a hardware store due to the given limited evidence or the information. As a result, without evidence to the contrary (and based on evidence from the Applicant's solicitor) it appeared to accept the fact that the carpark has continued to be used for the purposes of a builder's hardware store and the existing use of the area may have been preserved.

It also suggested that based on the evidence provided in the approved development application for the approved refreshment room it was possible to conclude that the use of the shed on the premises (adjacent to the refreshment room building) has been continually used for the purposes of a hardware store since the granting of the 1965 consent unless Council has evidence to the contrary to suggest that the use for the purposes of the hardware store within the shed has not.

According to the legal advice, the hardware store (other than the area occupied by the former refreshment room) and associated car parking area on 541 - 547 Windsor Road will be able to continue their operations under existing use rights. Should Council resolve not to proceed with the proposed rezoning the current non-confirming uses on the site that are unable to demonstrate that they have existing use rights will need to cease their operations.

According to existing use provisions in the EP & A Act 1979 and Environmental Planning Assessment Regulation 2000 an existing use may:

- be enlarged, expanded or intensified, or
- be altered or extended, or
- be rebuilt, or
- be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act, or
- if it is a commercial use - be changed to another commercial use, or
- if it is a light industrial use -be changed to another light industrial use or a commercial use.

However an existing use can only be changed if it:

- involves minor alterations or additions, and
- does not increase of more than 10% in the floor space of the premises associated with the existing use, and
- does not involve the rebuilding of the premises associated with the existing use, and
- does not involve a significant intensification of that existing use.

Given the above circumstances, it may not be possible to have an economical development on the land under existing use rights.

Conclusion

The above assessment reveals that the Planning Proposal has merits and it is worthy of supporting of the proposal mainly due to the following:

- The proposal's consistency with the Sydney Metropolitan Strategy, North West Sub-regional Strategy, Hawkesbury Employment Land Strategy (December 2008) and other relevant statutory framework.
- Its likely ability to help achieve the target of 3,000 new jobs by 2031 set for the Hawkesbury LGA.
- The potential to create employment opportunities close proximity to the North West Growth Centre which will accommodate 70,000 new dwellings for approximately 200,000 people.
- Increased economic activities within the LGA.
- Its likely potential to meet the needs of the surrounding residential areas and the future population within the North West Growth Centre.
- Its location within a reasonable walking distance to Vineyard Railway Station.
- Increased viability of the public transport system, in particular, railway system.
- Convenient access to regional network including M2 and M7 Motorways that links Sydney and the surround.
- Size and location of the site with three street frontages enabling easy and convenient access to and from the site.
- Economical and orderly development on the land.

Conformance to Community Strategic Plan

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

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

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

- Implement Employment Lands Strategy.

ORDINARY MEETING

Meeting Date: 27 March 2012

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

Financial Implications

There are no financial implications arising from this report.

Planning Decision

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

RECOMMENDATION:

That:

1. The Planning Proposal to rezone the subject site located at Nos. 533 - 547 Windsor Road and 7 Chapman Road, Vineyard, from Rural living to part B1 Neighbourhood Business Centre and part IN2 Light Industrial under draft Hawkesbury Local Environmental Plan 2011 subject to the limitation of B1 Neighbourhood Business Centre area as shown in Attachment 6 to this report be forwarded to the Minister for Planning and Infrastructure seeking a Gateway Determination.
2. Upon receipt of notification of the Gateway Determination to proceed, Council exhibit the Planning Proposal in accordance with the requirements of the Gateway Determination and the Environmental Planning and assessment Act, 1979.
3. The applicant/owner of the subject site is to develop a draft site specific Development Control Plan for the site, at their own expense, in conjunction with Council staff and to the satisfaction of Council. The Development Control Plan is to be adopted by Council prior to the finalisation of the rezoning.

ATTACHMENTS:

- AT - 1 Past Approvals
- AT - 2 Planning Proposal - *(To be Distributed Under Separate Cover)*
- AT - 3 Subject Site
- AT - 4 Existing Zoning - Subject Site and the Surrounding
- AT - 5 Flood Map
- AT - 6 Proposed Rezoning Map

ORDINARY MEETING
Meeting Date: 27 March 2012

AT - 1 Past Approvals

Past Approvals for the Subject Site	
Development Approved	Date of Approval
Shop and dwelling on land	Prior 1951
General machine shop for working building timber and store	9/04/1957
Subdivision of the land into 2 lots and erect a joinery works on the proposed lot 1	5/12/1963
Builders hardware store in "Rivol" theatre	20/09/1965
Signage for 'Roofing supplied and general hardware'	28/06/1968
Storage shed (100' x 30') and two (2) flats	13/09/1968
Storage shed	13/11/1969
Erection of two (2) flats	10/04/1969
Carport	5/06/1970
Double carport	16/09/1970
Relocation of residence to new lots 1 and 2 Chapman Rd and demolition of shop	16/11/1970
Extensions to existing shop	11/02/1971
Extensions to storeroom attached to shop	11/02/1971
Extensions to outside storage area	11/02/1971
Extensions to existing flat building	11/02/1971
Extensions to existing residence	11/02/1971
Additions to shop and storage shed	23/03/1971
Additions to flats	20/04/1971
Application to register factory for 'key and Timber Cutting'	13/05/1971
Swimming pool	25/08/1971
Additions to hardware store	3/11/1971
Change of existing hardware store into a refreshment room/restaurant	21/06/2001
Lot 53 DP,593354, 533 Windsor Road	
Bee aparie and ancillary works including honey processing and parking, sawmilling and crate and box manufacturing	21/06/2001

Meeting Date: 27 March 2012

Meeting Date: 27 March 2012

HAWKESBURY CITY COUNCIL

PROPOSED ZONING

Legend

- Land Parcels
- Roads
- B1 Neighbourhood Centre
- IN2 Light Industrial

Scale: 1:4,000 @ A4

North Arrow

Map showing proposed zoning for various land parcels (DP numbers) and roads (e.g., Old Hawkesbury Road, Chisholm Road, Windsor Road). The map includes a legend for Land Parcels, Roads, B1 Neighbourhood Centre, and IN2 Light Industrial. A scale bar indicates 1:4,000 at A4. A north arrow is present.

ORDINARY MEETING

Meeting Date: 27 March 2012

AT - 2 Correspondence from DP & I dated 16 July 2011



Planning &
Infrastructure

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

11/13684

Hawkesbury City Council

18 AUG 2011

Attention: Karu Wijayasinghe

Dear Mr Jackson

Re: Planning Proposal to rezone Lot 53 DP 593354, Lots 4 and 5 DP 536674 and Lots 10 and 11 DP 1080426 (533 – 547 Windsor Road), VINEYARD NSW 2765

I refer to your letters dated 20 July 2011 seeking comments from the Department of Planning & Infrastructure in relation to the above planning proposal. The Department's Land Release and Sydney Region West Teams have reviewed the information and provide the following advice.

As Council has noted in its letter, the planning proposal relates to land within the Vineyard Precinct of the North West Growth Centre, identified in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP). The Vineyard Precinct has not been declared a release precinct under clause 276 of the *Environmental Planning and Assessment Regulation 2000*.

The release of precincts for urban development in the Growth Centres is determined by the NSW Government following the consideration of a number of factors including timeframes for infrastructure delivery. There is currently no timetable for the release of the Vineyard Precinct.

The Department does not support rezoning land in a precinct ahead of precinct planning for the whole precinct. Until the Vineyard Precinct is released and rezoned under the Growth Centres SEPP, Council should continue to assess development applications under the current Local Environmental Plan and the relevant provisions in the Growth Centres SEPP.

Should you have any further enquiries about this matter, I have arranged for Ms Elizabeth Kinkade, Director, Land Release (Planning & Delivery), to assist you. She may be contacted on telephone number (02) 9860 1537.

Yours sincerely

Handwritten signature of Robert Black, dated 16/7/11.

Robert Black
Executive Director, Land Release (Planning & Delivery)



SCANNED

cc: Peter Goth, Director, Sydney Region West

Strategies and Land Release, Level 5/10 Valentine Avenue, Parramatta NSW 2150, GPO Box 39 Sydney NSW 2001
Phone 1300 730 550 Fax 02 9865 7670 www.growthcentres.nsw.gov.au community@planning.nsw.gov.au

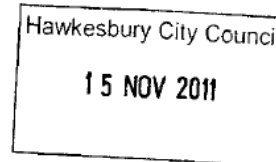
ORDINARY MEETING

Meeting Date: 27 March 2012

AT - 3 Correspondence from DP & I dated 14 November 2011



**Planning &
Infrastructure**



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

11/19695

Attention: Karu Wijayasinghe

Dear Mr Jackson

Re: Additional Permitted uses 533 – 547 Windsor Road and 7 Chapman Road, VINEYARD

I refer to your letter dated 13 October 2011 seeking advice on the inclusion of additional permitted uses in the draft Hawkesbury Local Environmental Plan 2011 in relation to land at 533-547 Windsor Road and 7 Chapman Road, Vineyard.

The use of Schedule 1 – Additional Permitted Uses is considered to be the appropriate mechanism to legitimise the existing uses in this instance, subject to Council demonstrating that the additional uses will not negatively impact on the future precinct planning for the Vineyard Precinct.

