



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 09 July 2013

location: council chambers

time: 6:30 p.m.



mission statement

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

How Council Operates

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

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

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

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

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

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

Public Participation

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

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

Voting

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

Planning Decision

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

Business Papers

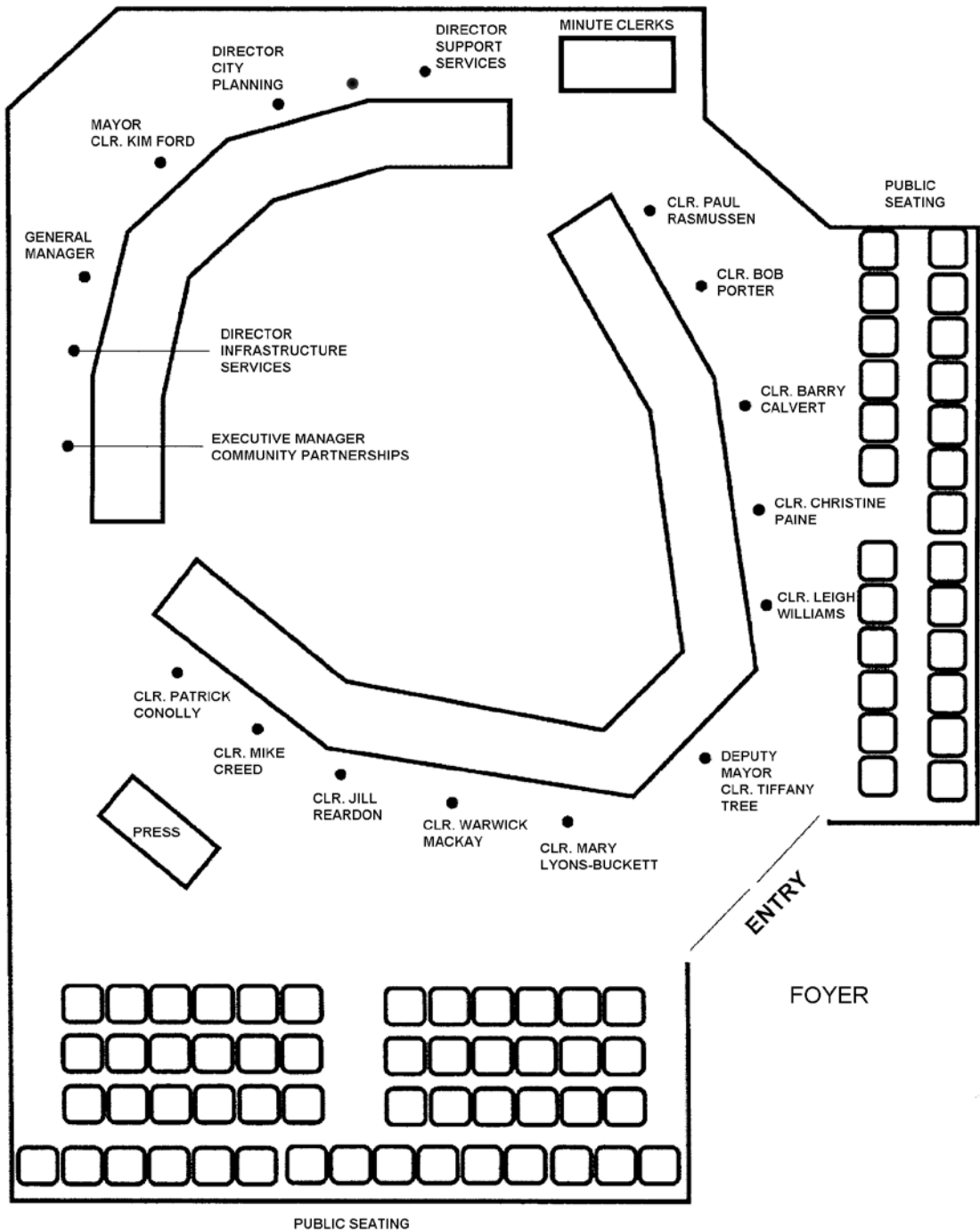
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

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

Further Information

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

Hawkesbury City Council



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SECTION 1 - Confirmation of Minutes

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Notices of Motion

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Notices of Motion

SECTION 3 - Notices of Motion

NM1 - Report to Council - Volume, Trends and Distribution of Sullage - (79351, 125610)

Submitted by: Councillor P Conolly

NOTICE OF MOTION:

That following completion of the data base currently being compiled by Council to identify volume, trends and distribution of sullage being generated by customers across the City, a report be prepared that:

1. Examines alternative options and arrangements for frequency of collection services; and
2. Specifically canvas the option of reduced frequency of collection, having regard for environmental and health risks as well as financial impacts on all customers

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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Notices of Motion

NM2 - Sand Mining the Richmond Lowlands - (79351, 80104)

Submitted by: Councillor C Paine

NOTICE OF MOTION:

That Council investigate the possibility of sand mining the Richmond Lowlands.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM3 - Crisis Accommodation for the Hawkesbury - (79351, 80104)

Submitted by: Councillor C Paine

NOTICE OF MOTION:

That Council seek funding from the Federal Government to provide more crisis accommodation for the Hawkesbury.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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Notices of Motion

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 128 **GM - Local Government NSW Annual Conference (79531, 112608)**

REPORT:

Executive Summary

The Local Government Association of NSW and the Shires Association of NSW formed one association on 1 March, 2013 under the new name of Local Government NSW (LGNSW). The First Annual Conference of LGNSW will be held 1 – 3 October, 2013 in Sydney. Consistent with previous practice under the former Local Government Association of NSW, this report recommends attendance by nominated Councillors and staff at the Conference. In addition, LGNSW has called for input from councils to guide the content of the business sessions.

Consultation

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

Background

The Inaugural LGNSW Annual Conference will be held 1 – 3 October, 2013 in Sydney. Council is entitled to nominate four voting delegates as well as observers.

Cost of attendance at the 2013 Inaugural Conference will be approximately \$1,585.00 plus travel expenses per delegate.

The 2013/2014 Budget contains a provision of \$45,500 for Delegates Expenses.

In addition, LGNSW has called for input into the business sessions. Councils are requested to identify the most important 3 – 5 issues which they believe are causing concern to the Council and/or the local community. LGNSW will review all responses received and then identify the top 3 – 5 issues as identified overall by member councils. These issues will then be put to the Conference for debate and deliberation as part of the business sessions. Issues identified by councils which fall outside the top overall 3 – 5 issues will be considered by the LGNSW Board prior to the Conference and councils will be advised of the outcome of these deliberations prior to the Conference.

It is considered that the significant issues that cause concern to Council and the local community that could be nominated to LGNSW as significant issues that could be considered at the Conference are:

1. Infrastructure Renewal
2. Financial Sustainability
3. Provision of Human Services
4. Hawkesbury River and Tributaries
5. Telecommunications Coverage

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Conformance to Community Strategic Plan

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

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

The proposal is also consistent with the Linking the Hawkesbury Direction Statement;

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

The proposal is also consistent with the Caring for Our Environment Direction Statement;

- 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 landscapes.

Financial Implications

Funding for the cost of attendance at this Conference will be provided from the Delegates Expenses within the 2013/2014 Adopted Operational Plan.

RECOMMENDATION:

That:

1. Attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2013 Inaugural Local Government NSW Conference at an approximate cost of \$1,585.00 plus travel expenses per delegate be approved.
2. Council nominate four voting delegates from those nominated to attend the 2013 Inaugural Local Government NSW Conference.
3. Local Government NSW be advised of the significant issues of concern to Council and the community for consideration at the Conference as outlined in the report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 129 GM - New South Wales Electoral Commission - 2013 Redistribution of State Electoral Districts - (79351)

REPORT:

Executive Summary

A letter dated 13 June 2013 has been received from the New South Wales Electoral Commission (Commission) in connection with the 2013 redistribution of State electoral districts.

A review of the proposals for the redistribution, as related to the Hawkesbury local government area (HLGA) indicates that the implementation of the redistribution proposals would result in all of the HLGA being incorporated into the State seat of Hawkesbury, together with a part of The Hills Shire Council and a small part of Blue Mountains City Council.

In association with the last redistribution of State electoral districts when the current distribution was proposed, Council made representations for the HLGA to be included in one district due to the nature of the area.

As the current proposals result in the inclusion of the HLGA in one State electoral district, which is in accordance with Council's previous representations it is proposed that the New South Wales Electoral Commission be advised that Council supports the current proposal that would result in all of the HLGA being incorporated in the State electoral district of Hawkesbury.

Consultation

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

Background

A letter dated 13 June 2013 has been received from the Commission in connection with the 2013 redistribution of State electoral districts. A copy of this letter is included as Attachment 1 to this report.

A review of the proposals for the redistribution, as related to the Hawkesbury local government area (HLGA) indicates that the implementation of the redistribution proposals would result in all of the HLGA being incorporated into the State seat of Hawkesbury, together with a part of The Hills Shire Council and a small part of Blue Mountains City Council.

A map showing the proposed boundaries of the State electoral district of Hawkesbury can be viewed at the following link:

www.redistribution.nsw.gov.au/_data/assets/pdf_file/0003/121368/electoral_maps_A1_HAWKESBURY.pdf

In association with the last redistribution of State electoral districts when the current distribution was proposed, Council made representations for the HLGA to be included in one district due to the nature of the area.

As the current proposals result in the inclusion of the HLGA in one State electoral district, which is in accordance with Council's previous representations, it is proposed that the Commission be advised that Council supports the current proposal that would result in all of the HLGA being incorporated in the State electoral district of Hawkesbury.

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Conformance to Community Strategic Plan

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

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

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

- Broaden the resources and funding available to our community by working with local and regional partners as well as other levels of government.

Financial Implications

There are no financial implications associated with this report.

RECOMMENDATION:

That the:

1. Information regarding the proposed redistribution of the NSW State electoral districts as related to the Hawkesbury local government area be received and noted.
2. New South Wales Electoral Commission be advised that the Council supports the proposed boundaries for the State electoral district of Hawkesbury which would result in all of the Hawkesbury local government area being incorporated within that district.

ATTACHMENTS:

AT 1 – Letter dated 13 June 2013 from New South Wales Electoral Commission regarding the 2013 redistribution of NSW State electoral districts.

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AT 1 – Letter dated 13 June 2013 from New South Wales Electoral Commission regarding the 2013 redistribution of NSW State electoral districts.

RE: 2013 NSW Redistribution - Formal Publication of Proposed State District Alterations in the NSW Government Gazette

I wrote to you to discuss the pending development, publication and distribution of the proposed NSW State district alterations.

The proposed NSW State district alterations will be formally published in the NSW Government Gazette on Monday, 17 June 2013.

Display of relevant district maps in council office

As noted in my letter of 23 April, councils are required by law to display the most relevant proposed electoral districts maps for the council area.

I would be pleased if you could arrange for the district map(s) to be displayed from 17 June, up to 17 July 2013 together with the Fact Sheet No. 4 (enclosed). Maps in printable format will be available from the Redistribution website (www.redistribution.nsw.gov.au) from 9.00am Monday, 17 June 2013.

To avoid confusion could you please arrange for the maps to be removed from display on 18 July 2013. Councils may wish to include a link to the Redistribution website on the council home page.

The Gazette Special Supplement will contain the actual notice and 93 maps which include the names and outline boundaries of the proposed districts. The notice will also inform readers that further detail, including the Electoral Districts Commissioners' reasons for making the proposed district alterations, will be available from the Redistribution website from 9.00am on Monday, 17 June 2013.

Of course printed copies of these reasons will also be available at the NSW Electoral Commission's office on Level 25, 201 Kent St, Sydney.

The additional information relating to the proposed boundary alterations to be provided on the redistribution website will be:

1. A link to the NSW Government Gazette information
2. Mapping information and maps via:
 - a. GDA94 Geographical MapInfo Mid/Mif files for use in Geographical Information Systems.
 - b. The Lands and Property Information's SIX website "electoral channel" which will allow close geographical inspection of the current and proposed NSW district alterations/boundaries and the current federal divisional and LG area boundaries. A help document will be located on the redistribution website and is also embedded on the SIX website.
 - c. A Google maps view of the proposed district alterations including the election day polling places that were used by the NSWEC at the March 2011 State General Election.

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- d. Printable maps with index maps of four regions of NSW and maps of the 93 individual districts.
These maps will be provided in various resolutions to ease any potential download issues.
3. Various spreadsheet files of the data contained in the Commissioners' document which contains the reasons for making the proposed district alterations.

Suggestions and Objections to the Proposed District Alterations

Under Section 14 of the *Parliamentary Electorates and Elections Act* interested persons and organisations may submit suggestions and objections to those alteration proposals from the Gazettal date of 17 June 2013 until 17 July 2013. Please refer to the website noted above for the various lodgement methods and timings.

The Commissioners are required to hold at least one public inquiry into any received suggestions or objections to the proposed alterations. Only those individuals or organisations that have made a suggestion or objection submission during this phase of the redistribution will be able to make an oral submission at the public inquiry and that request must be made at the time their submission is lodged.

It is anticipated that that public inquiry will be held in Sydney in late July or early August 2013 depending on the nature of the submissions received. Further details will be provided in early July 2013.

To clarify the presentation conditions that will apply at the inquiry:

- Registered political parties will be given up to 30 minutes to present their suggestions and objections as previously submitted. All other oral submissions will be limited to 5 minutes for individuals and 10 minutes for councils, organisations and other community groups.
- In making an oral submission, participants should focus on their own arguments in relation to the proposed alterations and should not criticise the suggestions or objections of others.
- If points have been made by previous speakers it is not necessary to repeat in detail such points. Irrelevant references to the suggestions or objections of other speakers may result in presentations being concluded early.

If you have any queries, please contact Ms Crystal Bratton on 02 9290 5416.

Yours Sincerely,



Colin Barry
Electoral Commissioner

Redistribution of Electoral Districts



MAKING SUGGESTIONS OR OBJECTIONS TO THE PROPOSED BOUNDARIES - FACT SHEET 4

Who can make suggestions or objections?

Anybody, including groups or organisations may make suggestions or objections to the proposed districts released by the Electoral Districts Commissioners (the Commissioners) on 17 June 2013.

When can I submit suggestions or objections?

Any suggestions or objections in relation to a proposed alteration of an electoral district may be made from Monday, 17 June 2013 and must be lodged with the Commissioners by Wednesday, 17 July 2013. Suggestions or objections received after Wednesday, 17 July 2013 will not be accepted.

How do I make a suggestion or objection?

Ideally, suggestions or objections:-

- if provided electronically, should be submitted via the Redistribution website www.redistribution.nsw.gov.au or;
- if provided on paper, should be typed on single-sided A4 paper and not bound;
- further, oral submissions to the Commissioners may be made by those who submit a suggestion or objection during the 17 June to 17 July 2013 period. See the section below titled "How can I make an oral submission on my suggestions or objections to the proposed boundaries?"

All suggestions or objections must be accompanied by a cover sheet and include a full name, postal address, contact telephone numbers and an email address so that submissions can be acknowledged and contact made should further information be required. If you have requested to be heard by the Commissioners, please ensure the relevant section of the form is marked so that the Redistribution Secretary may reach you by one of the listed contact methods and arrange a time. If your suggestions or objections come from a group or political party, that information must also be included on the cover sheet.

All suggestions and objections must quote a receipt number, if made by an individual who has made a submission in an earlier phase of the redistribution and received a receipt number.

If you are not able to submit your suggestion or objection online, please download the cover sheet from our website, contact us on 1300 135 736 or email enquiries2013@redistribution.nsw.gov.au to obtain a copy. In addition, provision of an electronic version of the suggestion or objection on CD or USB drive would also be appreciated (if you are not submitting online), particularly with longer and more complex submissions.

As with the earlier submission phases, if your suggestion or objection contains maps in spatial data format, please also attach paper or Portable Document Format (PDF) versions of the maps where possible to assist with clarity. It would assist the Commissioners if persons or organisations proposing to make suggestions or objections using maps were to use the proposed district maps that are available on the website as the base for those submission maps.

If access to the website is not possible, the Commissioners' report and maps are available from the Office of the Commissioners at Level 25, 201 Kent Street, Sydney. Current enrolment and projected enrolment statistics are also available from the Office of the Commissioners. It is a preference of the Commissioners that comments contain alternative solutions rather than just criticism.

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Redistribution of Electoral Districts



MAKING SUGGESTIONS OR OBJECTIONS TO THE PROPOSED BOUNDARIES - FACT SHEET 4

What should be included in a suggestion or objection?

Submissions should be clear and logical and include reasons that support your suggestion or objection. If you are able to demonstrate a level of community support for your suggestion or objection, this could also assist the Commissioners in their decision-making processes.

All suggestions and objections made in this phase of the redistribution must be relevant to the district boundary changes proposed by the Commissioners and not what others suggested or proposed in earlier stages of the process.

Those wishing to augment their written suggestions or objections via an oral submission must indicate that they wish to do so at the time of their suggestion or objection.

How can I make an oral submission on my suggestions or objections to the proposed boundaries?

This latter stage of the Redistribution process includes the potential for those who make a written suggestion or objection concerning the proposed boundaries between 17 June to 17 July 2013 to make an oral submission to the Commissioners about their written submission. Only those who have made a written suggestion or objection will be invited to make an oral submission if so requested.

Public hearings will commence from late July/early August 2013 and will be held at The Portside Centre (Symantec House, Level 5, 207 Kent Street, Sydney), and will be structured to occur by regional area.

Oral submitters must address points raised in their suggestions and objections only, defending their own arguments and not criticising others. If points have been made by previous speakers it is not necessary to repeat in detail such points.

The Commissioners have determined that individuals will be allocated up to 5 minutes, councils up to 10 minutes and registered political parties up to 30 minutes. If persons or organisations are not present when called to speak, they will forfeit their opportunity to be heard.

Speakers must at all times be relevant to their suggestions or objections otherwise they will be asked to conclude.

How do I lodge my suggestions or objections?

Written suggestions or objections must be lodged, including a completed and signed cover sheet (where relevant) by the deadline via one of the following four methods:

Via:	Details	Deadline
Website:	www.redistribution.nsw.gov.au	12 midnight Wednesday, 17 July 2013
Fax:	(02) 9290 5949	12 midnight Wednesday, 17 July 2013
Post:	GPO Box 832, Sydney NSW 2001	12 midnight Wednesday, 17 July 2013
In person:	New South Wales Electoral Commission, Level 25, 201 Kent Street, Sydney NSW	5pm Wednesday, 17 July 2013

Redistribution of Electoral Districts



MAKING SUGGESTIONS OR OBJECTIONS TO THE PROPOSED BOUNDARIES - FACT SHEET 4

How will I know my suggestion or objection has been received?

The Office of the Commissioners will make contact with all submitters via the following methods:

- If your suggestion or objection was lodged electronically via the Redistribution website, you will receive an email with a receipt number;
- If your suggestion or objection was lodged via mail, in person or facsimile, you will receive email confirmation with a receipt number (if you have provided an email address);
- If you do not provide an email address, we will either mail confirmation to the address supplied or contact you via telephone to advise you of the receipt number; and
- If you have indicated that you wish to make an oral submission on your suggestions or objections to the proposed boundaries, you will be contacted to inform you of the date of the relevant hearing and your allocated time-slot.

What happens next?

Following the 30 day window to lodge suggestions or objections in writing, and within a maximum of 70 days, the Commissioners must hold one or more public inquiries on the suggestions or objections submitted, providing the submissions are not frivolous or vexatious. (*PEEA Part 2 Sec 14(5)*).

Similar to earlier phases where public opinion was sought, all suggestions and objections lodged with the Commissioners by Wednesday, 17 July 2013 will thereafter be made available for public inspection on the Redistribution website and at the Office of the Commissioners.

Following the public inquiries, the Commissioners will prepare a final determination of electoral districts, boundaries and names. If the proposal differs significantly from the draft proposal, legislation allows for another consultation process to take place (*PEEA Part 2 Sec 14(12)*). Otherwise the new boundaries and names are proclaimed by the Governor and published in the Gazette and maps displayed at the Office of the Commissioners, at Local Council offices and on the NSW Redistribution website.

Where can I get more information?

The NSW Redistribution website www.redistribution.nsw.gov.au will be the main source of information about the electoral redistribution. Information will be updated regularly and all suggestions, comments and objections will be published there.

oooO END OF REPORT Oooo

Item: 130

GM - Request from WSROC for One-off Additional Contribution - (79351)

REPORT:

Executive Summary

A letter has been forwarded to the Mayor, Cllr K Ford, from the President of WSROC, Cllr T Hadchiti, seeking a "one-off" additional payment of \$10,000 to support the activities of WSROC during a period of major activity in local government.

The request highlights the large number of reform programs currently underway and suggests that, in view of WSROC's limited resources, the organisation's responses on behalf of member councils would benefit from additional resources which the requested "one-off" contribution would provide.

