

ordinary meeting business paper

date of meeting: 29 May 2007 location: council chambers time: 5:00 p.m.



mission statement

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

How Council Operates

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

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

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

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

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

Public Participation

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

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

A Point of Interest

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

Website

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

Further Information

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



council chambers



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Confirmation of Minutes

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SECTION 1 - Confirmation of Minutes

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SECTION 4 - Reports for Determination

ACTING GENERAL MANAGER

Item: 88 AGM - Community Visioning Master Class, 14 - 15 June 2007, Brisbane, Queensland - (79351, 105109)

REPORT:

A Community Visioning Master Class, conducted by Community Visioning Australia, will be presented on 14 and 15 June 2007 in Brisbane, Queensland as part of the Workshop Series for 2007 "Building Sustainable Futures through Civic Engagement".

The event is being sponsored by Tract (Landscape Architects Urban Designers Town Planners) and is supported by the Planning Institute Australia (Queensland Division), LGMA (Queensland), Local Government Community Services Association of WA and the Queensland Local Government Community Services Association.

The event will provide the opportunity to understand the trends and forces shaping Australian communities and to learn about and showcase community visioning as an emerging long range planning process, together with its application within local areas.

Cost of attendance at the Master Class will be approximately \$1,900.00 per delegate.

Budget for Delegate Expenses - payments made:

•	Total Budget for Financial Year 2006/2007	\$55,593.00
•	Expenditure to date	\$19,709.00
•	Budget balance as at 21/05/07	\$35,884.00

Conformance to Strategic Plan

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

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

Funding

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

RECOMMENDATION:

That attendance of nominated Councillors and staff considered appropriate by the Acting General Manager at the Community Visioning Master Class, 14 - 15 June 2007 in Brisbane, Queensland at a cost of \$1,900 per delegate be approved.

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ATTACHMENTS:

There are no supporting documents for this report.

0000 END OF REPORT 0000

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Item: 89 AGM - Tourism Program - Future Direction - (79351, 95497, 96812, 105004)

Previous Item: 308, Ordinary (12 December 2007)

REPORT:

The purpose of this report is for Council to consider the future of its overall Tourism Program, following the termination of the Tourism Service Deed on 2 April 2007 with the contractor, Hawkesbury City Chamber of Commerce Inc (Chamber).

The contracted activities (former Tourism Services Deed) of the Tourism Program, were the operation of the Visitor Information Centre (VIC) at Clarendon and key operational marketing activities. Strategic tourism activities, like area-wide infrastructure development tasks eg. Botanist Way, grant application alliances, liaison with other Government tourism programs/ activities are undertaken by Council staff via the former Commercial Response Unit.

Since 3 April 2007, the operation of the VIC has been undertaken by Council, to ensure continuity of service, as a result of the termination of the Tourism Services Deed. This has allowed the community and customers to continue to utilise the VIC, while Council makes its decision on the future of the Tourism Program and gathers information about the role of the VIC in the market. The VIC staff previously employed by the Chamber, agreed to stay on employed on a casual basis by Council at the VIC to facilitate continuing operations during the interim period.

A separate report will be submitted to a subsequent Council meeting concerning issues related to the termination of the Tourism Services Deed.

1. Management Plan

Council needs to review its Tourism Program in light of the adopted Management Plan and Council's services and activities. The Management Plan positions the Tourism Program in the Business Development Objective reflecting its link to the local economy and businesses.

The Strategic Objective is:

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

The relevant service statement is shown in the Conformance to Strategic Plan part of the report below. The key performance indicator for the service statement is that the Tourism Program, referred to as Hawkesbury Tourism Program, be guided as a Business Multiplier Program. As a Business Multiplier program, tourism has the ability to create local community and visitor interest and expenditure in our area and regions, from which business and Council can benefit.

2. Tourism Program - Current Model and Program Focus

Council's former Tourism Program delivery model, was a partnership approach focused on operational activities where:

- Council provided/participated in strategic activities in the form of one-off projects, strategic advice to other government agencies, and contract management etc; and
- Partner supplied key operational activities, primarily being the VIC.

This approach saw the VIC as the visible and main activity of the Tourism Program. Our partner was sourced through a tender process for the (former) Tourism Services Deed (fee-for-service).

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Council also needs to consider the focus of the Tourism Program, or in other words the balance it should achieve between operational and strategic activities, to ensure the overall development of the program in line with the Business Multiplier objective. While there has been an important emphasis on the operational presence of the VIC, key strategic activities behind the scenes needs to occur to ensure the Centre evolves and strategic decisions are made to respond to the dynamic tourism industry to address market relevance ie . changing market, industry and customer behaviour.

In terms of a Tourism Program delivery model, Council needs to consider:

- (1) Whether it should continue with the current partnership approach (and explore establishing a similar deed with another contractor for the operation of the VIC and/or marketing activities).
- (2) Whether it should change the focus-balance between operational and strategic activities.
- (3) Whether it should adopt an alternative partnership or stand alone model.
- (4) Whether it should reduce its service level, in light of its Management Plan objectives and the financial constraints of the organisation.

In regard to Point (4) above, it should be noted that a reduction in service level, which might be discontinuing the provision of the VIC and marketing services, would not be a cost-neutral exercise. There would be cost savings in the order of \$170,000 pa for funds allocated for contractor charges. Ongoing costs would still be incurred via the Council positions (former Commercial Response Unit) who are continuing with strategic tourism activities, previously discussed, and pick up gap-tourism tasks and activities. It is also noted that Council owns a specific tourism website, <u>www.hawkesburytourism.com.au</u>, which it has invested in via the former tourism services deed, and it is considered that it may want to continue this activity as a minimum.

From the asset point of view, the closing of the VIC would provide another item to be included in the Property Portfolio that could potentially generate a rental income, subject to any land use and approval provisions of the Local Government Act, 1993 and the Environmental Planning and Assessment Act, 1979. Perhaps it could be used for one of Council's other program areas.

3. Tourism Program - Alternative Models and Program Focus

Alongside the current tourism program delivery model, there are other partnership approaches or a stand alone approach, where Council might like to undertake operational and strategic tourism activities by itself. All models are principally funded by a council, noting that the private sector is yet to enter this market in any great way and that the State and Federal Governments do not directly support local tourism activities. It is also noted that the level a council engages in operational and strategic tourism activities varies between councils, their locations and resources.

Outlined below in table format, are the main delivery models and their approaches available to Council. The models encompass both strategic and operational tourism activities like an area-wide strategic vision/development, product development, marketing, operating a VIC, customer and industry development etc. All models employ Council Officers to some degree.

Indicative costs for labour (including on-costs like super, annual/sick leave) where Council would operate the VIC are indicated below. Labour costs are estimated on the basis of approximately four full-time equivalents being required to operate the centre over a seven day period. This takes into account staff required for accreditation standards, OHS matters and the range of duties the centre would likely perform. It is noted that Council has significantly higher labour costs than an external service provider (partner).

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Partnership	Approach - External Service Provider for VIC only				
Model 1	Focus: Operational – VIC				
Program	Operational	onal VIC			
Activities:	-		Marketing		
	Strategic		Policy and LGA wide pro	ojects	
Parties involved:	Operational		External service provide	r	
	Strategic		Council		
Business/	Council contract with	external se	ervice provider (contractor).	
Funding	Council officers to ma	anage contr	act and strategic activities	6.	
Arrangements:					
VIC Staff:	Contractor employs				
Example:			ry City Chamber of Comr		
			ciation) contracted by 3 c	ouncils to run 4 centres.	
Comments:			he main area of activity.		
			management costs are a		
			er tasks. Deed over 3 ye	ars was for \$457,300	
	(about \$170k per annum).				
	# Eg. (b) – local tourism association works for the 3 councils, though subject to				
	annual budget processes and changing needs. Associate/council situation				
	evolved over time and suits local needs - works as a partnership.				
	# Tourism industry still requires council involvement for bigger picture activities.				
	# Model outsources <u>some</u> business setup/running costs like, insurances, labour,				
	OHS, building maintenance. # Outsourcing of any key and market visible service reduces Council's control				
	area.	nt and brar	nd/ image development ar	id quality control for	
		voloro opoti	her council running our VI	C as part of a regional	
	VIC program, along the lines of service alliance the Department of Local Government is promoting. However, it is noted that on average VIC are cost				
	centres and council would need to consider a business case.				
Setup/Running	Operational - VIC		tender quotation	Minimum \$170,000 pa.	
Costs:	Staff & Marketing			······································	
	Strategic & contract		Council Officer positions	Nil	
	management				
	TOTAL			\$170,000 (minimum)	

Partnership Model 2	Approach – External Service Provider for Marketing only Focus: Operational - VIC / Strategic/ Marketing					
Program	Operational					
Activities:		Marketing				
	Strategic Policy and LGA wide projects					
Parties involved:	Operational Council					
	Strategic Council					
	Marketing	Marketing Body				
Business/	Council funds VIC and strategic activities and manages agreement					
Funding	Council agreement with:					
Arrangements:	(a) Private marketing agency to market area; or					
	(b) Association to market area as part of a region – contribution to regional					
	marketing body.					
VIC Staff:	Council employs.					

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Example:	Nambucca Valley. U Coast brand. (b2) Blue Mountains Oberon councils & lo	rism Ltd – marketing body of Coffs H ndertakes regional marketing (broch Tourism Ltd – marketing body of Blue cal industry. Undertakes regional ma brand, advocacy & marketing plannir	ure etc) under Coffs e Mtns, Lithgow and arketing (brochure etc)	
Comments:	 # Model focuses on VIC & strategic marketing by body that can deliver a suitable product. # Option (b) popular, reflecting alliances with councils/ local industry, receptiveness to regional marketing, local knowledge/ownership of product. # Option (b) operated by a Board – councils/local industry membership, who set marketing for region. # eg. (b1) Coffs Council has taken a leadership role in its region to set up the regional marketing body. "Coffs" works for the 3 Councils as a brand. # eg. (b2) aligns with a TNSW RTO, for which State funds have helped fund a State vision for regional tourism. Endorsed by councils via Board membership. # Council could seek to join Blue Mtns Ltd to access established marketing for this region; or any other regional marketing body – interest expressed for Hawkesbury River region by councils. Hawkesbury covers a diverse product range and is part of a least two regions for marketing – Blue Mtns/ Hawkesbury River. # Enquiries with Blue Mtns Ltd indicates council membership would be based on a population pro rata base of and be about \$80k pa. # Membership with Blue Mtns Ltd, would provide access to successful brand and skills, but the Hawkesbury brand would be diluted, as brand association is with Katoomba. Not all parts of the Hawkesbury would fit the Blue Mtns brand eg. St Alban's. # Regional marketing does not negate the need for local marketing. # Blue Mtns Ltd marketing guide is already stocked at the VIC at no cost to Council. It includes Hawkesbury businesses, who have identified the guide on a individual marketing level. 			
Set Up/Running Cost:	Operational - VIC Staff	p and is a viable alternative. Council employees Based on 4 FTE	\$223,000	
	Strategic & agreement management	Existing Council Officer positions	Nil	
	Marketing	Say with Blue Mtns Ltd	\$80,000	
L	TOTAL		\$303,000	

Stand Alone Model 3	Approach – Council Provider for all Focus: Operational - VIC/ Strategic/ Marketing			
Program	Operational	VIC		
Activities:	Strategic	Policy and LGA wide projects		
		Marketing		
Parties involved:	Operational Council			
	Strategic	Council		
Business/	Council funds program from Budget, based on business plan/bid for program			
Funding	activities:			
Arrangements:	(a) non-discretionary items - to staff and open the doors; and			
	(b) discretionary items – marketing, projects.			
VIC Staff:	Council employs.			
Example:	(a) Campbelltown Council tourism program, including VIC staff & volunteers			
	(b) Hornsby Council economic development strategy – tourism staff & volunteers			
	(c) Penrith Council - Marketing Program, including VIC staff			

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Comment:	lack of ROI to memb regional marketing a building, also used b # Eg. (b) operates vi (variable experience Co-located in CWA b # Eg. (c) operates via VIC team, in a donat # Model allows Cour opportunities. This is regions.	# Model Allows Council to consider how best to apply limited funds across			
Set Up Cost:	Operational - VIC Staff Strategic Marketing	Council employees. Based on approximately 4 FTE. Existing Council Officer positions Council discretion, say budget \$25, 000 in Year 1, and seek	\$223,000 \$25,000		
	match-funding from local tourism industry TOTAL \$248,000				

Indicative other key costs associated with Council's operation of the VIC are estimated to be about \$30,000 in Year 1. These costs include compliance (building and OHS, and upgrade), IT (computers, printers, networking), office (furniture) and accreditation (VIC State program).

Costs in summary, including labour, marketing and other key costs are estimated to be in the order of:

Tourism Program - Alternative Models and likely costs					
Model	Approach	Cost			
Partnership Model 1	External Service Provider for VIC	\$170,000 +			
Partnership Model 2	External Service Provider for Marketing	\$303,000			
Stand Alone Model 3	Council Provider for all (VIC, Marketing, Strategic)	\$278,000 (\$30,000 one-off)			

4. Observations

Council has been involved in tourism for some time (early 1980's), which has mainly included the VIC as the visible operational presence. The VIC has been operated by both Council Officers and (forms of) external service providers. The VIC has been seen mainly as a promotional/ marketing activity for the area to visitors, the community and local business to varying degrees. Other VICs have increased their focus on promotion/destination development to convert marketing dollars into local economic development, in response to the increasingly sophisticated tourism market and the needs to account for service level expenditure, particularity with marketing.

While it is apparent the VIC is supported in the community, it perhaps needs to be re-focused and evolved to ensure it has continued relevance for the community, business and Council in the future.

Statistics from the VIC reveals that on any given day it has a number of walk-in and telephone enquiries from visitor, tourists, business and the community. Daily walk-ins range from on average 38 to 50 customers per day (February to April 2006/2007). Domestic visitor and tourist enquires are generated from all locations outside the LGA, with no overt trend towards enquiries from the Sydney market. The Top 5 International countries of origin in 2007 are: Canada, England, Israel, New Zealand and USA.

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Enquiries range from things to do, directions, accommodation/tour booking, retail and information about services in the area/ outside the area provided by Council and other agencies. It is apparent that the VIC undertakes more than its traditional role of a visitor information distribution point. The VIC has the potential to be evolved into a broader customer service centre with tourism as the anchor and driver for product development, with the right operator and business plan.

5. Other Matters – World Heritage Centre Funding

Council will recall that due to the estimated capital cost and projected ongoing operating cost of the Blue Mountains World Heritage Centre at Bilpin it was decided by the State Government to relocate the centre to the Mt Tomah Botanical Gardens. The move resulted in funding in an amount of \$218,000 becoming available and being offered to Council to provide a World Heritage presence within the Hawkesbury. To date discussions have been based on utilising the funding to provide an extension to the VIC and provision of World Heritage Area interpretation. The funding will be dependent on Council's decision in relation to the tourism program and in particular the future of the VIC.

Proposal

It is proposed that Council, in deciding the future direction for its tourism program, adopt the Stand Alone Model and undertake the following activities:

- (a) Operational operate the VIC, based on approximately four fulltime equivalents;
- (b) Operational coordinate a marketing strategy, with \$25,000 allocated in Year 1 to start the program off; and
- (c) Strategic continue/expand the duties/tasks of existing officers, and identify a suitable reporting officer/ management position, to co-ordinate the tourism program.

The cost estimate for (a) and (b) and the other key costs for the VIC in Year 1 would be approximately \$278,000 (\$30,000 one-off in year one).

It should be noted that the costing suggested above would be considered an estimated maximum cost basis. In an endeavour to reduce costs the option of the development of a volunteer program would be pursued. In addition, approaches could also be made to the UWS and appropriate TAFEs to facilitate interaction in the operation of the VIC with Tourism courses operated by those organisations, again providing a possible avenue to reduce costs.

Conformance to Strategic Plan

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

"Objective: Facilitate economic development and growth via strategies that build local workforce capabilities, support success through modern infrastructure and attract new investment."

Funding

Funds for the Tourism Program have been allocated in the 2007-2008 Budget under the local economic development program (contractor charges), in an amount of \$172,000. A balance of \$106,000 would need to be sourced and if this course of action was adopted by Council the additional funding required would be addressed in the report to be submitted to Council in relation to the adoption of the 2007/2008 Budget.

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RECOMMENDATION:

That:

- 1. Council meet its commitment to the Tourism Program reflected in the Management Plan by undertaking to directly operate the program by:
 - (a) Continuing with the operation of the Visitor Information Centre at Clarendon by Council resources as detailed within Model 3 outlined in the report;
 - (b) Coordinating a marketing strategy that responds to local and regional needs;
 - (c) Continuing strategic activities already reflected in existing Council Positions; and
 - (d) Developing a suitable structure within the impending organisational review to coordinate the delivery of the tourism program
- 2. The issue of additional funding required to implement this model be addressed in the report to be submitted to Council in respect of the adoption of the 2007/2008 Budget.

ATTACHMENTS:

There are no supporting documents for this report.