If Council wishes to proceed with the inclusion of additional permitted uses for the subject site, a planning proposal will need to be prepared for consideration under the Gateway process. The Department's Sydney Region West team can provide further advice in relation to the preparation of a planning proposal. Derryn John, Team Leader, Sydney Region West can be contacted on 9873 8543.

It is also recommended that Council consider conditions to ensure that the proposed uses do not impede the future precinct planning process, for example the additional uses clause ceases to operate in 5 years. The additional uses provision under the Liverpool LEP 2008 for certain land at Bringelly in Zone RU1 is another example. These details will need to be provided in your planning proposal.

In addition Council and the landowner should be aware that any future development applications within the Vineyard Precinct will need to be determined in accordance with the relevant provisions of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* and that the Western Sydney Growth Areas Special Infrastructure Contribution Western Sydney Growth Areas applies to certain development.

Yours sincerely

Robert Black 14/11/11



SCANNED

Robert Black
Executive Director, Land Release (Planning & Delivery)

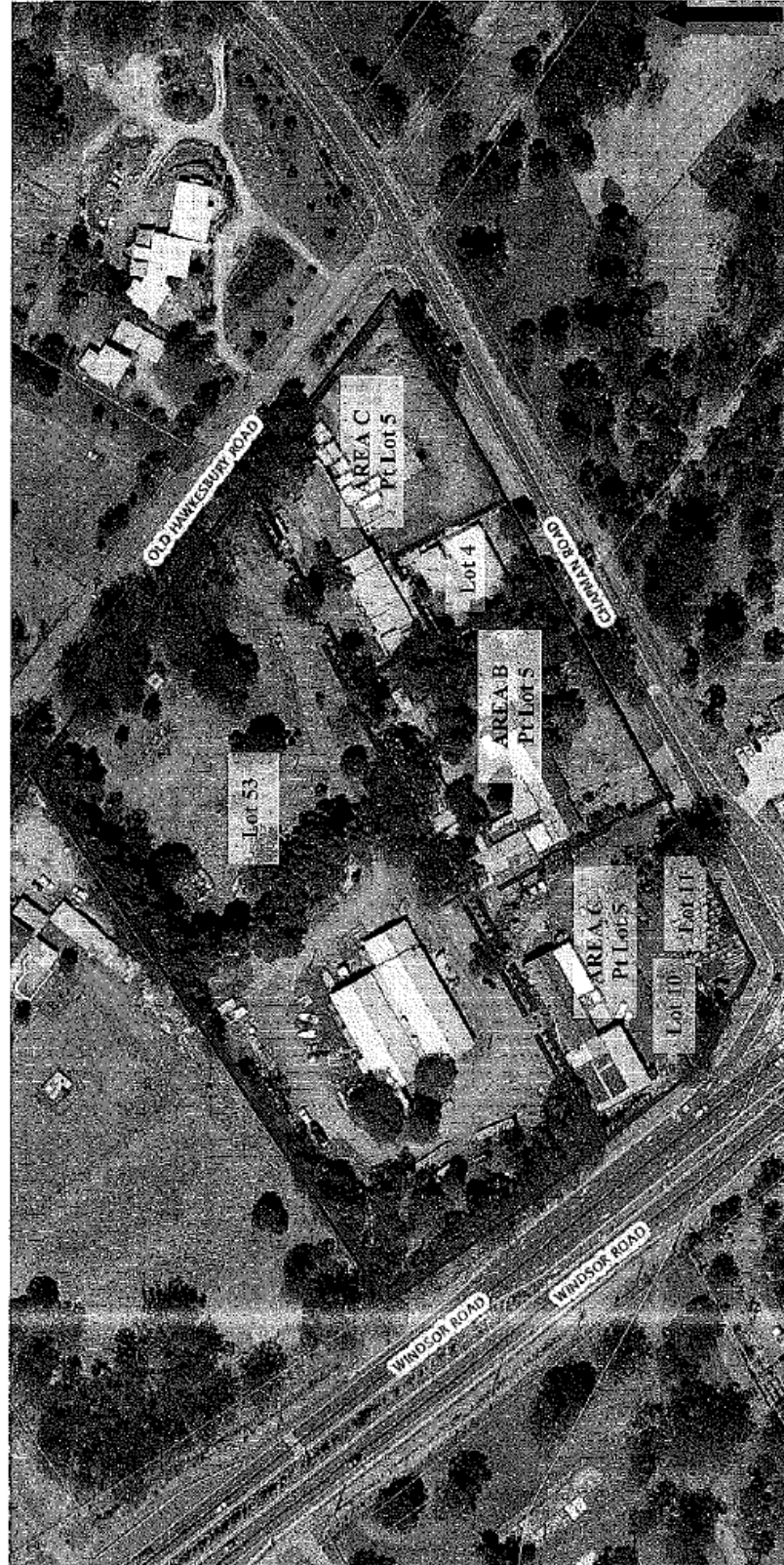
cc: Peter Goth, Director, Sydney Region West

Strategies and Land Release, Level 5/10 Valentine Avenue, Parramatta NSW 2150, GPO Box 39 Sydney NSW 2001
Phone 1300 730 550 Fax 02 9865 7670 www.growthcentres.nsw.gov.au community@planning.nsw.gov.au

AT - 4 Map Depicting Areas of Proposed Additional Uses

Corner Windsor Road, Chapman Road & Old Hawkesbury Rd, Vineyard

Planning (Rezoning) Proposal



Source: NSW Department of Lands SIX viewer © www.six.nsw.gov.au

ORDINARY MEETING

Meeting Date: 27 March 2012

Lot	Description of existing land-use	Proposed Definition
Lot 53 DP 593354	Industrial Building (saw mill, woodwork and carpentry) plus associated garages, parking areas.	<ul style="list-style-type: none"> • Light Industry. • Rural Industry (Sawmill or log processing works). • Hardware and building supplies. • Retail Premises (Timber Yard).
Lot 4 DP 536674	Residential Flat Building containing four (4) units plus associated on-site parking, car ports, and open space.	Residential Accommodation (multi dwelling housing).
AREA A Pt. Lot 5 DP 536674 Lot 10 & 11 DP 1080426	Commercial building (trailer hire), Industrial building (Vineyard Hardware), car park and storage of trailers.	<ul style="list-style-type: none"> • Hardware and building supplies. • Retail Premises (Vehicle sales or Hire premises) • Neighbourhood Shops (200m²).
AREA B Pt. Lot 5 DP 536674	Brick veneer residence (with associated, garages and pergolas and open space).	Residential Accommodation (Dwelling House, Dual Occupancy).
AREA C Pt. Lot 5 DP 536674	Industrial Building (Henry Bros Saws - Saw manufacturing, repair, and sales) plus associated parking areas. Industrial building (truck depot).	<ul style="list-style-type: none"> • General Industry. • Truck Depot.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 27 March 2012

SUPPORT SERVICES

Item: 42 SS - Pecuniary Interest Returns - (95496, 96333)

REPORT:

Executive Summary

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

Consultation

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

Background

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

"450A Register and tabling of returns:

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

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

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

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

Position	Return Date	Date Lodged
Compliance and Enforcement Officer	12/12/2011	16/01/2012

ORDINARY MEETING

Meeting Date: 27 March 2012

The Return has been lodged prior to the due date for the receipt of the Return, being three months after the return date.

The above details are now tabled in accordance with Section 450A(2)(a) of the Act and the Return is available for inspection if requested.

Conformance to Community Strategic Plan

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

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

Financial Implications

No financial implications applicable to this report.

RECOMMENDATION:

That the information be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING**Meeting Date: 27 March 2012****Item: 43****SS - Monthly Investments Report - February 2012 - (96332, 95496)****REPORT:****Executive Summary**

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

This report indicates that Council held \$42.70 million in investments at 29 February 2012.

It is recommended that this report be received and noted.