Council's membership contribution to WSROC for 2013/2014 is \$65,169.60 (exc. GST) for which funds have been provided in the 2013/2014 budget. Funds have not been provided for the requested "one-off" contribution and if Council were to agree to the request funding would need to be identified as part of the September quarterly review.

As funding has not been provided for this request the matter is submitted for Council's consideration.

Consultation

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

Background

The following letter dated 20 June 2013 forwarded to the Mayor, Cllr K Ford, from the President of WSROC, Cllr T Hadchiti, has been received seeking a "one-off" additional payment of \$10,000 to support the activities of WSROC during a period of major activity in local government:

"At the last meeting of the WSROC Board held on 20th June, 2013, a resolution was moved to seek Mayoral approval for a one-off payment of \$10,000 to support the activities of WSROC during this period of major local government restructure.

As you know, the State Government currently has a large number of reform programs under way, including the Independent Local Government Review Panel, the Review of the Local Government Act, the reform of the NSW Planning system and moves towards new partnerships in service identification and delivery.

WSROC has advocated strongly and effectively on each of these issues – the NSW Planning White Paper lists WSROC's five key issues as its defining strategy – however, the volume of work now underway requires additional research support/ specialist advice in order to maintain our leading position.

Currently WSROC has six staff, of which only two - the CEO and Deputy CEO carry out research and policy development, preparation of submissions, advocacy, media relations, stakeholder engagement, project development, identifying, building and maintaining partnerships as well as working closely with both State and Federal Government on a range of initiatives including the State Government's reform programs, the regional and sub-regional planning boards, the Sydney Adaptation Strategy, the National Population Strategy, the National Food Plan and many others.

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Given the high level of activity at this time, the Board agreed that WSROC would benefit from additional resources in order to engage extra staff to support the ongoing activities of the WSROC executive.

I urge you to consider this request favourably, to allow the excellent work of WSROC to continue during this very busy and exciting time of reform and if you have any queries, please do not hesitate to contact me or Kerry."

The above request highlights the large number of reform programs currently underway and suggests that, in view of WSROC's limited resources, the organisation's responses on behalf of member councils would benefit from additional resources which the requested "one-off" contribution would provide.

Council's membership contribution to WSROC for 2013/2014 is \$65,169.60 (exc. GST) for which funds have been provided in the 2013/2014 Budget. Funds have not been provided for the requested "one-off" contribution and if Council were to agree to the request funding would need to be identified as part of the September 2013 quarterly review. If Council does determine to agree to this request it is suggested that it should be subject to all other member councils also agreeing to making the "one-off" contribution.

As funding has not been provided for this request the matter is submitted for Council's consideration.

Conformance to Community Strategic Plan

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

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

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

- Improve financial sustainability
- Broaden the resources and funding available to our community by working with local and regional partners as well as other levels of government.

Financial Implications

Whilst provision has been made in the 2013/2014 Budget for Council's annual contribution to WSROC funds have not been provided for the requested "one-off" contribution of \$10,000. If Council were to agree to the request funding would need to be identified as part of the September 2013 quarterly review.

RECOMMENDATION:

That the request from WSROC for an additional "one-off" contribution of \$10,000 towards the activities of the organisation be considered by Council.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 131 **GM - Small Business Week 2013 - (79351)**

Previous Item: 159, Ordinary (26 June 2012)

REPORT:

Executive Summary

In the first week of June 2013, Council hosted a Small Business Week (SBW) under the banner of Small Business Hawkesbury. The SBW included learning and assistance seminars and workshops and networking activities for local business. Program partners and presenters included government agencies, business support agencies, training providers and local business groups.

A total of about 120 persons attended activities during the SBW, which is considered to be a good result. Attendees included people in various stages of the business cycle e.g. looking to start up, existing businesses, etc.

This is the second year SBW has been held to support and encourage the local business community. Council staff received good feedback from the attendees on SBW. Information regarding the SBW is submitted for Council's information.

Consultation

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

Background

The purpose of the SBW was to provide a range of learning, assistance and networking activities locally to support the business community. Local delivery of learning opportunities (including online) is important for small businesses who need to maintain a presence in their business, may only have few hours to available to attend and therefore prefer easily and quickly accessible training venues.

SBW partners and/or activity presenters included: Australian Tax Office, TAFE NSW – Western Sydney Institute, the Hawkesbury Business Enterprise Centre (part of Penrith Valley & District); Hawkesbury Chamber of Commerce (Chamber), Macquarie Community College – Hawkesbury College (MCC- HC), Windsor Business Group and Hawkesbury City Council – Visitor Information Centre (inc. guest speakers).

Details about the SBW included:

- Activities were held over four days (Monday to Thursday);
- Activities were offered in the morning, afternoon and evening to cater for business operator needs;
- Approximately 120 persons attended the activities;
- Attendees were mainly from the Hawkesbury LGA, though some came from Penrith, Blue Mountains and The Hills LGAs, demonstrating business connections beyond the LGA boundary;
- Communications included:
 - Print Media: Council's public notice and Mayoral Column in local papers; advertisements and editorial in local papers; event program and flyers;

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- Digital Media: Third party distribution email newsletters (with event program) - training providers, business groups and Hawkesbury Visitor Centre.

Learning activities topics were: What makes a good websites; Customer service essentials; Online presence for every business, how to grow your business using Facebook; Tax Basics, Tax Record Keeping, Customer Service, self-managed super funds and Social media for Business.

Assistance activities included: one-on-one tax help for business sessions.

Networking activities included: Tourism business afternoon, and After 5 Event – mini business expo hosted by the Chamber.

The three most popular activities were: How to grow your business using Facebook (25 attendees), what makes a good website (17 attendees) and the After 5 – mini expo (approx 30 attendees).

Unfortunately the Self-managed super funds learning activity was cancelled, due to illness of the presenter; the 'Switch on' Hawkesbury expo (fast Broadband and digital business) was postponed, to better align with when the NBN will be available for use in the area.

Feedback from attendees at the sessions was positive in terms of the packaged business week, learning topics, local delivery, venue (community rooms at Deerubbin Centre), opportunities to network at sessions and Council's effort to coordinate an event for businesses. A number of attendees attended all the activities. It was also a good avenue for Council staff to meet and engage with business operators, who may not necessarily have contact Council.

Information regarding the SBW is submitted for Council's information.

Conformance to Community Strategic Plan

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

- 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 Supporting Business and Local Jobs Goal in the Community Strategic Plan being:

- Stronger, broader range of business.
- Skills development and training opportunities are available locally.

Financial Implications

SBW costs were met from the budget allocation for Strategic Activities in the 2012/2013 Budget.

RECOMMENDATION:

That the information regarding Small Business Week Hawkesbury 2013 be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 132 **CP - DA0403/12 - 30 Douglas Farm Road, Kurrajong - Lot 272 DP 852481 - Subdivision - Torrens Title - Three lot torrens title subdivision - (95498, 102260)**

Development Information

File Number: DA0403/12
Property Address: 30 Douglas Farm Road, Kurrajong
Applicant: Montgomery Planning Solutions
Owner: Estate of BA Jagoe
Proposal Details: Subdivision - Torrens Title - three lot torrens title subdivision
Estimated Cost: \$100,000
Zone: RU4 Primary Production Small Lots
Date Received: 29 August 2012
Advertising: 6 to 24 September 2012

Recommendation: Approval

REPORT:

Executive Summary

It is proposed to subdivide 30 Douglas Farm Road, Kurrajong Hills into three lots having areas of 4ha, 4ha and 3.52ha.

The proposed subdivision does not result in lots that meet the minimum allotment requirements of the Rural Living zone, and an objection under State Environmental Planning Policy No. 1 – Development Standards has been submitted in this regard. Due to the variation of the size of the lots being greater than 10% the application requires determination by Council and the concurrence of the Department of Planning and Infrastructure.

Variations under 10% are handled under delegation authority. This application involves a minor variation of only 12% for the size of one allotment (ie, proposed Lot 1 will have an area of 3.52 hectares instead of the minimum of 4 hectares).

This Report demonstrates that the proposed subdivision will have no adverse impact on the natural or built environment and that, in this case, the objection under State Environmental Planning Policy No.1 should be supported. Upon support of the objection, the proposal will be referred to the Department of Planning and Infrastructure for concurrence or otherwise.

Issues Relevant to the Decision - In Point Form

- Objection under State Environmental Planning Policy No.1
- Minimum allotment size
- Flora and Fauna
- Bushfire
- Effluent disposal

Introduction

An application has been received seeking approval for a three lot subdivision of Lot 272 DP 852481, 30 Douglas Road, Kurrajong.

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The application is being reported to Council in accordance with Council's Policy - State Environmental Planning Policy No.1 (Development Standards) for Rural Subdivisions Policy, which states:

"The Guidelines for consideration of applications for rural subdivision which rely on State Environmental Planning Policy No. 1 for approval are:

- 1. Applications which propose one undersized lot only which is within 10% of the minimum allotment size, be determined by Council staff under delegated authority.*
- 2. Applications involving more than one undersized lot and/or a variation greater than 10% from the minimum be considered and determined by Council where they can demonstrate that the standard is unreasonable or unnecessary in the attainment of the relevant objects of the Act.*
- 3. Applications which do not demonstrate that the standard is unreasonable or unnecessary be refused by Council staff under delegated authority.*
- 4. Applications to re-subdivide existing undersized allotments, where no additional entitlements will result and where there are no unresolved objections, be determined by Council staff under delegated authority."*

The variation to the minimum allotment size exceeds 10%

The proposal is integrated development in accordance with Section 91A of the Environmental Planning and Assessment Act, as the land is bushfire prone and the development requires approval from the NSW Rural Fire Services (RFS) under Section 100B of the Rural Fires Act.

The proposal also requires the concurrence of the Department of Planning and Infrastructure.

The application is supported by the following reports:

- Statement of Environmental Effects and SEPP 1 Objection, prepared by Montgomery Planning Solutions and dated August 2012,
- Onsite Sewerage Management Site and Soil Assessment Report, prepared by Ryland & Associates and dated August 2012,
- Bushfire Hazard Assessment Report, Ref No. 12.06.78, prepared by Control Line Consulting,
- Flora and Fauna Survey and Assessment of Part of Lot 272, DP 852481, 30 Douglas Farm Road, Kurrajong Hills, New South Wales', dated 5 August 2012,
- Supplementary letter prepared by Trevor J. Hawkeswood, received 5 March 2013.

Description of Proposal

The application seeks approval to divide the existing 11.52ha allotment into three new allotments having the following attributes:

- | | |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposed Lot 1 | will have an area of 3.52ha, will contain an existing dwelling house, two sheds, stable and round yard, and will gain access from Douglas Road via a proposed right of carriageway over the existing driveway and proposed extension to this driveway. |
| Proposed Lot 2 | will have an area of 4.0ha, will contain an existing horse arena and dam and will gain access from Douglas Road via an existing driveway. |
| Proposed Lot 3 | will have an area of 4.0ha, is vacant and will gain access from Douglas Road via a proposed right of carriageway over the existing driveway and proposed extension to this driveway. |

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History

29 August 2012	Application received.
06 September 2012	Application exhibited until 24 September 2012.
24 September 2012	NSW Office of Water requests additional information.
11 October 2012	Letter sent to Applicant requesting additional information, including NSW Office of Water request. Matters raised in the letter relate to asset protection zones, flora and fauna and Hawkesbury Development Control Plan requirements.
05 March 2013	Council received additional information from Applicant.
15 May 2013	Council received NSW Office of Water General Terms of Approval.

Council Policies, Procedures and Codes to Which the Matter Relates

- State Environmental Planning Policy No. 1 – Development Standards
- State Environmental Planning Policy No. 44 – Koala Habitat
- State Environmental Planning Policy No. 55 – Remediation of Land
- Sydney Regional Environmental Planning Policy 20 - Hawkesbury Nepean River
- Hawkesbury Local Environmental Plan 2012
- Hawkesbury Local Environmental Plan 1989
- Hawkesbury Development Control Plan 2002

Section 79C Matters for Consideration

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

a. The provisions of any:

i. Environmental Planning Instrument:

State Environmental Planning Policy No. 1 – Development Standards

Clause 11(2) limits lot sizes to 4ha for land zoned Rural Living (other than land shown hatched on the map). An objection under State Environmental Planning Policy No. 1 was lodged in respect to the minimum allotment size requirement for the land. The SEPP No. 1 objection states:

"It is submitted that compliance with the development standard in this instance is both unreasonable and unnecessary in the circumstances of the case. The following are the grounds for the Objection.

- 1. The proposed lots are consistent with the size and use of surrounding lots. Figure A below demonstrates that the proposal is not out of context with the setting of the locality.*
- 2. The proposal will not create any land use conflict within the zone, as it is consistent with surrounding allotments.*
- 3. The proposal will not have adverse environmental impact as demonstrated by the statement of environmental effects.*
- 4. The proposal will not create any undesirable precedent, as the departure from the standard is very minor*
- 5. The departure from the minimum lot size standard for proposed lot 1 is very minor and the lot will not be perceived as smaller than the surrounding lots.*

6. *The proposed undersized lot contains the existing dwelling, outbuildings, effluent irrigation system and has sufficient bushfire asset protection zones within the boundaries."*

Land and Environment Court Planning Principle

In the Land and Environment Court hearing *Wehbe v Pittwater Council* [2007] NSWLEC 827 - 21 December 2007, CJ Preston provided principles by which to assess an objection made under State Environmental Planning Policy No. 1.

The Chief Judge suggests that support of an Objection be based on the following:

- (a) That the objection is well founded
- (b) That the granting of consent is consistent with the aims of SEPP 1
- (c) That the matters identified in Clause 8 to SEPP 1 are satisfied:
 - i. Whether non-compliance with the development standard raises any matter of significance for State or regional environmental planning, and
 - ii. The public benefit of maintaining the planning control adopted by the environmental planning instrument.

The aim of SEPP No. 1 is to *"provide flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in section 5 (a)(i) and (ii) of the Act."*

The Chief Judge further identified ways in which it can be demonstrated that strict compliance with a standard would be unnecessary and unreasonable:

- 1. *"The objectives of the development standard are achieved notwithstanding non-compliance with the standard.*
- 2. *Establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary.*
- 3. *Establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable.*
- 4. *Establish that 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.*
- 5. *Establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary"*

Assessment of applicants SEPP 1 Objection

Clause 11(2) limits lot sizes to 4ha for land zoned Rural Living (other than land shown hatched on the map). Proposed lot 1 will have an area of 3.52ha.

The minimum allotment sizes for this zone has been employed to minimise the impact of subdivision and development of land while still providing suitable space for the development of land consistent with the objectives of the Rural Living zone as outlined in HLEP 1989.

The variation from the minimum lot size requirement for proposed lot 1 is 12%, which is considered to be minor. This proposed lot will contain the existing house and associated outbuilding. The size and configuration of proposed lot 1 will support the existing effluent disposal system which services the dwelling house, and is also suitable for its intended uses, being rural residential living.

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It is considered that the Applicant has satisfactorily demonstrated that the objectives of the development standard are achieved notwithstanding non-compliance with the standard and therefore in the circumstances of the case the departure to the minimum allotment size criteria contained in Hawkesbury Local Environmental Plan 1989 is acceptable. It is therefore recommended that the variation be supported in this instance.

Should Council support the proposed subdivision, the application is to be referred to the Department of Planning and Infrastructure for concurrence pursuant to the provisions of Section 79B of the Environmental Planning and Assessment Act, 1979.

State Environmental Planning Policy No. 44 – Koala Habitat

State Environmental Planning Policy No. 44 - Koala Habitat applies to land within the Hawkesbury Local Government Area to which a development application has been made and has an area of more than 1 hectare.

A 'Flora and Fauna Survey and Assessment' Report and supplementary letter was submitted in support of the application, and concluded that "no evidence for the Koala (*Phascolarctos cinereus*) occurring on the surveyed property was found, despite intensive searches. Hence the site is not core Koala habitat as defined by SEPP 44 Koala Habitat Protection. Therefore further provisions of the SEPP 44 are not applicable to the subject property.

State Environmental Planning Policy No. 55 – Remediation of Land

Council records indicate that the property has only been used for rural residential purposes in the recent past. It is therefore considered that the property is unlikely to be contaminated to a degree that would prevent the proposed subdivision and future development of Proposed Lots 2 and 3 for rural residential purposes. A Preliminary Site Investigation is not warranted. Therefore the application is considered to be consistent with the provisions of State Environmental Planning Policy No. 55.

Sydney Regional Environmental Planning Policy 20. (No.2 - 1997) - Hawkesbury - Nepean River (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 2012

Under this Plan the subject land is zoned RU4 Primary Production Small Lots. The Lot Size Map provides a minimum allotment size for subdivision for the land of 4ha.

Proposed Lot 1 will have an area of 3.52ha. The lot size varies from the required 4ha minimum by 12%.

The proposed development is considered to be consistent with Hawkesbury Local Environmental Plan 2012, including the RU4 zone objectives.

Clause 1.8A - Savings provision relating to development applications states:

"If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced."

Hawkesbury Local Environmental Plan 2012 was gazetted on 21 September 2012. The subject Development Application was lodged on 29 August 2012. As a result, the application has been assessed against the relevant provisions of Hawkesbury Local Environmental Plan 1989 as detailed below.

Hawkesbury Local Environmental Plan (HLEP) 1989

An assessment of the proposal against the relevant provisions of HLEP 1989 follows:

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Clause 2 - Aims, objectives etc,

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

Clause 9A – Zone objectives

The proposed subdivision is considered to be consistent with the objectives of the Rural Living zone of HLEP 1989 as:

- The size and configuration of the proposed lots will provide for a rural residential lifestyle.
- the proposal is not likely to have a negative impact on the potential agricultural use of the land,
- no significant adverse impact on water catchments, significant ecosystems or the River, or surface and groundwater quality and flows, or surface conditions is expected to occur as a result of the proposed subdivision,
- the proposed development is not likely to create any unreasonable rural land use conflicts, given the nature and use of adjoining properties,
- the subdivision will not have a negative impact on the existing landscape values of the locality,
- the proposed subdivision will not have any significant adverse impacts on river valley systems, scenic corridors, wooded ridges, escarpments, environmentally sensitive areas and other local features of scenic quality,
- the proposed development will not result in the significant generation of traffic on main or arterial roads, and,
- the proposal will not create unreasonable economic demands for the provisions or extension of public amenities or services.

Clause 10 – Subdivision General

This clause requires consent for the subdivision of land.

Clause 11- Rural Subdivision - general provisions

2. Except as otherwise provided by this clause and clause 13, the Council may consent to the subdivision of land in Zone No 7 (a) or 7 (d) or in the Mixed Agriculture, Rural Living, Rural Housing, Environmental Protection—Agriculture Protection (Scenic) or Environmental Protection—Mixed Agriculture (Scenic) zone only if the area of each of the allotments to be created is not less than:
 - a) if it is not a lot averaging subdivision, that shown for the zone in Column 2 of the following Table, or
 - b) if it is a lot averaging subdivision, that shown for the zone in Column 3 of that Table.

Zone	Minimum allotment size if not lot averaging subdivision	Minimum allotment size if lot averaging subdivision
<i>Rural Living (other than land shown hatched on the map)</i>	<i>4 hectares</i>	<i>1 hectare</i>

Comment: The proposed development is not a lot averaging subdivision. Clause 11 requires a minimum allotment size of 4ha for land zoned Rural Living (other than land shown hatched on the map). Proposed Lot 1 will have an area of 3.52ha and is therefore inconsistent with this requirement.

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The applicant has submitted a State Environmental Planning Policy No.1 Objection in relation to minimum area provisions and is considered separately in this report.

3. *The Council may consent to the subdivision of land to which this clause applies only if:*
- a) *there is a ratio between the depth of the allotment and the frontage of the allotment that, in the opinion of the Council, is satisfactory having regard to the purpose for which the allotment is to be used, and*

Comment: The width to depth ratio of the lots is satisfactory for the properties intended rural residential use. The proposal complies with the requirements of Hawkesbury Development Control Plan Part D Chapter 3.7.5 Lot Size and Shape.

- b) *the pattern of allotments created by the proposed subdivision and the location of any proposed buildings on those allotments will, in the opinion of the Council, minimise the impact on any threatened species, populations or endangered ecological community or regionally significant wetland, watercourses, agriculture and bush fire threat, and*

Comment: It is considered that the proposed subdivision will not have a significant impact upon any threatened species, populations or endangered ecological communities or significant wetland, watercourses, agriculture or be subject to significant bushfire threat.

- c) *the Council has considered a geotechnical assessment that demonstrates the land is adequate for the on-site disposal of effluent, and*

Comment: A geotechnical report was submitted in support of the application. This Report is considered satisfactory and concludes that the existing system servicing the dwelling house to be located on Proposed Lot 1 is to be retained, and that Proposed Lots 2 and 3 are capable of supporting on site effluent disposal for future dwelling houses.