0000 END OF REPORT 0000

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CITY PLANNING

Item: 90 CP - Conversion of Hawkesbury Local Environmental Plan 1989 to the NSW Government's Standard LEP Template - Anomalies and Progress Report - (95498)

Previous Item: NM 1, Ordinary (24 April 2007)

REPORT:

Background

On 24 April 2007, Council considered the following Notice of Motion:

- 1. The following list of anomalies in Hawkesbury Local Environmental Plan 1989, be rectified in the template LEP and a report be provided to Council on how these and other anomalies will be resolved.
 - a) Truck depots are prohibited in the Rural Living Zone but bus depots and heliports are permissible. All such uses should be prohibited except on main arterial roads.
 - b) Self storage units are prohibited in all zones. They should be permitted in the industrial zones.
 - c) Tourist facilities are permissible in the rural and environmental protection zones, but there are no objectives in any of the zones which are relevant to tourist facilities. A suitable objective should be added to all zones where tourist facilities are permissible, eg "To encourage tourist facilities which are appropriate to the constraints of the land".
 - d) Light industry is permissible in the business 3(b) zone. This should be restricted to industrial zones only.
 - e) Windsor Leagues Club and Hawkesbury Race Club are incorrectly zoned open space.
 - f) The definition of "rural shed" should be reviewed to include all sheds within a rural zone.
 - g) The land adjoining Nepean Park (Springwood Road, Yarramundi) owned by Mrs Williams be included in the Nepean Park zone.
 - *h)* The land owned by Mr Smith in Chapel, Street Richmond be included in the adjoining residential zone, or a zoning appropriate for an aged care facility.
- 2. The report should also address whether the new "B6 Enterprise Corridor" and "RU6 Transition" zones have been considered and where they will be implemented in the template LEP.

The resolution from the 24 April 2007 meeting regarding this Notice of Motion was as follows;

"That the matters detailed in the Notice of Motion be the subject of a future report to Council in May 2007, the report to also provide an update on the progress to date, and revised timeline, for the conversion of the Hawkesbury LEP 1989 to the Standard LEP Template."

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Each of the above issues will be addressed in the following section.

Response to Issues Raised

1a) Truck depots are prohibited in the Rural Living Zone but bus depots and heliports are permissible. All such uses should be prohibited except on main arterial roads.

The issue raised relates to the appropriateness of certain land uses within the Rural Living zone. The Notice of Motion deals with truck depots, bus depots and heliports. There are however other related land uses that also need to be examined in the same context. The following table provides a comparison between similar land uses in the rural zones of HLEP 1989.

Land Use	Rural Living	Rural Village	Mixed Agriculture	Consolidated Land Holding
Airline Terminal	Permissible with consent	Prohibited	Permissible with consent	Permissible with consent
Bus Depot	Permissible with consent	Permissible with consent	Permissible with consent	Permissible with consent
Bus Station	Permissible with consent	Permissible with consent	Permissible with consent	Permissible with consent
Helipad	Permissible with consent	Permissible with consent	Permissible with consent	Permissible with consent
Heliport	Permissible with consent	Prohibited	Permissible with consent	Permissible with consent
Road Transport Terminal	Prohibited	Prohibited	Permissible with consent	Permissible with consent
Transport Terminal	Prohibited	Prohibited	Prohibited	Prohibited
Truck Depot	Prohibited	Prohibited	Permissible with consent	Prohibited

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The above mentioned land uses are defined as follows:

airline terminal means a building or place used for the assembly of passengers and goods prior to the transport of those passengers and goods either to or from an airport or an aerodrome

bus depot means a building or place used for the servicing, repair and parking of buses and other vehicles used for the purposes of a bus transport undertaking

bus station means a building or place used in a terminal for the assembly and dispersal of passengers travelling by bus

helipad means an area or place not open to public use which is authorised by the Department of Transport and which is set apart for the taking off and landing of helicopters

heliport means an area or place open to public use which is licensed by the Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters

road transport terminal means a building or place used for the principal purpose of the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and for the parking, servicing and repair of those vehicles

transport terminal means a building or place used as an airline terminal, a road transport terminal, a bus station or a bus depot

truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like

The listed land uses have the potential to detrimentally affect the amenity of residents within the Rural Living and Rural Village zones. It is recommended that to ensure consistency in planning decisions regarding land uses that all of the land uses listed above be prohibited in the equivalent of the Rural Living and Rural Village zones in the Standard Template.

It should be noted that there is a current inconsistency in the Mixed Agriculture and Consolidated Land Holding zones where transport terminals are prohibited yet the individual land uses which are included in the definition of a transport terminal are permissible (i.e. airline terminals, road transport terminals, bus stations and bus depots).

The Mixed Agriculture zone consists of land formally zoned Rural 1(a) and Rural 1(b). When HLEP 1989 was gazetted in December 1989 the land use table prohibited transport terminals in the Rural 1(a) and Rural 1(b) zone. Note this meant that all the specific land uses that make up a transport terminal were also prohibited.

The Consolidated Land Holdings zone was the former Rural 1(d) zone which was included in HLEP 1989 with the gazettal of Amendment 93 in January 1998. The land use table for Rural 1(d) prohibited transport terminals.

Amendment 110 changed the land use table to the land use matrix. During this conversion the specific land uses of airline terminal, road transport terminal, bus station and a bus depot were included in the matrix. Amendment 110 made airline terminal, bus stations, bus depots and road transport terminals permissible in all the rural zones whereas prohibited transport terminals. Review of the file for Amendment 110 fails to find any reason for this and it appears that this an anomaly. As transport terminals have always been prohibited in the Mixed Agriculture and Consolidated Land Holding zones it is recommended that the airline terminal, bus stations, bus depots and road transport terminals be made a prohibited land use in the template equivalent of the Mixed Agriculture and Consolidated Land Holding zones.

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The second part of the motion deals with making truck depots, bus depots and heliports permissible in the Rural Living zone but only on those properties having frontage to a main or arterial road. Clause 22 of HLEP 1989 is relevant in this instance in that this clause prohibits a number of traffic generating land uses such as bus depots, service stations, commercial premises and the like on main or arterial roads. The land uses of truck depot and heliport fall into the same category of land uses in Clause 22 and therefore it is not recommended that truck depots, bus depots and heliports be permissible land uses within the Rural Living zone, on those properties having frontage to a main or arterial road.

Furthermore, under Section 117 of the Environmental Planning and Assessment Act 1979 the Minister's Direction No 22 - Rural Zones states that "Draft LEPs shall retain existing zones and provisions relating to the control of traffic generating development or access on major road frontages".

b) Self storage units are prohibited in all zones. They should be permitted in the industrial zones.

There is no definition of "self storage unit" within the dictionary attached to the Standard Template Instrument. The Department of Planning have recently advised Council that where a land use is not defined in the Standard Template dictionary, a common meaning of a term (as ascertained from the Macquarie Dictionary) should be used. Unfortunately, there is no definition of "self-storage unit" in the Macquarie Dictionary. It is recommended that Council write to the Department seeking clarification and advice to resolve this issue which is not unique to the City of Hawkesbury.

c) Tourist facilities are permissible in the rural and environmental protection zones, but there are no objectives in any of the zones which are relevant to tourist facilities. A suitable objective should be added to all zones where tourist facilities are permissible, eg "To encourage tourist facilities which are appropriate to the constraints of the land".

This initiative is supported and it is recommended that the following objective be included in all zones within the Standard Template where "tourist and visitor accommodation" is a permissible land use;

"To encourage tourism related development that will not have significant adverse environmental effects or conflict with other land uses in the locality"

d) Light industry is permissible in the business 3(b) zone. This should be restricted to industrial zones only.

There is only one Business (Special) 3(b) zone in the City of Hawkesbury and it is located along Windsor Road in Mulgrave. The nearest equivalent to this zone in the Standard Template is the B7 Business Park zone.

Light industries are a mandatory permissible use in B7 Business Park zone and Council has no discretion in this regard.

e) Windsor Leagues Club and Hawkesbury Race Club are incorrectly zoned open space.

Under Hawkesbury LEP 1989 the Windsor Leagues Club is partly zoned 6(a) Open Space (Existing Recreation) and partly 6(c) Open Space (Private Recreation). The Hawkesbury Race Club is zoned 6(c) Open Space (Private Recreation).

Under the Standard Template it is proposed to zone these lands as RE2 Private Recreation. This zone is intended to cover a wide range of recreation areas and facilities on land that is privately owned or managed. This is the most appropriate zone given the choices contained in the list of standard zones contained within the Standard Template.

f) The definition of "rural shed" should be reviewed to include all sheds within a rural zone.

The definition of "rural shed" is not included in the Standard Template however the dictionary attached to the Standard Template contains a definition of "farm building" which is similar to the definition of "rural shed" in Hawkesbury LEP 1989.

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To avoid any doubt in relation to the permissibility of sheds in rural zones it is recommended that "sheds" be included in the land use table in rural zones as a permissible land use. "Sheds" are defined in the Macquarie dictionary as follows;

- "1. A slight or rough structure build for shelter, storage, etc;
- 2. A large, strongly built structure, often open at the sides or end."
- g) The land adjoining Nepean Park (Springwood Road Yarramundi) owned by Mrs Williams be included in the Nepean Park zone.

In August 2002, Council resolved not to support an amendment to Hawkesbury LEP 1989 to permit the subdivision of the subject land (Lot 3, DP 749638). Council has, over the past five or so years, consistently applied its "Our City Our Future" policy of not supporting the fragmentation of rural land. It is considered that Council would set an undesirable precedent if the subject land was incorporated into the conversion process as there would be numerous other landowners seeking "special" consideration in having their land rezoned to permit further subdivision.

h) The land owned by Mr Smith in Chapel Street Richmond be included in the adjoining residential zone, or a zoning appropriate for an aged care facility.

Aged care facilities are regulated by State Environmental Planning Policy (SEPP) - Seniors Living. Development for the purposes of seniors housing is prohibited on the subject land (Lot 5, DP 237575) because the land is zoned Environmental Protection and is therefore defined as environmentally sensitive land under the SEPP.

As in g) above, for Council to consider rezoning the land, the owner would need to follow due process and submit a formal rezoning application accompanied by an Environmental Study prepared by a suitably qualified person justifying the change in zoning. Issues such as access to the property (currently a right of way), environmental impact on adjoining SREP 20 wetlands, servicing, flooding, amenity, etc., would need to be addressed. This process must also be consistent with the rezoning criteria specified in the Department of Planning Circular PS 06-015, dated 15 June 2006.

Rezoning of this property by means of the Standard Template process is not recommended because it sets an undesirable precedent in terms of not following the established procedure for spot rezonings and the required information to justify the proposal has not been submitted.

2. The report should also address whether the new "B6 Enterprise Corridor" and "RU6 Transition" zones have been considered and where they will be implemented in the template LEP.

The "B6 Enterprise Corridor" zone has not been adopted in the conversion process because the guidelines issued by The Department of Planning indicate that this zone should be used along main roads such as those identified by The Metropolitan Strategy City of Cities: a plan for Sydney's future (NSW Government 2005). No main roads within the City of Hawkesbury are identified by the above plan and thus the zone has not been used. The "B7 Business Park" zone has similar objectives and will be used to replace the Business (Special) 3(b) zone on Windsor Road, Mulgrave.

Council officers met with Department of Planning representatives in August last year to discuss among other matters the suitability of using the "RU6 Transition" zone for lands zoned Consolidated Land Holdings under Hawkesbury LEP 1989. The Department advised in writing that:

"The transition zone is generally intended to be used in special circumstances for land that provides a transition or buffer between rural land uses (including intensive rural land uses) and other sensitive land uses such as residential, education or community uses.

The Department considers that the primary objective of HLEP 1989's Consolidated Land Holdings zone, being "to prohibit further subdivision of certain rural land otherwise than to effect a minor boundary adjustment", is not consistent with the general purpose RU6 Transition. Council is advised to consider using RU4 Rural Small Holdings as an alternative to RU6 Transition, if RU4 Rural Small Holdings is not to be used elsewhere in council's Standard LEP.'

As a result of this advice the RU6 Transition zone has not been adopted as a new zone in the conversion process.

To assist Council in understanding the tasks and likely timeframe associated with the conversion process the following indicative timetable is provided. This is considered to be a reasonable best case scenario timeframe. The timeframe may change as a result of issues which will arise out of consultation with government authorities and the public.

Task		1	[Time	eline	[r	
	Мау	June	July	Aug	Sept	Oct	Nov	Dec
Section 62 Notification Response & Review								
Prepare Section 65 Report to LEP Review Panel and report to Council								
Amend written instrument								
Complete mapping i.e. Land Application Map Land Zoning map Minimum subdivision lot size map Land Reservation Acquisition map Restriction on erection of dwelling houses Environmental Constraint Area Acid Sulfate Soils Planning Map								
Mapping - wetlands								
Heritage schedule								
Advertising draft LEP								
Reclassification report and Public meeting								
Review of submissions, amend draft LEP and report to Council.								
Prepare Section 68/69 report to Department of Planning								

It should be noted that this proposed timeline conforms with the Department of Planning timeframe for completion of March 2008.

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Conformance to Strategic Plan

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

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

Funding

There is no budget implication as funding for the conversion has been provided by the Department of Planning.

RECOMMENDATION:

That:

- 1. Land uses defined as truck depot, bus depot, heliport, bus station, helipad, airline terminal, road transport terminal, and transport terminal be prohibited in the equivalent of the Rural Living and Rural Village zones in the Standard Template
- 2. Truck depots, bus depots and heliports not be made permissible land uses on the basis of land having frontage to main or arterial roads.
- 3. Transport terminals, airline terminals, road transport terminals, bus stations and bus depots be made prohibited land uses in the equivalent of the Mixed Agriculture and Consolidated Land Holdings zone in the Standard Template.
- 4. Council write to the Department of Planning seeking clarification with respect to the definition of "self storage unit" as there is no definition in the dictionary attached to the standard template or in the Macquarie Dictionary.
- 5. The following objective be included in all zones within the Standard Template where "tourist and visitor accommodation" is a permissible land use;

"To encourage tourism related development that will not have significant adverse environmental effects or conflict with other landuses in the locality"

- 6. "Sheds" be included in the land use table in rural zones as a permissible land use.
- 7. The land adjoining Nepean Park (Springwood Road Yarramundi) owned by Mrs Williams not be included in the Nepean Park zone i.e R5 Large Lot Residential.
- 8. The land owned by Mr Smith in Chapel Street Richmond not be included in the adjoining residential zone or a zoning appropriate for an aged care facility.

ATTACHMENTS:

There are no supporting documents for this report.

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Item: 91 CP - Preparation of Land Use Strategy for Hawkesbury Local Government Area - (95498)

Previous Item: 40, Ordinary (13 March 2007)

REPORT:

At the Council's meeting of 13 March 2007 Council resolved:

"That the General Manager provide a feasibility report to Council on the development of a Hawkesbury Local Government area wide land use strategy."

It is clear that there is a need for sound strategic landuse planning to guide development decisions within the Hawkesbury. The question of feasibility to undertake this work should only relate to the timing and resourcing of the project rather than whether a Strategy should be prepared. There are a number of external factors outside the control of Council that will have a bearing on this work and it is recommended that these matters be resolved prior to progressing too far with the Strategy work.

The following report reviews the current situation regarding strategies relating to landuse, and outlines a process for updating and upgrading the strategic landuse plans of Council.

Background

A number of reports have been presented to Council in the last 10 - 15 years concerning release of land for residential development or rezoning matters.

- 1993: The "Our City Our Future" Strategy for Rural lands process commenced with a series of public meetings to discuss the community's vision for the Hawkesbury. This document was placed on public exhibition in 1995 and adopted by Council in November 1995. A formal Council Policy was also adopted to implement this document. The "Our City Our Future" document consisted of a number of broad principles and specific actions dealing with rural issues such as Agriculture, Subdivision, Environment, Infrastructure, Employment, Tourism and River.
- A Draft Hawkesbury Residential Strategy was reported to Council in November 1997 and again discussed in a report to Council in August 1998. The August 1998 report stated that:

"To date, the strategy has not been publicly exhibited, however the recommendations (and resolution) as reported in November 1997 have raised expectations of rezoning for areas identified for "immediate release".

The draft Strategy made a number of recommendations for land release in the North Richmond, North Bligh Park, Vineyard, Wilberforce and Pitt Town localities. Whilst the Draft Residential Strategy has not been formally adopted by Council, there were a number of resolutions in 2000 relating to the abovementioned areas.

Apart from the above two documents there does not appear to be any formal strategy for land use or land release in the Hawkesbury. There are only a number of separate operational resolutions of Council to look at specific areas or allotments of land for rezoning. The background of the resolutions, now approximately 8 - 10 years old, does not seem to deal adequately with the issues of supply and demand, population growth and demographics or other matters to justify investigation of any of the land parcels for rezoning. Given the age of these resolutions it is appropriate to review the lack of rigorous strategic planning in the early stages and the concentration on the operational matters (adopting release areas) may have slowed the process of land release, increasing the costs and created uncertainty in the community.

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What is a Strategy

There were a number of different definitions for Strategy found on the internet as follows:

- A broad non-specific statement of an approach to accomplishing desired goals and objectives.
- A systematic plan.
- In the broadest sense, a specific way in which something is to be done.