Consultation

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

Background

The following table indicates that Council held \$42.70 million in investments as at 29 February 2012. Details of the financial institutions with which the investments were made, date investments were taken out, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, and the percentage of the total portfolio, are provided below:

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
On Call								
ANZ	A1+	AA-	29-Feb-12		5.75%	2,600,000	6.09%	
ANZ	A1+	AA-	29-Feb-12		5.75%	500,000	1.17%	
CBA	A1+	AA-	29-Feb-12		4.75%	1,800,000	4.22%	4,900,000
Term Investments								
ANZ	A1+	AA-	18-May-11	16-May-12	6.35%	500,000	1.17%	
ANZ	A1+	AA-	23-Mar-11	21-Mar-12	6.24%	500,000	1.17%	
ANZ	A1+	AA-	16-Dec-11	16-May-12	6.00%	1,500,000	3.51%	
Bankwest	A1+	AA-	22-Feb-12	22-Aug-12	5.85%	1,200,000	2.85%	
Bankwest	A1+	AA-	08-Sep-11	07-Mar-12	6.00%	2,000,000	4.68%	
Bankwest	A1+	AA-	05-Oct-11	07-Mar-12	5.80%	500,000	1.17%	
Bankwest	A1+	AA-	13-Dec-11	11-Apr-12	6.00%	1,500,000	3.51%	
NAB	A1+	AA-	29-Nov-11	11-Apr-12	5.89%	2,000,000	4.68%	

ORDINARY MEETING

Meeting Date: 27 March 2012

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
NAB	A1+	AA-	22-Feb-12	22-Aug-12	5.85%	1,000,000	2.34%	
NAB	A1+	AA-	11-Jan-12	16-May-12	6.09%	2,000,000	4.68%	
NAB	A1+	AA-	27-Jul-11	25-Jul-12	6.29%	1,000,000	2.34%	
NAB	A1+	AA-	06-Jul-11	05-Jul-12	6.25%	2,000,000	4.68%	
NAB	A1+	AA-	16-Nov-11	16-May-12	5.72%	1,000,000	2.34%	
NAB	A1+	AA-	07-Dec-11	11-Apr-12	5.90%	2,000,000	4.68%	
NAB	A1+	AA-	25-Jan-12	25-Jul-12	5.91%	2,000,000	4.68%	
NAB	A1+	AA-	25-Jan-12	25-Jul-12	5.91%	1,800,000	4.22%	
St George	A1+	AA-	09-Feb-12	08-Aug-12	5.93%	1,000,000	2.34%	
St George	A1+	AA-	24-Feb-12	05-Sep-12	6.01%	800,000	1.87%	
Westpac	A1+	AA-	26-Oct-11	26-Apr-12	5.80%	1,000,000	2.34%	
Westpac	A1+	AA-	16-Nov-11	26-Apr-12	5.72%	1,000,000	2.34%	
Westpac	A1+	AA-	10-Aug-11	08-Aug-12	6.00%	2,000,000	4.68%	
Westpac	A1+	AA-	17-Aug-11	15-Aug-12	6.00%	1,000,000	2.34%	
Westpac	A1+	AA-	23-Nov-11	09-May-12	5.75%	3,000,000	7.03%	
Westpac	A1+	AA-	06-Dec-11	06-Jun-12	6.00%	2,500,000	5.85%	
Westpac	A1+	AA-	06-Dec-11	20-Jun-12	6.00%	3,000,000	7.03%	37,800,000
TOTAL INVESTMENT AS AT 29 FEBRUARY 2012								42,700,000

Bench Marking

Bench Mark	Bench Mark %	Actual %
UBS 90 Day Bank Bill Rate	4.42%	5.96%
Reserve Bank Cash Reference Rate	4.25%	5.38%

Performance by Type

Category	Balance \$	Average Interest	Difference to Benchmark
Cash at Call	4,900,000	5.38%	1.13%
Term Deposit	37,800,000	5.96%	1.54%
Total	42,700,000	5.89%	1.47%

ORDINARY MEETING

Meeting Date: 27 March 2012

Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions -S94	7,196,734
External Restrictions - Other	10,654,965
Internal Restrictions	14,078,657
Unrestricted	10,769,644
Total	42,700,000

Funds subject to external restrictions cannot be utilised for any purpose other than that specified in line with legislative requirements. Externally restricted funds include funds relating to S94 Contributions, Domestic Waste Management, Stormwater Management and Grants.

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

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

Investment Commentary

The investment portfolio increased by \$1.55 million for the month of February, 2012. During February, various income was received totalling \$7.30 million, including rate payments amounting to \$4.29 million, while payments to suppliers and staff costs amounted to \$5.61 million.

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

As at 29 February 2012, Council has invested \$7.0 million with 2nd tier financial institutions, with the remaining funds being invested with 1st tier institutions. Council's adopted Investment Policy allows Council to invest funds with 2nd tier Authorised Deposit Taking Institutions that are wholly owned subsidiaries of major Australian trading banks, subject to conditions stipulated in the Policy.

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

Council's investment portfolio complies with Council's Investment Policy, adopted on 28 June 2011.

Investment Certification

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

Conformance to Community Strategic Plan

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

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

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

- Maintain and review a sustainable long term financial framework.

ORDINARY MEETING

Meeting Date: 27 March 2012

Financial Implications

Funds have been invested with the aim of achieving budgeted income in 2011/2012.

RECOMMENDATION:

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

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 27 March 2012

ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Human Services Advisory Committee - 23 February 2012 - (95498, 123486)

The meeting commenced at 9:34am.

Present:	Councillor Barry Calvert Mr Chris McAlpine Mr Glenn Powers Ms Vickie Shackley	Chairperson Community Representative Community Representative Community Representative
Apologies:	Councillor Jill Reardon Ms Meagan Ang Mr Nick Sabel	Deputy Chairperson Hawkesbury City Council Wentworth Community Housing
In Attendance:	Mr Matt Owens Mr Joseph Litwin Mr Michael Laing Ms Robyn Kozjak - (Minute Taker)	Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council

REPORT:

RESOLVED on the motion of Mr Glenn Powers and seconded by Ms Vickie Shackley that the apologies be accepted.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Ms Vickie Shackley and seconded by Mr Glenn Powers that the Minutes of the Community Planning Advisory Committee held on the 7 November 2011, be confirmed.

Attendance Register of Human Services Advisory Committee

Member	23.02.12				
Councillor Barry Calvert - Chair	✓				
Councillor Jill Reardon	A				
Ms Vickie Shackley	✓				
Mr Nick Sabel	A				
Mr Chris McAlpine	✓				
Mr Glen Powers	✓				

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

SECTION 3 - Reports for Determination

1. Community Builders Program and 2011/12 Funding Round

Previous Item: 1, CPAC (17 November 2011)

DISCUSSION:

- Mr Laing advised to date there had been no response to the follow up letter regarding the submission made by the NSW Grants Network.
- It was determined Mr Laing write a separate report to Council seeking representation to the Premier, (in his capacity of Minister for Western Sydney), and to Local State Members, requesting their support.

RECOMMENDATION TO COMMITTEE:

That correspondence be sent to the NSW Minister for Community Services - the Hon Pru Goward - and Local State Members advising them of the (above) situation and requesting their support.

MOTION:

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

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That Council write to the NSW Minister for Community Services the Hon Pru Goward, The Premier and Minister for Western Sydney, the Hon Barry O'Farrell and Local State Members requesting their support for the concerns raised in this report, namely:

- A formal response be made to the NSW Grants Network on their submission sent to the NSW Department of Family and Community Services in May 2011, and;
- An announcement be made on the opening of the 2011/2012 Community Builders Funding round - now 4 months overdue.

2. Results Based Accountability Training for Human Services Advisory Committee

DISCUSSION:

- Mr Litwin reported on the proposal to conduct Results Based Accountability (RBA) training, a quality improvement and planning framework for human and community services. It was reported the training would introduce participants to the principles behind the RBA framework, which would assist in identifying what we want to achieve and develop skills to work towards determining how we would achieve the desired outcomes. The Committee agreed the training would be beneficial to enhance the quality improvement of projects, programs, agencies and services, and would enlighten community leaders to become more aware of this Committee and what this Committee is about.

ORDINARY MEETING
Reports of Committees

- The Committee deliberated on the most appropriate day of the week (ie weekday or weekend) for the training and most advised, with sufficient notice, they could avail themselves on a weekday. Mr Litwin advised he would arrange a date and once settled, would report back to the Committee.

RECOMMENDATION TO COMMITTEE:

That the:

1. Information be received.
2. Committee determine the best option for RBA training.

MOTION:

RESOLVED on the motion of Mr Chris McAlpine, seconded by Mr Glenn Powers.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. The information be received.
2. Staff determine a date in May/June for the RBA training and advise the Committee forthwith.

SECTION 5 - General Business

Verbal Reports:

Transition from Community Planning Advisory Committee to Human Services Advisory Committee

ID Profile and Atlas Training - 8 February 2012

- Mr Laing advised 25 participants had attended the general training session for the newly developed portal, Hawkesbury City Community Profile (profile.id), a socio-demographic profile of Hawkesbury City and its localities. Mr Laing advised it was proposed further training was to be made available to Council twice per year.
- The Chair advised it was this Committee's role to get that resource out to community groups and invited suggestions from the Committee as to appropriate avenues. Suggestions included promotion via media release, Council's newsletter and senior high schools. Mr Litwin suggested the information could be distributed via email to social groups using Council's electronic mailing lists. Mr Laing advised once 2011 data was included in the Profile, these avenues would be utilised to get the information out there to the community.
- Mr Laing referred to the launch of the SHINE ("Strategies in the Hawkesbury for Interagencies & Networks Empowerment") Project, advising he would be attending the launch on 29 March 2012. It was reported the Project was developed via CommunityNet, a portal created to better inform and better connect the Hawkesbury interagency network. Mr Laing advised the portal provided information about training, community resources and information to the community sector in Western Sydney and assisted in IT services to the sector.