- d) *in the opinion of the Council, each of the allotments created contains suitable areas for a dwelling-house, an asset protection zone relating to bush fire hazard and effluent disposal.*

Comment: It is considered that each lot would be able to provide suitable space for both the existing dwelling on Proposed Lot 1 and for a new dwelling on both Proposed Lots 2 and 3, including associated effluent disposal areas and asset protection zones.

6. *Consent must not be granted to a subdivision of land in Zone No 7 (d) or in the Mixed Agriculture, Rural Living, Rural Housing, Environmental Protection—Agriculture Protection (Scenic) or Environmental Protection—Mixed Agriculture (Scenic) zone that creates an allotment (otherwise than for use for a public purpose) unless the Council is satisfied that there is an area of land above the 1-in-100 year flood level on the allotment that is:*

- a) *sufficient for the erection of a dwelling-house, and*
- b) *at natural surface level or at a level achieved by filling carried out with the consent of Council.*

Comment: The subject land is not affected by inundation from a 1 in 100 year flood event from Hawkesbury River.

Subclauses (4), (4A), (5), (7), (8) and (9) do not apply to this proposal.

Clause 18 - Provision of water, sewerage etc. services

The existing dwelling has suitable access to water, electricity, sewage and telecommunication services. Written evidence that satisfactory arrangement for the provision of these services for the subdivision is a recommended condition of consent.

ORDINARY MEETING**Meeting Date:** 09 July 2013**ii. Draft Environmental Planning Instrument that is or has been placed on exhibition and details of which have been notified to Council:**

There are no draft environmental planning instruments relevant to the subject land or proposed development.

iii. Development Control Plan applying to the land:**Hawkesbury Development Control Plan (HDCP) 2002**

The proposed development is generally consistent with the requirements of HDCP. An assessment of the proposal against the relevant provisions of this Plan follows:

Part A Chapter 3 - Notification

The application was notified to adjacent property owners in accordance with HDCP. No submissions were received.

Subdivision Chapter

The following is an assessment 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.	A flora and fauna was submitted with the application.	Yes
	b) Vegetation cover should be retained where ever practicable as it acts to stabilize soils, minimize runoff, acts as a pollutant trap along watercourses and is important as a habitat for native fauna.	Minimal vegetation to be removed and considered acceptable having regard to these considerations	Yes
	c) Degraded areas are to be rehabilitated as part of the subdivision.	N/A	Yes
	d) Vegetation should be retained where it forms a link between other bush land areas.	Vegetation corridors on site will be retained.	N/A

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Element	Rule	Provides	Complies
	<p>e) Vegetation which is scenically and environmentally significant should be retained.</p> <p>f) Vegetation which adds to the soil stability of the land should be retained.</p> <p>g) All subdivision proposals should be designed so as to minimize fragmentation of bushland.</p>	<p>Future development will be predominantly within existing cleared areas. Most vegetation to be retained.</p> <p>Most vegetation to be retained.</p> <p>The subdivision will have no impact on the fragmentation of bushland as future development will be in existing cleared areas.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Visual Amenity	<p>a) Building envelopes, accessways and road shall avoid ridge tops and steep slopes.</p> <p>b) Subdivision of escarpments, ridges and other visually interesting places should:</p> <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>c) Development Applications for subdivision shall take into consideration the provisions of SREP No. 20 in relation to scenic quality.</p>		<p>Yes</p> <p>Yes</p> <p>Yes</p>
Heritage	<p>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.</p>	<p>Site does not contain or is adjacent to an item of environmental heritage</p>	<p>Yes</p>

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Element	Rule	Provides	Complies
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.	Infill subdivision	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.	Condition of consent	Yes
Flooding, Landslip & Contaminated Land	a) Compliance with clause 25 of Hawkesbury Local Environmental Plan 1989.	Property not affected by riverine flooding	Yes
	b) Access to the subdivision shall be located above the 1% AEP flood level.	N/A	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 subject land.	Not identified as land being potentially subject to landslip.	Yes

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Element	Rule	Provides	Complies
	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	N/A
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.	See justification under SEPP 1 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.	Can be achieved for all proposed lots.	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	N/A
	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

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Element	Rule	Provides	Complies
Rural Road and Accessway Design	a) The design specifications in Figure D3.9 at the end of this clause are to be met.	No new road.	N/A
	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	N/A
	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. This work may require the sealing of the pavement dependent upon traffic generation	To be conditioned	Yes
	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	N/A
	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.	Existing road acceptable, traffic volume considered to be low	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	N/A
	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.	To be conditioned	Yes

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Element	Rule	Provides	Complies
	h) Where 3 or more individual access handles are proposed, common roads are to be provided.	N/A	N/A
	i) Battle axe handles shall have a minimum width of 6 metres.	N/A	N/A
	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.	To be conditioned	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.	Existing access to be utilized for all lots	Yes
	l) Cul-de sacs for rural roads should have minimum seal radii of 12.0m and boundary radii of 17.0m.		N/A
Effluent Disposal	a) an effluent disposal report prepared by a suitably qualified person is required to accompany any development application for rural-residential subdivisions.	A geotechnical report was submitted and is considered 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.		

The proposed subdivision has been assessed against the Hawkesbury Council's Development Control Plan and has concluded that the proposed subdivision would not have an adverse impact on the locality.

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:

There has been no planning agreement or draft planning agreement entered into under Section 93F of the Environmental Planning and Assessment Act, 1979.

v. Matters prescribed by the Regulations:

No relevant matters.

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:

It is considered unlikely that the proposed development will have any adverse environmental or social impacts on the locality.

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Consideration has been given to the relevant matters under s79C (1) (b) of the EP&A Act as shown below:

Context and setting

The surrounding locality is predominantly used for a combination of rural residential and agricultural purposes. The proposal is not inconsistent with the surrounding locality and seeks to retain the rural landscape character of Douglas Farm Road.

The proposed lots are considered to be consistent with the subdivision pattern of the locality which is characterised by lots of varied sizes.

Waste

An 'Onsite Sewage Management Site and Soil Assessment Report', prepared by Ryland & Associates and dated August 2012 was submitted with the Application. This report satisfactorily demonstrates that on site wastewater disposal can be achieved on each of the proposed lots.

Flora and Fauna

A Report titled 'Flora and Fauna Survey and Assessment of Part of Lot 272, DP 852481, 30 Douglas Farm Road, Kurrajong Hills, New South Wales', dated 5 August 2012 and prepared by Dr Trevor J. Hawkeswood was submitted in support of the application. This Report concludes:

"Much of the site has been extensively cleared and weeds are prominent. The site has been under various agricultural activities for the past 50-100 years and is therefore highly disturbed. Most of the native vegetation remaining on the site will not be disturbed by the present proposal. Most of the remaining vegetation is remnant/regrowth trees and shrubs of the Shale Sandstone Transitional Forest (SSTF) which is common throughout the area. A few small trees and large shrubs may need to be removed from proposed Lot 3 for the building and disposal area. A 7-part Test of Significance is provided in Appendix 2. The proposed access driveway through part of proposed Lot 2 will follow the existing vehicular track so that no trees will be affected....."

This report has followed the 2004 publication "Threatened Species Survey and Assessment Guidelines" wherever applicable. No endangered entity will be significantly affected by the proposal hence there is no need for any Species Impact Statements.

In my professional scientific opinion, I see no impediments, based on flora/fauna concerns, to the development of the proposal of a 3-Lot subdivision."

The assessment identified that remnant Shale Sandstone Transition Forest was present within the development site. Shale Sandstone Transition Forest is identified as a critically endangered ecological community under the Threatened Species Conservation Act, 1995.

Part 5A of the Environmental Planning and Assessment Act, 1979 states:

- (1) For the purposes of this Act and, in particular, in the administration of sections 78A, 79B, 79C, 111 and 112, the following must be taken into account in deciding whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats:
 - (a) each of the factors listed in subsection (2),
 - (b) any assessment guidelines.

The 'Flora and Fauna Survey and Assessment' Report was not considered to be consistent with the Threatened Species Assessment Guidelines (Department of Environment and Climate Change) and Council requested additional information in this respect.

A supplementary letter was submitted and it is considered that the additional details provided satisfactorily demonstrate that the assessment undertaken is not inconsistent with the Guidelines having regard to the survey methodology used in relation to the conditions of the site and the location of future development predominantly within existing cleared areas.

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It is therefore considered that the proposed development will have no significant impact on threatened species, populations, ecological communities or their habitats.

Natural Hazards

The subject land is identified as 'bushfire prone land'. The application was referred to NSW Rural Fire Service for approval. In their letter of 26 September 2012, the NSW Rural Fire Service granted a bush fire safety authority subject to conditions.

Access, Transport and Traffic

It is considered that the traffic generated by the proposal will have no significant impact on traffic movements within the locality.

Construction

Construction of the access is not expected to unreasonably impact upon surrounding neighbours.

Cumulative Impact

The proposed development is compatible with the surrounding landuses and no negative cumulative impact is foreseen.

c. Suitability of the site for the development:

Access to the site is satisfactory for the intended use. Adequate services and utilities are available to the site. The development will not impact upon critical habitats and threatened species, populations, ecological communities and habitats. The bushfire affectation of the land is not prohibitive to the proposed development or to future residential use. The site is considered to be suitable for the development subject to the implementation of the conditions attached to this Report.

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

Integrated Development

The proposed development is 'integrated development' and requires the approval of both the NSW Rural Fire Services and the Office of Water.

NSW Rural Fire Services

In their letter of 31 March 2011, NSW Rural Fire Services granted a Bush Fire Safety Authority subject to conditions. These conditions have been incorporated within the Draft Conditions of Consent attached to this Report.

NSW Office of Water

In their letter of 15 May 2013 NSW Office of Water provided their General Terms of Approval, which have been incorporated within the Draft Conditions of Consent attached to this Report.

Public Submissions

The application was publicly exhibited from 10 September 2012 to 24 September 2012. During notification of the application, no submissions were received.

e. The Public Interest

The proposed development is considered to be in the public interest based on the following:

- The proposal is consistent with the overall objectives of the existing zone;
- The proposal generally complies with the objectives and requirements of the Hawkesbury Development Control Plan 2002; and,
- The proposed development is not expected to adversely impact on the amenity of the locality or the surrounding environment

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Conclusion

The current proposal is not consistent with the minimum allotment size requirement for subdivision as per Clause 11(2) of Hawkesbury Local Environmental Plan 1989.

The objection submitted pursuant to State Environmental Planning Policy No. 1 satisfactorily demonstrates that adherence to the minimum lot size in relation to the zones affecting the land is unreasonable and unnecessary in this circumstance. It is considered that the proposed lots have been appropriately configured having regard to the natural constraints of the land and to the existing subdivision pattern in the locality. On balance this proposal is considered to be satisfactory, subject to the implementation of conditions outlined in the recommendation to this report.

Under the provisions of State Environmental Planning Policy No. 1 (SEPP No.1), Council cannot determine the application without the concurrence of the Director General. It is recommended that Council support the application and request that the Director General grant concurrence to the application. Should concurrence be granted, the application can be approved. Should concurrence not be granted, then the application must be refused. Both of these determination options may be undertaken under the delegated authority of the General Manager.

Developer Contributions

A contribution plan applies to the land under Section 94A of the Environmental Planning and Assessment Act, 1979 and requires a levy of 1% be imposed on this development. In accordance with the above, a \$1,000.00 developer contribution applies to this development if approved. An appropriate condition of consent has been included in the Recommendation to 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. Council advise the Department of Planning that it supports the objection lodged pursuant to the provisions of State Environmental Planning Policy No. 1 - Development Standards and requests that the Department issue its concurrence; and
2. Upon receipt of the concurrence, or otherwise of the Department of Planning, determination of Development Application DA0403/12 for a three lot Torrens Title subdivision be delegated to the General Manager.

ATTACHMENTS:

- AT - 1 Locality Plan and Aerial Photograph
- AT - 2 Subdivision Plan
- AT - 3 Draft Conditions of Consent

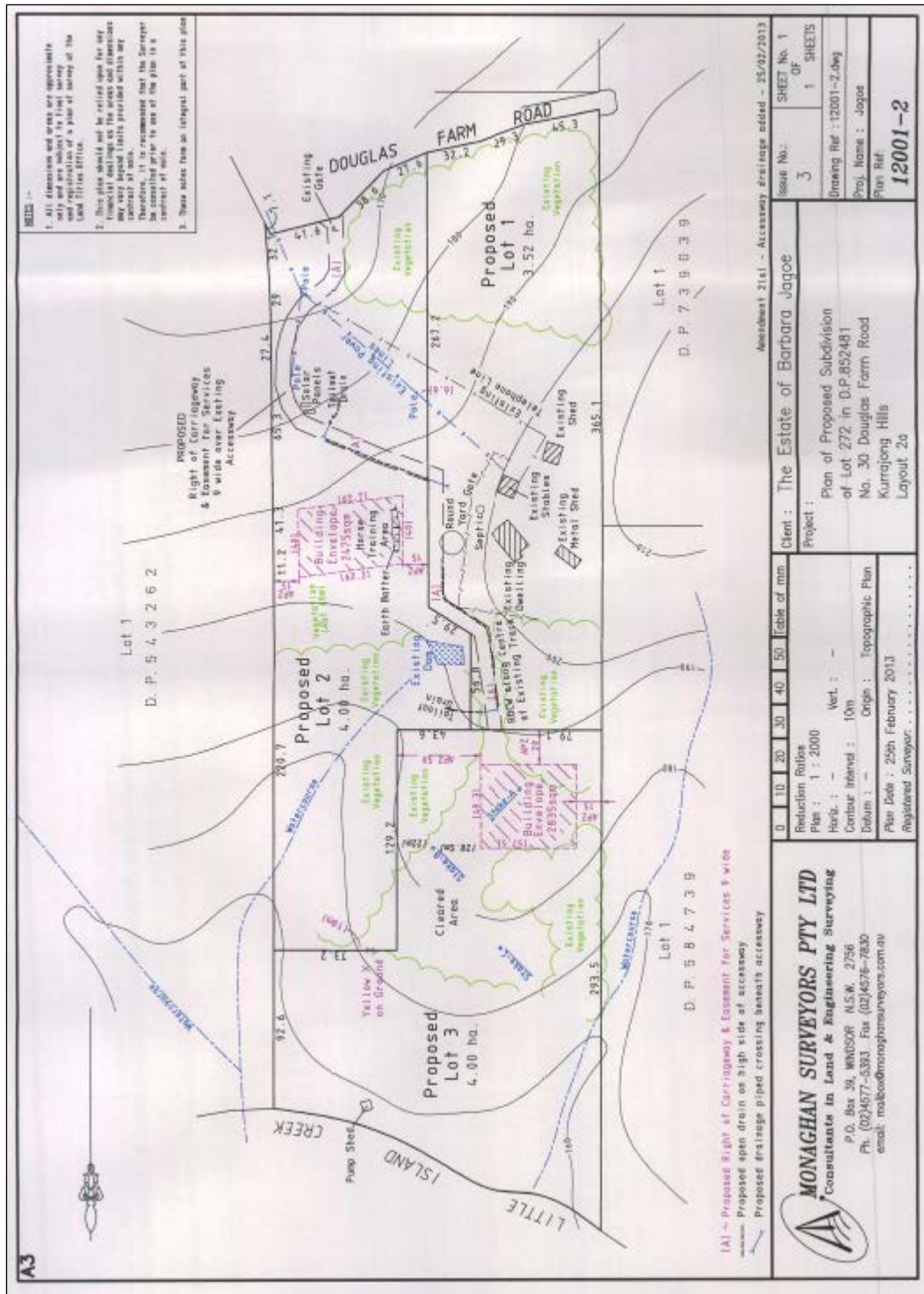
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AT - 2 Subdivision Plan



AT - 3 Draft Conditions of Consent

The following is a list of Draft development consent conditions that would be imposed on the development should the Department of Planning issue concurrence to the development.

NSW Rural Fire Services Conditions

Asset Protection Zones

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

1. At the issue of subdivision certificate and in perpetuity, the land surrounding the existing dwelling on proposed Lot 1, to a distance of 50 metres north and south, and to the property boundary to the east and west, shall be maintained as an inner protection areas (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with the following requirements of section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
 - In recognition that no reticulated water supply exists, a 20000 litre water supply shall be provided for the existing dwelling for fire fighting purposes.
 - A hardened ground surface for truck access is to be supplied up to and within 4 metres of the water source.
 - A 65mm metal Storz outlet with a gate or ball valve shall be provided.
 - Above ground tanks are manufactured of concrete or metal and raised tanks are to have their stands protected. Plastic tanks shall not be used.
 - All associated fittings to the tank shall be non-combustible.
 - A minimum 5hp or 3kW petrol or diesel powered pump shall be made available to the water supply.
 - An 'SWS' marker shall be obtained from the local NSW Rural Fire Service and positioned for ease of identification by brigade personnel and other users of the SWS. In this regard: a) Markers must be fixed in a suitable location so as to be highly visible; and b) Markers should be positioned adjacent to the most appropriate access for the static water supply.

Access

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation. To achieve this, the following conditions shall apply:

3. Internal roads, i.e. the right of way, shall comply with following requirements of section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
 - Internal roads are two wheel drive, sealed, all weather roads.
 - A minimum width of 4m with an additional cleared strip of 1m either side.

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- A minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches, is provided.
- Maximum grades do not exceed 15 degrees and average grades are not more than 10 degrees.
- Crossfall of the pavement is not more than 10 degrees.
- The internal road surfaces and bridges have a capacity to carry fully loaded fire fighting vehicles (15 tonnes).
- A passing bay is to be provided at the midpoint of the road.
- A turning circle is to be provided at the end of the right of way with a minimum 12m outer radius.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

4. The existing building on proposed Lot 1 is required to be upgraded to improve ember protection. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.

NSW Office of Water Conditions

Plans, standards and guidelines

5. These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA2012/403 and provided by Council:

- (i) Site plan, map and/or surveys

Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.

6. Prior to commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.
7. The consent holder must prepare or commission the preparation of:
 - (i) Erosion and Sediment Control Plan
 - (ii) Soil and Water Management Plan
8. The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.
9. The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.

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10. The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow, (ii) wash into the water body, or (iii) cause damage to river banks; are left on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
11. The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by the NSE Office of Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by the NSW Office of Water.

Erosion control

12. The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the NSW Office of Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.
13. The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.

Hawkesbury City Council Conditions

General Conditions

14. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
15. No excavation, site works or building works shall be commenced prior to the issue of an appropriate construction certificate.

Prior to Issue of Construction Certificate

16. Written evidence that a Controlled Activity Approval from NSW Office of Water has been obtained is to be provided prior to the release of any construction certificate.
17. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) the clearing of vegetation, lopping and removal of trees, earthworks, erosion control, sit rehabilitation and landscaping. All site works shall be carried out in accordance with the Plan. Implementation of the Plan shall be supervised by an appropriately qualified person.
18. Construction of the road, access, and drainage are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director City Planning or an Accredited Certifier.
19. A Traffic Management Plan prepared in accordance with AS 1742-3 (1996) by an appropriately qualified person shall be submitted to Council.

Prior to Commencement of Works

20. All traffic management devices shall be installed and maintained in accordance with the approved traffic management plan.
21. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.

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22. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
23. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
24. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - a. Unauthorised access to the site is prohibited.
 - b. The owner of the site.
 - c. The person/company carrying out the site works and telephone number (including 24 hour 7 day emergency numbers).
 - d. The name and contact number of the Principal Certifying Authority.

During Construction

25. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
26. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
27. A bitumen sealed rural footway crossing 6 metres wide shall be constructed to proposed Lot 2 in accordance with the Hawkesbury DCP Appendix "E", "Civil Works Specification".
28. A four metre wide compacted crushed rock access from the Douglas Farm Road alignment to the southern boundary of proposed Lot 3 shall be constructed. The works are to be done in accordance with the document "Planning for Bushfire Protection dated 2006 by Planning NSW".
29. A one metre wide cleared strip is to be provided on either side of the access and fire trail. Passing bays 7 metres wide and 20 metres long are to be provided at every 200 metres along the access. The works are to be done in accordance with the document "Planning for Bushfire Protection dated 2006 by Planning NSW". See separate Rural Fire Service conditions.
30. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.

Prior to the Issue of the Subdivision Certificate

31. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
32. Written clearance from an energy provider shall be submitted to the Principal Certifying Authority.
33. A plan of subdivision prepared to the requirements of the Land Titles Office, shall be submitted to Council, with four copies.
34. Reciprocal rights of carriageway and easement for services shall be created over the access handles to Lots 1 & 3.
35. A Surveyor's Certificate stating that all existing buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks shall be submitted.

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36. A survey plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal shall be submitted. The plan shall demonstrate that there are no encroachments over remaining or proposed boundaries.
37. Payment of a linen release Fee in accordance with Council's Fees and Charges at the time of lodgement of the linen plan.
38. Registration of the title of any easements required for services.
39. The dwelling site, effluent disposal area and asset protection zones as shown on the approved plans shall be defined on the final plan of subdivision.
40. Creation of a restriction on use of land pursuant to Section 88B of the Conveyancing Act as follows:
 - a. Requiring that all development, including but not limited to the house site, disposal and buffer areas are restricted to those areas defined on final plan of subdivision.
 - b. Requiring that a Wastewater Feasibility Assessment be submitted with any future development application involving on site disposal of effluent on the lots.
 - c. Requiring the maintenance of the bush fire asset protection zones and access in perpetuity.