In this context, a land use strategy would best be defined as a systematic plan, setting out goals and objectives to assist in the allocation and location of resources. The term "resources" is used in its broadest sense and relates to infrastructure, land, and other industrial, commercial and cultural resources, i.e, all aspects of land use. This means that a landuse strategy is distinctively different to an industrial, rural or residential land release strategy that simply identifies land suitable for investigation for release for urban or rural development.

A Strategy should be a long-term planning tool that will investigate and determine a series of scenarios, or tests, that can be applied in a consistent manner when assessing land suitability for release for development or conservation. These tests should be based on up to date data on population growth, demographics and the real, rather than perceived, need for land to be developed or conserved.

Traditionally many, if not all, Councils have based strategies for land release around certain parcels or areas of land and written the strategy to justify the release of that land rather than determine, based on hard population, economic and environmental facts, what land is required for particular uses and in what location.

Strategic planning (in the broadest sense) is the platform that the State Government is applying to many of it's reforms, including Planning Reform.

Preparation of a LGA wide Strategy

A Hawkesbury Local Government area wide land use strategy would generally involve the following tasks:

- Survey community to ascertain community vision (currently underway),
- Review of existing land supply in relation to residential, commercial, industrial and rural landuses,
- Update population statistics from 2006 census (due August/September 2007)
- Review projected growth figures in the context of a long-term planning framework (20-25 years),
- Review impacts that Metro Strategy and Sub-regional Strategy (draft expected June/July 2007) will have on the Hawkesbury,
- Based on the above information, review the need for separate Strategies for Residential, Employment (including retail, industrial and commercial) and rural landuses,
- Prepare (if required) separate Strategies for residential, employment and rural landuse. These Strategies must be consistent with the Strategies of the State Government,
- Prepare document for public exhibition that will integrate the above strategies and clearly articulates the process for the implementation of the strategies,
- Publicly exhibit the Strategies to obtain community and servicing authority support,
- Council adopt the Strategy/s to provide certainty for landowners and the development industry and set a clear direction for implementation.
- Council's final adopted Strategies to be sent to the Department of Planning for endorsement.

The above process is a much simplified version of the process for Strategy preparation. Prior to preparation of a LGA landuse Strategy, separate Strategies that deal with growth in residential, employment and rural landuses are usually required. The LGA Strategy will then provide the framework that will coordinate the implementation of those separate documents in an integrated manner, including how to implement those strategies into Councils LEP, DCP, Policy documents and into the general operational activities of Council. The overarching Strategy should also form an integral part of Council's corporate Strategy.

The above process must be completed prior to any future proposals for rezoning land for development.

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Why prepare a Strategy

Legislative requirement

In order for Council to properly implement the objects of the Environmental Planning and Assessment Act, 1979, as per the following;

- a. to encourage:
 - i. the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
 - *ii.* the promotion and co-ordination of the orderly and economic use and development of land,
 - iii. the protection, provision and co-ordination of communication and utility services,
 - iv. the provision of land for public purposes,
 - v. the provision and co-ordination of community services and facilities, and
 - vi. the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
 - vii. ecologically sustainable development, and
 - viii. the provision and maintenance of affordable housing, and
- b. to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- c. to provide increased opportunity for public involvement and participation in environmental planning and assessment.

There are also a range of Section 117 Directions and the rezoning criteria contained in the Planning Circular PS 06-015, that refer to land being included in a *"strategy prepared by the council and approved by the Director-General"*.

- Need to set clear direction to landowners and the community regarding what land is identified for conservation and development.
- Implement Council's Policies within Strategies, LEP and DCP.
- Reduce delays in planning and development decisions by providing certainty to investors and applicants as to what land is available.
- Clear Strategies and Policies also give the assessing officer and the community certainty as to the process of assessment of applications and make the process more transparent.
- Increasing need to focus resources towards all forms of strategic planning.
- Need to match planned population growth with employment growth.

Proposed action

It is clear that there is a pressing need for strategic planning in all areas of Council's operations. The preparation of a landuse strategy, as outlined above, must be rigorous to ensure that the proposed outcomes are justified, feasible and economically achievable for Council, landowners and the general community. It is also clear the entire process is lengthy and parts will be costly. The strategic landuse planning program needs to focus on three key projects;

1. Conversion of the Hawkesbury LEP 1989 into the Standard LEP format.

This process has already commenced and the progress of this project is the subject of a separate report to Council on this agenda. This matter must be completed as a matter of priority as Council has been given a timeframe by the Department of Planning to complete the project by March 2008. Planning reform funding for this project is also tied to this timeframe.

2. Preparation of a Strategic Landuse plan.

This plan would identify preferred land uses and facilitate an environmental study for a major amendment (if required) to the (converted) LEP. This would need to include separate residential,

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employment and rural strategies. These individual strategies may need to be undertaken, in the short term, on a shorter timeframe due to the need to resolve development, employment and perceived land supply shortages.

3. Revise Hawkesbury DCP to respond to the converted LEP.

Conversion of the LEP into the standard format will result in the need to review the DCP provisions, particularly when references to LEP zones are used, to make them consistent to the standard LEP. Regular, ongoing review of the DCP should also be undertaken as a matter of good practice.

With the exception of the LEP conversion work, the timing of the abovementioned projects can be flexible. Funding and budget constraints will also have a significant bearing on the timing of much of this work. It should be noted that some parts of the projects can be undertaken concurrently. However, some parts are dependant on the completion of others prior to proceeding. This is particularly the case in relation to State Policy (eg, Sub-Regional Plan) where there is little point in Council spending resources (money and staff time) on strategic planning that is not likely to be supported by the Department of Planning.

Whilst it is proposed to focus resources on the completion of the LEP conversion, it is also proposed to commence collection of background data for the preparation of employment and residential strategies for the Hawkesbury. Although there is no formal budget for this work, much of this background work can proceed using existing resources by reorganisation of some existing operational priorities. It is not recommended that Council process or proceed with any new rezoning proposals until completion of the Sub-Regional strategy and Councils strategy work has progressed sufficiently to determine the merits of those applications. The exception to this would be if the proposal is fully consistent with the Department of Planning spot rezoning criteria as set out in the Planning Circular PS 06-015, dated 15 June 2006.

Council has previously resolved, October 2006, to enter into a Deed of Agreement, for funding, with the Buildev Group to carry out a study of suitable employment lands in the Local Government Area. It is recommended that this work commence immediately. The priorities for additional strategy work are not recommended to be set until the Department of Planning has finalised the Sub-Regional Strategy and an assessment of the existing land supply is undertaken to determine supply and demand forecasts. This will then guide where Council should focus work.

Conformance to Strategic Plan

The preparation of a Landuse Strategy would be considered as an integral part of Council's Strategic Plan. The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

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

Funding

The preparation of any Strategy will require a significant amount of staff resources as well as requiring a multitude of specialist input (money). At the moment there is no specific budget allocation for the preparation of a Local Government Area wide Landuse Strategy. A number of current operations within the City Planning Division will have some input into the process, particularly in the gathering of background data phase using data from the Social Plan, previous Community Profiles, community survey currently being undertaken, etc. However, the preparation of Strategies will require a significant additional input of money and staff resources.

The cost to prepare a LGA wide landuse Strategy would usually be in excess of \$100,000. This would be made up of various smaller strategies such as residential, employment land, rural land, etc. To rezone large areas of land for urban release or conservation would then require the preparation of Environmental Studies which would vary in cost from \$50,000 to in excess of \$250,000 depending on the location, proposed use and size of the area.

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There may be some scope for grant funding for strategy work from the Department of Planning via the Planning Reform program. However, to qualify for this Council would be required to meet current deadlines for existing funded work (LEP conversion) and also show a commitment to the strategic planning process. Possible funding for Environmental Studies for land release areas may be provided through coordination of landowners, subject to strict controls of the integrity of the process through Council control of the brief and/or consultants undertaking the work.

RECOMMENDATION:

That:

- 1. The process and prioritisation for LEP and strategy preparation contained in this report be endorsed.
- 2. Council note that it is proposed to proceed with the offer previously accepted from Buildev Group for an employment lands study as soon as practically possible.
- 3. Upon release of the Sub-Regional Strategy for North-West Sydney, the implications of the Strategy on the Hawkesbury be reported to Council.

ATTACHMENTS:

There are no supporting documents for this report.

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Item: 92 CP - Rural Shed, Lot 25 DP192412, 193 Crooked Lane, North Richmond NSW 2754 - (DA1020/06, 103511, 104622, 95498)

Development Information

Applicant: Owner: Stat. Provisions:	Des Durieu Mrs R M Jones Hawkesbury Local Environmental Plan 1989 Hawkesbury Development Control Plan
Area:	14.560 H
Zone:	Mixed Agriculture
Advertising: Date Received:	Mixed Agriculture under Hawkesbury Local Environmental Plan 1989 8/03/2007 to 22/03/2007 - No submissions received 21/12/2006
Key Issues:	 Permissibility Compliance with Hawkesbury Development Control Plan Visual Impact

Recommendation: Refusal

REPORT:

Introduction

An application has been received seeking consent for the erection of a rural shed on Lot 25 DP 192412, 193 Crooked Lane, North Richmond.

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

Background

21.12.2006	Application received
17.01.2007	Letter to applicant advising of non support of the application
21.02.2007	Meeting between owner and Council to discuss proposal
22.02.2007	Letter from applicants consultant providing additional information
06.03.2007	Application notified until 22 March 2007.
10.04.2007	Letter to the applicant and owner advising that Council officers do not support the proposal and giving opportunity for the application to be withdrawn.
17.04.2007	Meeting between owner and Council to discuss reduction in size of shed, and non- compliance with Hawkesbury Development Control Plan in respect to cut and fill, slope.
24.04.2007	Letter from owner to General Manager/Director City Planning
26.04.2007	Letter from owners solicitors
02.05.2007	Reply to solicitors letter

At a meeting on 17 April 2007 the following was discussed with Mr and Mrs Jones (owners):

- The size of the shed (450m²) and the justification for the size
- Non compliance with Hawkesbury Development control Plan Rural Sheds Chapter in respect to slope of the land and cut and fill.

During the meeting Mr Jones advised that he would be prepared to reduce the shed by 1 bay (6m) to 24m by $15m (360m^2)$.
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Council officers recommended a reduction of 2 bays (12m) to 18m by 15m (270m²).

Mr Jones was advised that a reduction in the size of the shed may resolve the non-compliances in respect to the cut and fill, and slope requirements of the Development Control Plan. Mr Jones was advised that consideration would be given to the reduction of the shed by 1 bay and that he would be contacted with an answer by the end of the day.

Council officers proposed a reduction in length of 1 bay and a reduction in the width of 2m, resulting in a size of 312m² and dimensions of 24m by 13m. The reduction in width would reduce the amount of cut and fill required, and enable a balance of cut and fill consistent with the requirements of the Development Control Plan. This was not accepted by Mr Jones who proposed a reduction of 1 bay with no further compromise.

No amended plans or details have been received in this respect.

The letter from the owner, dated 24 April 2007, "ask for the development application to be approved in its original format."

This report is assessed on the basis of the information received with the application, i.e. a 450m² shed with dimensions of 30m by 15m.

The Proposal

The application seeks approval for the erection of a rural shed on the subject land. The shed will have a size of approximately 450m², having rectangular dimensions of 30m by 15m.

The shed will have a total height of 5m.

The shed is to be used for the storage of two trucks, building materials, hay and will include 4 stables. A portion of the building will be used as a workshop area.

The shed will be constructed of steel on a concrete slab, and will be 'wilderness' (walls and roof), 'dune or wilderness' (roller doors, doors and window) in colour.

Statutory Situation

a) the provisions of:

i) any environmental planning instrument (ie LEPs, REPs & SEPPs)

The relevant environmental planning instruments are:

Hawkesbury Local Environmental Plan 1989 (HLEP 1989)

General Provisions of HLEP 1989

Clause 2 - Aims, objectives etc,

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

Clause 5 - Definitions

The Statement of Environmental Effects describes the proposal:

"The proposal consists of erecting a shed to house building materials, tools, building equipment and farm equipment. The owner of the land is a licensed builder and wished to use the shed to store his equipment when not being used off-site."

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Based on this information, it is considered that the proposed activity is best defined as 'commercial premises'.

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

The applicant was advised of this definition.

In response, additional information was provided arguing that the proposal is defined as 'rural shed' under Clause 5 of the Hawkesbury Local Environmental Plan 1989:

'Rural shed' means "a building or structure used for the storage of the property of the occupiers of the subject land or property associated with an agricultural use or other permissible land use conducted on the same parcel of land, but does not include a building or structure elsewhere specifically defined in this clause or a building or structure used for a purposes elsewhere specifically defined in the clause."

"The proposal is not considered to be "commercial premises" as the term "commercial premises" is not contained in Clause 5 of Hawkesbury LEP 1989 and cannot be used to override the definition of "rural shed". Notwithstanding this observation, the proposal complies with the definition of "rural shed."

Definitions adopted for use in the LEP are contained in Clause 5 and Clause 6. The 'commercial premises' definition is a 'model provisions' definition which is adopted under Clause 6 of the Local Environmental Plan. A Local Environmental Plan applies in its entirety, and no clause can be interpreted in isolation. A development proposal is defined by the proposed or existing use of the development. In order to undertake this definition of use the landuse definition/s within the Local Environmental Plan which best fits the proposal is used.

The response from the applicant's representative also provided additional details in relation to the use:

"In this case the applicant will be using the shed to house livestock (horses), feed, some building materials associated with the owner's occupation as a builder and a workshop area to be used for tasks associated with running the 14.56 hectare property as a hobby farm. Dwg No. 312/02 is attached and shows how the space in the shed will be utilised."

The submitted floor plan indicates how the area of the proposed shed is to be utilised, including areas for building material storage, workshop and storage of building tools, shower, truck parking, stables, feed stalls and hay storage area. It is considered that the building material storage areas, the truck parking and corridor area, and workshop and building tools storage area are associated with the owners building business. This use occupies a substantial proportion of the floor area of the shed.

It is considered that whilst part of the shed will be used for agricultural storage, a substantial portion of this proposal is best defined as 'commercial premises' (storage of building materials to be used off site). This matter was discussed with the property owner and forms the basis of the staff concern with the size of the proposed shed.

Clause 8 - Zones indicated on the map

The subject land is zoned Mixed Agriculture.

Clause 9 - Carrying out of Development

'Commercial premises' are prohibited within the Mixed Agriculture zone.

Clause 9A states that consent shall not be granted for a development unless, in the opinion of Council, the carrying out of the development is consistent with the objectives of the zone.

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The objectives of the Mixed Agriculture zone are:

(a) to encourage existing sustainable agricultural activities;

Comment:

At present the property is not being used for agricultural purposes.

(b) to ensure that development does not create or contribute to rural land use conflicts;

Comment:

The proposed development has the potential to create land use conflicts between the rural residential use of adjoining properties and the business component carried out within the proposed shed.

(c) to encourage agricultural activities that do not rely on highly fertile land;

Comment:

The proposed development is not considered to be inconsistent with this objective.

(d) to prevent fragmentation of agricultural land;

Comment:

The proposed development will not result in the fragmentation of agricultural land.

- (e) to ensure that agricultural activities occur in a manner:
 - a. that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as streams and wetlands, and
 - b. that satisfies best practice guidelines and best management practices,

Comment:

No agricultural activity is currently being carried out on the land.

(f) to promote the conservation and enhancement of local native vegetation, including the habitat of threatened species, populations and ecological communities by encouraging development to occur in areas already cleared of vegetation,

Comment:

The proposal does not require the removal of native vegetation.

(g) to ensure that development retains or enhances existing landscape values that include a distinctive agricultural component,

Comment:

It is considered that, due to the size and character of the proposed building, the proposed shed is inconsistent with the existing scenic quality of the locality. (See discussion below - Rural Sheds Chapter of Hawkesbury Development Control Plan)

(h) to prevent the establishment of traffic generating development along main and arterial roads,

Comment:

The proposed development is not considered to be traffic generating.

(i) to control outdoor advertising so that it does not disfigure the rural landscape,

Comment:

The proposal does not include advertising signs.

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(j) to ensure that development does not create unreasonable economic demands for the provision or extension of public amenities or services.

Comment:

It is considered that the proposed development will not create unreasonable economic demands for the provision or extension of public amenities or services.

Specific Provisions of HLEP 1989

Clause 18(1) – Provision of water sewerage etc. services

This subclause states that development consent will not be granted unless satisfactory arrangements have been made for the provision of water, sewerage, drainage and electricity to the land.

Comment:

Services to the property are considered adequate for the proposal.

Clause 25 - Development on flood liable land

The subject land is above the 1-in-100 year flood level.

Clause 27 - Heritage items

The subject property is not identified as a heritage item.

Clause 28 - Development in the vicinity of heritage items

The subject property is not located in the vicinity of a heritage item.

Conclusion

The proposed development is inconsistent with Hawkesbury Local Environmental Plan 1989 including the Mixed Agriculture zone objectives.

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

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

Comment:

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

State Environmental Planning Policy No. 44 - Koala Habitat Protection

The proposed development does not require the removal of native vegetation and will therefore not disturb habitat areas within the site. Consequently, an investigation into whether or not the land is a potential koala habitat is not required for the development in accordance with the requirements of the Guidelines in respect to the implementation of the SEPP.

ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

There are no draft planning instruments that are relevant to the proposed development.

iii) any development control plan applying to the land

Hawkesbury Development Control Plan.

The Hawkesbury Development Control Plan applies to the proposal. An assessment of the proposal against the relevant provisions of this Plan follow:

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General Information Chapter

It is considered the subject application provides adequate information for the assessment of the proposal and generally complies with this Chapter.

Erosion and Sediment Control Chapter

Erosion and sediment control can be ensured through conditions of consent.

Notification Chapter

The adjoining neighbours were notified as per the requirements of the DCP. No submissions were received.

s94 Contribution

In accordance with Direction under Section 94E of the Act, a contribution is not required for this development, as the cost of development is below \$100,000.

Rural Sheds Chapter

The following is an assessment of the proposal against these design principles:

Design Principles	The Proposal	Compliance
Siting Cut and fill shall be limited to 2m of cut and 900mm of fill	Cut of approx 1.5m. Fill of approx 1.6m.	No See Discussion below
Sheds shall be located no closer to the road than the existing dwelling house.		No See Discussion below
Sheds are not to be erected on land which has a slope in excess of 10%	The site has a slope of approximately 11%	No See Discussion below
The erection of rural sheds should involve minimal disturbance to native vegetation.	The proposal will have minimal disturbance to native vegetation. No vegetation to be removed.	Yes
Size The maximum size of sheds in the 1(c) and 1(c1) areas shall not exceed $150m^2$. The cumulative total of all outbuildings shall not exceed $150m^2$ on any one property in these zones.		Inadequate justification, See discussion below
In zones 1(a), 1(b), 7(d), 7(d1), 7(e), the applicant will need to justify the size of any shed exceeding 150m ² in terms of the use of the shed and the land, as well as measures taken to minimise the impact on neighbours and the general area.		

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Design Principles	The Proposal	Compliance
<i>Height</i> The total height of a rural shed erected in Rural 1(c) and 1(c1) zones shall be no more than 5m or no higher than the height of the ridgeline of the dwelling house on the same property, whichever is less.	The total height of the shed is 5m	Yes
In other zones the total height of a rural shed exceeding 5m shall be justified in terms of the use of the shed and the visual impact of the development.		
The total height of 'barn style' sheds may exceed 5m based on individual merit.		
<i>Form</i> Rural sheds with standard roof form will be limited to rectangular shapes.	The shed has dimensions of 30m by 15m.	Yes
Sheds of other roof forms, for example barn style, will be encouraged.		N/A
Colour The colour of a rural shed will match or blend in with those of existing buildings.	The proposed shed will be 'wilderness' and 'dune' in colour. This is considered satisfactory.	Yes
On vacant land the colour for rural sheds shall be taken from the natural environment.		N/A
<i>Type of Building Materials</i> Building materials used in the construction of rural sheds are to be new, prepainted and non- reflective.	The building materials are new and are prepainted.	Yes
The use of corrugated iron will be considered subject to the size, height, design and location of the rural shed.		N/A N/A
Any part of a building below the 1-in-100 year flood level is to be constructed of flood compatible materials.		

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Design Principles	The Proposal	Compliance
Landscaping Plantings are to be a mix of trees, shrubs and ground cover.		Νο
Trees shall include species that at maturity have a height above the ridgeline of the shed.		Νο
Shrub mass shall provide adequate screening.		Νο
Plants endemic to the area are to be chosen.		Νο

Variations

Setback

The DCP requires sheds to be setback further from the road than the dwelling house on the land. The dwelling on the land fronts Crooked Lane.

Applicants Justification

"...The existing dwelling house is located about 20 metres from the Crooked Lane frontage. The proposed shed is located behind the house when considered in the context of the property address and siting of the dwelling house. As the land has two street frontages the proposal complies with the wording of the DCP in terms of the rural shed being no closer than the dwelling house to the road frontage (Crooked Lane)."

Comment:

Rule (a) to clause 8.2.1 Siting of the Rural Sheds Chapter states:

• Sheds shall be located no closer to the road than the existing dwelling house on the property.

The applicant has lodged a development application for a replacement dwelling on the subject land. This replacement dwelling will be located so that it fronts Branders Lane. It should be noted that the shed, the subject of this current application, will still be located forward of the proposed dwelling, ie, contrary to the DCP requirements. The applicants justification for the location of the shed in relation to the DCP requirements, ie, *"no closer than the dwelling house to the road frontage (Crooked Lane)*" is no longer relevant.

It is noted that a rural shed is located on the adjoining property, and this shed is located closer than the dwelling house to Branders Lanes. However, the proposed shed will present a 30m long wall to this elevation, thereby becoming the visually dominant feature of the landscape when viewed from properties and roads to the south.

Cut and fill

The proposed shed will require cut and fill of approximately 1.5m and 1.6m respectively.

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Applicants Justification

"The proposed rural shed has also been sited on the subject land to minimise the cut and fill necessary to provide a level building pad. The Brander Lane frontage of the land contains the least amount of sloping land. The further one moves to the north of the steeper the land becomes as it drops to a local watercourse. Apart from the proposed site of the shed there is no land that is easily accessible from Branders or Crooked Lanes that has slopes less than 10%.

The shed will also be cut into the landscape which has the effect of minimising the bulk of the building. As a result views from Branders Lane and properties to the south will not be significantly affected. The proposed building pad and associated cut and fill will ensure that the shed does not protrude into the skyline when viewed from a number of locations."

Comment:

Given the location of the shed it is considered that it will be visually prominent when viewed from properties on the adjoining ridge to the north, and from the section of Crooked Lane to the north east. Whilst the use of cut will reduce the appearance of height when viewed from the south, the length of the shed significantly contributes to the mass of the building thereby making it visually dominant from this view point. In addition, it is considered that the 5° pitch of the roof adds to the bulky design of the shed.

Slope

Sheds shall not be erected on land having a slope in excess of 10%.

Comment:

The slope of the land has been calculated to be approximately 11%. This requirement was imposed to restrict the amount of cut and fill required for the erection of rural sheds, thereby reducing the visual impacts of sheds within the landscape, as well as the visual impacts of the filled area of the building platform.

Size

The shed will have a size of approximately 450m², having rectangular dimensions of 30m by 15m.

The shed is to be used for the storage of building materials, workshop and storage of building tools, shower, truck parking, stables, feed stalls and hay storage area.

Applicants Justification

"The size of the shed (450m²) is commensurate with the size of the land (14.56 hectares). That is, the applicant has already placed cattle on the property to graze and the shed will be utilised to store feed and other necessary farm equipment associated with the maintenance of the land. Horses will also be agisted on the land once the owner builds a new dwelling house on the land (refer to separate DA)."

Comment:

The aims and objectives of Clause 8.2.2 Size of the Rural Sheds Chapter of Hawkesbury Development Control Plan are:

- To control the size of rural sheds so as to minimise their visual dominance in the landscape.
- To reduce the number of unnecessarily large sheds.
- The size of rural sheds will be associated with the use of the shed, the use of the land and the size of the property.

It is considered that the proposed shed is inconsistent with the aims and objectives of this Clause as the justification of the size of the shed is not satisfactory. During site inspections of the property on 19 March 2007 and 9 May 2007, the property appeared to be unoccupied and no agricultural use was observed. The owner of the property was questioned in relation to the use of the land at the meeting of 17 April 2007, and advised that there was three (3) cows on the site.

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The trucks to be stored within the shed do not seem of a type required for use in relation to agricultural activities or the maintenance of the property. It is considered that the building material storage areas, the truck parking and corridor area, and workshop and building tools storage area are associated with the owners building business, ie, commercial premises. This use occupies a substantial proportion of the floor area of the shed (calculated to be approximately 45%). Given that the use of the shed for 'commercial premises' is prohibited, it has not been demonstrated that a shed of 450m² is warranted to support the residential, and very limited agricultural, component of the land.

The application states that the shed is not out of character with other recently approved rural sheds in the locality, citing a shed which is located on Bells Line of Road, some kilometres away. The shed on Bells Line of Road was approved on the basis of an intensive agricultural use of the land - hydroponically grown vegetables. Within the visual catchment of the subject property there are no rural sheds of the size of the proposed shed.

Landscaping

The application proposes plantings along the Branders Lane frontage of Cypress and Radiata pines.

Comment:

It is considered that the landscaping is inappropriate in terms of species and is inconsistent with the requirements of this Chapter.

Conclusion

The proposed development is inconsistent with the relevant objectives and rules of Hawkesbury Development Control Plan.

a) any matters prescribed by the regulations

Conditions can be imposed in any consent to ensure compliance with the Building Code of Australia.

b) the likely impacts the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Context And Setting

Surrounding properties are predominantly used for rural residential purposes. The character of the locality is rural. The proposed development is not compatible with the adjoining landuses, given the nature of the business component of the development.

It is considered that, due to the location, size and design of the building, the proposed shed will have an adverse impact on the character and scenic quality of the locality.

Flora and Fauna

The proposal does not involve the disturbance or removal of native vegetation. It is therefore considered that the requirements of Part 5A of the EP & A Act are satisfied in that the proposed development will have no significant impact on threatened species, populations, ecological communities or their habitats.

c) the suitability of the site for the development

There are no constraints from surrounding land uses that would make this development prohibitive. The proposed development will not lead to unmanageable transport demands. Access to the site is satisfactory.

The air quality and microclimate is appropriate for the proposed development.

There are no known hazardous landuses/activities nearby.

Ambient noise levels are suitable for the development.

The site is not critical to the water cycle of the catchment.

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The development will not impact upon critical habitats and threatened species, populations, ecological communities and habitats.

The site attributes are conducive to the development.

It is therefore concluded that the site is suitable for the purposes of a rural shed.

d) any submissions made in accordance with the EPA Act or Regulations

Nil

e) the public interest

Given the nature of one of the uses of the shed, the inconsistency with Hawkesbury Local Environmental Plan 1989 and Hawkesbury Development control Plan, an the visual impact of the development on the locality, it is considered that the proposed development is not in the public interest.

Community Consultation

The adjoining neighbours were notified as per the requirements of Hawkesbury Development Control Plan. No submissions were received.

Conclusion

The proposed development is inconsistent with Hawkesbury Local Environmental Plan 1989 and Hawkesbury Development Control Plan - Rural Sheds Chapter. As discussed in this report, the proposed shed will have an adverse impact on the visual quality and rural character of the locality.

Conformance to Strategic Plan

The recommendation conforms with the objectives as set out in the Strategic Plan:

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

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

Funding

No impact on budget.

RECOMMENDATION:

That the application for a rural shed be refused for the following reasons:

- 1. The proposed development includes a "Commercial" component which is prohibited under the provisions of Hawkesbury Local Environmental Plan 1989.
- 2. The proposed development is inconsistent with objective (b) and (g) of the Mixed Agriculture zone contained within Hawkesbury Local Environmental Plan 1989.
- 3. The proposed development is inconsistent with the aims and objectives of Hawkesbury Development Control Plan.
- 4. The proposed development does not comply with the requirements of the Hawkesbury Development Control Plan, in particular Part D, Chapter No.8, Erection of Rural Sheds.

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- 5. The proposed development is inconsistent with the established character of the locality.
- 6. The proposed development will have an unacceptable impact on the visual quality of the area.
- 7. The proposed development will have an unacceptable impact on the locality in terms of scale, bulk, mass, form and design.
- 8. In the circumstances, approval of the development would not be in the public interest.

ATTACHMENTS:

- AT 1 Locality Plan
- AT 2 Site Plan
- AT 3 Elevation Plans
- AT 4 Floor Plan

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AT - 1 Locality Plan

Meeting Date: 29 May 2007

AT - 2 Site Plan

Meeting Date: 29 May 2007

AT - 3 Elevation Plans

Meeting Date: 29 May 2007

Meeting Date: 29 May 2007

AT - 4 Floor Plan

To View This Image, Please Refer to the Separate Attachments Document (Maps)

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Item: 93 CP - Section 96 Modification, Agricultural Shed/Stable Complex, Lot 3 DP 596178, 269 Grono Farm Road, Wilberforce NSW 2756 - (DA0224/06A, 100489, 18449, 18450, 95498)

Development Information

Applicant: Owner: Zone: Advertising: Date Received:	Falson & Associates Pty Ltd Mrs AL MacKay & Mr WJ MacKay Environmental Protection - Agriculture Protection (Scenic) under Hawkesbury Local Environmental Plan 1989 12/04/2007 to 26/04/2007 - One submission received 26/02/2007
Recommendation:	Approval

REPORT:

Introduction and Details of Proposal

The application seeks to modify Development Consent 224/06.

The modification involves the following:

- 1. Modifying condition 7 by altering the concrete paving and landscape area on the southern side of the storage shed and stables.
- 2. Modifying condition 8 by the provision of covers to the existing fluorescent tube light on the southern elevation located over the roller door to the horse stables to reduce light spillage onto adjoining premises.
- 3. Modifying condition 5 by the Endorsement of the direction of overflow from the water tanks adjacent to the southern elevation so that water is directed towards the proposed landscaping.

The application was accompanied by a plan which shows the proposed works. The plan is attached to this report as attachment 2.

Background

The rural shed existing on the property was approved by MA0190/98. The shed approved was 18m x 9m, with a setback of 8m from the property boundary.

The applicant undertook additional works to the structure without Council approval.

These works carried out involved:

- Increasing the width of the approved shed to 13m instead of 9m. Positioning it closer to the property boundary (3m instead of 8m).
- Building a new storage shed, hay store and two awnings. (36m x 13m-avg)
- Building a new horse stable/complex (17.5m x 11m)

These works came to Council officers' attention as a result of a complaint received from the adjoining property owner. Council issued a letter in September 2005 to the owner directing them to cease further construction until formal approval had been obtained and to show cause as to why Council should not instigate legal action. As a result, a Development Application was lodged to rectify the works undertaken

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without approval and this was subsequently approved in September 2006 under delegated authority by the General Manager.

Correspondence occurred between the owner's planning consultant and council staff regarding the conditions of consent and a site meeting occurred in January 2007. The discussion related to the conditions in respect to external lighting and landscaping.

This meeting resulted in the owner agreeing to remove the existing high level lighting to the storage shed and replace with lower level downward lighting and the screening of one high level fluorescent tube light over the stable door. The small light under the awning was allowed to remain.

The applicant was to submit a section 96 application for variation of these conditions of consent.

Some works had been carried out to the lighting, being the removal of the existing lighting and provision of lower level downward lighting.

Council issued a Notice of Intent to Serve an Order on the owner to comply with conditions of consent in respect to landscaping and lighting. In response to this Notice of Intent, the owner has now lodged the Section 96 Modification application which is the subject of this report.

Assessment of Application

The application has been considered under section 79[c] of the Environmental Planning and Assessment Act 1979. Details of the Modification are:

Condition 5 of the consent states:

"All roofwater shall be drained to the water storage vessels and the overflow from the water storage vessels shall be diverted to a gravel pit."

Applicants submission

The applicant wishes to divert overflow from these tanks adjacent to the southern elevation so that the water is directed towards proposed landscaping.

Comment

The variation to utilise the overflow to water the plants is not supported because for this to become operational, the ground will already be saturated by rain and any overflow would have the potential to impact on the adjoining property given the location of the overflow. However, the condition can be modified so that any overflow from the tank be directed into the applicant's property which will have no impact on the surrounding properties.

Condition 7 states:

"The concrete between the structures and the southern boundary, excluding the area supporting the water tanks and a standard one metre path, shall be removed as shown in red on the approved plans. The area shall be planted with natives to Council's satisfaction within 2 months of the date of this consent."

Applicants submission

The applicant wishes that the following modification be made to this condition to read:

"Alteration to the concrete and landscape area on the southern side of the shed as indicated on the plan prepared by Arthur Lathouris dated 17 February 2007."

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Comment

The applicant has submitted a landscaping design prepared by Arthur Lathouris. The design involves cutting the concrete slab to a distance of 800mm from the southern boundary from the west end of the storage shed (approximately 8.5m) to1.800m from the wall recess adjacent to the water tanks and planting this area promptly with Photinia. However to comply with this the applicant would have to have this boundary established by a registered surveyor to ensure the works are undertaken on their property. It is proposed to identify the area to be removed by" the slab being removed by minimum 600mm from the southern edge of the existing concrete." This will still result in a 800mm wide landscape strip but provide a reference point of measurement being the existing concrete edge.

The concrete supporting the water tanks is to remain along with adjacent concrete facing the farm gate linking the two properties to allow flood evacuation of the adjoining land.

The area from the access gate in line with the eastern wall is to be planted with Callistemon. A concrete path maximum 1.2m wide may be provided next to the building.

It is proposed to provide a 3m high approximately lattice screen located along the southern boundary from the eastern wall of the storage shed to the eastern wall of the horse stable.

The lattice is to have steel support posts and bracing at high level from the stable and planted with Pondorea climbers.

The applicant originally proposed to utilise a concrete retaining wall for support to the lattice, however this has now changed to high level bracing from the stables.

There is an encroachment of some concrete in the vicinity of the horse stables on the adjoining property. The proposed location of the screen will be wholly within the property and a surveyor will be required to certify the location when completed.

The use of the retaining wall will be excluded by condition.