ORDINARY MEETING

Reports of Committees

- The Chair asked if the Committee would be playing a role in the Youth Summit in March. It was advised the Youth Summit was about young people and their perspective on various issues and the most appropriate role this Committee should take would be to essentially listen to the young people's views and priorities.
- Mr Powers reported he had been approached by a young Bligh Park resident concerned by the amount of 'tagging' and graffiti in the area and sought assistance in the reporting and cleaning of same. Mr Powers enquired if that was the type of issue the Committee was interested in addressing. Mr Owens acknowledged graffiti was an important issue, however advised it would be more appropriate for the Committee to identify broader issues in order to facilitate the identification of gaps in human service needs of the area.
- The Chair determined it would be appropriate to discuss the objectives in the Constitution at the next meeting and Mr Owens agreed it would be a good idea for the Committee to discuss and identify what framework we have in place now in our overall planning and to subsequently undertake a gap analysis.
- Mr McAlpine suggested members compile a list of concerns foremost on their mind to be discussed at future meetings. Mr Litwin reminded members the role of the Committee was to facilitate the human services planning process and it was important a gap analysis be made in the first instance. Mr Owens subsequently advised members were welcome to forward issues of concern to Mr Laing, however, advised the initial focus would be on planning and then other issues would be looked at thereafter.
- Mr Laing reported he had recently attended the "Vulnerability Index" campaign launched by the Minister for Housing and Homelessness, Robert McClelland, advising the aim of the campaign was to better understand the housing and support needs of people experiencing homelessness in the Nepean and Blacktown region. Mr Laing reported the Vulnerability Index survey was an evidence based tool to help capture a more accurate picture of the specific health conditions affecting people who are experiencing homelessness in the region. Mr Laing advised he would keep the Committee informed of the progress of the project, and once this Council had clarification as to its role in the campaign, would report back to the Committee.
- Mr Laing reported correspondence from the Hawkesbury District Health Service had been received offering services from its Community Board of Advice to become involved with Council in matters relating to the health and lifestyle of the community. Mr Litwin suggested the Committee invite them in as specialists. It was determined recruitment of members would be further discussed at the next meeting.
- Ms Kozjak advised of the following tentative dates for future meetings:
 - 17 May 2012
 - 30 August 2012
 - 29 November 2012

The meeting closed at 11:35am.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Floodplain Risk Management Advisory Committee - 5 March 2012 - (95498, 86569)

The meeting commenced at 6:06pm.

Present:	Councillor Kevin Conolly - Chair Councillor Bill Whelan Councillor Warwick Mackay Councillor Jill Reardon Mr John Miller Mr Harry Panagopoulos Ms Sue Ribbons Mr Les Sheather Mr Alexander (Phil) Windebank Mr Peter Cinque Mr Kevin Jones Mr Robert Bowman
Apologies:	Councillor Paul Rasmussen Mr Ian Johnston Mr Chris Ransom Mr Geoffrey Bessell Mr Ray Williams MP - Member for Hawkesbury Mr Bart Bassett MP - Member for Londonderry
In Attendance:	Councillor Kim Ford Mr Matthew Owens Mr Philip Pleffer Mr Chris Amit Ms Chris Bourne - On behalf of Ms Louise Markus MP Ms Robyn Kozjak - Minute Taker

REPORT:

RESOLVED on the motion of Mr John Miller and seconded by Mr Les Sheather that the apologies be accepted.

General (non specific) declarations of interest from land owners affected by the PMF were received from Councillor Conolly, Councillor Whelan, Mr John Miller, Mr Phil Windebank and Mr Robert Bowman.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Mr John Miller and seconded by Mr Les Sheather that the Minutes of the Floodplain Risk Management Advisory Committee held on 12 December 2011 be confirmed, with the following amendment to the wording in relation to declarations of interest.

"General (non-specific) declarations of interest from land owners affected by the **PMF** (*not 1 in 100 year flood*) were received from Councillor Conolly, Councillor Whelan, Mr John Miller and Mr Ian Johnston.

ORDINARY MEETING
Reports of Committees

Member	31/10/11	12/12/11	05/03/12						
Councillor Kevin Conolly - (Chair)	✓	✓	✓						
Councillor Bill Whelan	✓	✓	✓						
Councillor Jill Reardon	✓	A	✓						
Councillor Warwick Mackay	✓	✓	✓						
Councillor Paul Rasmussen	✓	A	A						
Mr Peter Cinque OAM - (SES Sydney Western Division)	✓	✓	✓						
Mr Harry Panagopoulos - (Office of Environment and Heritage)	✓	✓	✓						
Mr Chris Ransom - (Dept of Defence)	A	A	A						
Snr Inspector Robert Bowman - (Industry & Investment NSW) - Primary Industries	✓	✓	✓						
Mr Les Sheather - (Community Member)	✓	✓	✓						
Mr Kevin Jones - (SES Headquarters)	✓	A	✓						
Mr Geoffrey Bessell - (Community Member)	A	A	A						
Mr John Miller - (Community Member)	✓	✓	✓						
Mr Alexander (Phil) Windebank (Community Member)	A	A	✓						
Mr Ian Johnston (Community Member)	✓	✓	A						

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

SECTION 3 - Reports for Determination

Progress of Floodplain Risk Management Study and Plan

DISCUSSION:

The Chair stepped through each of the eight recommendations of the draft Plan with the Committee, from which various discussion arose.

- Mr Windebank raised concern regarding the premature closure of the bridges during the recent rain events. The Chair responded the closure of the bridges was a concern, however, advised it was the responsibility of the RMS and the police, and not Council, to decide when the bridges should close.

Councillor MacKay arrived at the meeting – 6:30pm

- Mr Sheather referred to Item 4 relating to planning controls and asked if the Committee should be pursuing an 'Exceptional Circumstances' application. Mr Panagopoulos reported he had met with a representative from the DPI last week who advised the DPI did acknowledge applications for Exceptional Circumstances, should this Council wish to apply.
- Mr Sheather made reference to the proposed education program including the development of a "Flood Safe" guide, and suggested the term "flood safe" should not be used, advising it was misleading to residents as it may give them a false sense of security. Mr Sheather suggested the wording be changed to "flood proof" or "flood aware".
- Mr Bowman suggested the education program should also identify the potential hazards of remaining in two storey houses during a flood, eg loss of plumbing, power and communications etc, notwithstanding the obvious risk to the occupants of becoming overwhelmed by rising floodwaters.
- Mr Panagopoulos asked if this Committee would be involved in formalising the DCP and Mr Owens advised he was prepared to bring the DCP back to the Committee for comments.

RECOMMENDATION TO COMMITTEE:

That:

1. The content of this report be endorsed by the Committee and forwarded to Bewsher Consulting for the appropriate amendments to be made to the draft Floodplain Risk Management Study and Plan.
2. Following amendment of the draft Floodplain Risk Management Study and Plan the documents be reported to the Committee, at a special meeting date to be arranged as soon as possible after receipt of the amended documents, with the amendments discussed in a presentation by the Consultant and/or Council staff.

MOTION:

RESOLVED on the motion of Mr John Miller, seconded by Councillor MacKay.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. The content of this report be endorsed by the Committee and forwarded to Bewsher Consulting for the appropriate amendments from the Committee, Office of Environment and Heritage and other relevant authorities, to be made to the draft Floodplain Risk Management Study and Plan.
2. Following amendment of the draft Floodplain Risk Management Study and Plan the documents be reported to the Committee, at a special meeting date to be arranged as soon as possible after receipt of the amended documents, with the amendments discussed in a presentation by the Consultant and/or Council staff.

SECTION 5 - General Business

- Mr Miller advised whilst viewing Windsor and North Richmond Bridges during the recent rain events, he had been approached by residents enquiring why water did not get released from the Warragamba Dam sooner. Mr Miller reported he understood current legislation stated the gates opened automatically when water levels reached a certain height, and asked to move a motion to review that legislation.

MOTION:

RESOLVED on the motion of Mr John Miller, seconded by Mr Les Sheather.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That Hawkesbury City Council requests the Premier of New South Wales to carry out an urgent review of the regulatory framework of the Sydney Catchment Authority (SCA) relating to the procedures that trigger the release of water from Warragamba Dam, due to the inflexibility of the Sydney Catchment Authority to authorise the early release of water from the dam that could be used as a preventative mitigation mechanism to minimise the risk of flooding and the premature closure of town access bridges.

- Further debate arose regarding the premature closure of the bridges and Mr Cinque advised he would meet with the RMS to review the bridge closures and traffic diversions and to ascertain the criteria used in determining the timing of the closures.
- Mr Windebank enquired as to what arrangements for medical and other services were put in place for the other side of river during the recent rain events. Mr Cinque responded adequate services were organised, including ambulance, fire and rescue in North Richmond, Police Local Area Command in Wilberforce, rescue helicopters (on standby) at Bankstown etc.
- Mr Panagopoulos advised applications for grant funding under the 2012-2013 NSW Floodplain Management Program were now open, (closing 4 April). Ms Sue Ribbons reported the Program would move to a project based framework from 2012-2013, which meant applicants would be able to apply for the entire funding for a stage of a project.

The Meeting closed at 8:05pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Heritage Advisory Committee - 8 March 2012 - (95498, 80242)

The meeting commenced at 5:11pm

Present:	Professor Ian Jack Mr Graham Edds Councillor Jill Reardon Ms Michelle Nichols Mr Jonathan Auld Ms Jan Barkley Jack Ms Danielle Wheeler	Chair Deputy Chair Hawkesbury City Council Community Member Community Member Community Member Community Member
Apologies:	Ms Deborah Hallam	Community Member
In Attendance:	Mr Matthew Owens Mrs Shari Hussein Councillor Wayne (Bill) Whelan Ms Robyn Kozjak - Minute Taker	Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council

REPORT:

RESOLVED on the motion of Councillor Reardon and seconded by Ms Michelle Nichols that the apology be accepted.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Reardon and seconded by Ms Michelle Nichols that the Minutes of the Heritage Advisory Committee held on the 9 February 2012, be confirmed.