Advisory Notes

- *** Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- *** The applicant is advised to consult with:
- (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) a local telecommunications carrier
- regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public roads.
- *** The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
- *** The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

oooO END OF REPORT Oooo

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Item: 133 **CP - DA0406/12 - 100 Mileham Street, South Windsor - Lot 101 DP 1107867 - Boarding house - Alterations to and the use of the front portion of the premises as a boarding house - (95498, 85782, 95365)**

Development Information

File Number: DA0406/12
Property Address: 100 Mileham Street, South Windsor
Applicant: Urban City Consulting Pty Ltd
Owner: Hawkesbury Development Corporation
Proposal Details: Boarding house - Alterations to and the use of the front portion of the premises as a boarding house.
Estimated Cost: \$500,000
Zone: IN1 General Industrial under the Hawkesbury Local Environmental Plan 2012
4(a) Industry General under the Hawkesbury Local Environmental Plan 1989
Date Received: 30 August 2012
Advertising: 10 to 24 September 2012
Recommendation: Refusal

REPORT:

Executive Summary

This application seeks the consent of Council to undertake alterations to and use the front portion of an industrial building at 100 Mileham Street, South Windsor, as a boarding house.

The application was submitted prior to the gazettal of the Hawkesbury Local Environmental Plan 2012 (HLEP 2012) and is permissible under the provisions of the Hawkesbury Local Environmental Plan 1989 (HLEP 1989). Boarding houses within industrial zones are now prohibited under the HLEP 2012.

The boarding house is to be located within an industrial zone and it is considered that a residential use will result in unacceptable landuse conflicts. It is further considered that the design of the boarding house will provide residents with a poor level of amenity. As such the refusal of the development application is recommended.

As this development application was received in August 2012, Clause 1.81A of the HELP 2012 allows Council to consider the application under the provisions of the HELP 1989.

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

Key Issues

- Permissibility
- Landuse conflicts
- Amenity

Development Description

Pursuant to Section 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's approval for alterations to and use the front portion of an industrial building as a boarding house. Specifically the proposal involves the following:

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- The conversion of part of an existing industrial building to a boarding house consisting of a total of 29 rooms, including one manager's residence and 28 boarding rooms.
- The Plan of Management submitted in support of the proposal indicates that up to two boarders may occupy each of the rooms. As a result up to 58 people may reside within the boarding house.
- The provision of six car parking spaces and areas for the parking of bicycles and motorcycles.

The subject premises is currently vacant but has been used for the manufacture of swimwear in the past.

Site and Locality Description

The subject property is legally known as Lot 1001 in DP 1107867. It has a site area of approximately 1.148Ha and is located on the corner of Mileham Street and Argyle Street. Access to the property is available from both streets, although the proposed boarding house seeks to use the existing access from Mileham Street.

The site contains an industrial building that is divided into two main parts; a frontal area that is currently vacant but was previously used for the manufacture of swimwear and the rear portion of the building that is used as a warehouse/auction house.

Industrial development, such as factories, warehouses and car repair stations, dominate the locality.

Application History

- The development application was lodged on 30 August 2012 and notified between 10 and 24 September 2012.
- A Council letter requesting the withdrawal of the application was prepared on 1 November 2012. This letter raised concerns with respect to landuse conflicts, amenity impacts and engineering matters.
- At the request of the Applicant, a further Council letter was prepared on 18 January 2013 relating to the specific amenity concerns.
- Comments received from the Police were referred to the Applicant on 22 January 2013.
- A written response and amended plans were provided by the Applicant on 20 February 2013. Further plans were submitted on 13 March 2013 following a meeting.
- Further comments relating to landuse conflicts and the existing roof were requested by Council on 30 April 2013. A written response to these matters was provided on 1 May 2013.

Council Policies, Procedures and Codes to Which the Matter Relates

- Hawkesbury Local Environmental Plan 2012 (HLEP 2012)
- Hawkesbury Local Environmental Plan 1989 (HLEP 1989)
- State Environmental Planning Policy (Affordable Rental Housing) 2007 (Affordable Rental Housing SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55)
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP No. 20)
- Hawkesbury Development Control Plan 2002 (HDCP 2002)

Section 79C Matters for Consideration

The following is an assessment of the application with regard to the heads of consideration under the provisions of Section 79C of the EP&A Act.

(a) (ii) Environmental Planning Instruments**Hawkesbury Local Environmental Plan 2012**

The HLEP 2012 was gazetted on 21 September 2012 and under this Plan the site is zoned IN1 General Industrial.

The proposed development would be defined as a 'boarding house', which is a form of 'residential accommodation' under the HLEP 2012. The HLEP 2012's Dictionary provides the following definitions for boarding houses and residential accommodation:

Boarding house means a building:

- (a) *is wholly or partly let in lodgings, and*
- (b) *provides lodgers with a principal place of residence for 3 months or more, and*
- (c) *may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and*
- (d) *has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers, but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.*

Note. Boarding houses are a type of residential accommodation.

Residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) *.....*
- (b) *boarding houses,*
- (c) *.....*
but does not include tourist and visitor accommodation or caravan parks.

Boarding houses are prohibited within the IN1 General Industrial zone and accordingly the proposal fails to satisfy the provisions of the HLEP 2012.

However, the savings provision of Clause 1.8A of the HLEP 2012 outlines that development applications submitted before the gazettal of the Plan are to be assessed as if the Plan had not commenced, i.e. applications are to be assessed and determined under the provisions of HLEP 1989.

Hawkesbury Local Environmental Plan 1989

As detailed previously the savings provision contained within the HLEP 2012 requires the application to be considered and determined under the HLEP 1989.

The subject land was zoned 4(a) Industry General under the HLEP 1989.

The HLEP 1989 contains the following definition for a 'boarding house':

Boarding house *includes a house let in lodgings or a hostel but does not include a motel.*

The proposed twenty-nine room boarding house would satisfy the above definition. Boarding houses are a permissible form of development within the 4(a) Industry General zone pursuant to the HLEP 1989's Land Use Matrix.

Clause 2(a) of the HLEP 1989 aims to "provide the mechanism for the management, orderly and economic development and conservation of land within the City of Hawkesbury". Section 9A of the HLEP 1989 further establishes the following objectives for the 4(a) Industry General zone:

- (a) *set aside certain land for the purposes of general industry within convenient distances of the urban centres of the City of Hawkesbury,*
- (b) *allow commercial and retail development involving:*

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- (i) *uses ancillary to the main use of land within the zone,*
- (ii) *the display and sale of bulky goods, and*
- (iii) *the day-to-day needs of the occupants and employees of the surrounding industrial area, and*
- (c) *ensure that industrial development creates areas which are pleasant to work in and safe and efficient in terms of transportation, land utilisation and services distribution.*

The proposal is contrary to the objectives of the 4(a) Industry General zone in that residential accommodation will reduce the availability of industrial land. As it involves a sensitive landuse it is also likely that the proposal will produce landuse conflicts and restrict the development potential of industrial land within the vicinity.

Therefore, whilst boarding houses are permissible it is considered that the development is inconsistent with the aims and objectives of the HLEP 1989.

State Environmental Planning Policy (Affordable Rental Housing) 2007

Not applicable. The proposal is permissible under the HLEP 1989 and does not rely upon the Affordable Rental Housing SEPP for permissibility. The Affordable Rental Housing SEPP does not apply to industrial zones.

However as this Policy outlines the current controls for this type of development, a merit-based assessment has been undertaken.

Division 3 of the Affordable Rental Housing SEPP outlines the controls for boarding houses. A compliance table detailing the proposal's level of compliance with this Policy is included below:

Affordable Rental Housing SEPP				
Section 26 – Land to which Division applies				
	SEPP Control	Requirement	Proposal	Compliance
Zoning	Section 26	The land must be within a specific zones (primarily residential or commercial).	The site is zoned IN1 Industrial General and under this Policy the development would not be permissible within this zone.	No
Section 27 – Development to which Division applies				
	SEPP Control	Requirement	Proposal	Compliance
	Clause 27(2)	The Policy does not apply to land zoned R2 Low Density Residential (or equivalent) unless the land is within an 'accessible area'.	The site is zoned IN1 Industrial General and the land would be within an accessible area.	Not applicable
Section 29 – Standards that cannot be used to refuse consent				
	SEPP Control	Requirement	Proposal	Compliance
Density and scale (FSR)	Clause 29(1)	The development is not to exceed the maximum FSR permitted for development within the zone.	Council does not have a maximum FSR for development within the zone.	Not applicable

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Building height	Clause 29(2)(a)	The building height is not to be more than the maximum permitted for any building on the land.	The height of the building is not to be altered, whilst Clause 4.3 of the HLEP 2012 does not establish height controls for industrial areas.	Not applicable
Minimum landscaped area	Clause 29(2)(b)	The landscape treatment of the front setback must be compatible with the surrounding area.	The front yard and landscaping is inconsistent with surrounding properties in that it is to be used for recreational purposes and contains solid acoustic fencing.	No
Solar access	Clause 29(2)(c)	A communal room shall receive a minimum of 3 hours direct sunlight between 9am and 3pm during midwinter.	The frontal communal room has windows facing north and will therefore receive a minimum of three hours sunlight.	Yes
Private open space (Lodgers)	Clause 29(2)(d) (i)	An area of at least 20m ² , with minimum dimension of 3m, is to be provided.	A communal area of approximately 48m ² , with a width of 10m, is provided.	Yes
Private open space (Manager)	Clause 29(2)(d) (ii)	An area of at least 8m ² , with minimum dimension of 2.5m, is to be provided.	Private open space is not provided for the manager's residence.	No
Parking	Clauses 29(2)(e) (i) and (iii)	Within an accessible area at least 0.2 parking spaces are to be provided for each boarding room, plus no more than one space for the onsite manager.	A total of six parking spaces are provided as opposed to seven that would be required under this Policy.	No
Accommodation size (Single room)	Clause 29(2)(f)(i)	A single boarding room is to have a minimum area of 12m ² , exclusive of kitchen or bathroom facilities.	The submitted Plan of Management indicates that the rooms may cater for up to two people.	Not applicable

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Accommodation size (Double room)	Clause 29(2)(f)(i)	A double boarding room is to have a minimum area of 16m ² , exclusive of kitchen or bathroom facilities.	The submitted Plan of Management indicates that the rooms may cater for up to two people. A number of the boarding rooms have areas of less than 12m ² , exclusive of kitchen and bathroom facilities. These rooms therefore fail to satisfy the Policy's requirements for single and double boarding rooms.	No
Kitchen and bathroom facilities	Clause 29(3)	Boarding rooms may have private kitchen or bathroom facilities.	Each of the boarding rooms have private kitchens and bathrooms as opposed to communal facilities.	Yes
Section 30 – Standards for boarding houses				
	SEPP Control	Requirement	Proposal	Compliance
Communal living room	Clause 30(1)(a)	A communal living room shall be provided if there are five or more boarding rooms.	A communal living room is to be provided.	Yes
Maximum room size	Clause 30(1)(b)	No boarding room is to have an area greater than 25m ² , exclusive of kitchen or bathroom facilities.	None of the boarding rooms have an area exceeding 25m ² , exclusive of kitchen and bathroom facilities.	Yes
Occupancy	Clause 30(1)(c)	No more than two lodgers are to occupy a boarding room	The submitted Plan of Management indicates that there will be a maximum of two lodgers per boarding room	Yes
Bathroom and kitchen facilities	Clause 30(1)(d)	Adequate bathroom and kitchen facilities are to be provided for each lodger.	As permitted by Clause 29(3) of the Policy, each of the boarding rooms are to be provided with their own kitchen and bathroom.	Yes
Room for onsite manager	Clause 30(1)(e)	A room is to be provided for an onsite manager if there are 20 or more lodgers onsite.	A room for an onsite manager is to be provided.	Yes

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Commercial uses	Clause 30(1)(g)	Where the site is zoned primarily for commercial purposes, no part of the ground floor of the boarding house is to be used for residential purposes.	The subject site is zoned for industrial purposes and the provisions of this clause do not apply.	Not applicable
Bicycle and motorcycle parking	Clause 30(1)(h)	One bicycle space is to be provided for every five rooms, plus one motorcycle space for every five rooms. Based on the number of rooms, six bicycle spaces and six motorcycle spaces must be provided.	Space for the parking of six bicycles and four motorcycles is to be provided onsite. The motorcycle spaces conflict with the car spaces.	No

Although not strictly applicable, the proposed development fails to satisfy the provisions of the Affordable Rental Housing SEPP as identified above. This is seen as evidence that residents of the boarding house will be provided with a poor level of amenity. In particular it should be noted that the Affordable Rental Housing SEPP requires a minimum area of 12m² for single boarding rooms. A number of the proposed boarding rooms, which are to cater for two lodgers, fail to satisfy the minimum floor area requirements for a single boarding room.

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7(1) of SEPP No. 55 outlines a consent authority “*must not consent to the carrying out of any development on land unless:*

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose”.*

The frontal portion of the industrial building is currently vacant and documentation supplied by the Applicant indicates that the building was used for the manufacture and distribution of swimwear (including ancillary office facilities) since 1947. The Applicant has advised that the manufacturing activity only involved the cutting and sewing of material and no chemicals were used in any process on the property.

The past land uses are not identified as potential contaminating activities. However it is noted that the building contains an asbestos roof.

The proposal involves the removal of a portion of this roof and should the application be supported it is recommended that conditions are imposed requiring the full replacement of the roof. The provision of evidence from an occupational hygienist that the building is suitable for residential purposes would also be required.

Sydney Regional Environmental Planning Policy 20 – Hawkesbury – Nepean River

The subject land falls within the boundary of SREP No. 20. This Policy aims “to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context”. SREP No. 20 requires Council to assess development applications with regard to the general and specific considerations, policies and strategies set out in the Policy.

SREP No. 20 does not outline specific controls or strategies for boarding houses.

The property is located within an established industrial area and the development is not expected to significantly impact on the environment of the Hawkesbury-Nepean River.

(a) (ii) Draft Environmental Planning Instruments

Not applicable. Draft Hawkesbury Local Environmental Plan 2011 (Draft HLEP 2011) was gazetted as HLEP 2012 in September 2012.

(a) (iii) Development Control Plans

Hawkesbury Development Control Plan 2002

Part A Chapter 3 – Notification

The proposal was notified in accordance with Part A Chapter 3 of the HDCP 2002. Two submissions were received and are discussed later in this report.

Part C Chapter 2 – Car Parking and Access

Table 2.5.1 of Part C Chapter 2 of the HDCP 2002 establishes the following parking controls for boarding houses:

- One space per five beds.

Based on the boarding house consisting of a total of twenty-nine rooms, the provision of six parking spaces are required under Part C Chapter 2 of the HDCP 2002. The proposed development is to provide six spaces, which satisfies the numerical controls of the HDCP 2002.

Despite the numerical compliance, the layout and design of the car park fails to comply with AS2890.1 and may result in vehicle conflicts. An awkward car parking layout is proposed which will require a vehicle accessing the disabled space to manoeuvre between the surrounding spaces for a considerable distance to enter or exit this site.

(a) (iia) Planning Agreements

There are no planning agreements applicable to the proposed development.

(a) (iv) Matters Prescribed by the Regulations

These matters have been considered in the assessment of this application.

(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

These matters have been considered in the assessment of this development application.

The proposal involves the fitting out of an existing industrial building to provide residential accommodation. As the 'shell' of the industrial building is to be retained, the rooms of the boarding house are generally provided with limited setbacks, solar access and outlooks.

The following amenity concerns have been identified with the proposal:

- The boarding rooms will be provided with a poor outlook. In this regard it is noted that 17 of the twenty-nine rooms are not provided with an external outlook.

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- The application proposes poor areas of communal open space. The 'courtyard recreation' areas are enclosed on three sides whilst the frontal 'recreation' area adjoins a road.
- The courtyard recreation areas will be provided with poor solar access, natural ventilation and outlook. The area is unlikely to support deep soil landscaping.
- The frontal recreation area will be exposed to noise, will be afforded with limited privacy and adjoins a road, garbage storage area and car park.
- The manager's residence is not to be provided with any private open space.
- The design of the development does not optimise solar access to the boarding rooms. The majority of the boarding rooms (Rooms 2 to 3 and 10 to 25) will be provided with limited natural light on account of their location and orientation.
- The majority of the boarding rooms will not be provided with a northerly aspect and therefore will be provided with poor solar access.
- The provision of solar access to the boarding rooms and areas of communal open space has not been demonstrated. The habitable portion of boarding rooms should generally receive a minimum of 3 hours of direct sunlight between 9:00am and 3:00pm on 21 June 2013.
- The development does not achieve good cross ventilation.

For these reasons it is considered that residents of the boarding house will be provided with a poor level of amenity. It is therefore considered that the development will generate adverse environmental or social impacts on the locality as there will be:

- An increased need for heating and cooling to make the rooms comfortable;
- A reliance on offsite recreation areas as the amenity of the rooms are poor;
- A clientele that is forced to accept substandard amenities due to limited availability of alternatives.

(c) Suitability of the site for the development

These matters have been considered in the assessment of this development application.

The frontal portion of the site is located above the adopted 1-in-100 year flood level of 17.3m AHD and an acoustic report has been submitted to address the 20 to 25 ANEF Noise Contour which affects a portion of the site.

The property is located within an established industrial zone and the proposed residential use is seen to be incompatible with the surrounding industrial landuses. Industrial development may generate significant adverse impacts (such as noise and odour) for residential forms of development and on this basis the boarding house is considered unsuitable within the context of the locality.

(d) Submissions

The application was publicly exhibited in accordance with Part A Chapter 3 of the HDCP 2002 between 10 and 24 September 2012. Submissions were received from two nearby property owners. The matters raised in these submissions are detailed below in italics, followed by a response by the assessing officer:

The proposed use is incompatible with the surrounding industrial land.

Officer's comment: This matter has been discussed in the body of the report.

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The proposal should be assessed against Council's current planning controls.

Officer's comment: The HLEP 2012 contains a saving clause which requires assessment against the provisions of the HLEP 1989 where an application was submitted before the gazettal of the current Plan.

There are no other properties where residential accommodation is located within an industrial area.

Officer comment: There are examples of remnant dwelling houses and caretaker residences within industrial areas however these are relatively rare. The assessing officer is unaware of there being any other boarding houses located within industrial areas.

The development will adversely impact on the availability of street parking within the locality.

Officer's comment: The proposal satisfies the numerical parking controls of the HDCP 2002.

Internal and external referrals are discussed later in this report.

(e) The Public Interest

It is recognised that boarding houses play a key role in providing affordable accommodation within a locality. However in this instance it is considered that the proposed boarding house is inappropriately designed and located so as to provide an unacceptable standard of accommodation. Furthermore the proposal is inconsistent with the HLEP 1989's objectives for industrial land supply.

The proposal is therefore seen to be contrary to the public's interest.

Referrals

6.1 Internal

Engineering – Council's Development Engineer has advised that the carpark does not comply with AS2890.1.

Infrastructure – Council's Tradewaste Officer has advised conditions for trade waste and sewer charges would apply if the application is approved.

6.2 External

Police – The proposal was referred to Hawkesbury Local Area Command for comment. An assessment undertaken by the Police has identified a 'moderate' crime risk associated with the development.

Whilst the Applicant has failed to address the matters raised, the Police have not recommended the refusal of the application and it is acknowledged that conditions may be imposed to reduce this risk should the application be approved.

Financial Implications

Based on the supplied estimated value-of-works of \$500,000.00 a Section 94A Development Contribution of \$5,000.00 would be payable should the application be approved.

Conclusion

The application has been assessed in accordance with the provisions of the EP&A Act with all matters specified under Section 79C(1) having been taken into consideration. The proposed development will result in unacceptable landuse conflicts and boarding house residents will be provided with a poor level of amenity. The development is therefore recommended for refusal.

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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 Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 (as amended) refuse Development Application No. DA0406/12 for alterations to and the use of the premises on Lot 167 DP: 752061, known as 100 Mileham Street, South Windsor, as a boarding house for the following reasons:

1. The development will result in unacceptable landuse conflicts.
2. Residents of the boarding house will be provided with unacceptable levels of amenity.
3. The proposal is contrary to the objectives of the Hawkesbury Local Environmental Plan 1989 in that it will not result in orderly and economic development.
4. The carpark layout fails to comply with AS2890.1.