The proposed landscape works, as amended, will ensure the objective of providing a visual relief from the adjoining property will be achieved.

Condition 8 states:

"The existing lights along the southern boundary side of the sheds shall be removed/disconnected within one month from the date of this consent. In this regard, smaller path style lighting would be acceptable."

Applicants submission

The applicant seeks variation to this condition for the small fluorescent light under the awning on the southern elevation to the storage shed and for the light over the stable roller door to the southern elevation. The applicant is to provide a cover over this fluorescent tube to a level lower than the light to illuminate the ground and not directly towards adjoining properties

Comment

The previous street illumination quality light to the south west corner of the storage shed has been removed and has been replaced with two down light path fluorescent lights at a much lower level.

The small fluorescent light under the awning to the southern elevation provides illumination of the roller door and personal access doors below.

The high level fluorescent tube light to the southern elevation is required to illuminate access and egress to the stables building and the light is located above the roller door to the southern elevation.

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Discussions with the owner resulted in a shield being provided to the top and face of the light permitting only downward illumination to aid egress of stock safely at night. The amended location and lighting will not cause any potential impact on the adjoining property.

Community Consultation

The application for variation was notified to adjoining property owners - one submission was received from the property owner adjacent to the southern boundary.

The matters raised in the submission were:

"The plans do not provide dimensions of the buildings."

The plans are drawn to scale and indicate the lattice to the gutter level of the stable building. To avoid any discrepancy, the consent condition will require the height to the gutter level (this being approximately 3m).

"The plans show the permanent structure built on the retaining walls on my property."

The structure will be required to be built within the boundary of the subject site with no support, anchorage or attachment of the structural support frame to the concrete retaining wall.

This will address the above concerns.

"The trees won't change the visual impact. The water tanks should be removed to a position that does not cause problems for the neighbour."

The water tanks are located according to the development consent, overflow issues have also been addressed in this application.

The concrete retaining wall straddling the southern boundary is not part of this Consent's consideration and its location is a civil matter between adjoining owners.

The respondent has also expressed concerns regarding other issues not being part of this application A council officer has investigated the matter and a reply will be sent to the respondent.

Conclusion

The amendments proposed will still achieve the intent of the original conditions imposed on the development consent.

The amended conditions have been worded to address some of the concerns raised by the respondent in respect to encroachment of their property.

A time frame has been imposed on each condition for the works to be completed.

The matters raised by the respondent do not warrant refusal of the application.

Conformance to Strategic Plan

The recommendation conforms with the objectives as set out in the Strategic Plan:

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

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

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Funding

No impact on Budget.

RECOMMENDATION:

That the modification application be approved subject to the following:

<u>Condition 5</u> deleted and replaced with:

"The overflows from the water tanks are to be suitably piped beyond the storage shed west wall or the stable east wall [dependant on direction chosen by applicant] and directed so as to discharge a minimum 2m from the southern boundary with discharge direction into the subject property.

"The overflow pipes may discharge either into pits or over concrete aprons with velocity reducers and vermin wire and be directed into the subject site and not in an area likely to be detrimental to buildings on the subject site or buildings, structures or land on adjoining properties."

<u>Condition 7</u> be removed and replaced with:

"The concrete between the structures and the southern boundary located from the western corner of the storage shed to 1.8m from the external corner adjacent to the water tanks, is to be reduced by minimum 600mm from the face of the existing concrete slab on the southern boundary to provide a minimum width of 800mm from the property boundary to the edge of the concrete.

The concrete path from the storage shed on the southern boundary at a point 1.8m to the west from the corner adjacent to the water tanks to a line 90 degrees from the southern boundary egress gate, east side, shall remain.

The concrete from the south eastern wall of the storage shed to the south eastern wall of the stables projecting to the southern boundary shall remain and adequate provision shall be made to allow for the erection of a lattice screen fence of suitable strength and durability to support the Pandorea climbers and such concrete necessary shall be removed to ensure the climbers have adequate soils with suitable light and moisture access to ensure their growth."

This is shown as red on the stamped, approved plans.

Condition 8 to now read

"External lighting along the southern boundary shall involve the following.

"To the storage building outermost walls, the smaller fluorescent light under the awning facing the flood access gate to remain and the high level fluorescent light over the roller door to the stables to be covered with metal screening,[similar in colour to the existing shed wall,] to top, and south external face so as to only allow light spillage to illuminate the access/egress doorway below.

No further external lighting shall be installed along the southern, western and eastern walls of the shed and stables."

The following additions are to be added:

- 8 (a) The lattice screen, supporting structure and all planting shall be located wholly within the property. In this regard, a survey report shall be provided to show the structure is located wholly within the property.
 - (b) The lattice screen shall extend in height to the underside level of the gutters on the stable building (approximately 3m).

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- (c) The lattice screen shall not be attached to, built upon or rely upon the retaining concrete structure on the southern dividing boundary for any structural support.
- (d) A suitable pathway to the applicant's preference can be provided adjacent to the southern wall of the storage shed between the concrete slab adjacent to the boundary gate and the eastern corner of the building with maximum projection from the building wall of 1.2m.
- (e) The works relating to Conditions 5, 7 and 8 are to be completed within two (2) months of this approval.
- (f) The landscaping indicated on the landscaping plan drawn by Arthur Lathouris [dated 17 February 2007] shall be maintained for the lifetime of the buildings approved by the consent.
- (g) The works are to be carried out in accordance with the plans prepared by Arthur Lathouris dated 17 February 2007 as amended in red on the stamped approved plans.

ATTACHMENTS:

- AT 1 Locality Plan
- AT 2 Landscape Plan

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AT - 1 Locality Plan

Meeting Date: 29 May 2007

AT - 2 Landscape Plan

To View This Image, Please Refer to the Separate Attachments Document (Maps)

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INFRASTRUCTURE SERVICES

Item: 94 IS - Native Title Determination Application NG6061/698: Darug People - (79354, 27333, 36939)

Previous Item: 246, Ordinary (10 October 2006)

REPORT:

Council at its Ordinary meeting held on 10 October 2006 considered a report in relation to the settlement of a Native Title Determination Application by the Darug People in 1997 by way of an Indigenous Land Use Agreement (ILUA). Council was invited to become involved in the ILUA negotiations, with a view to negotiating input by the Darug People into the management of crown land under the care, control and management of Council.

It was resolved at that meeting:

"That:

- 1. The Department of Lands be advised that:
 - a) There is currently a formal mechanism whereby Aboriginal people are consulted in relation to the Plan of Management process of both Council owned reserves and Crown reserves.
 - b) Council is willing to participate in the negotiation of an Indigenous Land Use Agreement.
- 2. Council confirm that the Deerubbin People are consulted throughout this process."

Discussions have been held with the Native Title branch of the Department of Lands in an effort to further progress this matter, however, further correspondence has been received from the Deerubbin Local Aboriginal Land Council indicating that the Land Council and its members have great concerns about the State's proposal and enclosing a letter that has been sent to the Minister for Lands in relation to those concerns.

The letter to the Minister outlines a number of issues in relation to the claim by the Darug People and also the current position of the State in relation to that claim. The letter concludes that:

"Deerubbin LALC is strongly opposed not only to the State's proposal to make an indigenous land use agreement with members of the Darug group, but also to the position taken by the State in relation to these proceedings generally. Deerubbin LALC contends that the only proper course for the State to take in the circumstances of these proceedings is to cease negotiating the proposed agreement and to allow a hearing of the claim to take place, so as to achieve a final determination of the Darug groups assertions of native title."

It is considered that prior to further negotiation of a Indigenous Land Use Agreement, the response of the Minister for Lands to representation by the Deerubbin LALC should be considered.

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Conformance to Strategic Plan

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

"Objective: Implement infrastructure strategy to underpin the social, cultural and commercial development of the City."

Funding

No impact on current funding.

RECOMMENDATION:

That further negotiations in relation to an Indigenous Land Use Agreement not proceed until the Minister for Lands has responded to the correspondence from the Deerubbin Local Aboriginal Council and this response is further reported for Council's consideration.

ATTACHMENTS:

AT - 1 Previous Council Report tabled 10 October 2006 - Native Title Determination Application NG6061/698: Darug People.

Meeting Date: 29 May 2007

AT - 1 Previous Council Report for 10 October 2006 - Native Title Determination Application NG6061/698: Darug People.

ITEM:

IS - Native Title Determination Application NG6061/698: Darug People - (79354, 27333, 36939)

REPORT:

Correspondence has been received from the Department of Lands in relation to the lodgement of native title determination application NG6061/98 by the Darug People in 1997. The boundaries of this claim stretch approximately from the Colo River in the north, to Appin in the south, and from Mount Victoria in the west to the coastline of NSW between the southern shore point of Port Jackson and the northern shore of Botany Bay in the east.

Officers of the Department of Lands are currently negotiating with the Darug People in an attempt to achieve the settlement of the claim by way of an Indigenous Land Use Agreement (ILUA). Council have been invited to become involved in the ILUA negotiations, with a view to negotiate input by the Darug People into the management of Crown land under the care, control and management of Council. The subject areas are located within what has become known as the 'Agreement Area' of the claim, as shown on the map in Attachment 1. A map of Crown land under the care, control and management of Council will be displayed at the meeting.

The Department has also inquired as to whether Council has a formal or informal mechanism in place to deal with consultation with Aboriginal people regarding the management of lands within the Hawkesbury local government area. Whilst input is sought from the local Aboriginal groups as part of the classification process of Council owned public reserves, there is no process required to classify crown reserves under Council's care and control.

It is felt appropriate that at this stage Council indicate it is willing to participate in the negotiation of the ILUA.

Conformance to Strategic Plan

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

"Objective: Implement infrastructure strategy to underpin the social, cultural and commercial development of the City."

Funding

No impact on current funding.

RECOMMENDATION:

That the Department of Lands be advised that:

- 1. There is currently a formal mechanism whereby Aboriginal people are consulted in relation to the Plan of Management process of Council owned reserves, but not Crown reserves.
- 2. Council is willing to participate in the negotiation of an Indigenous Land Use Agreement.

ATTACHMENTS:

AT - 1 Native Title Determination Application - NSD6061/98 - "Agreement Area"

Meeting Date: 29 May 2007

AT - 1 Native Title Determination Application - NSD6061/98 - "Agreement Area"

To View This Image, Please Refer to the Separate Attachments Document (Maps)

0000 END OF REPORT 0000

Meeting Date: 29 May 2007

Item: 95 IS - Auslink Strategic Regional Program - Racecourse Road, Clarendon - (95495, 74282)

REPORT:

When the Auslink Strategic Regional Program was announced in 2006, application was made for three projects which were considered to meet the program guidelines. Those projects were the completion of the sealing of St Albans Road, the sealing of Racecourse Road and the provision of a roundabout at the intersection of Oakville, Broos, Stahls and Smiths Roads (the '5 Ways') intersection at Oakville.

As Council is aware the sealing of St Albans Road was supported as part of this Program.

The Australian Government announced in the 2007 Budget on 8 May 2007 that it would provide an additional \$250 million in the 2006/07 financial year to fund a number of additional projects under this Strategic Regional Program. As part of this Program, Council has been offered \$723,000 (capped) for the sealing of Racecourse Road, Clarendon. The original application was estimated to cost \$783,000, with a contribution of \$50,000 from the Hawkesbury Race Club and \$10,000 from the Hawkesbury District Agricultural Association towards the work.

Unlike the St Albans Road project which must be completed by the first quarter of 2009, this project if accepted by Council must be completed by June 2010. This offer will lapse if both signed initial copies of the funding agreement are not received by the Department by 15 June 2007.

Whilst sealing this 1.7km section of Racecourse Road will have some financial implications in terms of ongoing resealing costs, it is considered that the offer of capital funding to undertake these works is an opportunity to provide a needed link between Blacktown Road and the Race Club and Showground to provide alternative access to these venues, particularly in relation to holding significant events at these venues.

Conformance to Strategic Plan

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

"Objective: A network of towns, villages and rural localities connected by well-maintained public and private infrastructure, which supports the social and economic development of the City."

Funding

Funding for ongoing resealing costs will be provided from future capital works allocations.

RECOMMENDATION:

That the offer of funding of \$723,00 for the sealing of Racecourse Road, Clarendon, through the Auslink Strategic Regional Funding be accepted.

ATTACHMENTS:

There are no supporting documents for this report.

Meeting Date: 29 May 2007

Item: 96 IS - Webbs Creek Ferry Toilet Replacement - (95495, 74282)

REPORT:

The current toilet block at Webbs Creek Ferry is an old besser block building with a septic tank and onsite absorption trenches. Due to problems with the absorption trenches leaking, the toilet block was closed for a period whilst repair works were undertaken, however, after some heavy usage the problem has reoccurred and the toilet block has been permanently closed.

The Roads and Traffic Authority have been approached with a view to funding a replacement toilet block due to the majority of users being people waiting to utilise the ferry service, which is owned and operated by the RTA. It is proposed that the existing toilet block and septic tank be demolished and a new building be provided with a collection well, no flush system, which will require pumping out 3-4 times per annum depending on usage. It is considered that this is the best possible environmental solution available at this site. Photos of the proposed building will be displayed at the meeting.

The RTA have agreed to fund the project within this financial year on the basis that Council continues the maintenance function. It is felt that this is a reasonable result and will continue to provide an amenity for both tourists and residents.

Conformance to Strategic Plan

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

"Objective: A network of towns, villages and rural localities connected by well-maintained public and private infrastructure, which supports the social and economic development of the City."

Funding

Ongoing maintenance costs to be provided from the current Parks Cleaning Budget.

RECOMMENDATION:

That the existing toilet block and septic system located at the intersection of St Albans Road and Webbs Creek Road, adjacent to the Webbs Creek Ferry, be demolished and replaced with a new facility at the cost of the Roads and Traffic Authority and the RTA be thanked for their assistance in this matter.

ATTACHMENTS:

AT - 1 Photos of proposed toilet block building - (*To be displayed at meeting.*)

Meeting Date: 29 May 2007

SUPPORT SERVICES

Item: 97 SS - Monthly Investments Report - April 2007 - (96332)

REPORT:

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

The following table lists the investment portfolio held by Council at 30 April 2007 in a form compliant with legislative and policy requirements.

All investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

April 2007

The following table indicates that Council held \$30.5 million in investments as at 30 April 2007. Details of the financial institutions or fund managers with which the investment was made, date investments were taken out, the period to maturity, the rate of return achieved and the credit rating of the investments are provided below.

Investment Type	LodgementDate	Interest Rate %	Principal		Rating	Total	
On Call							
СВА	30-Apr-07	6.20%	\$	220,000.00	A1+	\$	220,000.00
Term Investments							
CBA - CPI Linked Note	04-Apr-07	9.00%	\$	500,000.00	A1+	\$	500,000.00
Managed Funds							
ANZ Cash Plus Fund	30-Apr-07	7.02%		\$1,436,405.61	AA		
Merril Lynch Diversified credit fund	30-Apr-07	8.46%		\$2,017,620.49	А		
Macquarie Income Plus Fund No 1	30-Apr-07	7.25%		\$6,756,810.34	A		
Deutsche Cash-Plus Fund	30-Apr-07	7.16%		\$7,814,311.49	А		
Perpetual Credit	30-Apr-07	5.93%		\$6,568,245.49	А		
ING Enhanced Cash	30-Apr-07	6.75%		\$5,196,362.06	А		\$29,789,755.48
TOTAL INVESTMENT AS AT 30 APRIL 2007							\$30,509,755.48

Meeting Date: 29 May 2007

Managed Funds

Bench Mark - April 2007	6.87%	Bench Mark - last 12 months	6.32%
Actual- April 2007	6.84%	Actual -last 12 months	6.50%

Performance by	Тур	e				
Category		Balance	Average Interest	Difference to Benchmark	Restriction Type	Amount
Cash at Call	\$	220,000.00	6.20%	-0.67%	External Restrictions -S94	\$ 3,875,616
Term Deposit	\$	500,000.00	9.00%	2.13%	External Restrictions - Other	\$ 12,798,921
Managed Funds		\$29,789,755.48	7.10%	0.23%	Internal Restrictions	\$ 9,367,118
	\$	30,509,755.48	7.43%	1.09%	Unrestricted	\$ 4,468,100
					Total	\$ 30,509,755

Investment Commentary

The investment portfolio decreased by \$2.35m for the month. The decrease is mainly due to the cyclical payment of rates with April being a non-instalment month. During April income received including rates payments amounted to \$1.8m, while payment to suppliers and staff costs amounted to \$4.4m.

Managed Fund performance was slightly below the benchmark (UBS Australia) Bank Bill Index in April 2007 with an average return after fees of 6.84%, compared with the index of 6.87%. The managed funds portfolio has achieved a return after fees for the past 12 months of 6.50%, which outperformed the (UBS Australia) Bank Bill Index of 6.32% for the corresponding 12 month period.

The investment portfolio is diversified across a number of investment types. This includes a number of managed funds, term deposits and on-call accounts.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Comparisons are made between existing investments with available products that are not part of Council's portfolio. Independent advice is sought on new investment opportunities.

Conformance to Strategic Plan

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

"Objective: Maximise return on Council's investment portfolio"

Funding

Funds are invested with the aim of achieving budgeted income in 2006/2007.