Attendance Register of Heritage Advisory Committee

Member	17/02/11	18/08/11	09/02/12	08/03/12
Councillor Jill Reardon– (HCC)	✓	✓	✓	✓
Mr Graham Edds	✓	A	✓	✓
Ms Deborah Hallam	A	✓	A	A
Professor Ian Jack	A	✓	✓	✓
Ms Jan Barkley Jack	A	A	✓	✓
Mr Jonathan Auld	✓	✓	✓	✓
Ms Michelle Nichols	✓	✓	✓	✓
Ms Danielle Wheeler	✓	✓	A	✓

Key: A = Formal Apology

✓ = Present

X = Absent - no apology

BUSINESS ARISING FROM PREVIOUS MINUTES

- Mrs Hussein referred to the Committee's previous request for suitable wording to be added to the DCP in relation to their concerns regarding demolition of heritage items. It was suggested the following wording be added to the DCP:

"Council is unlikely to support demolition unless it is in conjunction with a suitable replacement development"

The Committee deemed the wording an appropriate addition to the DCP and thanked Mrs Hussein for her input.

Councillor Whelan arrived at the meeting – 5:15pm.

- Mr Owens advised the Minutes from the last meeting had been reported to Council and in addition to the information being received, an additional resolution was made by Councillors as follows:

That the minutes of the Heritage Advisory Committee held on 9 February 2012 as recorded on pages 69 - 77 of the Ordinary Business Paper be received and in regard to the item of General Business concerning Windsor Bridge/Thompson Square, the Committee be advised that as Council has previously resolved to support Option 1 in respect of the proposed replacement of Windsor Bridge, it does not consider that there is any need for a further presentation from the Committee in this regard."

- Ms Barkley Jack raised grave concern at the resolution, citing Councillors had not yet been presented with the new historical information regarding Thompson Square and therefore may not fully understand the implications of Option 1. The Committee displayed disappointment that their appeal to Councillors for a presentation had not been favourably received.

The attendance of Councillor Whelan was noted and it was advised Councillor Whelan was an alternate representative of the Committee and had attended the meeting as an observer.

CHANGE TO ORDER OF BUSINESS

The Chair moved to bring the discussion from Business Arising to General Business.

SECTION 3 - Reports for Determination

Heritage Advisory Committee - Priority Actions for 2012

RECOMMENDATION TO COMMITTEE:

That the priority actions for 2012 be undertaken in the order as agreed by the Heritage Committee.

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Mr Graham Edds.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the priority actions for 2012 be undertaken in the order as agreed by the Heritage Committee.

SECTION 5 - General Business

Brought to General Business from Business Arising

- The discussion paper prepared by Ms Barkley Jack was distributed, and Ms Barkley Jack invited input from the Committee, advising the paper was not the final document to be reported to Council. It was subsequently suggested a Sub-Committee be formed in order allow members ample time to discuss the document and its format (it was agreed a bullet point layout would be appropriate to reinforce the historical significance of the Square).
- Ms Wheeler suggested it would be practical if an 'overlay' was produced to clearly illustrate the impact Option 1 would have on Thompson Square.

MOTION:

RESOLVED on the motion of Mr Graham Edds, seconded by Ms Danielle Wheeler.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. Council be advised of the new historical information indicating that:
 - a) Thompson Square predates Macquarie by 15 years which heightens the site to national significance.
 - b) Thompson Square is the only 18th century Square in Australia.
 - c) The boundary of Thompson Square extends beyond the existing grassed area to include the existing buildings and their rear yard curtilage.
2. This Committee again seeks to present its findings to Councillors in view of Council's decision to support a new bridge through the heart of Thompson Square (Option 1).

MOTION:

RESOLVED on the motion of Ms Barkley Jack, seconded by Ms Michelle Nichols.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That in view of the importance of the new historical information, this Committee ask Council to update the Office of Environment and Heritage and the Roads and Maritime Service with complete documentation and relevant facts relating to Thompson Square 1795-1810.

MOTION:

RESOLVED on the motion of Mr Graham Edds, seconded by Mr Jonathan Auld

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the Committee form a Sub-Committee to consider the discussion document prepared by Ms Barkley Jack and finalise it for its presentation to Council. Nominations for the Sub-Committee took place as follows:

- Ms Nichols nominated Ms Barkley Jack
 - Ms Barkley Jack nominated Ms Wheeler
 - Ms Wheeler nominated Mr Edds
 - Councillor Reardon nominated the Chair
 - Ms Barkley Jack nominated Mr Auld
 - Mr Auld nominated Ms Nichols
-
- Mr Edds referred to the existing Hawkesbury River Bridge and advised he noted from the S.170 register of the OEH, the bridge does have state heritage significance. Mr Edds enquired if the RMS was proposing to demolish that bridge and if so, would it need to have an application to this Council. Mr Owens responded the intention was to remove the bridge for structural reasons and Council was not the consent authority for the bridge.

The Meeting closed at 6:52pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Local Traffic Committee - 12 March 2012 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Monday 12 March 2012 commencing at 3.00pm.

Present:	Councillor Kim Ford (Chairman) Mr Richard McHenery, Roads and Maritime Services Snr Constable Brenden Madgwick, NSW Police Force Mr Bart Bassett, MP, (Londonderry) Ms Jodie Edmunds, Westbus
Apologies:	Snr Constable Brad Phillips, NSW Police Service Mr Kevin Conolly, MP, (Riverstone) Mr Ray Williams, MP, (Hawkesbury)
In Attendance:	Mr C Amit, Manager, Design & Mapping Services Ms Cassandra Hodge, Administrative Officer, Infrastructure Services

REPORT:

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

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Councillor Kim Ford, seconded by Mr C Amit, that the minutes from the previous meeting held on 13 February 2012, be confirmed with the following amendment:

Section 5 – Next Meeting: the meeting day be changed from *Wednesday* to *Monday*.

Item 1.2 Business Arising

There was no business arising from the previous minutes

SECTION 2 - Reports for Determination

Item 2.1 LTC - 12 March 2012 - Item 2.1 - Kurrajong Classic Cycle Race Event for 2012 - Kurrajong and East Kurrajong (Hawkesbury) - (80245, 82935)

REPORT:

Introduction:

An application has been received from the Parramatta Cycling Club seeking approval (in traffic management terms) to conduct an Amateur Bicycle Racing Event in Kurrajong and East Kurrajong on Sunday 23, September 2012.

The event organiser has advised;

- The event was originally set down for Sunday, 5 August 2012 which was outlined in the original application. Cycling NSW has requested that the date for the event be changed to Sunday 23, September 2012.
- The event will be a One Day Event, conducted between 9.00am and 4.00pm.
- The event consists of graded amateur bicycle racing – state level competition with 5 grades.
- There will be approximately 150-170 competitors competing in graded events.
- There will be approximately up to 60 competitors competing in 5 separate groups.
- Approximately 50-60 spectators are expected.
- The rural character of the area and light weekend traffic makes the course one of the premier cycling venues in NSW.
- There are no businesses, churches, schools or places of business to be affected on the designated day.
- Prior to the commencement of racing, the course will be physically inspected by the Chief Commissaire.
- The race will be cancelled if any potential impediment is deemed to be beyond reasonable risk and cannot be rectified.
- Traffic control arrangements will be in place with no road closures required.
- All turns at intersections will be left turns with cyclists not having to cross any intersections.
- Marshalls will be posted at intersections illustrated in the TCP's.
- Traffic control at the affected intersections will stop traffic long enough to allow groups of cyclists to negotiate the corners safely (normally only for 30 seconds).
- An application has been made to RMS to reduce the speed along Putty Road from 80Kph to 40Kph between East Kurrajong Road and Blaxlands Ridge Road.

ORDINARY MEETING
Reports of Committees

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

(Refer to Attachment 1: Plan TR001/12 – Kurrajong Classic Cycle Race Event, Route – Kurrajong/East Kurrajong).

Discussion:

It would be appropriate to classify the event as a “**Class 1**” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA) as the event may disrupt major traffic and transport systems along the specified route. Speed limits, traffic volume and road width details are provided in the following table;

Route – Kurrajong/East Kurrajong			
Road Name	Speed Limit (kph)	Max ADT recorded (Year)	Sealed Carriageway Width (m)
East Kurrajong Road	60 and 80	906 (1995)	5.6 – 6.4
Putty Road (RMS)	80 and 100	RMS (Not Available)	6.0 and variable
Blaxlands Ridge Road	70, 80 and 100	694 (1995)	6.0 – 7.5
Comleroy Road	60 and 80	2184 (1998)	6.0 – 6.8

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

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document Nos: 3967920, 3999759 & 4009092):

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

ORDINARY MEETING

Reports of Committees

4. Traffic Management Plan (TMP) and Traffic Control Plans (TCP) – however the TMP and TCP's do not cover the proposed speed reduction on Putty Road, the remaining roads and the Start/Finish at Stanley Park.
5. Course Map/Plan,
6. Risk Statement for the event,
7. Copy of Insurances which are valid to 30 November 2012,
8. Copy of the Advertisement to be placed in the Hawkesbury Gazette,
9. Copy of the correspondence to be forwarded to the Residents and Businesses,
10. Copies of correspondence forwarded to the NSW Police Force, NSW Ambulance Service, NSW Taxi Council LTD, SES, Cycling NSW and Bus NSW.
11. Copy of the Road Occupancy License Application and Speed Zone Authorisation Application forms, submitted to RMS.