ATTACHMENTS:

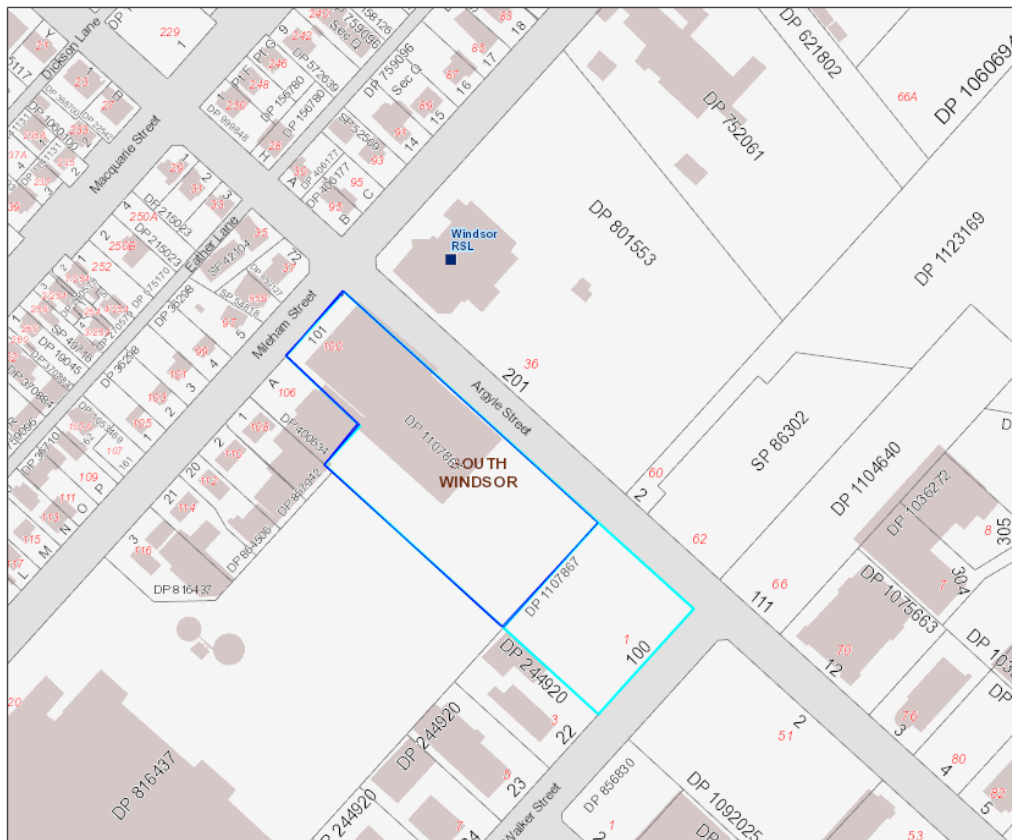
AT - 1 Locality Map

AT - 2 Plans

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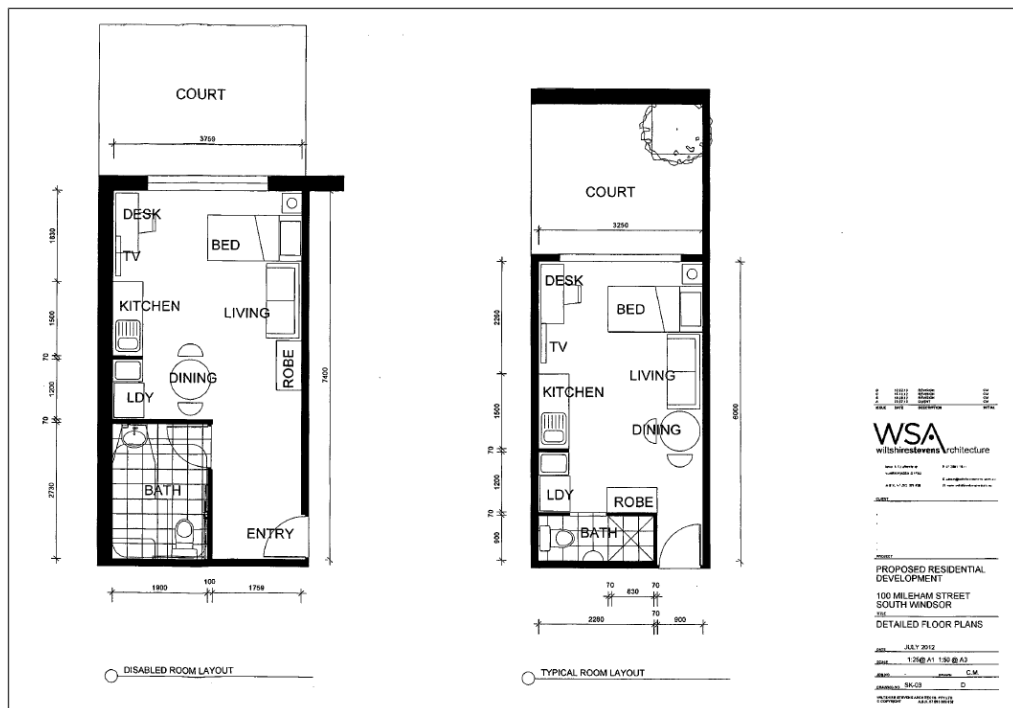
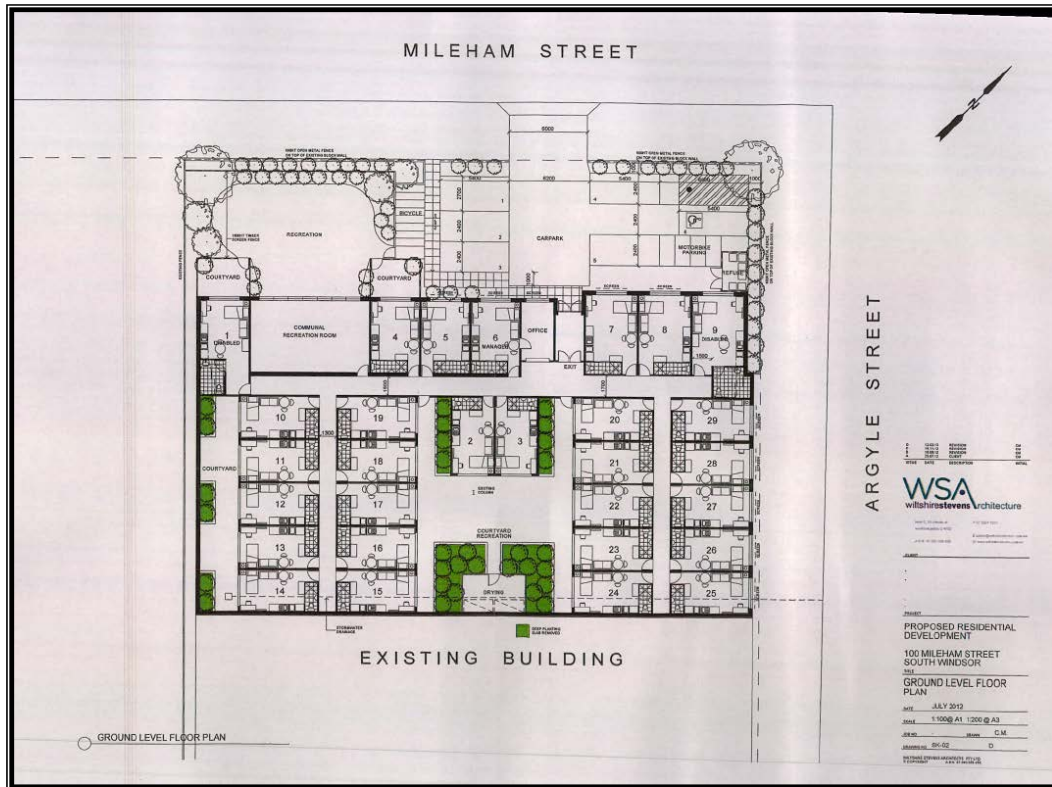
AT - 1 Locality Map



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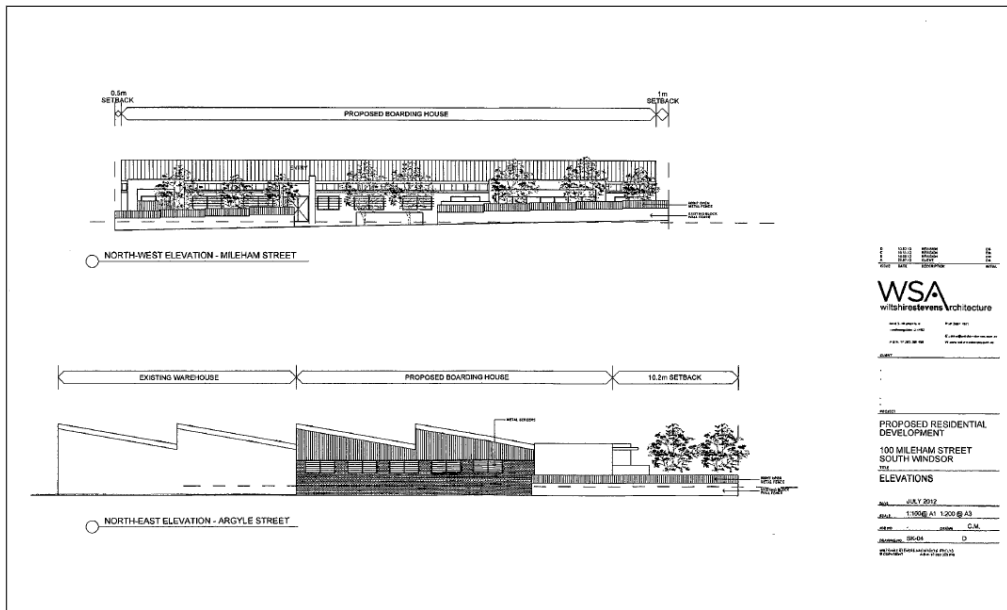
Meeting Date: 09 July 2013

AT - 2 Plans



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oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 134 IS - Proposed Projects for Grant Application - (95495)

REPORT:

Executive Summary

Grant applications are currently being accepted for funding of eligible projects under the Community Building Partnership (CBP) Program and the Regional Development Australia Fund (RDAF) Round 5. This report identifies a number of recommended projects for Council's endorsement.

Consultation

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

Background

Funding is currently available under the following programs for suitable projects in the Hawkesbury LGA.

Community Building Partnership Funding

Funding under this program is provided to councils and not-for-profit organisations for a wide range of community projects. Funding is provided, based on State electorates, with \$200,000 provided for each area.

Councils are eligible to apply for funding (one project per electorate) but are required to make a 50% funding contribution.

As this requires matching funding to be available in the current budget, projects that can be considered are generally enhancement or second stages of current projects. Recommended projects for submission are as follows:

Riverstone Electorate

Bligh Park Community Precinct - \$40,000

Development of new playground in conjunction with works funded under the Graffiti Hot-Spot Program at the Community Centre.

Londonderry Electorate

Kurrajong Village - \$30,000

Streetscape improvements including the construction of new paving, tree planting and street furniture in conjunction with Memorial Park upgrade.

Hawkesbury Electorate

Wilberforce Cemetery - \$10,000

Works to include fencing, grave markers, and entry path.
Council contribution \$10,000

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Representations have also been made from residents requesting application under this program for construction and sealing of Portland Head Road. This matter was previously considered by Council in 2008 and Council resolved to continue to seek grant funding to match the residents proposed contribution. In considering this matter, Council had regard for the overall priority of maintaining the existing sealed road network, with construction and sealing of other roads being dependent on such projects being fully funded by grants or contributions.

Council's current adopted position on this project is to continue to seek grant funding to support the offer from residents (based on the then \$300,000 contribution).

The estimated cost following a review of pavement standard is \$450,000. Council has not made financial provision for this project in its current program, however resident representatives have indicated that up to \$100,000 may be contributed should the whole project be undertaken. The Local Member has indicated that he would support an application; however this arrangement would require an additional contribution by Council of \$250,000, based on a possible grant of \$100,000 (subject to confirmation). Alternatively, a staged implementation could be undertaken where Council contributed \$100,000 and made an application for matching grant funds for 2013/2014, with resident funding being used for matching funds to complete in 2014/2015 (subject to grant). This would still require additional funding in the current budget.

An extract from the 27 May 2008 Council report relating to the sealing of Portland Head Road, and the currently adopted Priority Sealing List is attached.

Regional Development Australia Funding – Round 5

Council has been advised that Round 5 funding has been allocated to all eligible councils on a non-competitive basis. Funding is distributed proportionally in accordance with the Financial Assistance Grant formula.

Hawkesbury City Council will receive \$280,500. Contributions in cash or in-kind are required, and applications must satisfy the following criteria:

- Projects must be for the construction of new infrastructure, or the refurbishment or upgrade to existing infrastructure.
- Projects must be 'investment ready', i.e. the project must be ready to commence construction within 12 months and completed no later than 31 December 2016.
- Projects must provide community benefit, economic growth, or support the environment. Benefits may be to:
 - develop the community, i.e. projects that support or enhance social capital and regional liveability through the construction, expansion or refurbishment of community facilities, infrastructure to support housing, streetscapes and civic upgrades, or facilities to support the disadvantaged
 - support economic growth, i.e. by sustaining existing growth, enhancing productivity and innovation, supporting industry diversification and value-added activities, contributing to new investment, creating sustainable jobs, exploiting export opportunities, or facilitating workforce re-training and skills development, and/or
 - support the environment, i.e. projects that support a transition to clean energy, sewerage upgrades, efficient storage, transformation and use of water, or the effective disposal of waste.

Applications close on 22 July 2013. Council previously sought funding for the Richmond Village Technology and Cultural Precinct project (Expanded Option) in Round 4, and although shortlisted was unsuccessful. Additional funding is still required for the base project, based on the current cost plan. The project is considered eligible and is capable of meeting the grant timeframe.

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The Project will see the refurbishment and construction of extensions to the Hawkesbury Leisure and Learning Centre to create a contemporary multi-media technology, life-long learning and entertainment centre for older residents as well as multi-purpose community studio spaces for all ages. The project will augment existing community facilities to better cater for the requirements of an ageing population and respond to community demand for the continued growth of cultural and recreation opportunities with a particular focus on the visual and performing arts. Council has allocated \$1.7M to the project.

Additional funding of up to \$300,000 is required for this project and the RDAF funding would ensure the project's delivery. This project is recommended for submission based on its advanced planning status and overall community benefit.

Conformance to Community Strategic Plan

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

- A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles
- Have constructive and productive partnerships with residents, community groups and institutions

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

- Broaden the resources and funding available to our community by working with local and regional partners as well as other levels of government
- Make decisions in ways that are transparent, fair, balanced and equitable supported by appropriate resource allocations

Financial Implications

The projects identified in this report, with the exception of Portland Head Road are capable of being delivered without additional financial impact, and can be incorporated in Council's Delivery Plan.

RECOMMENDATION:

That:

1. Grant applications be made under the 2013 Community Building Partnership Program for the following projects:
 - a. Wilberforce Cemetery - \$10,000 (*Hawkesbury Electorate*),
 - b. Bligh Park Community Precinct - \$40,000 (*Riverstone Electorate*),
 - c. Kurrajong Village - \$30,000 (*Londonderry Electorate*).
2. A grant application be made under the Regional Development Australia Fund Round 5 for funding for the Richmond Village Technology and Cultural Precinct project.

ATTACHMENTS:

AT - 1 Extract from Report to Council Meeting of 27 May 2008

AT - 2 Priority Listing for Sealing Gravel Roads

AT - 1 Extract from Report to Council Meeting of 27 May 2008

“Correspondence has been received from a committee representing the residents of Portland Head Road offering to contribute an amount of \$300,000 towards the reconstruction and bitumen sealing of Portland Head Road, a distance of 2.33km, conditional that the cost will not exceed \$600,000.

Whilst this is a generous offer by the residents it will need to be considered in terms of life cycle costs for both sealed and unsealed roads and the effect on the overall capital works program.

Current expenditure on sealed roads, including general maintenance, reseals, rehabilitation and reconstruction from all sources (including roads to recovery) is \$5,109,320. This equates to an average annual figure of \$7,076 per kilometre of the sealed road network. Similarly the expenditure on unsealed roads is \$905,000, which equates to an average annual figure of \$2,957 per kilometre. The actual expenditure on each road (sealed or unsealed) will vary depending on traffic volumes, road condition and other factors. It would be fair to say that both these levels of expenditure are less than what is required to keep the overall road network at a suitable service standard. Based on the figures presented it would be reasonable to ask how further sealing of unsealed roads could be justified, however there is a community expectation that roads with larger traffic volumes be sealed to provide a satisfactory riding quality, increased safety, and environmental benefits including a reduction in dust, erosion causing siltation of water courses and amenity of residents.

In consideration of the most effective use of Council funds, recommendation to undertake sealing of unsealed roads has been made in relation to safety (sealing on approaches to intersections), shoulders adjacent to new kerb and gutter works and projects which have been fully funded from other sources (Federal funding of St Albans Road and Racecourse Road). Whilst these projects will add on average almost \$4,200 per kilometre per annum to the cost of maintaining the sealed road network it is considered that they fall into the category of safety, environment and amenity, and the fact that the fully funded projects have allowed Council funds to continue to be utilised on renewal projects. Obviously the level of funds required for maintenance for new works will be minimal in the early years and increase over time. It is accepted however that even fully funded projects will eventually have an impact on the amount of funds which will be required in the future to retain the sealed road network at a suitable standard.

In an effort to bring the sealed road network up to a suitable standard, Council has over recent years limited the amount of funds directed to sealing of unsealed roads, concentrating on the rehabilitation of the existing sealed network. This philosophy has resulted in a decrease in the percentage of roads in a failed/very poor condition from 14% in 1996 to 2% in 2001 and 2% again in 2007. At the other end of the spectrum the percentage of roads in the good/very good category increased from 56% in 1996 to 86% in 2001, when there were significant lengths of new roads being constructed as part of large subdivisions such as Bligh Park, Windsor Downs and Nepean Park (artificially inflating the good/very good category) but has dropped to 81% (5% reduction) in 2007. It is anticipated that there may be a slight improvement over time within the failed/very poor category with a decline in the very good/good category due to age, resulting in an increase in roads in 'fair' condition. These results are indicative that not enough funding is being directed to renewal works however with the additional funding being made available through the infrastructure renewal program it is anticipated that further gains may be made.

In relation to the request made by the residents of Portland Head Road, if Council were to consider accepting the offer of half funding for the works, it would be necessary to redirect \$300,000 from other projects within the works program. Such action would have an impact on other projects considered to be a priority when formulating the program. It is considered that the reconstruction and sealing of Portland Head Road could only be justified if the project was fully funded by others and then Council could undertake to carry out the ongoing maintenance, resealing, and ultimate reconstruction of the road at the end of its life.”