Robert Stalley Responsible Accounting Officer

RECOMMENDATION:

That the information be received and noted.

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ATTACHMENTS:

There are no supporting documents for this report.

Meeting Date: 29 May 2007

Item: 98 SS - March 2007 Quarterly Review - 2006-2007 Management Plan - (96332)

REPORT:

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

Management Plan

Council adopted its Management Plan for 2006/2007 on 26 June 2006.

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

The March 2007 quarter review has been prepared and is attached for Council's information.

Financial Position

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

The March 2007 review recommends budget adjustments that result in a balanced adjustment for the quarter, made up of a number of both positive and negative impacts on the adopted budget.

The more significant items include:

Operational Expenditure Variations

Employee Costs – Unfavourable Variance \$12,767

Funding for two new positions previously approved by Council, being The OHS trainee and the OHS Safety Officer have been included in the review. \$2,000 is funded from the Risk Management Department, and \$2,500 from the Construction and Maintenance Department and Water Management Department respectively. These funds will cover the amount of weeks staff is employed during the 2006/2007 financial year.

Another significant adjustment to employee costs is the cessation of the internal transfer of \$12,700 from the Sullage program to Town Planning Services in City Planning. As the Sullage program is reserve funded the transfer results in an unfavourable adjustment in the General Fund.

In the Accounting Services program, \$35,000 has been transferred from employee costs to contractor costs, resulting in a nil overall variance.

An unfavourable adjustment of \$4,903 has also been processed to fund the additional costs in relation to staff at the Richmond pool. This has resulted from increased visitation rates and offset by additional income.

Cleaning Expenses – Unfavourable Variance \$45,370

As Council has taken over the running of various community halls (McGraths Hill and Hall 3 Richmond Neighbourhood Centre), whilst earning income, there is also additional expenditure. An increase of \$15,370 for cleaning costs associated with community halls is included in the Community Services programs. Also \$30,000 is requested by the Land Management Department to cover additional cleaning costs. In reviewing staff costs and other cleaning expenses incurred in cleaning parks and roads, it is

Meeting Date: 29 May 2007

estimated that these additional funds are necessary. This increase is partly offset by a reduction in funds allocated to moving of \$15,000.

Roadworks Maintenance Expenses – Unfavourable Variance \$45,916

A decrease of \$32,084 in roadworks maintenance funds is required to fund over expenditure in various capital works projects. An offsetting increase of \$50,000 is funded from the street cleaning program. An increase of \$28,000 in roadworks maintenance expenses is offset by grant funds.

Valuation Expenses – Unfavourable Variance \$29,000

Accounting Standards now require annual valuations for properties. To this effect an increase in funds allocated to property valuation expenses is being requested.

Consultancy Fees – Unfavourable Variance \$45,550

An unfavourable adjustment of \$74,000 is required for the Minerva Group OH&S Review. This is offset by a favourable adjustment of \$30,000 in relation to the Hawkesbury Overland Flow Study consultancy costs. Funds are received yearly for this program on completion of works. This year no works will be undertaken. It is to be noted that \$20,000 of the latter adjustment is offset by a corresponding decrease in Grant income. The net effect on the General Fund is a favourable adjustment of \$10,000.

Consultancy fees in the Public Relations department are increased by \$1,550. This is fully funded from the casual staff budget.

Delegates Expenses - Favourable Variance \$25,946

The funds allocated to the Corporate Weekend are being surrendered as they are no longer required.

Remediation Costs - Nil Variance

It is to be noted that \$350,000 in respect of Remediation costs is being reallocated from capital expenditure to operating expenditure. No change has occurred in the nature of the work, it is only the accounting treatment that is being changed.

Operating Revenue Variations

Rental Income – Favourable Variance \$75,634

A favourable adjustment of \$75,634 is attributed to an increase in rental income in the Property Section. This additional income has resulted mainly from longer than expected tenancy arising from delayed sales of Council properties.

Building and Development Control Income – Unfavourable Variance \$114,000

As at the end of the March quarter the trend in building and development income indicates that estimated targets will not be achieved due to a general downturn in the building industry. Unfavourable adjustments of \$65,000 and \$49,000 are recommended for income from construction certificates and subdivision fees respectively.

Fines and Penalties – Favourable Variance \$5,636

As at the end of the third quarter, income from fines and penalties exceeded full year budget. A favourable adjustment of \$5,636 is required.

Recreation Income – Favourable Variance \$4,903

Income received through recreation programs and visitation of the Richmond Pool overall exceeded the full year budget by \$4,903. This extra income variance is offset by an increase is staffing costs as mentioned

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earlier in this report. As the pool will not re-open in the 2006/2007 financial year the income received YTD is not expected to change.

Interest Income – Favourable Variance

An increase of \$240,000 in interest income is included. The trend and actual interest income received from Council's investment portfolio has been in excess of estimates. As interest income can fluctuate significantly, a conservative estimate approach was adopted in preparing the 2006/2007 original estimates. As at the end of the March quarter, interest income has exceeded expectations due to higher rates than estimated, and the continuous review of the investment portfolio to ensure maximum returns are achieved within set risk parameters.

Grants - Nil Variance

Various neutral budget adjustments to grant contributions and associated expenditure are included in this review. Refer to detailed variations sheet in this document.

Capital Variations

For the 2006/2007 financial year, Council has a total capital budget of \$17.5m. This total is made up of \$8.4m carried forward from 2005/2006 and \$7.4m being the 2006/07 allocation. As at the end of March 2007, actual capital expenditure amounted to \$5.1m. In addition to actual expenditure, a total of \$1.2m is committed. As at the end of the third quarter, actual expenditure amounts to 69% of the current year's allocation, but only 29% of the total funds available.

As at the end of March, major projects were still in the early stages of work or design, or scheduled to occur in the last quarter of the financial year. In some cases Council had not been invoiced as at the end of March. These works include upgrading rising mains and pump stations (\$1.1m), the museum (\$2.5m), and road construction projects (\$1.5m).

Based on past years trends, it is expected that some funds will be carried forward to the 2007/2008 year as the works will not be completed before 30 June 2007. Some of these works have already been identified. These include \$1.3m for waste management capital works, \$0.4m for land management capital works, \$2.5m for road construction works and \$2m for the construction of the regional museum. Some programs, including the stormwater management program and the Operations management program are currently being reviewed. It is expected that approximately \$0.5m and \$0.4m will be carried forward for stormwater programs and plant respectively. Any remaining funds as at 30 June 2007 will be transferred back in the respective reserves. The fleet management program has also been reviewed and resulted in a favourable variance of \$50,430.

Reports on the status of capital works expenditure and progress are circulated to management every quarter. This ensures maximum delivery of works within stipulated timeframes and budget.

Provision for Contingencies - Favourable

It is recommended that the surplus of \$52,512 resulting from this Quarterly Review is transferred to the Contingency Reserve.

Conformance to Strategic Plan

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

"Preparation of quarterly reviews of management targets and financial information"

Funding

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

That:

- 1. The information contained in the report on the 2006/2007 Management Plan March Quarter Review be received.
- 2. The quarterly review of the 2006/2007 Management Plan and Financial Statement for the period ending 31 March 2007 be adopted.

ATTACHMENTS:

AT - 1 2006/2007 Management Plan Review - March Quarter - (Distributed Under Separate Cover)

0000 END OF REPORT 0000

Meeting Date: 29 May 2007

Item: 99 SS - 2007/2008 Remuneration for Councillors and Mayor - (95496, 96332)

REPORT:

The Local Government Remuneration Tribunal, pursuant to Section 241 of the Local Government Act 1993, has recently determined the categories for Councils, County Councils and Mayoral Offices and the maximum and minimum amount of fees to be paid during the period 1 July 2007 to 30 June 2008.

Hawkesbury City Council is currently categorised as a Category 3 Council.

The tribunal has determined that the annual fees to be paid for the period 1 July 2007 to 30 June 2008 for a Category 3 Council are as follows:

	Councillor Annual Fee Minimum Maximum		Mayor Additional Fee		
			Minimum	Maximum	
Category 3	\$6,610.00	\$14,540.00	\$14,050.00	\$31,740.00	

The Tribunal determined that having regard to any economic data and the views of the assessors, that an increase of 4% in fees for Councillors and Mayors was appropriate.

In the past it has been the practice for Council to pay the maximum fee and the following table depicts the annual and monthly payments that will be paid to Councillors, the Mayor and the Deputy Mayor if the practice is maintained. The Deputy Mayor fee has been maintained at 15% of the Mayoral fee.

	Councillors Fees		Mayor / De	outy Mayor *	Maximum Total	
	Maximum - Annual			Maximum - Monthly	Annual	Monthly
Councillors	\$14,540.00	\$1,211.67			\$14,540.00	\$1,211.67
Mayor	\$14,540.00	\$1,211.67	\$31,740.00 less \$4,761.00	\$2,248.25	\$41,519.00	\$3,459.92
Deputy Mayor	\$14,540.00	\$1,211.67	\$4,761.00	\$396.75	\$19,301.00	\$1,608.42

* It should be noted that pursuant to section 249 (2), the fee paid to the Mayor and Deputy Mayor, is paid in addition to the fee paid to the Mayor and Deputy Mayor as a Councillor.

The current fees for Councillors and the Mayor are \$13,980 and \$30,520, respectively, with an additional fee of \$4,578.00 being paid to the Deputy Mayor and deducted from the Mayor's fees.

Based upon Council's previous practice of paying the maximum fee as determined by the Remuneration Tribunal the following recommendation is submitted for Council's consideration.

Conformance to Strategic Plan

Not applicable in this case.

Funding

Councillors fees are provided for in the 2007/2008 Draft Budget.

RECOMMENDATION:

That:

- 1. The fee for Councillors for 2007/2008 be set at \$14,540.00.
- 2. The additional fee for the Mayor be set at \$31,740.00, and the Deputy Mayor's additional fee be set at \$4,761.00 to be deducted from the Mayor's fee.

ATTACHMENTS:

There are no supporting documents for this report.

0000 END OF REPORT 0000

Meeting Date: 29 May 2007

Item: 100 SS - Goods and Services Tax Compliance Certificate 2007 - (96332)

REPORT:

The Department of Local Government previously required Council to have an independent GST review undertaken and a GST Audit Review Report prepared by an external auditor and lodged with the Department of Local Government.

Effective from the 2004/05 financial year, the Department of Local Government has changed the requirements, now requesting Council to provide a certificate of confirmation signed by the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer, in lieu of an independent review. For the following year after 30 June 2005, the certificates will be for the period 1 May 2006 to 30 April 2007, to enable the Department to provide more accurate and current information to NSW Treasury.

The certificate of confirmation requires Council to certify that:

- Hawkesbury City Council has paid voluntary GST for the period 1st May 2006 to 30th April 2007;
- Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed; and
- No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.

Management confirms that all voluntary GST has been paid for the period, that appropriate internal controls and systems are in place to account for Councils GST liabilities and that no GST non-compliance event has been identified or raised with the Australian Taxation Office.

RECOMMENDATION:

That the Goods and Services Tax Certificate be endorsed in accordance with Department of Local Government Circular 05/26.

ATTACHMENTS:

AT -1 - Goods and Services Tax Certificate.

Meeting Date: 29 May 2007

COUNCIL OF THE CITY OF HAWKESBURY

GOODS AND SERVICES TAX CERTIFICATE

Payment of Voluntary GST 1 May 2006 to 30 April 2007

To assist compliance with Section 114 of the Commonwealth Constitution, we certify that:

- Voluntary GST has been paid by Hawkesbury City Council for the period 1 May 2006 to 30 April 2007.
- Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
- No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.

Signed in accordance with a resolution of Council made on the 29 of May 2007.

Rex STUBBS MAYOR Bart BASSETT DEPUTY MAYOR

Peter JACKSON ACTING GENERAL MANAGER Rob STALLEY RESPONSIBLE ACCOUTING OFFICER

0000 END OF REPORT O000

ORDINARY MEETING Meeting Date: 29 May 2007

CONFIDENTIAL REPORTS

Item: 101	IS - Land Acquisition for the Construction of a Roundabout at the Intersection of Gorricks Lane and Freemans Reach Road, Freemans Reach - National Black Spot Funding Programme - (95495, 79346, 74282) CONFIDENTIAL
Previous Item:	ROC - Local Traffic Committee Minutes (28 June 2005)

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 acquisition of property by the 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.

Item: 102 SS - Property Matter - Lease of Lower MacDonald Bush Fire Station - Petinsky - (23555, 79398, 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.

Item: 103 SS - Property Matter - Lease of 139 March Street, Richmond - Craig Crowther Architects Pty Ltd - (89725, 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.

Item: 104 SS - Property Matter - Lease of 69 Macquarie Street, Windsor - Yum! Restaurants Australia Pty Limited (Pizza Hut) - (74060, 73665, 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.

Meeting Date: 29 May 2007

ORDINARY MEETING Reports of Committees



ordinary

reports of committees

Reports of Committees

Reports of Committees

SECTION 5 - Reports of Committees

ROC - Local Traffic Committee - 16 May 2007 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Wednesday, 16 May 2007, commencing at 3.00pm.

ATTENDANCE

Present:	Councillor B Bassett (Chairman) Mr R Williams, MP (Hawkesbury) Mr J Christie, Offices of Messrs A Shearan (Londonderry) and J Aquilina (Riverstone), Members of Parliament Senior Constable S Sherry, NSW Police Ian Lovelock, Roads and Traffic Authority
Apologies:	Mr R Elson, Department of Transport
In Attendance:	Mr C Amit, Manager Design & Mapping Services Mrs J Hogge, Road Safety Coordinator Mr T Shepherd, Administrative Officer, Hawkesbury City Council

SECTION 1 - Minutes

Item 1.1 Minutes of Previous Meeting

The Minutes of the meeting held on 18 April 2007 were confirmed subject to deletion of the words "and joined the meeting following its recommendation" where appearing and insertion of the word "only" in their stead.

Item 1.2 Business Arising

Nil Business Arising.

SECTION 2 - Reports for Determination

Item 2.1 LTC - 16 May 2007 - Item 2.1 - The Hawkesbury 120 Ski Race Classic - (Hawkesbury, Londonderry & Riverstone) - (80245, 92138)

REPORT:

Introduction:

An application has been received from Ski Racing NSW Inc. seeking approval to conduct the Hawkesbury 120 Ski Race Classic on Saturday, 1 and Sunday, 2 of September 2007.

The Hawkesbury 120 Ski Race Classic was initially undertaken in 2006.

Reports of Committees

Event Details:

- 31 August 2007: 12.00noon 5:00pm
 Vessel safety scrutineering at Governor Phillip Reserve, Windsor.
- 01 September 2007: 9.00am 4:00pm Ski Race From Governor Philip Reserve, Windsor to Sackville Ski Gardens, Sackville and return.
- 02 September 2007: 9.00am 4:00pm.
 Ski Race From Governor Philip Reserve, Windsor to NSW Ski Grounds Caravan Park(Known as NSW Ski Gardens) at Wisemans Ferry and return.

Council resolved to grant the exclusive use of Governor Phillip Reserve for this event on 24 April 2007.

The Ski Racing NSW Inc. has informed the following in respect of this event:

i) Affected Streets are:

George Street, Windsor: between Bridge Street and Palmer Street from around 12.00noon to 5.00pm on 31 August 2007, 7:00am on 1 September 2007, and 6:00am on 2 September 2007

Arndell Street, Windsor: the full length from around 7:00am on 1 September 2007, and 6:00am on 2 September 2007

Palmer Street, Windsor: the full length from around 7:00am on 1 September 2007, and 6:00am on 2 September 2007

North Street/Court Street, Windsor: the full length around 7:00am on 1 September 2007, and 6:00am on 2 September 2007

- ii) The effect on traffic is not expected to be significant.
- iii) It is expected that the event will impact only marginally on traffic using Windsor Road, Bridge Street, Macquarie Street and Wilberforce Road compared to the normal traffic during weekends.
- iv) As no road closures will be in place, there will be little effect on traditional afternoon peak hour southeast bound traffic on Windsor Road.
- v) Expecting approximately 1000 to 2000 spectators across the 2 days (1-2 September 2007).
- vi) Parking will be at Governor Phillip Reserve with additional parking available off street utilising vacant land adjacent to Governor Phillip Reserve. Parking is available for approximately 4000 vehicles.
- vii) The number of entries (competitors and boat trailers) expected is approximately 100 to 150 for the event.
- viii) A letter drop will be undertaken to all residents in the proximity of the event location.

The Ski Racing NSW Inc. is seeking Council / RTA approval for the following Ferry Services on 2 September 2007:

Lower Portland Ferry (HCC)	9.00am – 4.00pm - Total suspension. Required due to poor sight distance leading to the ferry and the bends in the river. The total suspension will enable a free flow of competitors across the ferry crossing.
Sackville Ferry (RTA)	9.00am - 4.00pm - Reduced Operation of the ferry, whereby a full load of vehicles are to be aboard prior to the ferry undertaking a crossing. The reduced operation will enable free flow of competitors across the ferry crossing.