The Speed Zone application to RMS does not take into account that Putty Road is 80Kph and 100Kph between East Kurrajong Road and Blaxlands Ridge Road. The event organiser is required re-evaluate the application to RMS as well as consider the speed limits of the remaining roads and assess if Speed Zone changes are required as part of the risk assessment.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor B Bassett, seconded by Snr Constable Brenden Madgwick.

That:

1. The Bicycle Racing Event planned for Sunday, 23, September 2012, by the Parramatta Cycling Club along the Kurrajong/East Kurrajong Route, be classified as a “**Class 1**” special event, in terms of traffic management, under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the Roads and Maritime Services - RMS (formerly RTA) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.
4. It is strongly recommended that the event organiser visits Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refers to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they are familiar with the contents and requirements of this information. The approval conditions listed below relate only to matters relating to the traffic management of the event.
5. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 5a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean up activities. This

process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);

- 5b. the event organiser is to assess the risk and address the suitability of the entire route as part of the risk assessment considering the possible risks for all participants – which includes evaluating the speed limits of all roads and assess if Speed Zone changes are required as part of the risk assessment. This assessment should be carried out by visual inspection of the route / site by the event organiser prior to preparing the TMP and prior to the event;
- 5c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**
- 5d. the event organiser is to obtain approval from the Roads and Maritime Services - RMS (formerly RTA) as this is a **Class 1** event and the event will traverse along Putty Road which includes the proposed temporary speed restriction from 80Kph and 100Kph to 40Kph between East Kurrajong Road and Blaxlands Ridge Road. The event organiser is required to consider the speed limits of the remaining roads and assess if Speed Zone changes are required as part of the risk assessment; **a copy of the Roads and Maritime Services - RMS (formerly RTA) approval to be submitted to Council;**
- 5e. the event organiser **is to submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of the relevant Work Cover legislation;
- 5f. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of Stanley Park;
- 5g. the event organiser is to advertise the event in the local press stating the entire route/extent of the event and the traffic impact/delays expected due to the event, two weeks prior to the event; **a copy of the proposed advertisement has been submitted to Council** (indicating the advertising medium);
- 5h. the event organiser is to notify the details of the event to Fire and Rescue NSW at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 5i. the event organiser is to directly notify all the residences and businesses which may be affected by the event for at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence has been submitted to Council;**
- 5j. the event organiser is to **submit** the completed " Traffic and Transport Management for Special Events – **Final Approval Application Form (Form C)**" **to Council;**

During the event:

- 5k. access is to be maintained for businesses, residents and their visitors;
- 5l. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;

ORDINARY MEETING
Reports of Committees

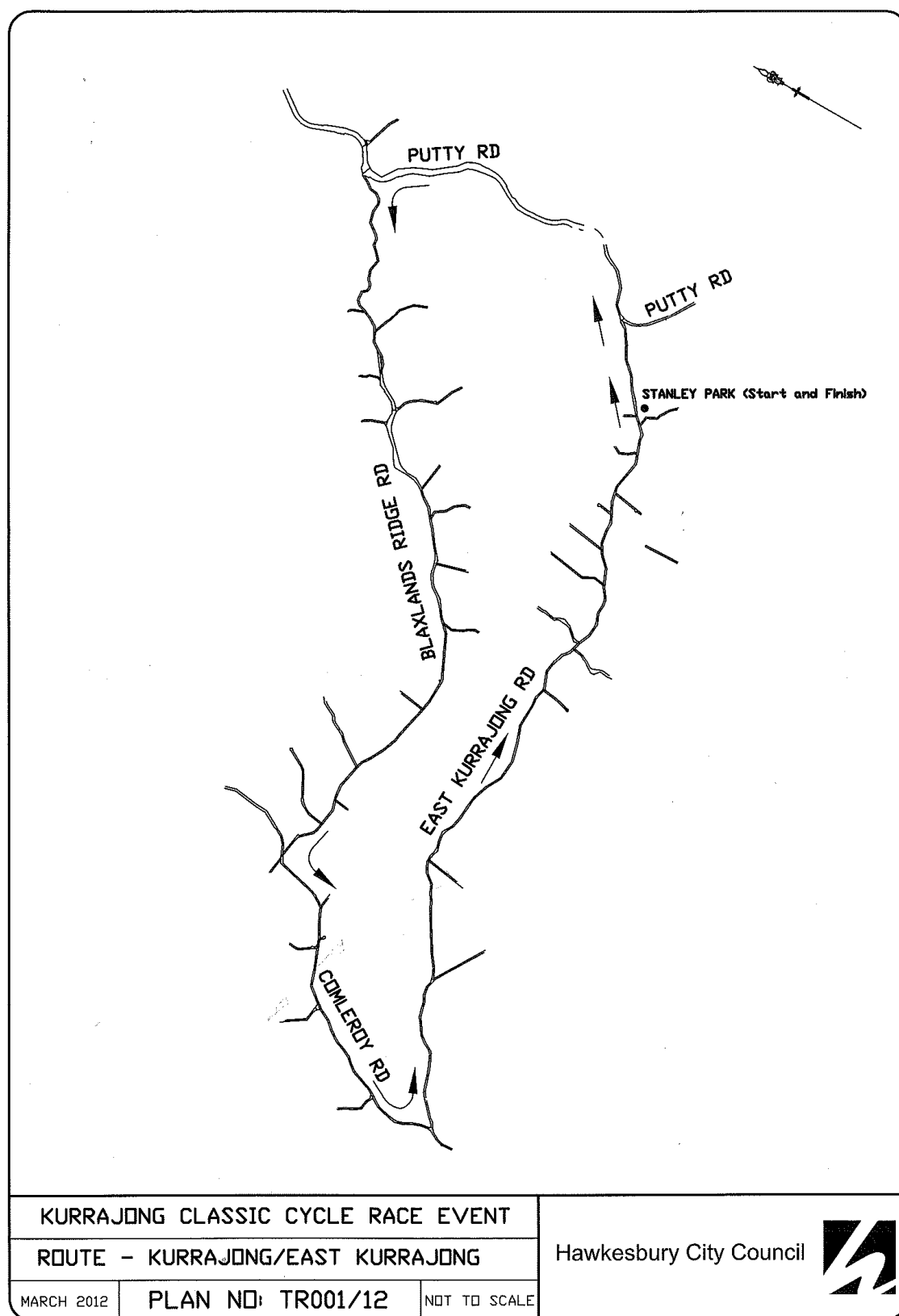
- 5m. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 5n. the cyclist are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 5o. in accordance with the submitted TMP and associated TCP, appropriate advisory signs - including temporary speed restriction signs (subject to Roads and Maritime Services - RMS (formerly RTA) requirements)), shall be placed at the event organiser's expense after all the required approvals are obtained from the relevant authorities - , and traffic control devices are to be placed along the route, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 5p. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 5q. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

APPENDICES:

AT - 1 Kurrajong Classic Cycle Race Event, Route – Kurrajong/East Kurrajong, Plan TR001/12

AT - 2 Special Event Application – (ECM Document Nos: 3967920, 3999759 & 4009092) - *see attached*.

AT - 1 Kurrajong Classic Cycle Race Event, Route – Kurrajong/East Kurrajong, Plan TR001/12



Item 2.2 LTC - 12 March 2012 - Item 2.2 - Sids Stampede 2012- Windsor (Riverstone) - (80245, 106039)

REPORT:

An application has been received seeking approval (in traffic management terms) to conduct the Sids Stampede 2012 - Windsor, on Sunday 2, September 2012.

The event organiser has advised;

- The event was originally set down for Sunday, 6 May 2012 which was outlined in the original application. The event date has been changed to Sunday 2, September 2012.
- Due to this event being a first time event in the Hawkesbury, the event organiser required additional time to prepare and also undertake the necessary consultation with adjoining property owners and residents;
- This is a running (fun run) event and community fair to raise funds for the Westmead Children's Hospital Sids & Sleep Apnoea Department;
- Approximately 500 participants are expected for the event;
- The number of spectators is unknown but hope for 500 plus;
- The start and finish point for the event will be within McQuade Park in Windsor;
- The event will be conducted between 6.00am and 10.00am, with event set up at 5.00am;
- Participants will arrive at McQuade Park between 6.00am and 7.00am;
- Participants vehicles will be parked on McQuade Park and will enter via the driveway in Moses Street;
- There will be 3 stages to the fun run consisting of a 10 kilometre run, 5 kilometre run and a 5 kilometre walk;
- The first stage will start at 7.00am with all 3 stages completed and the roads reopened by 10.00am – (details of proposed road closures are outlined below);
- At the conclusion of the fun run a family fair will be held at McQuade Park to finish the event;
- Details of the course/circuit, which is 5 Kilometres (5000 metres), is as follows:
 - McQuade Park to Greenway Crescent = 100 metres
 - Greenway Crescent to Cornwallis Road = 400 metres
 - Cornwallis Road to Cooley Creek (near Cordners Lane) = 2000 metres
 - Turn around at Cooley Creek and return to McQuade Park in reverse.
- Details of each Stage is as follows:
 - Stage 1 = 10 kilometre run will commence at 7.00am and will do the circuit twice.