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AT - 2 Priority Listing for Sealing Gravel Roads

Priority Listing for Sealing Gravel Roads as at September 2012*														Score			
Rank	Road	Suburb/Locality	Length	ADT	Dwellings per km	School Bus	T/Port Route	Envir/ment Sensitivity	Tank Water	Maint'ce Freq/year	Traffic Value	Accident Injured	Stats Non Injured				
1	BRENNANS DAM / OLD STOCK ROUTE / COMMERCIAL ROADS	VINEYARD	533	1047	0.00		1.00	2.00	0.00	6.00	106.80	0.00	1.00	116.80			
2	FAIREY RD (North end to Pennudock St)	SOUTH WINDSOR	305	251	75.69	2.00	1.00		0.00	1.00	33.00	0.00	0.00	112.69			
3	OLD H'BURY ROAD (off Chapman Rd)	VINEYARD	446	241	35.87		1.00		0.00	1.00	31.80	0.00	0.00	69.67			
4	OLD EAST K'JONG ROAD (northern end)	EAST KURRAJONG	1464	150	12.98	2.00	1.00	2.00	1.00	5.00	18.70	0.00	2.00	42.88			
5	PACKER ROAD	BLAXLANDS RIDGE	3504	211	0.00		1.00		1.00	5.00	28.80	1.00	5.00	41.80			
6	ROBERTS CREEK ROAD (incl Causeway)	EAST KURRAJONG	368	213	10.05		1.00	2.00	1.00	5.00	22.30	0.00	0.00	41.35			
7	EVANS ROAD	WILBERFORCE	263	84	30.42				0.00	0.50	8.20	0.00	0.00	39.12			
8	SHEPHERDS ROAD	FREEMANS REACH	615	176	16.26				0.00	2.00	19.50	0.00	0.00	37.76			
9	STANNIX PARK ROAD (incl Bridge)	EBENEZER	576	267	3.40		1.00	2.00	1.00	2.00	28.20	0.00	0.00	37.60			
10	HANLONS ROAD (Northern End)	BILPIN	1191	97	17.83				1.00	2.00	10.70	0.00	0.00	31.33			
11	SETTLERS ROAD	CENTRAL MACDONALD	990	99	2.81	2.00	1.00	2.00	1.00	3.00	12.40	1.00	6.00	31.21			
12	UPPER COLO RD (East of Colo Heights Rd)	CENTRAL COLO	4326	162	0.07	2.00	1.00	2.00	1.00	2.00	20.60	1.00	1.00	30.67			
13	OLD EAST K'JONG ROAD (southern end)	Glossodia (inc C'way)	1851	183	5.13		1.00	2.00	1.00	5.00	18.30	0.00	0.00	30.43			
14	GREENS RD (to 5th Syd. Juniors Resort)	LOWER PORTLAND	2050	155	3.14		1.00	2.00	1.00	3.00	18.40	0.00	1.00	29.54			
15	REEDY ROAD	CATTAL	842	142	7.12		1.00		1.00	3.00	16.60	0.00	0.00	28.72			
16	MCKINNON RD (sect between Kurmond & Krahe Rd)	WILBERFORCE	384	77	11.10				1.00	3.00	13.60	0.00	0.00	28.70			
17	CROOKED LANE	NORTH RICHMOND	1165	110	10.30		1.00		1.00	1.00	12.10	0.00	3.00	28.40			
18	WARRIGAL RD (Local Rd Sect only)	KURRAJONG	277	78	14.44				1.00	1.00	11.10	0.00	0.00	27.54			
19	MOUNTAIN LAGOON RD (to last intersection with Sams Way)	MOUNTAIN LAGOON	3675	129	4.90		1.00	2.00	1.00	2.00	15.90	0.00	0.00	26.80			
20	GRANDVIEW LANE	BOWEN MOUNTAIN	751	85	11.98				1.00	3.00	10.50	0.00	0.00	26.48			
21	SARGENTS ROAD	EBENEZER	1625	104	3.69		1.00		1.00	2.00	17.30	0.00	0.00	24.99			
22	PORTLAND HEAD ROAD	EBENEZER	2330	143	3.43				1.00	3.00	16.10	1.00	0.00	24.53			
23	BRANDERS LANE	NORTH RICHMOND	588	30	15.31				1.00	0.50	7.30	0.00	0.00	24.11			
24	GEAKES ROAD (Northern End)	GLOSSODIA	448	61	11.14				1.00	2.00	8.70	1.00	0.00	23.84			
25	DOUGLAS STREET	NORTH RICHMOND	724	105	9.67				1.00	1.00	11.70	0.00	0.00	23.37			
26	TIZZANA ROAD	SACKVILLE	1550	76	3.46	2.00	1.00	2.00	1.00	2.00	11.40	0.00	0.00	22.86			
27	GARFIELD ST (SE end to Old Stock Route Rd)	OAKVILLE	570	65	15.78				0.00	0.50	6.50	0.00	0.00	22.78			
28	GODALLA ROAD	FREEMANS REACH	798	125	3.75				1.00	2.00	15.50	0.00	0.00	22.25			
29	MAHONS CK RD (to end of local road sect at no.138/140)	YARRAMUNDI	1500	123	1.33				1.00	1.00	15.40	0.00	2.00	20.73			
30	SERPENTINE LANE	BOWEN MOUNTAIN	1130	63	8.85				1.00	3.00	7.30	0.00	0.00	20.15			
31	AVONDALE ROAD	PITT TOWN	696	91	1.44		1.00	2.00	1.00	2.00	11.90	0.00	0.00	19.34			
32	LAMROCK AVENUE	GLOSSODIA	1055	100	6.64				1.00	1.50	10.00	0.00	0.00	19.14			
33	SPRINGROVE LANE	KURRAJONG HILLS	538	71	5.58				1.00	3.00	9.10	0.00	0.00	18.88			
34	CUSACK ROAD	OAKVILLE	470	71	6.38				1.00	0.50	10.70	0.00	0.00	18.58			
35	PONDEROSA DRIVE / PEAT PLACE	LOWER PORTLAND	1250	77	2.40				1.00	2.00	12.30	0.00	0.00	17.70			
36	MITCHELL PARK RD (Reedy Rd to Nat. Park)	CATTAL	761	30	7.88		1.00		1.00	2.00	3.70	0.00	0.00	15.58			

ooo END OF REPORT ooo

This list is variable and subject to change as reassessment of criteria and priorities are undertaken.

ORDINARY MEETING

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SUPPORT SERVICES

Item: 135 SS - Pecuniary Interest Returns - Designated Persons - (79337, 95496)

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 a 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.

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:

- "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 subsections (a), (b) and (c).

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

Position	Return Date	Date Lodged
Casual Parking Officer	02/04/2013	07/06/2013

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

ORDINARY MEETING

Meeting Date: 09 July 2013

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: 09 July 2013

CONFIDENTIAL REPORTS

**Item: 136 IS - Tender No 00926 - Tender for the Selective Maintenance of Roads & Drainage
- (79344) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 09 July 2013

Item: 137 **SS - Property Matter - Lease to Hawkesbury District Agricultural Association - 40 Racecourse Road, Clarendon (Lot 187 in Deposited Plan 45754) - (74207, 112106, 96596) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 09 July 2013

Item: 138 **SS - Property Matter - Assignment of Lease from Jessica L'Estrange Pty Limited to Renee Michelle Keddie and Benedetto Anthony Blefari - Shop 6 Glossodia Shopping Centre - (126146, 126147, 124570, 112106, 95496) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

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section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Audit Committee Minutes - 8 May 2013 (91369)

The meeting commenced at 4:08pm.

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

REPORT:

RESOLVED on the motion of Councillor Bob Porter and seconded by Mr Harry Khouri that the apology be accepted.

Attendance Register of Audit Committee

Member	20.2.2013	8.05.2013			
Councillor Bob Porter	✓	✓			
Councillor Paul Rasmussen	✓	A			
Councillor Mike Creed (Alternate)	N/A	N/A			
Councillor Jill Reardon (Alternate)	N/A	N/A			
Ms Ellen Hegarty	✓	✓			
Mr Harry Khouri	✓	✓			
Ms Nisha Maheshwari (Chair)	✓	✓			

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

CONFIRMATION OF MINUTES

DISCUSSION:

- Mr Khouri referred to Item 3 in relation to Delegations and asked what progress had been made. Mr Kelly advised Council is currently reviewing its website to improve user friendliness, and that finalisation of the recommendation will be approximately two months away.
- Ms Hegarty enquired if Council's Code of Conduct had been reflected as part of the review, and Ms Galea advised that this has been conducted.

ORDINARY MEETING
Reports of Committees

RESOLVED on the motion of Councillor Bob Porter and seconded by Mr Harry Khouri that the Minutes of the Audit Committee held on the 20 February 2013, be confirmed.

SECTION 3 - Reports for Determination

Item: 1 AC - Status Report - Management Responses to Audit Recommendations - April 2013 - (91369, 79351, 121470)

DISCUSSION:

- Mr Kelly circulated a late item, 'Planning Audit Recommendations Status Summary' for discussion.
- Councillor Porter referred to the number of outstanding Development Applications under Item 4, and asked what had contributed to this high volume. Mr Jackson indicated a software design issue in connection with a tick box was the cause of the problem. Mr Kelly advised the issue related to Development Applications processed during 2001/2002, and that since discovery, significant work has been done to clean the data. The backlog is expected to be cleared by July 2013.
- Ms Maheshwari enquired, going forward, if someone will conduct a physical check to ensure that Development Applications are all completed. Mr Kelly advised that a review of all planning procedures is currently underway and due to the significant number involved, will be finalised by the end of 2013. The software issue will also have been rectified.
- Mr Kelly advised that whilst Development Applications are required to be processed within 40 days in accordance with the Environmental Planning and Assessment Act 1979, they can be impacted depending on complexity. Delays are often also experienced when information has not been provided, and can take additional time to receive what has been requested.
- Mr Khouri indicated that the public think the approval process is not difficult, and indicated there should be an impact on fees for any delay. Councillor Porter enquired how many Development Applications are refused. Ms Hegarty enquired how many are quarantined (placed on-hold). Mr Jackson will investigate and provide numbers.
- Ms Hegarty referred to Item 8 Accounts Payable and the planned requirement for staff to raise Purchase Orders for all purchases (with certain exceptions). Mr Jackson advised that this is an industry standard. Ms Galea advised that raising Purchase Orders will include an approval process and will also assist Finance with improved tracking of over Budget expenditure. Managers currently report exceptions on a quarterly basis.
- Ms Maheshwari referred to Item 11 Accounts Payable and enquired if this training has been delayed. Ms Galea advised that final approval was yet to be given by MANEX of the relevant Operational Management Standard, however, a robust system for Purchase Orders and Invoice Authorisations will be in place by the commencement of the next financial year.

RECOMMENDATION TO COMMITTEE:

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

COMMITTEE RECOMMENDATION:

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

ORDINARY MEETING
Reports of Committees

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

Item: 2 AC - Procurement - (91369, 79351, 121470)

DISCUSSION:

- Mr Kelly advised that an audit of Council's Procurement process was conducted 12 to 15 months ago, and that since then, Finance has implemented a number of improvements.
- Mr Kelly advised an Operational Management Standard will be approved by MANEX shortly for the raising of purchase orders. A review has been conducted of all purchase cards, where limits have been checked and appropriate delegations reviewed. The tendering process has also been reviewed in accordance with the Department of Local Government Guidelines, issued in 2010, and the Operational Management Standard now complies with its requirements.
- Mr Khouri enquired why Council is using the Best Practice Guidelines provided by the Victorian Local Government. Mr Kelly advised the NSW Department of Local Government has not issued Guidelines. ICAC has also issued its own Guidelines.
- Mr Jackson requested that this item be deferred by the Audit Committee, as there are a couple of matters to be reviewed.

RECOMMENDATION TO COMMITTEE:

That the Internal Audit Report – Procurement be received and noted.

COMMITTEE RECOMMENDATION:

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

That the matter be deferred.

Item: 3 AC - Payroll - (91369, 79351, 121470)

DISCUSSION:

- Ms Maheshwari enquired as to whether Council's Payroll procedure is audited in conjunction with the audit process, noting the potential for financial impact on the organisation if not considered. Mr Banicevic indicated that whilst Council has good control systems in place, the annual audit does look at all Payroll procedures, as part of the audit process, in order to form an opinion, however, not in the detail that the Internal Audit would review the procedures.
- Mr Kelly indicated that the audit found that Payroll procedures are more than adequate, noting that individual procedures have been established for each step of the payroll process.
- Mr Kelly will review the Audit Plan for 2013/2014 and include an additional audit of the Payroll area.
- Ms Galea advised that a back-up system has been established to cover Payroll staff taking annual leave; a sign-off system is in place to ensure the integrity and security of the Payroll system; and exception reports established to record any changes in the payroll.

RECOMMENDATION TO COMMITTEE:

That the Internal Audit Report – Payroll be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Ellen Hegarty, seconded by Councillor Bob Porter.

That the Internal Audit Report – Payroll be received and noted.

Item: 4 AC - Investments - (91369, 79351, 121470)

DISCUSSION:

- Mr Kelly advised that Council's procedures around investments are sound and that there are no issues in that area. A report regarding Council's investment policy is prepared for Council in June of each year.
- Mr Banicevic enquired if Council budgets for its projected grants annually. Mr Jackson indicated he has the strong philosophy that Council should not budget for what it may not achieve. Council manages a conservative budget.
- Mr Banicevic indicated that some council's he considered to be in a strong position had not been given a positive report by TCorp. Mr Banicevic was of the opinion that Council may have been down graded by TCorp as there is no projected grant income included in the budget. Mr Jackson, however, advised he believed that Council received a positive report by TCorp.
- Ms Galea advised that the Budget is reviewed each time a grant is received. Mr Jackson indicated that Council had lodged some grant applications this year totalling \$4 million, however without success. Mr Mifsud advised Council budgets annually for the Financial Assistance Grant that is received from the Federal Government, however as Council received \$150,000 less this year than the previous year, an adjustment was required to the adopted budget.
- Councillor Porter indicated that if the Budget is inflated with projected grant income, Councillors may think there are additional funds available.
- Ms Galea advised that Council consults with a Financial Investment Advisor regarding its investments. The investments are currently short term and achieve reasonable rates.
- Ms Maheshwari enquired if there is a formal review of cash flows. Ms Galea advised that on each investment maturity, Council reviews its projected financial requirements for the next two months period, so that if an invoice is raised today, cash flow requirements are covered, and this includes a percentage that is liquidated.
- Mr Banicevic referred to Section 94 and enquired if Council has planned for long term projects. Ms Galea advised that Council does look at long terms rates, and also noted it also depends on the projections in the Capital Works Program, which are improving.
- Mr Jackson advised that Council has a significant investment portfolio at the present time, however would take on board the comments raised.

RECOMMENDATION TO COMMITTEE:

That the Internal Audit Report – Investments be received and noted.

COMMITTEE RECOMMENDATION:

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

That the Internal Audit Report – Investments be received and noted.

Item: 5 AC - Code of Conduct - (91369, 79351, 121470)

RECOMMENDATION TO COMMITTEE:

That the independent members of Council's Audit Committee acknowledge receipt of the Code of Conduct, and supporting documentation.

COMMITTEE RECOMMENDATION:

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

That the independent members of Council's Audit Committee acknowledge receipt of the Code of Conduct, and supporting documentation.

Item: 6 AC - Audit Committee Matters - (91369, 79351, 121470)

RECOMMENDATION TO COMMITTEE:

That the information be noted and received.

COMMITTEE RECOMMENDATION:

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

That the information be noted and received.

SECTION 4 - General Business

There was no other business discussed.

The meeting terminated at 5:14pm.

Submitted to and confirmed at the meeting of the Audit Committee held on 14 August 2013.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Local Traffic Committee - 17 June 2013 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Monday, 17 June 2013, commencing at 3.00pm.

ATTENDANCE

Present: Councillor Kim Ford (Chairman)
Mr Richard McHenery, Roads and Maritime Services
Snr Constable Romelda McInerney, NSW Police Force
Mr Phil Davies, Westbus

Apologies: Mr Bart Bassett, MP (Londonderry)
Mr Kevin Conolly, MP (Riverstone)
Mr Ray Williams, MP (Hawkesbury)
Snr Constable Debbie Byrnes, NSW Police Force
Ms Jill Lewis, NSW Taxi Council
Mr Carlos DeSousa, Hawkesbury Valley Bus Service

In Attendance: Mr C Amit, Manager, Design & Mapping Services

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Mr Richard McHenery, seconded by Snr Constable Romelda McInerney, that the minutes from the previous meeting held Monday, 13 May 2013 be confirmed.

Item 1.2 Business Arising

There was no Business Arising from the previous minutes.

SECTION 2 - Reports for Determination

Item 2.1 LTC - 17 June 2013 - Item 2.1 - Proposed removal of 1 Hour parking restriction to 90 degree parking in Moses Street, Windsor (Riverstone) - (80245)

REPORT:

Introduction:

Representations have been received requesting a review of the current 1 Hour time restriction applicable to the 90° car parking spaces in Moses Street, Windsor adjacent to McQuade Park (between Claremont Crescent and Tebbutt Street).

Discussion:

The kerb side parking in Moses Street adjacent to St Matthews Anglican does not have any time restrictions, with the 1 Hour parking restriction only applicable to the seventy eight 90° parking spaces adjacent to McQuade Park.

Generally, a 1 Hour parking restriction is imposed in areas that require increased parking turnover such as adjacent to businesses and shopping areas. The land use in this vicinity is the Park and Church. The current 1 Hour Parking restriction is applicable during the following period of 8.30am to 6.00pm Monday - Friday, and 8.30am to 12.30pm Saturday.

The removal of the time restriction will assist the Church for funeral services as well as weekly sporting events in the Park. In considering this option, community consultation was undertaken during April/May 2013 with the relevant stakeholders, which included properties in the vicinity of the parking area.

7 responses were received from the 78 mail outs. Comments received from the community consultation are summarised below:

- Support = 6:
 - Great move. 1 hour is not long enough for park activities.
 - Good idea not to have a one hour parking restriction, providing it is not used as a camping ground.
 - About time.
 - The topic was discussed by the parish council and all were in agreement that removal of the time restriction on parking would be a positive move.
- Object = 1:
 - 1 hour restriction remains in place, with special dispensation during church activities (i.e. funeral, weddings etc) or sporting events only. (this comment affectively supports the removal of the parking restrictions as the main users are the church and sporting events).

Based on the results of the community consultation it is proposed to remove the 1 Hour parking time restriction applicable to the 90° car parking spaces.

Refer to Attachment 1: Moses Street Carpark Plan, which outlines the current 90° parking layout in Moses Street, Windsor.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Snr Constable R McInerney, seconded by Mr R McHenery

Support for Recommendation: Unanimous

That the 1 Hour parking time restriction be removed, currently applicable to the seventy eight 90° car parking spaces located in Moses Street, Windsor adjacent to McQuade Park (between Claremont Crescent and Tebbutt Street).

APPENDICES:

AT - 1 Moses Street Carpark Plan

AT - 1 Moses Street Carpark Plan



Item 2.2 LTC - 17 June 2013 - Item 2.2 - St Albans Endurance Ride 2013, St Albans - (Hawkesbury) - (80245, 85005)

REPORT:

Introduction:

An application has been received from the Zone 1 Endurance Riders Inc. seeking approval (in traffic management terms) to conduct the St Albans Endurance Ride, in and around the St Albans area. The event will be held on Saturday 28 and Sunday 29, September 2013.

The event organiser has advised:

- This is an annual event which has been held for over 30 years.
- The Endurance Horse Ride is a timed event and not a race.
- The event in 2012 was called Careflight.
- As part of the event a Training Horse Ride which is non-competitive will also be undertaken.
- The event will be undertaken between 5.00am and 5.00pm each day.
- There will be approximately 120 horse riders participating.
- There will be approximately 50 spectators.
- Parking of vehicles will be predominantly on private land.
- Start and end point for the event will be at Camp Wollemi, located along Settlers Road, St Albans.
- Event Schedule:

Saturday 28, September 2013:

- Event set up, opening and registration.

Sunday 29, September 2013:

- Endurance Horse Ride: 80 kilometres (Legs 1 & 2).
- Training Horse Ride: 40 kilometres (Leg 2).
- Social Ride: 20 Kilometres.
- The Endurance Ride will have a maximum riding time of 9 hours and start at 5.00am. The Training Ride and Social Ride having a maximum riding time of 5 hours and start at 9.00am and 10.00am respectively.
- Route/Course for the Rides:

Endurance Ride: 80 Kilometres:

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- Leg 1 (40 Kilometres): Riders will start at Camp Wollemi on Settlers Road and travel along Settlers Road and left into Wrights Creek Road, travel along Wrights Creek Road before passing into private property, National Park and along the Great Northern Road, right into Shepherds Gully Road, right into Settlers Road and return back to Camp Wollemi.
- Leg 2 (40 Kilometres): Riders will start at Camp Wollemi on Settlers Road and travel along Settlers Road and left into private property and through National Park and emerging from the Blue Hill Track and travel back along Wrights Creek Road, turn right into Settlers Road and return back to Camp Wollemi.

Training Ride: 40 Kilometres:

- Leg 2 (40 Kilometres): Riders will start at Camp Wollemi on Settlers Road and travel along Settlers Road and left into private property and through National Park and emerging from the Blue Hill Track and travel back along Wrights Creek Road, turn right into Settlers Road and return back to Camp Wollemi.

Social Ride: 20 Kilometres:

- Riders will start at Camp Wollemi on Settlers Road and travel along Settlers Road and left into Wrights Creek Road, travel along Wrights Creek Road and turn around near the Blue Hill Track to travel back along Wrights Creek Road, turn right into Settlers Road and return back to Camp Wollemi.
- Road Inventory
The route/course of the ride will utilise the tracks within the Yengo National Park and private farmlands as well as the following public roads;
 - Settlers Road – Sealed and Unsealed Road
 - Wrights Creek Road - Unsealed Road
 - Shepherds Gully Road – Unformed Road.
- The event is also traversing along the Great Northern Road, which is under the care and control of the National Parks and Wildlife Service (Office of Environment and Heritage).
- Road closures are not required.
- The Bridge across Wrights Creek along Settlers Road will be used as part of the route. All riders will be instructed to walk over Wright Creek Bridge and give way to oncoming traffic.
- Warning signage shall be in place on all approaches to inform traffic of Horse and Riders ahead,
- All riders will be instructed to keep to the left hand side of the road and obey road rules,
- All riders wear bibs with reflective cloth tape stitched onto them. On the front the colour is white/silver and on the back the colour is red.
- When riding in the dark on public roads all riders are required to either wear head lights on their helmets or carry torches.
- There will be a radio communication checkpoint at the intersection of Wrights Creek Road and Settlers Road.
- All Cattle grids on Wrights Creek Road will be manned in the dark and be well marked for the second leg.

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Details of the Event Course Maps for the Endurance Horse Ride, Training Horse Ride and Social Ride 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 this event may impact minor traffic and transport systems and there is a low scale disruption to the non-event community.

The event organiser has submitted the following items in relation to the event: Attachment 5 (ECM Document No: 4409476):

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. Event Route Maps,
5. Copy of the application to the NSW Police Force.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr R McHenery, seconded by Snr Constable R McInerney.