Reports of Committees

Safety vessels with crews will be placed on the relevant side of the Ferry with suitable equipment to indicate to competitors that the Ferry may be operating. The course vessels will have radio communications with a marshal on both Ferries and the respective ferry masters. Use of both ferries by Emergency Vehicle Traffic will not be effected. The event organiser acknowledges that either Council or the RTA on the day may have the need to alter the suspension or reduced services at their discretion.

Webbs Creek Ferry and Wiseman Ferry are located downstream to the NSW Ski Gardens, and subsequently these ferry operations are not effected.

The event organiser has submitted the following items in relation to this event: Appendix 1 (Dataworks Document No: 2439714):

- i) Details of the Special Event Traffic template,
- ii) Submission to NSW Police Service,
- iii) Transport Management Plan (TMP) without associated TCP. The applicant advised verbally that the Reduced capacity for operating Sackville Ferry is 9.00am to 4.00pm contrary to the listed 8.00am to 4.00pm in the TMP.
- iv) Copy of intended advertisements of the event and in particular Ferry operating times. The times listed currently do not match the requested/proposed Ferry operating time changes.

Discussion:

Even though this event will be held along the Hawkesbury River and within the Governor Phillip Reserve, this event and the spectators travelling to the event may impact heavily on the state road network on Windsor Road, Macquarie Street, Wilberforce Road and Bridge Street and in particular the local roads such as George Street and Court Street as well as the Ferry services. It would be appropriate to classify this event as a "**Class 1**" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads & Traffic Authority given that perceived impact.

It is noted that the event organiser has lodged an application seeking approval to conduct the event with the NSW Police Service. The Traffic Control Plan (TCP) be submitted to Council and the RTA for acknowledgement as this is a **Class 1** event.

Lower Portland Ferry Service is under the care and control of Hawkesbury City Council. Sackville Ferry Services is the under the care and control of the RTA and hence, the RTA approval be sought directly by the event organiser for the reduced ferry operations.

RECOMMENDATION:

That:

- 1 The Hawkesbury 120 Ski Race Classic event planned for 31 August 2007 and 1 & 2 September 2007 be classified as a "**Class 1**" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.
- 2. The event organiser obtains approval from the RTA as this is a "Class 1" event.
- 3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
- 4. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package, which explains the responsibilities of the event organiser in detail.
- 5. No objection be held to this event subject to compliance with the following conditions:

Prior to the event:

- 5a) the event organiser obtaining approval to conduct this event, from the NSW Police Service, **a** copy of the Police Service approval be submitted to Council;
- 5b) the event organiser **submitting a Traffic Control Plan (TCP) for the entire route to Council and the RTA** for acknowledgement. The TCP should be prepared by a person holding appropriate certification required by the RTA to satisfy the requirements of the relevant Work Cover legislation;
- 5c) the event organiser submitting to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 with Council and the Roads & Traffic Authority's interest noted on the Policy; this Policy is to provide cover in relation to all aspects of traffic management both on-road and off-road as well as event activities within the Reserve;
- 5d) the event organiser obtaining the relevant approval to conduct this event from the Waterways Authority; **a copy of this approval be submitted to Council**;
- 5e) the event organiser advertising the event in the local press stating the entire route of the event and the traffic impact / delays due to the event two weeks prior to the event; **a copy of the proposed advertisement be submitted to Council** (indicating the advertising medium);
- 5f) the event organiser notifying the details of the event to NSW Ambulance Services, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event;
- 5g) the event organiser directly notifying relevant bus companies, tourist bus operators and the taxi companies operating in the area and all the residence and business affected by the event at least two weeks prior to the event;
- 5h) the event organiser advising all adjoining Councils such as Gosford, Baulkham Hills, Hornsby of this event and in particular the ferry closures and obtaining any necessary approvals from these Councils;
- 5i) the event organiser carrying out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and designing and implementing a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <u>http://www.dsr.nsw.gov.au</u>);
- 5j) the applicant contacting Hawkesbury City Council's Construction and Maintenance Section three weeks prior to the event with regard to the suspension of Lower Portland Ferry service maintained by Hawkesbury City Council;
- 5k) the event organiser submitting the completed "Special Event Traffic Final Approval form to Council

During the event:

- 5l) access being maintained for businesses, residents and their visitors;
- 5m) a clear passageway of at least 4 metres width being maintained at all times for emergency vehicles; and,
- 5n) all traffic controllers / marshals operating within the public road network holding appropriate certification required by the RTA;

- 50) in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices be placed during the event along the route under the direction of a traffic controller holding appropriate certification required by the RTA;
- 5p) the competitors and participants be advised of the traffic control arrangements in place prior to the commencement of the event; and,
- 5q) all roads and marshalling points are to be kept clean and tidy, with all directional signs to be removed immediately on completion of the activity;
- 6. That the applicant seek RTA approval for reduced crossing/operation of the Sackville Ferry Service. No objection is held to the suspension of the Lower Portland Ferry Service. Suspension/reduced operation of the ferry services is subject to the applicant complying with the following conditions, as well as any conditions imposed by the RTA:
 - 6a) Advertising of the proposed event being undertaken at the expense of Ski Racing NSW Inc. in both Sydney and Local newspapers, two weeks prior to the event, in relation to:
 - traffic impact and delays,
 - exclusive use of Governor Phillip Reserve,
 - 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;

- 6b) signs be erected at the expense of Ski Racing NSW Inc. 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;
- 6c) safety precautions as previously established in the TMP are to be placed at all ferry locations, such to include a boat and crew downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and ferry vessel, such procedures are to be implemented to the satisfaction of the Waterways Authority and Hawkesbury City Council; and,
- 6d) the Transport Management Centre, Roads & Traffic Authority and Council be authorised to alter ferry suspension/operation times if necessary.

APPENDICES:

AT - 1 Special Event Application - (Dataworks Document No. 2439714) - see attached

Item 2.2 LTC - 16 May 2007 - Item 2.2 - NSW State Endurance Championship - (Hawkesbury) - (80245, 99601)

REPORT:

Introduction:

An application has been received from Rosemont Endurance Riders, dated 19 March 2007, seeking approval to conduct the NSW State Endurance Championship, around the Webbs Creek, Leets Vale, Lower Portland area. The event is a 24 hour, 160 Kilometre Endurance Horse Ride. The event will be held from 9 to 11 June 2007.

The route of the ride is on the tracks within the Parr State Recreational Area, private farmlands and on the following public roads:

- Chaseling North Road Sealed Road
- Bicentenary Road Unsealed Road
- Webbs Creek Road Sealed and Unsealed Road
- Webbs Creek Mountain Road Unsealed Road
- St Albans Road Sealed and Unsealed Road
- Wheelbarrow Ridge Track Unsealed Road
- Wheelbarrow Ridge Road Sealed and Unsealed Road
- West Portland Road Sealed Road
- Greens Road Sealed and Unsealed Road

Refer to - Appendix 1(Dataworks Document No: 2458257): - For the Event Route details

The event organiser has advised the following:

- The 24 hour event will start at 12.00am on 10 June 2007 and finish at midnight on 10 June 2007. Set up for the event will commence at 10.30pm on 9 June 2007 and will go through to set down at 12.30am on 11 June 2007.
- This event has been held over the last 22 years.
- Start and end point for the event will be from the Del Rio Resort at Webbs Creek.
- There will be approximately 80 horse riders participating.
- There will be approximately 30 spectators.
- Parking of vehicles will be predominantly on private land.
- No creek or river beds to be crossed.

Discussion:

It would be appropriate to classify this event as a "Class 2" special event under the "Traffic Management for Special Events" guidelines issued by the Roads & Traffic Authority as 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 this event: Appendix 1 (Dataworks Document No: 2458257):

- i) Details of the Special Event Traffic template,
- ii) Transport Management Plan (TMP) and Traffic Control Plan (TCP)
- iii) Public Liability Insurance Policy to the value of \$20,000,000
- iv) Copy of advertisement about the event but it does not indicate the route for the event.
- v) Approval from National Parks and Wildlife Service (Department of Environment and Conservation) for the use of the Parr State Recreational Area.

Reports of Committees

It will be necessary for the event organiser to lodge an application seeking approval to conduct the event with the NSW Police Service.

RECOMMENDATION:

That:

- 1. The NSW State Endurance Championship event planned for 9 to 11 June 2007, be classified as a "Class 2" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.
- 2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
- 3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package which explains the responsibilities of the event organiser in detail.
- 4. No objection be held to this event subject to compliance with the following conditions:

Prior to the event:

- 4a. the event organiser obtaining approval to conduct this event, from the NSW Police Service; **a copy of the Police Service approval be submitted to Council;**
- 4b. the event organiser advertising the event in the local press stating the entire route of the event and the traffic impact / delays due to the event two weeks prior to the event; **a copy of the proposed advertisement be submitted to Council** (indicating the advertising medium);
- 4c. the event organiser notifying the details of the event to NSW Ambulance Services, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event;
- 4d. the event organiser directly notifying relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses affected by the event at least two weeks prior to the event;
- 4e. If the use of a Council Park/Reserve is required, written approval is required from Councils' Land Management section;
- 4f. the event organiser obtaining approval from the NSW Department of Lands for the use of any Crown Roads (Crown Land);
- 4g. the event organiser carrying out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and designing and implementing a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at http://www.dsr.nsw.gov.au);
- 4h. the event organiser submitting the completed "Special Event Traffic Final Approval" form to Council;

Reports of Committees

During the event:

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

APPENDICES:

AT - 1 Special Event Application - (Dataworks Document No. 2458257) - see attached

Item 2.3 LTC - 16 May 2007 - Item 2.3 - Shahzada 400 Kilometre Horse Endurance Ride -(Hawkesbury) - (80245, 86185)

REPORT:

Introduction:

An application has been received from Shahzada Memorial Endurance Test Inc. seeking approval to conduct its annual Shahzada 400 Kilometre Horse Endurance Ride, in and around the St Albans and Macdonald Valley areas. The event will be held from 27 to 31 August 2007.

The route of the ride is predominantly on the tracks within the Parr State Recreational Area, Yengo National Park, private farmlands and on the following public roads:

- Upper Macdonald Road Unsealed Road
- Wollombi Road Sealed and Unsealed Road
- Settlers Road Sealed and Unsealed Road
- Bulga Street Sealed section
- Wrights Creek Road Unsealed Road

- St Albans Road Sealed and Unsealed
- Wharf Street Sealed Road
- Webbs Creek Road Unsealed Road
- Webbs Creek Mountain Road Unsealed Road
- Crossing of the Macdonald River at various locations.

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

Refer to - Appendix 1(Dataworks Document No: 2457479) for the Event Route details.

The event organiser has advised the following:

- This event has been held over the last 26 years.
- Start and end point for the event will be within the St Albans village.
- St Albans Bridge, which is under the care and control of the Roads and Traffic Authority, will only be used in the event of flooding of the Macdonald River,.
- There will be approximately 135 horse riders participating.
- There will be approximately 30 spectators
- Parking of vehicles will be predominantly on private land.

Discussion:

It would be appropriate to classify this event as a "Class 2" special event under the "Traffic Management for Special Events" guidelines issued by the Roads & Traffic Authority as 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 this event: Appendix 1 (Dataworks Document No: 2457479):

- i) Details of the Special Event Traffic template,
- ii) Transport Management Plan (TMP) and Traffic Control Plan (TCP). The TCP also covers the possible use of St Albans Bridge.
- iii) Public Liability Insurance Policy to the value of \$20,000,000
- iv) Copy of advertisement about the event but it does not indicate the route for the event.
- v) Approval from National Parks and Wildlife Service (Department of Environment and Conservation) for the use of the Parr State Recreational Area, Yengo National Park and Great Northern Road
- vi) Copies of correspondence forwarded to the NSW Police Service, NSW Ambulance Services, NSW Rural Fire Services and SES.

Authorisation for the use of St Albans Bridge is required from the RTA. The TMP and the associated TCP can be submitted to the RTA through the RTA representative on the LTC.

RECOMMENDATION:

That:

- 1. The Shahzada 400 Kilometre Horse Endurance Ride event planned from 27 to 31 August 2007, be classified as a "Class 2" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.
- 2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
- 3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the

Hawkesbury City Council special event information package which explains the responsibilities of the event organiser in detail.

4. No objection be held to this event subject to compliance with the following conditions:

Prior to the event:

- 4a. the event organiser obtaining approval to conduct this event, from the NSW Police Service; **a copy of the Police Service approval be submitted to Council;**
- 4b. the event organiser obtaining approval from the RTA as the event may traverse across St Albans Bridge; a copy of the RTA approval be submitted to Council;
- 4c. the event organiser obtaining the relevant approval to conduct this event from the Waterways Authority; **A copy of this approval be submitted to Council;**
- 4d. the event organiser obtaining the relevant approval from the Department of Natural Resources to cross the Macdonald River; **A copy of this approval be submitted to Council;**
- 4e. the event organiser advertising the event in the local press stating the entire route of the event and the traffic impact / delays due to the event two weeks prior to the event; **a copy of the proposed advertisement be submitted to Council** (indicating the advertising medium);
- 4f. the event organiser directly notifying relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses affected by the event at least two weeks prior to the event;
- 4g. If the use of a Council Park/Reserve is required, written approval is required from Councils' Land Management section;
- 4h. the event organiser obtaining approval from the NSW Department of Lands for the use of any Crown Roads (Crown Land);
- 4i. the event organiser obtaining any necessary approvals from adjoining Councils;
- 4j. the event organiser carrying out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and designing and implementing a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at http://www.dsr.nsw.gov.au);
- 4k. the event organiser submitting the completed "Special Event Traffic Final Approval" form to Council;

During the event:

- 4l. access being maintained for businesses, residents and their visitors;
- 4m. a clear passageway of at least 4 metres width being maintained at all times for emergency vehicles;
- 4n. all traffic controllers / marshals operating within the public road network holding appropriate certification required by the RTA;
- 40. the riders are aware of and are following all the general road user rules whilst riding on public roads;

- 4p. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices be placed during the event along the route under the direction of a traffic controller holding appropriate certification required by the RTA;
- 4q. the competitors and participants be advised of the traffic control arrangements in place prior to the commencement of the event; and,
- 4r. all roads and marshalling points are to be kept clean and tidy, with all directional signs to be removed immediately on completion of the activity
- 4s. 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. Method of watering and frequency is to be addressed and outlined in the TMP.

APPENDICES:

AT - 1 Special Event Application - (Dataworks Document No. 2457479) - see attached.

Item 2.4 LTC - 16 May 2007 - Item 2.4 - Woods Road, South Windsor Traffic Calming -(Riverstone) - (80245, 98785)

REPORT:

Representation has been received from a resident of Woods Road, South Windsor, in the vicinity of Hart Road, raising the following traffic issues:

- vehicles travelling at excessive speed,
- due to the length of the road, driver build up considerable speed,
- the majority of drivers appear to be inexperienced,
- pedestrian safety.

Woods Road is a local distributor road existing in two sections which extend from George Street to Collith Avenue and Stewart Street to Berger Road, South Windsor for a distance of 1.13 kilometres. The section of Woods Road referred to is between George Street and Collith Avenue, South Windsor, which is approximately 705 metres in length and is sealed. Woods Road runs generally in a northwest/southeast direction. The main flow of traffic is directed from George Street, Mileham Street and Collith Avenue.

This section of Woods Road intersects 6 Local Roads and 1 State Road - George Street. Mileham Street is controlled at Woods Road with Stop signs as well as a centre medians on each approach with Stop signs. The current regulatory speed limit is 50 kph. Along Woods Road, 50kph speed limit signs are currently positioned adjacent to No's 3 and 15 only. There are predominantly residential properties on both sides of the road.

The wider appearance and the straight alignment of Woods Road tends to promote both excessive vehicular speeds and overtaking of vehicles (refer to Table 1 for Road Section Data). There are no traffic calming devices along this section of road, although Woods Road is controlled at a T-Junction with George Street. It would be appropriate to install Stop signs in Woods Road at its intersection with George Street as there is restricted sight distance of vehicles approaching the intersection as well as this being an exit road from a local area onto an arterial road.

Reports of Committees

The RTA Accident Database indicates 2 injury accidents and 1 minor accident during the period from January 2000 to December 2004. One accident in the vicinity of Mileham Street with the other two accidents in the vicinity of Hart Road.

 Table 1: Woods Road Section Data

Road Section	Road Width and K&G	Speed Limit	Traffic Counter - Feb 2007	ADT	85% speed	RTA Road Traffic Accident Database
George Street to Mileham Street	11.90 metres K&G both sides	50kph	TC1	1352	58 kph	Nil
Mileham Street to Hart Road	12.50 metres K&G both sides	50kph	TC2	1637	63 kph	3
Hart Road to Collith Avenue	12.50 metres K&G both sides	50kph	TC3	1591	61 Kph	Nil

To View This Image, Please Refer to the Separate Attachments Document (Maps)

The 85th percentile speed recorded at all 3 locations is higher than the current regulatory speed of 50kph. These figures are considered to be higher than the acceptable limit.

As part of a Local Area Traffic Management Plan, it would be appropriate to mark barrier lines and edge lines with RRPMs to establish 3.1 metre wide travelling lanes on both sides of Woods Road, between George Street and Collith Avenue. This will create the perception of narrow travelling lanes for motorists,

Reports of Committees

which will discourage speeding and prohibit overtaking. It is considered that the line marking treatment is a better option initially than the installation of devices such as horizontal and vertical deflectors as it is most cost effective for this length of the road. It is also appropriate to install regulatory speed signs at regular intervals and associated road markings which will reinforce the speed limit to motorists.