ORDINARY MEETING
Reports of Committees

- Stage 2 = 5 kilometre run will commence between 7.30am and 7.45 am. This group will do the circuit once and will start when the 10 kilometre runners have completed the first circuit.
- Stage 3 = 5 kilometre walk will commence between 8.00am and 8.30am. This group will do the circuit once and will start when the majority of the runners have completed the run.
- The safety of the event will be improved with the removal of through traffic to sections of Moses Street, Greenway Crescent and Cornwallis Road.

Road Closure Details:

- Moses Street is only closed at Greenway Crescent which will provide access to St Matthews Anglican Church and parking along Moses Street.
- Greenway Crescent between Moses Street and Cornwallis Road,
- Cornwallis Road between Greenway Crescent and Cordners Lane.
- Road Closures will be between 6.00am and 10.00am.
- The speed limit within the road closure precinct is 50 kph.
- Authorised Traffic Controllers will be used to close off Moses Street at Greenway Crescent before the start of the event; they will also close off Cornwallis Road at Cordners Lane, motorists travelling along Cornwallis Road heading east will be detoured along Cupitts Lane to Percival Street and then onto Hawkesbury Valley Way;
- Vehicles within the road closures will need to leave the area by 6.30am;
- Consultation has been undertaken with adjoining property owners including St Matthew's Anglican Church;
- The majority of residents have responded in a positive manner and are supportive of the event. Not all residents have responded;
- Hawkesbury Sports Council Inc. has been consulted regarding the use of their section of McQuade Park.

Details of the Event Route Plan, Event Layout Plan for McQuade Park and Road Closure Plans are contained in Attachments 1 to 4.

Discussion:

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

The Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) is to be submitted to the Roads and Maritime Services - RMS (formerly RTA) for authorisation due to the proposed road closures.

Event Road Closure Details:

Road Closures for Sunday 2, September 2012 between 6.00am and 10.00am:

- Moses Street, Windsor is only closed at Greenway Crescent which will provide access to St Matthews Anglican Church and parking along Moses Street.

ORDINARY MEETING
Reports of Committees

- Greenway Crescent, Windsor, between Moses Street and Cornwallis Road,
- Cornwallis Road, Windsor/Cornwallis, between Greenway Crescent and Cordners Lane.

The event organiser has submitted the following items in relation to the event: Attachment 5 (ECM Document Nos: 3982155 & 4009168):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Traffic Management Plan (TMP) and Traffic Control Plans (TCP);
5. Event Route Plan,,
6. Risk Assessment for the event,
7. Copy of the application to the NSW Police Force.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor B Bassett, seconded by Mr Richard McHenry.

That

1. The Sids Stampede 2012 – Windsor, event planned for Sunday 2, September 2012 between 6.00am and 10.00am be classified as a “**Class 2**” special event, in terms of traffic management, under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the Roads and Maritime Services - RMS (formerly RTA) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.
4. It is strongly recommended that the event organiser visits Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refers to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they are familiar with the contents and requirements of this information. The approval conditions listed below relate only to matters relating to the traffic management of the event.
5. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted, the following road closures and traffic control measures;
 - Road Closure; Moses Street, Windsor, only at Greenway Crescent which will provide access to St Matthews Anglican Church and parking along Moses Street.
 - Road Closure; Greenway Crescent, Windsor, between Moses Street and Cornwallis Road
 - Road Closure; Cornwallis Road, Windsor/Cornwallis, between Greenway Crescent and Cordners Lane.
 - Road Closures only permitted for Sunday 2, September 2012, between 6.00am and 10.00am.

- No other road closures are permitted.

and the following conditions

Prior to the event:

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

traffic control measures, road closures, detour routes and the traffic impact/delays expected due to the event, for at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**

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

During the event:

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

APPENDICES:

- AT – 1** Event Route Plan - Sids Stampede 2012, Windsor.
- AT - 2** Sids Stampede 2012, Windsor - Event Layout Plan for McQuade Park.
- AT - 3** Sids Stampede 2012, Windsor – Road Closure Plan for Moses Street, Windsor
- AT - 4** Sids Stampede 2012, Windsor – Road Closure Plan for Cornwallis Road, Cornwallis
- AT – 5** Special Event Application - (ECM Document Nos: 3982155 & 4009168) - *see attached*

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

AT – 1 Event Route Plan – Sids Stampede 2012, Windsor



AT - 2 Sids Stampede 2012, Windsor - Event Layout Plan for McQuade Park.



ORDINARY MEETING

Reports of Committees

AT – 3 Sids Stampede 2012, Windsor – Road Closure Plan for Moses Street, Windsor.

www.invarion.com

TCP 54

MOSES ROAD IS TO BE CLOSED AT GREENWAY CRES TO ALLOW FOR SAFE ACCESS FOR PARTICIPANTS OF FUN RUN MOVING ACROSS ROAD FROM MCQUADE PARK TO GREENWAY CRESCENT. ACCESS TO PARKING ON MOSES ST, MUST ALSO REMAIN ACCESSIBLE.

ST MATTHEWS ANGLICAN CHURCH

GREENWAY CRES

MOSES STREET

MCQUADE PARK

ROAD CLOSED AHEAD

ROAD CLOSED AHEAD

GENERAL NOTE
AUTHORISED RTA RED OR ORANGE CARD HOLDER TO SELECT APPROPRIATE TCP FOR EACH SECTION OF WORKS
AUTHORISED RTA RED OR YELLOW CARD HOLDER TO SET UP SIGNAGE FOR EACH SECTION OF WORKS

THIS TCP IS TO BE ON SITE AT ALL TIMES DURING WORKS AT THIS LOCATION. SITE IS TO BE SET OUT AS SHOWN ON THIS TCP BEFORE COMMENCEMENT OF WORK VEHICLES ARE TO ENTER SITE & EXIT THE SITE IN A FORWARD DIRECTION ONLY. TRAFFIC IS TO BE STOPPED BY AUTHORISED TRAFFIC CONTROLLERS ONLY.