Support for Recommendation: Unanimous

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council’s web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer 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 comply with the contents and requirements of this information which includes 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.
2. The St Albans Endurance Ride event, in and around the St Albans area, planned for Saturday 28 and Sunday 29, September 2013 by the Zone 1 Endurance Riders Inc. 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).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. 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:

- 4a. 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);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. 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;**
- 4d. 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;
- 4e. 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;**
- 4f. As the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with the associated fee, to occupy the road;
- 4g. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4h. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use of the Yengo National Park and the Great Northern Road; **a copy of this approval to be submitted to Council;**
- 4i. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4j. the event organiser is to obtain approval from the NSW Department of Primary Industries for the use of any Crown Road or Crown Land; **a copy of this approval to be submitted to Council;**

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- 4k. the event organiser is to obtain approval from the respective Land Owners for the use of their land as part of the route for the event; **a copy of this approval to be submitted to Council;**
- 4l. the event organiser is to obtain any necessary approvals from adjoining Councils; **a copy of this approval to be submitted to Council;**
- 4m. 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 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);
- 4n. 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;**
- 4o. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4p. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**
- 4q. the event organiser is to **submit** the completed " Traffic and Transport Management for Special Events – **Final Approval Application Form (Form C)**" **to Council;**

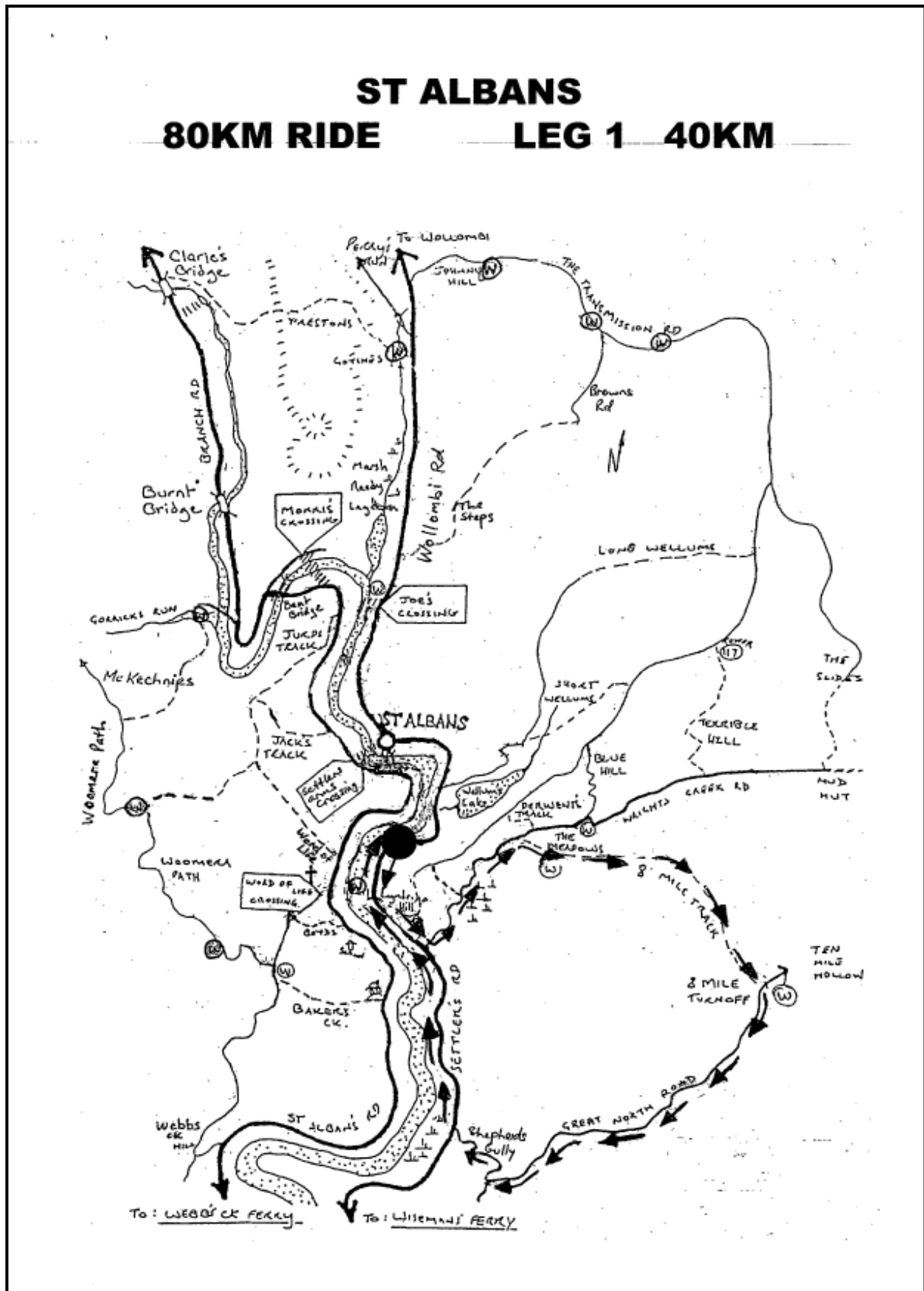
During the event:

- 4r. access is to be maintained for businesses, residents and their visitors;
- 4s. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4t. 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);
- 4u. the riders are to be made aware of and are to follow all the general road user rules whilst riding on public roads;
- 4v. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4w. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4x. 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, and,
- 4y. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

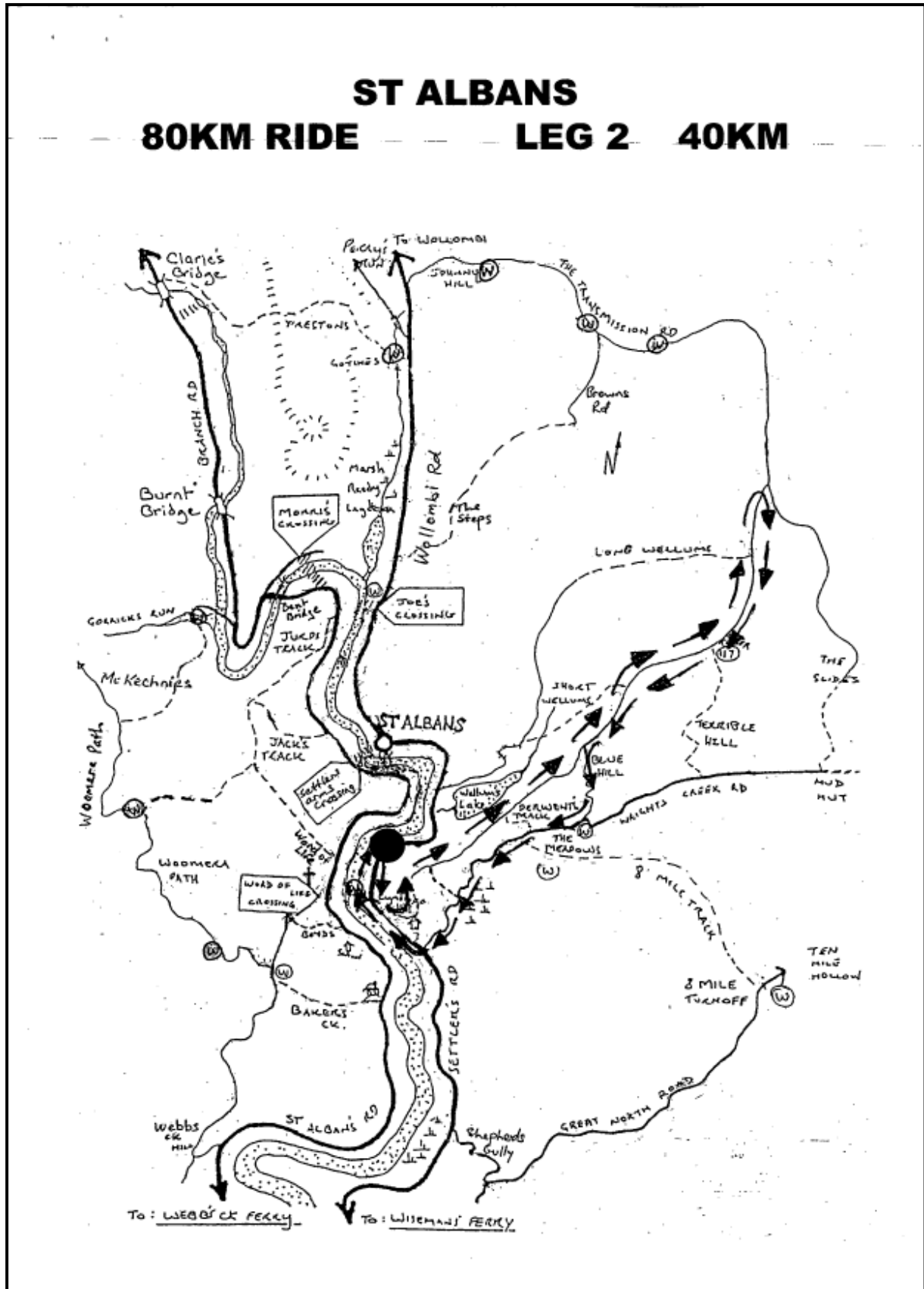
APPENDICES:

- AT – 1** Event Course Map - Endurance Horse Ride: 80 kilometres - Leg 1 (40 Kilometres).
- AT - 2** Event Course Map - Endurance Horse Ride: 80 kilometres - Leg 2 (40 kilometres).
- AT - 3** Event Course Map - Training Horse Ride: 40 kilometres.
- AT - 4** Event Course Map - Social Ride: 20 Kilometres.
- AT – 5** Special Event Application - (ECM Document No: 4409476) - (*to be distributed at the meeting.*)

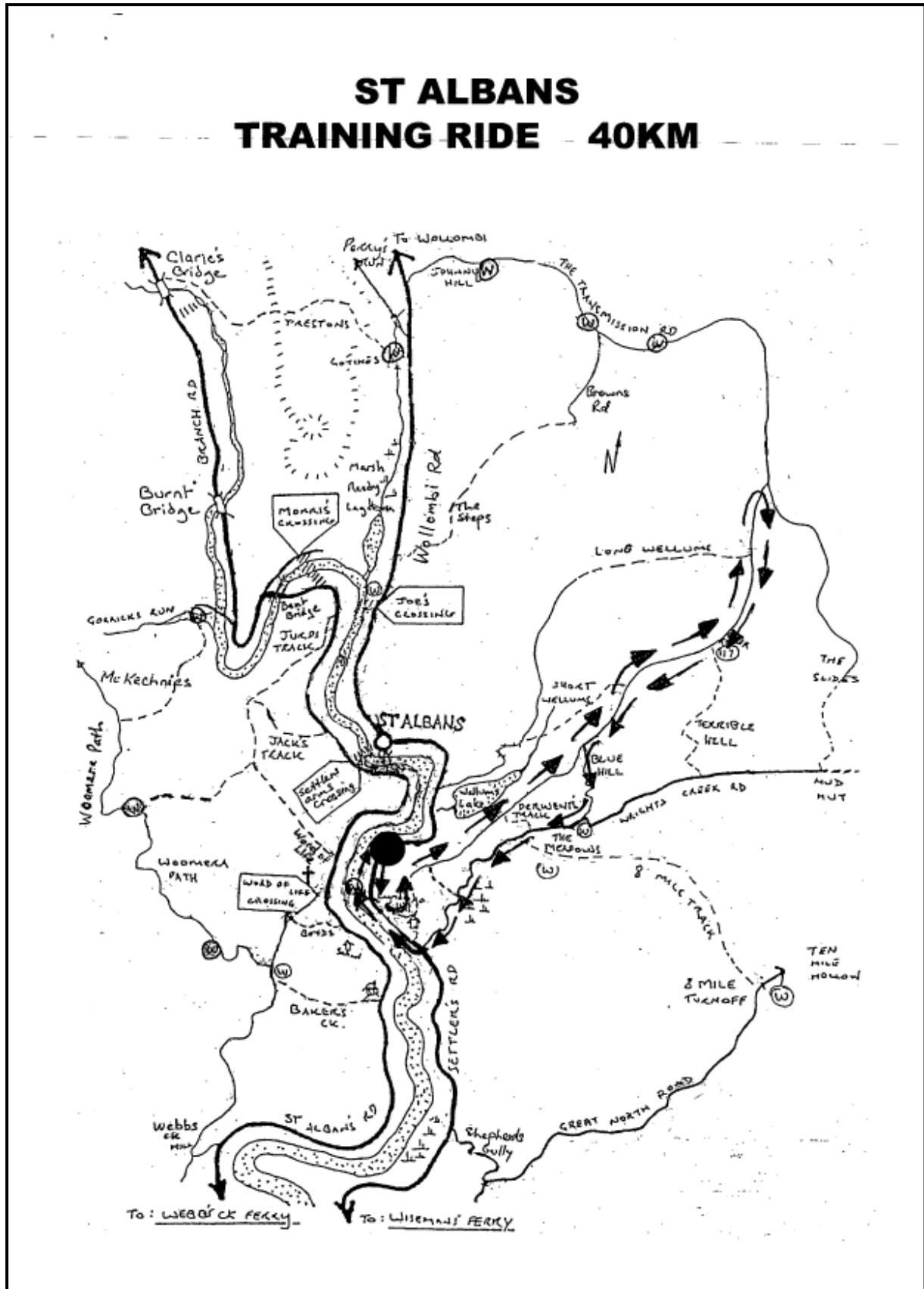
AT – 1 Event Course Map - Endurance Horse Ride: 80 kilometres - Leg 1 (40 Kilometres)



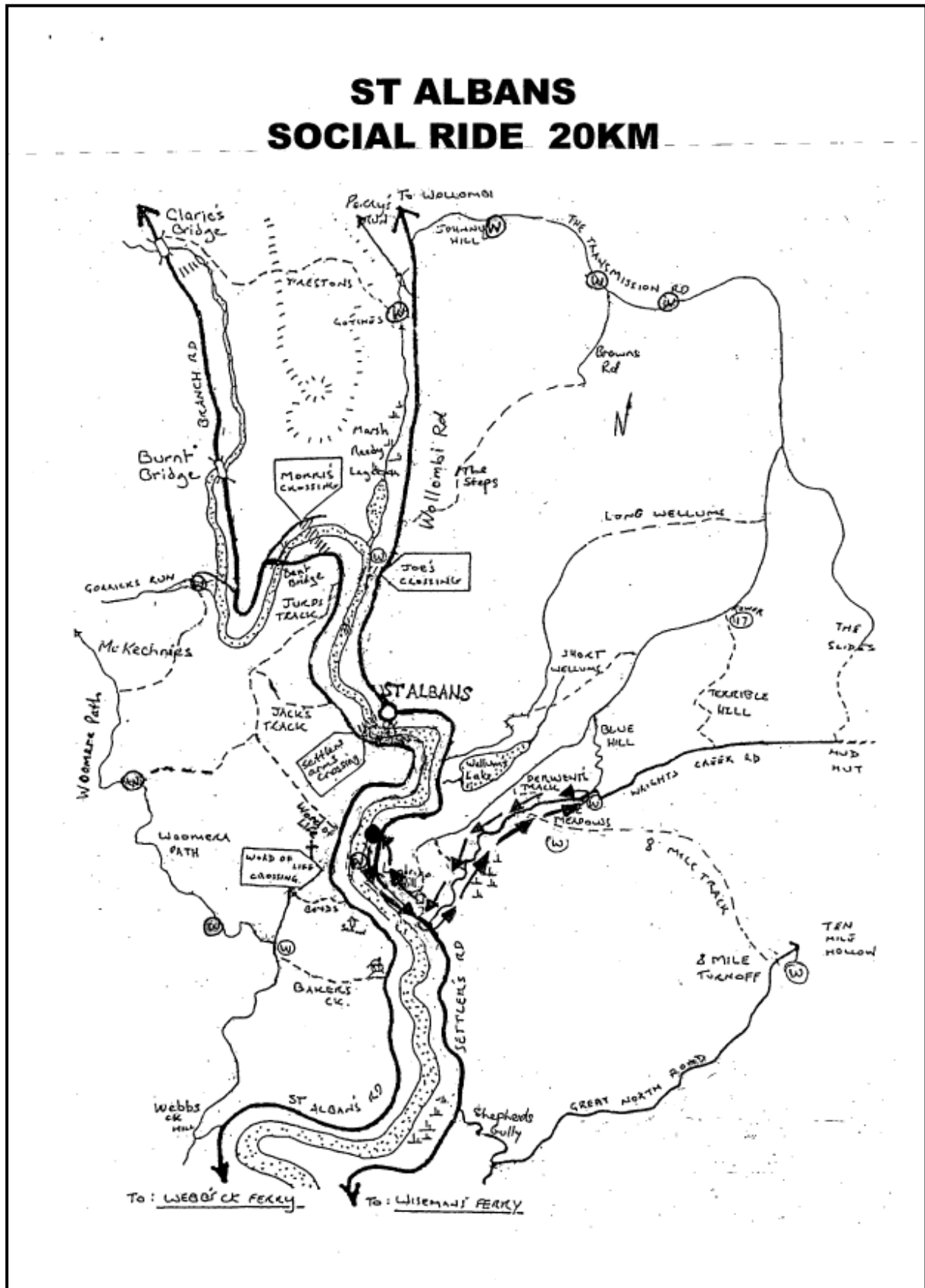
AT - 2 Event Course Map - Endurance Horse Ride: 80 kilometres - Leg 2 (40 kilometres).



AT - 3 Event Course Map - Training Horse Ride: 40 kilometres.



AT - 4 Event Course Map - Social Ride: 20 Kilometres.



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Item 2.3 LTC - 17 June 2013 - Item 2.3 - Powerboat Spectacular - Windsor 2013 - Upper Hawkesbury Power Boat Club - (Hawkesbury, Londonderry & Riverstone) - (80245, 73829)

REPORT:

Introduction

An application has been received from the Upper Hawkesbury Power Boat Club (UHPBC) seeking approval (in traffic management terms) to conduct the Powerboat Spectacular – Windsor 2013 event on Saturday, 14 and Sunday, 15 September 2013.

The event organiser has advised;

- This is an annual event which has been held for over 10 years.
- The event is a circuit power boat race (oval shape) on the Hawkesbury River, adjacent to Governor Phillip Park with various categories of boats.
- The circuit is generally along the straight section of the River between the Windsor Bridge and South Creek.
- Event Schedule:

Saturday, 14 September 2013:

- Test and Tune at Governor Phillip Park, Windsor
- Start and Finish times: 09.00am - 5:00pm.
- Set Up and Pack Down times: 8.00 am - 6:00pm

Sunday, 15 September 2013:

- Circuit power boat race (oval shape) on the Hawkesbury River, adjacent to Governor Phillip Park.
- Start and Finish times: 9.00am - 5:00pm.
- Set Up and Pack Down Times: 8.00am - 6:00pm.
- The number of competitors expected is approximately 120 for the event.
- There will be 6 boats per group competing, per race, in various categories, with up to 20 groups competing.
- Expecting approximately 2000 spectators for the event.
- Parking will be at Governor Phillip Park with additional parking available off street utilising vacant land adjacent to Governor Phillip Park.
- The effect on traffic is not expected to be significant leading to Governor Phillip Park;

Affected Streets are:

- George Street, Windsor: between Bridge Street and Palmer Street
- Arndell Street, Windsor: the full length
- Palmer Street, Windsor: the full length
- North Street/Court Street, Windsor: the full length

- Road closures are not required.

Refer to Attachment 1: Powerboat Spectacular – Windsor 2013 – Race Course Plan.

Discussion

The event will be held along the Hawkesbury River and within the Governor Phillip Park. The event and the spectators travelling to the event may impact heavily on the state road network on Windsor Road, Macquarie Street, Wilberforce Road, Bridge Street and local roads such as George Street and Court Street. 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).

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document Nos: 4415927 & 4416356):

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. Race Course Plan,
5. Copy of the application to the NSW Police Force,
6. Copies of correspondence forwarded to the NSW Police Force, NSW Ambulance Service, Windsor Fire Brigade, Richmond Fire Brigade (Fire & Rescue NSW) and SES.

Council resolved to grant the exclusive use of Governor Phillip Park for the event at its meeting on 14 May 2013.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Snr Constable R McInerney, seconded by Mr R McHenry.

Support for Recommendation: Unanimous

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council’s web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer 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 comply with the contents and requirements of this information which includes 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.
2. The Powerboat Spectacular – Windsor 2013 event planned for Saturday, 14 and Sunday, 15 September 2013, by the Upper Hawkesbury Power Boat Club 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).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.