RECOMMENDATION:

That:

- 1. the following measures be undertaken in Woods Road, South Windsor:
 - a. Barrier lines and Edge Lines be marked between George Street and Collith Avenue to establish 3.1 metre wide travelling lanes on both sides and associated RRPM's;
 - b. repeater regulatory 50kph speed limit signs (back to back) and pavement markings be installed on both sides of the road, in the vicinity of house numbers; 1/3, 14/16, 18/20 and 59/61;
 - c. install Stop signs on both sides of the road and a Holding Line at the intersection of George Street.
- 2. a speed survey be undertaken three months after installation of the above measures.

APPENDICES:

There are no supporting documents for this report.

Item 2.5 LTC - 16 May 2007 - Item 2.5 - Bridge to Bridge Water Ski Classic, November 2007 -(Hawkesbury, Londonderry & Riverstone) - (80245, 74204)

REPORT:

Introduction:

An application has been received from NSW Water Ski Federation Ltd, seeking approval to conduct the Bridge to Bridge Water Ski Classic on Saturday 24 and Sunday 25 November 2007.

Documents submitted with the application are contained in attached Appendix 1 (Dataworks Document No. 2454825)

The Bridge to Bridge Water Ski Classic is an annual water ski racing event along the Hawkesbury River extending from Dangar Island, Brooklyn to Governor Phillip Reserve, Windsor.

Event Schedule:

Saturday, 24 November 2007: 8.00am - 5pm Starting at Sackville Ski Gardens and finishing at Governor Phillip Reserve, Windsor

Sunday, 25 November 2007:6.00am - 8.00pm Starting at Danger Island Brooklyn and finishing at Governor Phillip Reserve, Windsor

Reports of Committees

In addition to traffic management issues, exclusive use of Governor Phillip reserve is required by the applicant and this latter aspect requires Council approval. In the interests of effective administration, this matter will be dealt with as a joint report to Council via the Local Traffic Committee.

Traffic Management Issues

The NSW Water Ski Federation Ltd has informed the following in respect of this event:

a) Affected streets are:

George Street, Windsor – between Bridge Street and Palmer Street from around 6.00am Arndell Street – Full length from around 6.00am Palmer Street – Full length from around 6.00am North Street – Full length from around 6.00am Court Street – Full length from around 6.00am

- b) The effect on traffic is not expected to be significant and road closures that were used in year 2000 and earlier have not been requested, as they are not deemed necessary.
- c) It is expected that the event will impact only marginally on traffic using Windsor Road, Bridge Street, Macquarie Street and Wilberforce Road compared to the normal traffic during weekends.
- d) As no road closures will be in place, there will be little effect on traditional afternoon peak hour southeast bound traffic on Windsor Road.
- e) This annual event has been held for over forty years and the Association is expecting approximately 1000 spectators on the Saturday and 2000 spectators on the Sunday at the finish venue in Windsor.
- f) Parking will be at Governor Phillip Reserve with additional parking at Tebbutts Observatory for any additional overflow.
- g) Parking is available for approximately 4000 vehicles.
- h) Emergency vehicles will be allowed access at all times.
- i) Approximately 750 participants made up of 150 boats with 5 competitors per boat.

The NSW Water Ski Federation Ltd is seeking Council / RTA approval for the suspension of the following Ferry Services on 25 November 2007:

Wisemans Ferry	11.15am – 11.45am
Webbs Creek Ferry	11.15am – 11.45am
Lower Portland Ferry	8.30am – 1.00pm
Sackville Ferry	8.30am – 1.00pm

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.

Ferry operations are not effected on 24 November 2007 as Wiseman Ferry, Webbs Creek Ferry, Sackville Ferry and Lower Portland Ferry are all located downstream to the Sackville Ski Gardens, .

The event organiser has submitted the following items in relation to this event: Appendix 1 (Dataworks Document No: 2454825):

- i) Details of the Special Event Traffic template, and
- ii) Transport Management Plan (TMP) without associated TCP.

Reports of Committees

Discussion:

Traffic Issues

Even though this event will be held along the Hawkesbury River and in the Governor Phillip Reserve, the event and the spectators travelling to and from the event may impact heavily on the state road network on Windsor Road, Macquarie Street, Wilberforce Road and Bridge Street and in particular the local roads such as George Street and Court Street as well as the Ferry services. It would be appropriate to classify the event as a "**Class 1**" special event under the "Traffic Management for Special Events" guidelines issued by the Roads & Traffic Authority given that perceived impact.

It will be necessary for the event organiser to lodge an application seeking approval to conduct the event with the NSW Police Service. A Traffic Management Plan (TMP) and an associated Traffic Control Plan (TCP) should be submitted to Council and the RTA for acknowledgement as this is a **Class 1** event.

Lower Portland Ferry Service is under the care and control of Hawkesbury City Council. Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry Services are under the care and control of the RTA and hence, RTA approval is to be sought directly by the event organiser for the suspension of ferry services maintained by them.

Governor Phillip Reserve

The NSW Water Ski Federation Ltd has requested exclusive use of Governor Phillip Reserve on 24 & 25 November 2007 to conduct the annual Bridge to Bridge Water Ski Classic. The applicant has not advised of an alternate date in the event of inclement weather.

This event has been held for over 40 years and attracts interstate entrants and it is within delegation of Council to grant exemption to Waterways noise restrictions,

This application complies with Council policies applicable to this event, namely:

- 1. The main event is limited to noise level of 100dB(A), with a tolerance of $\pm 3dB(A)$.
- 2. The proposed Nipper Class, Wakeboarding and any personal Watercraft are limited to 95dB(A).

RECOMMENDATION:

That:

- 1. The Bridge to Bridge Water Ski Classic event planned for 24 and 25 November 2007, be classified as a "**Class 1**" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.
- 2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
- 3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package which explains the responsibilities of the event organiser in detail.
- 4. No objection be held to this event subject to compliance with the following conditions:

Prior to the event:

4a. the event organiser obtaining approval to conduct this event, from the NSW Police Service; **a copy of the Police Service approval be submitted to Council;**

- 4b. The event organiser obtains approval from the RTA as this is a "Class 1" event; a copy of the RTA approval be submitted to Council;
- 4c. the event organiser **submitting a Traffic Control Plan (TCP) to Council and the RTA** for acknowledgement. The TCP should be prepared by a person holding appropriate certification required by the RTA to satisfy the requirements of the relevant Work Cover legislation;
- 4d. the event organiser to submit to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 noting Council and the Roads and Traffic Authority as interested parties on the Policy and that the Policy to cover both on-road and off-road activity;
- 4e. the event organiser obtaining the relevant approval to conduct this event from the Waterways Authority; **A copy of this approval be submitted to Council;**
- 4f. the event organiser advertising the event in the local press stating the entire route of the event and the traffic impact / delays due to the event two weeks prior to the event; **a copy of the proposed advertisement be submitted to Council** (indicating the advertising medium);
- 4g. the event organiser notifying the details of the event to NSW Ambulance Services, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event;
- 4h. the event organiser directly notifying relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses affected by the event at least two weeks prior to the event. The applicant undertaking a letter drop to all affected residents and businesses in the proximity to the event, with that letter advising full details of the event;
- 4i. the event organiser advising all adjoining Councils such as Gosford, Baulkham Hills, Hornsby of this event and in particular the ferry closures and obtaining any necessary approvals from these Councils;
- 4j. the applicant contacting Hawkesbury City Council's Construction and Maintenance Section three weeks prior to the event with regard to the suspension of Lower Portland Ferry service maintained by Hawkesbury City Council;
- 4k. the event organiser carrying out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and designing and implementing a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at http://www.dsr.nsw.gov.au);
- 4I. the event organiser submitting the completed "Special Event Traffic Final Approval" form to Council;

During the event:

- 4m. access being maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least 4 metres width being maintained at all times for emergency vehicles;
- 40. all traffic controllers / marshals operating within the public road network holding appropriate certification required by the RTA;

- 4p. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices be placed during the event along the route under the direction of a traffic controller holding appropriate certification required by the RTA;
- 4q. the competitors and participants be advised of the traffic control arrangements in place prior to the commencement of the event; and,
- 4r. all roads and marshalling points are to be kept clean and tidy, with all directional signs to be removed immediately on completion of the activity

Ferry Services:

- 5. That the applicant seek RTA approval for suspension/reduced operation of Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry Services. No objection is held to the suspension/reduced operation of the Lower Portland Ferry Service. Suspension/reduced operation of the ferry services is subject to the applicant complying with the following conditions, as well as any conditions imposed by the RTA:
 - 5a) Advertising of the proposed event being 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 Reserve,
 - 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;

- 5b) signs 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;
- 5c) safety precautions as previously established in the TMP are to be placed at all ferry locations, such to include a boat and crew downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and ferry vessel, such procedures are to be implemented to the satisfaction of the Waterways Authority, RTA and Hawkesbury City Council; and,
- 5d) the Transport Management Centre, Roads & Traffic Authority and Council be authorised to alter ferry suspension/operation times if necessary.

B. Governor Phillip Reserve

- 1. That approval be granted to the NSW Water Ski Federation Ltd for exclusive use of Governor Phillip Reserve on Saturday and Sunday 24-25 November 2007, subject to compliance with the following conditions:
 - a) The applicant paying per day the exclusive use contribution rate, plus the toilet cleaning charge, applicable at the time of the event;
 - b) The reserve being left clean and tidy with the applicant being responsible for the disposal of all waste from the reserve;
 - c) The applicant obtaining appropriate licences from the Waterways Authority regarding conduct of this event;
 - d) If required, the applicant to obtain appropriate licence from the Licensing Branch of the NSW Police Service for the sale of alcoholic beverages at the proposed event;

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- e) The applicant obtaining all necessary permits/approvals in relation to amusement devices/rides including Integral Energy regarding the supply of power to devices/rides and their proximity to power supply lines;
- f) Any building, vehicle or stall that is preparing food for public consumption is to comply with Council's "Information for Food Stall Holders" brochure; this information and any related food/public health information can be obtained by contacting Council's Environmental Health Officers, on direct line 4560 4571;
- g) The applicant lodge a damage bond applicable at time of event.
- 2. That the applicant be allowed use of the Reserve on Friday, 23 November, 2007 to facilitate set-up;
- 3. In relation to noise levels, that the noise level of 100dB(A) with a tolerance of 3dB(A) be supported;
- 4. The proposed Nipper Class, Wakeboarding and any personal Watercraft be limited to 95dB(A);
- 5. As the applicant has not advised of an alternate date in the event of inclement weather, the Manager of Parks & Recreation be granted delegated authority to negotiate exclusive use on an alternate date, if required by the applicant.

APPENDICES:

AT - 1 Special Event Application - (Dataworks Document No. 2454825) - see attached

SECTION 3 - Reports for Information

Item 3.1 LTC - 16 May 2007 - Item 3.1 - Response by RTA to Speed Review on Slopes Road, Crooked Lane and Maddens Road, North Richmond - (Londonderry) - (80245, 74282)

Previous Item: Item 4.2, LTC (17/01/07)

REPORT:

At the Local Traffic Meeting on 17 January 2007, Councillor Basset advised that there have been representations received regarding vehicles speeding along Slopes Road (Kurmond Road to Crooked Lane) and Maddens Road (Crooked Lane to Slopes Road) and requested that speed monitoring be undertaken on these 2 roads.

Following recommendation by the Local Traffic Committee, Council, at its meeting held on 30 January 2007 resolved the following:

"That:

- 1. Speed counts be undertaken at the following locations:
 - a. Slopes Road approx. 50m west of Branders Lane
 - b. Slopes Road approx. 200m east of Maddens Road
 - c. Maddens Road approx 200m north of Slopes Road

- 2. Curve advisory markers be installed at the intersection of Maddens Road and Slopes Road for both directions of travel
- 3. the RTA be requested to review the speed limit along Slopes Road (Kurmond Road to Crooked Lane), Maddens Road (Crooked Lane to Slopes Road) and Crooked Lane (Kurmond Road to Maddens Road and Slopes Road to Bells Line of Road)
- 4. the NSW Police Service be requested to patrol the general area bounded by Slopes Road, Maddens Road and Crooked Lane."

The following actions have been undertaken and numbered according to the Council resolution:

1. Speed counts have been undertaken at the nominated locations and listed in Table 1. The 85% speeds recorded were generally within the speed limit. However Slopes Road at TC2 exhibited a reading 9kph higher than the posted speed limit. Whilst there is a higher speed recorded at TC2, the RTA Accident Database indicates 2 accidents during the period from January 2000 to December 2004 in the vicinity of this intersection. One accident was at the intersection whilst the other was in Slopes Road approximately 50 metres east of Maddens Road, with this accident being an injury accident. Overall the 85% speed for this section of road is not considered to be excessive given the posted speed limit is 80kph. Installation of speed reducing devices along this section of road would not be appropriate given the curvature of the road as well as the terrain.

Road Name	Locality	Counter No.	ADT (year)	Speed Limit	85% Speed
Slopes Road	approx. 50m west of Branders Lane	TC1	1019 (2007)	80 kph	85 kph
Slopes Road	approx 200m east of Maddens Road	TC2	2788 (2007)	80 kph	89 kph
Maddens Road	approx 200m north of Slopes Road	TC3	1755 (2007)	80 kph	85 kph

Table 1: Speed Count Data

To View This Image, Please Refer to the Separate Attachments Document (Maps)

- 2. Curve advisory markers have been installed, including the upgrade of linemarking.
- 3. Correspondence has been received from the Roads and Traffic Authority (Dataworks Document No.2451532) advising the following:

"Thank you for you letter dated 12 February 2007, in regard to a request for a review of the speed limit on Slopes Road (Kurmond road to Crooked Lane), Crooked Lane (Kurmond Road to Maddens Road) and Maddens Road (Crooked Lane to Slopes Road), North Richmond.

A site inspection was carried out by an officer from the RTA's Speed Management Unit. The RTA considers several factors when determining what speed limit is appropriate for any given road, including the number and type of adjoining land-users, the road's geometry, traffic composition and volumes, detailed analysis of the crash history and the function of the road within the network.

Following a detailed investigation, the RTA considers the speed limit of 80km/h on Slopes Road, Crooked Lane and Maddens Road is appropriate under the authority's current speed Zoning Guidelines.

However, the investigation also revealed that there are a number of horizontal curves along Slopes Road, crooked Lane and Maddens Road. Most are delineated with curve warning signs with advisory speed supplementary plates attached but others have no curve warning signs and supplementary plates. In addition a number of curve advisory signs and supplementary plates are 'A' size signs. The RTA recommends that Council replace existing 'A' size curve warning signs and supplementary plates with 'B' size signs, and install additional curve warning signs together with supplementary plates to quantify the appropriate curve advisory speed."

Matters relating to curve warning signs and supplementary plates has been forwarded to Councils Construction and Maintenance section to action

4. Correspondence has been forwarded to the NSW Police Service..

RECOMMENDATION:

That upgrading of advisory/indicator signage on each approach of Slopes Road/Maddens Lane intersection be included in the currently Works Programme, and including the following:

- a. "Watch For Entering Traffic" signage on Slopes Road in relation to traffic exiting Maddens Lane; and
- b. "Crest" advisory signage where required.

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APPENDICES:

There are no supporting documents for this report.

Item 3.2 LTC - 16 May 2007 - Item 3.2 - Committee Recommendations Altered by Council Resolution - (80245, 79339, 79346)

REPORT:

The following recommendations of the Local Traffic Committee were amended by Council resolution as indicated:

- 1. LTC 21 March 2007 Item 2.5 Additions to Service Station Car Wash and Café at Lot A, DP411701, 126 Windsor Road, McGraths Hill DA0291/06
 - a. <u>Committee Recommendation</u>

"That the application for a Car Wash and Café at Lot A, DP411701, 126 Windsor Road, McGraths Hill not be supported on the basis of safety concerns indicated by Mr J Suprain, Roads and Traffic Authority."

b. Council Resolution, Ordinary Meeting, 24 April 2007

"That the information be received."

2. LTC - 21 March 2007 - Item 2.3 - Pedestrian Crossing Request - March & Paget Streets, Richmond

a. <u>Committee Recommendation</u>

"That:

- 1. a Pedestrian Crossing NOT be installed in March Street, between East Market Street and Moray Street in Richmond; and
- 2. enquiries be made of the Roads and Traffic Authority as to whether the Authority proposes any future alternative treatment at this location to enhance pedestrian safety."
- b. Council Resolution, Ordinary Meeting, 24 April 2007

Addition of the following to the Committee Recommendation:

"That further investigations be undertaken with the view to providing a pedestrian refuge at an appropriate location in March Street between East Market and Paget Street."

Reports of Committees

RECOMMENDATION:

That the information be received.

APPENDICES:

There are no supporting documents for this report.

SECTION 4 - General Business

Nil General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Wednesday, 20 June 2007 at 3.00pm in the Large Committee Rooms.

The meeting terminated at 4.03pm.

0000 END OF REPORT 0000



ordinary meeting

end of business paper

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