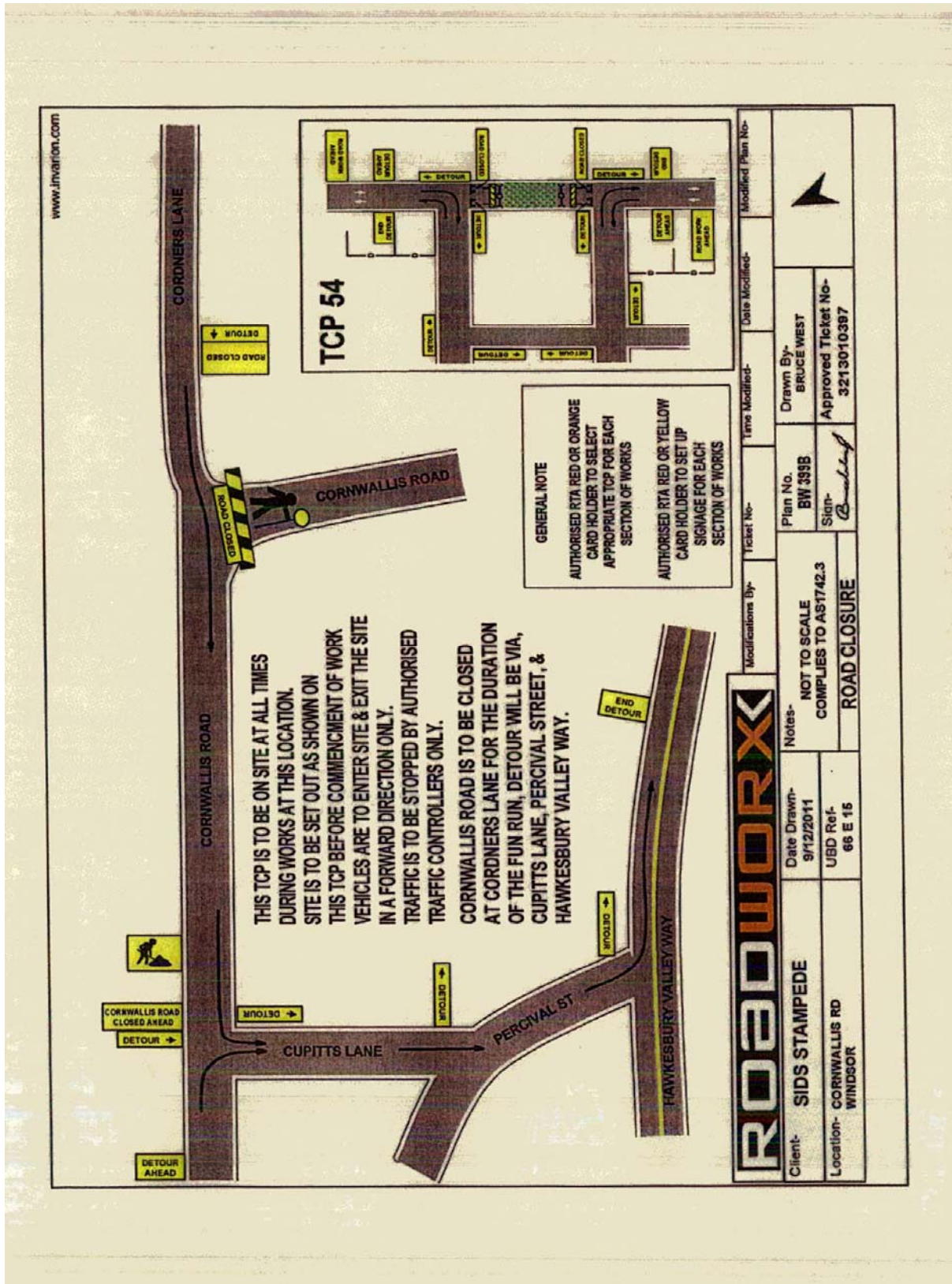
ROADWORK

Client- SIDS STAMPEDE	Date Drawn- 9/12/2011	Notes- NOT TO SCALE COMPLIES TO AS1742.3	Plan No- BW 339A	Drawn By- BRUCE WEST	Date Modified-	Modified Plan No-
Location- MOSES ST & GREENWAY CRES WINDSOR	UBD Ref- 86 E 9	ROAD CLOSURE	Sign- <i>Bruce West</i>	Approved Ticket No- 3213010397	Time Modified-	

ORDINARY MEETING

Reports of Committees

AT – 4 Sids Stampede 2012, Windsor – Road Closure Plan for Cornwallis Road, Cornwallis.



SECTION 3 - Reports for Information

Item 3.1 LTC - 12 March 2012 - Item 3.1 - RMS update on the Richmond to North Richmond Traffic Audit - (Londonderry) - (80245, 73621, 123265, 79953)

Previous Item: Item 3.1, LTC (15 April 2009)
 Item 4.4, LTC (18 May 2011)
 Item 4.2, LTC (20 July 2011)

REPORT:

Correspondence has been received from the Roads and Maritime Services - RMS (formerly RTA) (ECM Doc. No. 3787968) providing an update in relation to the Richmond to North Richmond Traffic Audit. RMS refer to this project as the Richmond Bridge and Approaches Congestion Study.

"Stage 1 of the study involves traffic analysis to identify traffic management options for short to medium term improvements and preliminary investigation of the structural suitability for widening of the existing bridge. A traffic modelling contract was awarded to Hyder Consulting Pty Ltd in June 2011 and the preliminary investigation of the bridge was undertaken by the RMS. Stage 1 report is being prepared and, subject to approval by government, the report is expected to be released towards mid 2012.

Stage 2 of the study involves investigating options for longer-term improvements. SMEC Australia Pty Ltd has been awarded the work in January 2012. Officers of Hawkesbury City Council were involved in Stage 1 of the study, and have been invited to participate in the project team for Stage 2 of the study."

The overall Traffic Audit between Richmond and North Richmond is part of a congestion study being undertaken by RMS which is being funded by the Federal Government. The overall project relates to a Study of the North Richmond Bridge and its approaches and the impacts of traffic in its vicinity. Background information is listed below which was discussed at the LTC meeting on 20 July 2011:

- Following recommendation by its Local Traffic Committee, Council, at its meeting held on 28 June 2011 resolved, **in part**, that;

"The RTA be requested to arrange an urgent briefing session for the Members of Hawkesbury and Londonderry to discuss the Richmond to North Richmond traffic audit with the view of implementing a staged program of improvements."
- The RTA met with Councils technical staff on Thursday, 30 June 2011 and the Members for Hawkesbury and Londonderry on separate occasion to discuss the Richmond to North Richmond Traffic Audit.
- At the June 30 meeting the RTA briefed Council on the investigation currently being undertaken in relation to the Richmond to North Richmond Traffic Audit and in part the North Richmond Bridge. The RTA advised Council that they had received Federal Funding of \$2 million for the proposed upgrade to North Richmond Bridge. As part of the proposed upgrade the RTA are undertaking a study to incorporate traffic movements between Richmond, North Richmond and Penrith.
- In conjunction with the traffic study and in partnership with the RTA, Yarramundi Lane, between Inalls Lane and Crowleys Lane required the closure of Yarramundi Lane from 18 July to 3 August 2011 due to the deterioration of its pavements and bitumen surface with funding for the rehabilitation works provided by Council. The RTA are using the road closure to simulate traffic movements in the vicinity of North Richmond Bridge, Kurrajong Road, Old

ORDINARY MEETING
Reports of Committees

Kurrajong Road/Yarramundi Lane, Bosworth Street and March Street Richmond. Once the RTA has completed their counts they will compare traffic movements before, during and after the closure of Yarramundi Lane

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor B Bassett, seconded by Mr Richard McHenery.

That the information be received.

APPENDICES:

There are no supporting documents for this report.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Monday 16 April 2012 at 3.00pm in the Large Committee Room.

Committee members were advised prior to the close of the meeting, of the sad passing of Denise Oakes on the morning of 9 March 2012. Denise was the Community Safety Coordinator for Hawkesbury City Council and worked tirelessly at her job and always provided great input and advice to the Local Traffic Committee.

The meeting terminated at 4.00pm

oooO END OF REPORT Oooo

ORDINARY MEETING
Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses - (105109)

REPORT:

Questions – 13 March 2012

#	Councillor	Question	Response
1	Rasmussen	Enquired how the study into the noise complaint raised 12 to 18 months ago in the vicinity of Rural Press was progressing.	The Director City Planning advised that the matter is being pursued with the likely noise source. This will require another separate noise assessment to be undertaken which will be commissioned in the next few weeks.
2	Rasmussen	Enquired if a start date had been announced for the construction of the Windsor Bridge.	The Director Infrastructure Services advised that there is currently no start date for construction. The project is currently in the investigation and design phase. It is understood that project approval will be sought in mid 2012, with detailed design being prepared following that approval.
3	Rasmussen	Enquired about the status of the Rural Land Study.	The Director City Planning advised that this work is scheduled to commence in the next financial year due to more immediate Statutory planning work taking precedence.
4	Porter	Reported two potholes on Grono Farm Road on the bend near the turf farm and old Diary and asked if these could be repaired as soon as practical.	The Director Infrastructure Services advised that instructions issued for repair. Works completed.
5	Calvert	Advised that a number of residents from North Richmond had written to the General Manager regarding Redbank Creek and are yet to receive a response.	The Director City Planning advised that a response to these questions will be sent in the week ending 23 March 2012.
6	Paine	Asked if the ongoing issue of water over the road at Old East Kurrajong Road on the Causeway could be addressed.	The Director Infrastructure Services advised that the causeway is listed for upgrade in Council's long term capital program. Regrading of approaches will be undertaken to improve serviceability.

ORDINARY MEETING
Questions for Next Meeting

#	Councillor	Question	Response
7	Paine	Enquired what rights citizens have in relation to noise coming from hotels late at night.	The Director City Planning advised all hotels are licensed premises with the Office of Liquor, Gaming & Racing, which means that they are the appropriate regulatory authority (ARA) for any sort of complaint in relation to there operation. Accordingly, all complainants including noise related issues should be referred to the Office of Liquor, Gaming & Racing. On their website www.olgr.nsw.gov.au they have a fact sheet titled 'A guide for resolving disturbance concerns about licensed venues'.
8	Paine	Requested if the houses in North Street that were evacuated due to flooding, could be with a special pick up/ clean up as there is a large amount of rubbish that accumulated following the evacuation.	The Director City Planning advised that residents can arrange for a kerb side pickup (part of the existing standard domestic waste service) prior to or after a flood has occurred. This can be arranged by the resident contacting Council's contractor, Cleanaway, directly. Residents that receive a domestic waste service are entitled to one free bulk kerbside collection per year with charges applying to additional services.
9	Bassett	Requested that we need to ensure that our membership for Hawkesbury Radio is accurate before we resign and as such the membership list that has been made public; are the members on the list still alive and secondly have they been financial members in the last 12 months.	The General Manager advised that the request has been noted and will be actioned at the appropriate time.
10	Reardon	Enquired if Council's Regulatory staff could investigate and arrange for the removal of the BIOSEPTIC signs along Grose Vale Road.	The Director City Planning advised this will be arranged as long as the signs are not part of notifying of recycled water use on a property.
11	Reardon	Enquired if a small grant or funding could be obtained for the Companion Animal Shelter.	The Director City Planning advised that staff constantly review the available grants for the animal shelter and make applications where possible.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo



ordinary
meeting

end of
business
paper

This business paper has
been produced
electronically to reduce
costs, improve efficiency
and reduce the use of
paper. Internal control
systems ensure it is an
accurate reproduction of
Council's official copy of
the business paper.