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4. 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:

- 4a. 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);
- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. 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;**
- 4d. the event organiser **is to submit a Transport Management Plan (TMP) for the entire event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement. The 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;
- 4e. 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;**
- 4f. If the event requires traffic control on a public road, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with the associated fee, to occupy the road.
- 4g. the event organiser is to obtain the relevant approval to conduct the event along the Hawkesbury River from the Roads and Maritime Services - RMS (formerly NSW Maritime); **a copy of this approval to be submitted to Council;**
- 4h. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; **a copy of this approval to be submitted to Council;**
- 4i. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);
- 4j. the event organiser is to notify the details of the event to the NSW Rural Fire Service at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**

- 4k. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4l. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**
- 4m. 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:

- 4n. access is to be maintained for businesses, residents and their visitors;
- 4o. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4p. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4q. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4r. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4s. 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 Powerboat Spectacular - Windsor 2013 – Race Course Plan

AT - 2 Special Event Application - (ECM Document Nos: 4415927 & 4416356) - *(to be distributed at the meeting.)*

AT - 1 Powerboat Spectacular - Windsor 2013 – Race Course Plan



**Item 2.4 LTC - 17 June 2013 - Item 2.4 - Bridge to Bridge Water Ski Classic, 2013 -
(Hawkesbury, Londonderry & Riverstone) - (80245, 74204)**

REPORT:

Introduction

An application has been received from the NSW Water Ski Federation Ltd, seeking approval (in traffic management terms) to conduct the Bridge to Bridge Water Ski Classic on Saturday, 23 and Sunday, 24 November 2013.

The event organiser has advised;

- The Bridge to Bridge Water Ski Classic is an annual water ski time trial event along the Hawkesbury River extending from Dangar Island, Brooklyn to Governor Phillip Park, Windsor.
- This annual event has been held for over fifty years and is a regular feature of the local community calendar in the Hawkesbury area.

Event Schedule:

- Saturday, 23 November 2013: 7.00am – 5.00pm.
- Starting at Sackville Ski Gardens and finishing at Governor Phillip Park, Windsor.
- Sunday, 24 November 2013: 7.00am - 5.00pm.
- Starting at Danger Island Brooklyn and finishing at Governor Phillip Park, Windsor.
- The suspension of ferry services, controlled by the Roads and Maritime Services - RMS (formerly RTA) and Council, is required on Sunday 24 November 2013:
 - Wisemans Ferry (RMS): 9.00am – 10.30am and 11.30am to 1.00pm
 - Webbs Creek Ferry (RMS): 9.00am – 10.30am and 11.30am to 1.00pm
 - Lower Portland Ferry (HCC): 9.00am – 1.30pm
 - Sackville Ferry (RMS): 9.00am – 1.30pm
- The suspension of the ferry services is required for safety reasons. Emergency vehicles will be allowed access at all times. The ferries will operate in the event of an emergency and competitors will be stopped to ensure the safety of all.
- The number of participants expected is approximately 800 for the event.
- Expecting approximately 2000 spectators for the event at the finish venue in Windsor.
- Parking will be at Governor Phillip Park with additional parking available off street utilising vacant land adjacent to Governor Phillip Park.
- The effect on traffic is not expected to be significant.
- Affected Streets are;
 - George Street, Windsor: between Bridge Street and Palmer Street
 - Arndell Street, Windsor: the full length
 - Palmer Street, Windsor: the full length

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- North Street/Court Street, Windsor: the full length
- It is expected that the event will impact only marginally on traffic using Windsor Road, Bridge Street, Macquarie Street and Wilberforce Road, but historically there have been no issues with traffic in these areas.
- Road closures are not required other than the closure of the approach roads to the 4 ferries along the Hawkesbury River.
- Advance warning with VMS will be located at;
 - Windsor road north of McGraths Road,
 - Macquarie Street between Christie Street and Suffolk Street,
 - Wilberforce Road at Freemans Reach Road.

Discussion

The event organiser is seeking Council and Roads and Maritime Services - RMS (formerly RTA) approval for the suspension of the following Ferry Services on Sunday, 24 November 2013:

- | | |
|-------------------------------|----------------------------------------|
| - Wisemans Ferry (RMS): | 9.00am – 10.30am and 11.30am to 1.00pm |
| - Webbs Creek Ferry (RMS): | 9.00am – 10.30am and 11.30am to 1.00pm |
| - Lower Portland Ferry (HCC): | 9.00am – 1.30pm |
| - Sackville Ferry (RMS): | 9.00am – 1.30pm |

The total suspension of the ferries will enable a free flow of competitors across the ferry crossings. The 4 ferries will be suspended generally between 9.00am to 1.30pm with the exception of Wisemans Ferry and Webbs Creek Ferry. Due to the close proximity of these two ferries to each other and their position along the reach of the River, they can be managed in a manner that will allow for their operation between 10.30am and 11.30am.

Ferry operations are not affected on Saturday, 23 November 2013, as Wiseman Ferry, Webbs Creek Ferry, Sackville Ferry and Lower Portland Ferry are all located downstream of the Sackville Ski Gardens.

Emergency vehicles will be allowed access onto the ferries. Safety vessels with crew will be placed downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between the boat and the ferry vessel.

Lower Portland Ferry Service is under the care and control of Hawkesbury City Council. The Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry Services are the under the care and control of the Roads and Maritime Services - RMS (formerly RTA) and hence, RMS approval is to be sought directly by the event organiser for any alterations to the operation of ferry services maintained by them.

The event will be held principally along the Hawkesbury River with the event organiser requesting exclusive use of the River from the Roads and Maritime Services - RMS (formerly NSW Maritime). The spectators travelling to the event, and in particular to Governor Phillip Park, may impact heavily on the state road network along Windsor Road, Macquarie Street, Wilberforce Road and Bridge Street as well as the local roads such as George Street and Court Street. Furthermore the suspension of the Ferry services and subsequent road closures leading to the ferries (3 RMS Ferries and 1 HCC Ferry) will have an impact on the adjacent road network in the vicinity of the ferries. Suspension of the RMS ferries is affectively closing 3 State roads. 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).

The event organiser has submitted the following items in relation to the event: Attachment 1 (ECM Document No: 4406822):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,

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2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Transport Management Plan and Traffic Control Plan (TCP),
5. Risk Assessment for the event.

Council resolved to grant the exclusive use of Governor Phillip Park for the event at its meeting on 14 May 2013.

Committee Discussion relating to the Class of the Event:

Mr Richard McHenery (RMS) advised the Committee that as this is a Class 1 event, the matter will be dealt with directly by the Transport Management Centre (TMC) and not the Roads and Maritime Services (RMS). Approvals for changes to the Ferries, Road Occupancy and the like will be handled by the TMC.

Based on the advice provided by Mr Richard McHenery (RMS), Items 4e, 5d and 5e in the Recommendation will be amended by adding the reference of the Transport Management Centre (TMC). Item 5 will be amended to replace the Roads and Maritime Services (RMS) with the Transport Management Centre (TMC).

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Snr Constable R McInerney, seconded by Councillor K Ford.

Support for Recommendation: Unanimous

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer 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 comply with the contents and requirements of this information which includes 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.
2. The Bridge to Bridge Water Ski Classic 2013 event planned for Saturday 23 and Sunday 24 November 2013 by the NSW Water Ski Federation Ltd, 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).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. 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:

- 4a. 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);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site 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;
- 4c. 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;**
- 4d. the event organiser is to **obtain** approval from the Transport Management Centre – TMC as this is a "Class 1" event; **a copy of the Transport Management Centre – TMC approval to be submitted to Council;**
- 4e. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than **\$20,000,000 noting Council, the Transport Management Centre (TMC) 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;**
- 4f. As the event requires traffic control on public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with the associated fee, to occupy the road;
- 4g. the event organiser is to obtain the relevant approval to conduct the event along the Hawkesbury River from the Roads and Maritime Services - RMS (formerly NSW Maritime); **a copy of this approval to be submitted to Council;**
- 4h. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; **a copy of this approval to be submitted to Council;**
- 4i. the event organiser is to advise all adjoining Councils such as Gosford, The Hills and Hornsby of the event and in particular the suspension of the ferries and obtain any necessary approvals from these Councils; **a copy of this approval to be submitted to Council;**
- 4j. 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/ferry closures 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);
- 4k. 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;**

- 4l. 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/ferry closures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4m. 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/ferry closures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**
- 4n. 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:

- 4o. access is to be maintained for businesses, residents and their visitors;
- 4p. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4q. 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);
- 4r. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4s. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4t. 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, and,

Ferry Services

- 5. The applicant is to seek the Traffic Management Centre's (TMC) approval for the suspension of the Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry Services. There is no objection to the suspension of the Lower Portland Ferry Service on Sunday, 24 November 2013 between 9.00am and 1.30pm.

Suspension of the ferry services on Sunday 24 November 2013 as listed below:

- Wisemans Ferry (RMS): 9.00am – 10.30am and 11.30am to 1.00pm
- Webbs Creek Ferry (RMS): 9.00am – 10.30am and 11.30am to 1.00pm
- Lower Portland Ferry (HCC): 9.00am – 1.30pm
- Sackville Ferry (RMS): 9.00am – 1.30pm

is subject to the applicant complying with the following conditions, as well as any conditions imposed by the Traffic Management Centre's (TMC):

- 5a. the applicant is to contact Hawkesbury City Council's Construction and Maintenance Section and the Ferry operator, three weeks prior to the event with regard to the suspension of the Lower Portland Ferry service maintained by Hawkesbury City Council

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5b. Advertising of the proposed event is to be undertaken at the expense of the event organiser in both Sydney and Local newspapers, two weeks prior to the event, in relation to:

- traffic impact and delays,
- exclusive use of Governor Phillip Park,
- timings of suspension of ferry services,

such notice is to be incorporated in the news sections of those newspapers and to be approximately 1/8 (one-eighth) page size;

5c. signs are to be erected at the expense of the event organiser in locations indicated in the approved Transport Management Plan and Traffic Control Plan and at a size indicated in the same, on all roads leading to the ferries, as well as on each ferry, for at least two weeks prior to the event;

5d. safety precautions outlined in the TMP are to be in place at all ferry locations, such to include a boat and crew upstream and/or downstream from each ferry as applicable with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and the ferry vessel, such procedures are to be implemented to the satisfaction of the Transport Management Centre (TMC), Roads and Maritime Services - RMS (formerly RTA and NSW Maritime) and Hawkesbury City Council; and,

5e. the Transport Management Centre (TMC), Roads and Maritime Services - RMS (formerly RTA) and Council be authorised to alter ferry suspension operation times if necessary

APPENDICES:

AT - 1 Special Event Application - (ECM Document No. 4406822) - *(to be distributed at the meeting.)*

SECTION 3 - Reports for Information

There were no Reports for Information.

SECTION 4 - General Business

Item 4.1

REPORT:

Councillor Kim Ford requested an update as to when the Community Consultation will be undertaken in relation to restricting turning movements at the intersection of Kurrajong Road and Old Kurrajong Road, Richmond Lowlands.

Mr C Amit advised the Committee that the Community Consultation process is scheduled to commence prior to the end of June 2013.

COMMITTEE RECOMMENDATION:

Resolved on the motion of Councillor Kim Ford, seconded by Snr Constable R McInerney

Support for recommendation - Unanimous

That the Information be received.

Item 4.2 LTC - 17 June 2013 - Item 4.2 - Speed limit changes to Argents Road, Salters Road and Stannix Park Road, Ebenezer/Wilberforce, (Hawkesbury) - (80245, 123265)

REPORT:

Mr C Amit advised the Committee that a speed limit review has been conducted by the Roads and Maritime Services (RMS) on Argents Road, Salters Road and Stannix Park Road in the Ebenezer and Wilberforce areas (ECM 4454585).

As a result of the review, the following speed reductions will be implemented:

1. Argents Road and Salters Road, Wilberforce
 - Reduction of speed limit in Argents Road from 80 km/h to 60 km/h between Putty Road and the intersection of Salters Road.
 - The 60 km/h speed limit in Salters Road between the intersection of Argents Road and Old Sackville Road is to be retained.
 - The new signage is expected to be installed from 25 July 2013, weather permitting and VMS will be on site between 18 July and 1 August 2013.
2. Stannix Park Road, Ebenezer/Wilberforce
 - Reduction of speed limit from 80 km/h to 60 km/h for a length of 940 metres between Sackville Road and 140 metres southeast of Sargents Road, Ebenezer.
 - The 60 km/h speed limit between 140 metres southeast of Sargents Road and The Putty Road, Ebenezer is to be retained.
 - Affectively the full length of Stannix Park Road will have a speed limit of 60 km/h.
 - The new signage is expected to be installed from 8 August, weather permitting and VMS will be on site between 1 August and 15 August 2013.

COMMITTEE RECOMMENDATION:

Resolved on the motion of Snr Constable R McInerney, seconded by Mr R McHenry.

Support for recommendation - Unanimous

That the Information be received.

ORDINARY MEETING

Reports of Committees

Item 4.3 LTC - 17 June 2013 - Item 4.3 - Request to review the safety signage in Greens Road, adjacent to the South Sydney Juniors Resort, Lower Portland, (Hawkesbury) - (80245, 1506)

REPORT:

Snr Constable R McInerney advised the Committee that correspondence has been received by NSW Police, requesting that the section of Greens Road, Lower Portland in the vicinity of the South Sydney Rugby League Club Limited (South Sydney Juniors Resort) be reviewed for improvements to road safety. The Resort is located at No. 251 Green Roads, Lower Portland.

Mr C Amit advised the Committee that a review of warning and safety signs will be undertaken at this location and any upgrades to signage will be undertaken accordingly.

COMMITTEE RECOMMENDATION:

Resolved on the motion of Snr Constable R McInerney, seconded by Councillor K Ford

Support for recommendation - Unanimous

That the Information be received.

Item 4.4 LTC - 17 June 2013 - Item 4.4 - Timed left turn ban from Bridge Street into Court Street, Windsor, (Riverstone) - (80245, 123265)

Previous Item: Item 4.1, LTC (10 September 2012)

REPORT:

Mr R McHenery advised the Committee that the Road and Maritime Services (RMS) will implement a timed left turn ban prohibiting motorists turning left from Bridge Street southbound into Court Street, Windsor, during the afternoon peak period of 4pm to 6pm, Monday to Friday. A copy of the information distributed to affected householders and business operators was tabled at the meeting (ECM 4454771).

The aim of this action is to address concerns about increased traffic on local roads, largely as a result of motorists on Macquarie Street using Court Street, Arndell Street and George Street as an alternative to turning left onto Bridge Street to access Windsor Bridge. This measure will improve the traffic flow at the intersection of Bridge Street and Macquarie Street for motorists travelling towards Windsor Bridge.

RMS is planning to implement the left turn restriction on 28 June 2013.

COMMITTEE RECOMMENDATION:

Resolved on the motion of Mr R McHenery, seconded by Councillor K Ford

Support for recommendation - Unanimous

That the Information be received.

ORDINARY MEETING
Reports of Committees

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Monday, 8 July 2013 at 3.00pm in the Large Committee Room.

The meeting terminated at 4.50pm.

oooO END OF REPORT Oooo

ORDINARY MEETING**Questions for Next Meeting****QUESTIONS FOR NEXT MEETING****Councillors Questions from Previous Meetings and Responses - (79351)**

REPORT:**Questions – 25 June 2013**

#	Councillor	Question	Response
1	Reardon	Requested consideration of the provision of seating in the Richmond Park Rotunda and tables in the surrounding areas.	<p>The Director Infrastructure Services advised that no seating was placed in the rotunda initially due to regular bookings of the rotunda for music events as well as trying to restrict access to the artwork within its roof.</p> <p>No bookings were received over the past year for the use of the rotunda and thus the placement of seating could be possible. It would be recommended that the seating be able to be re-moveable if the need was warranted at a later stage. More tables could be placed in the surrounding area in accordance with the Plan of Management and subject to funding in future programs.</p>

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
2	Lyons-Buckett	Asked if there could be a re-assessment of priority for the North Richmond to Kurrajong cycle-way.	The Acting Director City Planning advised that Council engaged an external consultant to prepared the Hawkesbury Mobility Plan. The identified cycleway priorities within the Plan were based on a range of technical factors including analysis of traffic volumes, trip attractors and generators, crash data and supplemented by consultations including a high school walking and cycling questionnaire, site inspections with Bicycle User Groups, and the outcomes of previous mobility surveys. The draft Mobility Plan was placed on public exhibition and a number of submissions were received and were subsequently reported to Council. The Plan was adopted by Council in May 2010. The Plan identified 13 regional routes including the Kurrajong to Kurmond cycleway which was listed as a medium priority. The highest priorities were accorded to those regional routes linking the major town centres within the Hawkesbury – North Richmond, Richmond, Windsor, South Windsor, and Bligh Park as these routes were deemed to achieve the greatest benefits in encouraging an increase in cycling use. It is unlikely that the factors on which the priorities identified in the Plan have been based will have changed since the Plan's adoption in 2010. As the Plan has been adopted by Council, and is currently being implemented, any ad-hoc change to the work schedules would require a resolution of Council.
3	Lyons-Buckett	Asked for an update on 64 Grand View Lane, Bowen Mountain.	The Acting Director City Planning advised that an Occupation Certificate was issued on 8 May 2013 with a list of outstanding requirements. The Certificate provides a period of 120 days from occupation to comply with the outstanding requirements.

ORDINARY MEETING

Questions for Next Meeting

#	Councillor	Question	Response
4	Lyons-Buckett	Asked if a Koala Community Study could be undertaken.	<p>The Director Infrastructure Services advised that the NSW Office of Environment and Heritage maintains a publically accessible and reporting website called BioNet which allows reporting and monitoring of koala populations.</p> <p>It is considered that research is best managed by State agencies and departments with appropriate expertise, with studies and policies being available to Councils for implementation of actions. In addition to this, both UWS and the Australian Koala Foundation have ongoing koala tracking programs where public sightings can also be reported.</p>
5	Williams	Asked if an EIS had been prepared for an extension of Halpens Quarry.	The Acting Director City Planning advised that in 2011, DA0538/10 for 21A Bull Ridge Road, East Kurrajong was approved by the Joint Regional Planning Panel for the continued operation of the quarry. An EIS was considered as part of that assessment process.
6	Williams	Asked if an inspection could be undertaken at the GQ Quarry on Bull Ridge Road located 2.1km from Putty Road to ascertain if they are complying with the consent conditions.	<p>The Acting Director City Planning advised that a recent inspection of the existing quarry at 191 Bull Ridge Road, East Kurrajong was carried out by Council officers. The quarry has recently been taken over by Gosford Quarries who have been reviewing Council's files in order to determine the full extent of works undertaken by previous quarry operators and the requirements imposed by the conditions of consent. Gosford Quarries are familiar with the running of quarries, required yearly reports and rehabilitation techniques.</p> <p>Council officers have provided the new operator a period of time to respond before taking any compliance action.</p>
7	Calvert	Asked if the 'Stop' sign at the intersection of Crowleys Lane and Yarramundi Lane could be re-positioned to the dirt road as it appears to be on the wrong side of the road.	The Director Infrastructure Services advised that the priority signage was determined based on sight distance and the narrow width of Yarramundi Lane. Insufficient width exists to enable safe turning without stopping.

ORDINARY MEETING
Questions for Next Meeting

#	Councillor	Question	Response
8	Calvert	Asked if the bike path along Richmond TAFE will be restored to its previous condition.	The Director Infrastructure Services advised that RMS had been requested to ensure restoration following utility installation works.
9	Calvert	Advised that St Marys Road is subject to flooding and asked if a 'Road Closed' sign could be erected on Richmond Road so that during times of flooding residents know not to go down that road.	The Director Infrastructure Services advised that contact would be made with Blacktown and Penrith Councils to ascertain options for signage.
10	Porter	Asked what Council's stance was on removing bush rock and rock from private properties and Crown land.	The Acting Director City Planning advised that the removal of bush rock is listed as a 'key threatening process' under the Threatened Species Conservation Act 1995. Bush rock removal on private land would be subject to development consent and on Crown Land is prohibited.
11	Rasmussen	Asked what the estimate was to rate payers for cost shifting over the last five years and in particular the last two 2 years.	<p>The Director Support Services advised that Council completes a Local Government NSW Cost Shifting Survey annually which estimates Council's exposure to cost shifting from other levels of government. The estimated total costs from the Survey questions for the last five financial years are as follows:</p> <ul style="list-style-type: none"> • 2007/2008 = \$3.76 million • 2008/2009 = \$3.95 million • 2009/2010 = \$3.95 million • 2010/2011 = \$4.42 million • 2011/2012 = \$4.96 million
12	Rasmussen	Asked how much money has been allocated to Council from the State Government over the past three years to maintain Comleroy Road.	Director Infrastructure Services advised that funding was provided through the NSW Government under the Natural Disaster Recovery Program 2012/2013 in an amount of \$116,000 for repairs to the unsealed section of the road. In addition, under the Roads to Recovery Program (Federal funding), \$318,000 was expended on rehabilitation of the sealed area north of Bells Line of Road.
13	Rasmussen	Asked when works will be completed on Grose Vale and Pecks Road, North Richmond.	Director Infrastructure Services advised that the works have been completed.

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
14	Rasmussen	Requested an update on Council's Colonial Drive, Bligh Park property.	Director Support Services advised that the "Bligh Park Neighbourhood Business Precinct" of the Hawkesbury Development Control Plan was repealed on 4 July 2013. A further report will now be prepared for Council's consideration in the near future in regard to the property.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Questions for Next Meeting



ordinary
meeting

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