



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 08 April 2014

location: council chambers

time: 6:30 p.m.



mission statement

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

How Council Operates

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

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

Ordinary Meetings of Council are generally held on the second Tuesday of each month (except January), and the last Tuesday of each month (except December), meeting dates are listed on Council's website. The meetings start at 6:30pm and are scheduled to conclude by 11pm. These meetings are open to the public.

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

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

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

Public Participation

Members of the public can register to speak on any items in the business paper other than the Confirmation of Minutes; Mayoral Minutes; Responses to Questions from Previous Meeting; Notices of Motion (including Rescission Motions); Mayoral Elections; Deputy Mayoral Elections; Committee Elections and Annual Committee Reports. To register, you must lodge an application form with Council prior to 3pm on the day of the meeting. The application form is available on Council's website, from the Customer Service Unit or by contacting the Manager - Corporate Services and Governance on (02) 4560 4444 or by email at council@hawkesbury.nsw.gov.au.

The Mayor will invite registered persons to address the Council when the relevant item is being considered. Speakers have a maximum of three minutes to present their views. The Code of Meeting Practice allows for three speakers 'For' a recommendation (i.e. in support), and three speakers 'Against' a recommendation (i.e. in opposition).

Speakers representing an organisation or group must provide written consent from the identified organisation or group (to speak on its behalf) when registering to speak, specifically by way of letter to the General Manager within the registration timeframe.

All speakers must state their name, organisation if applicable (after producing written authorisation from that organisation) and their interest in the matter before speaking.

Voting

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

Planning Decision

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

Business Papers

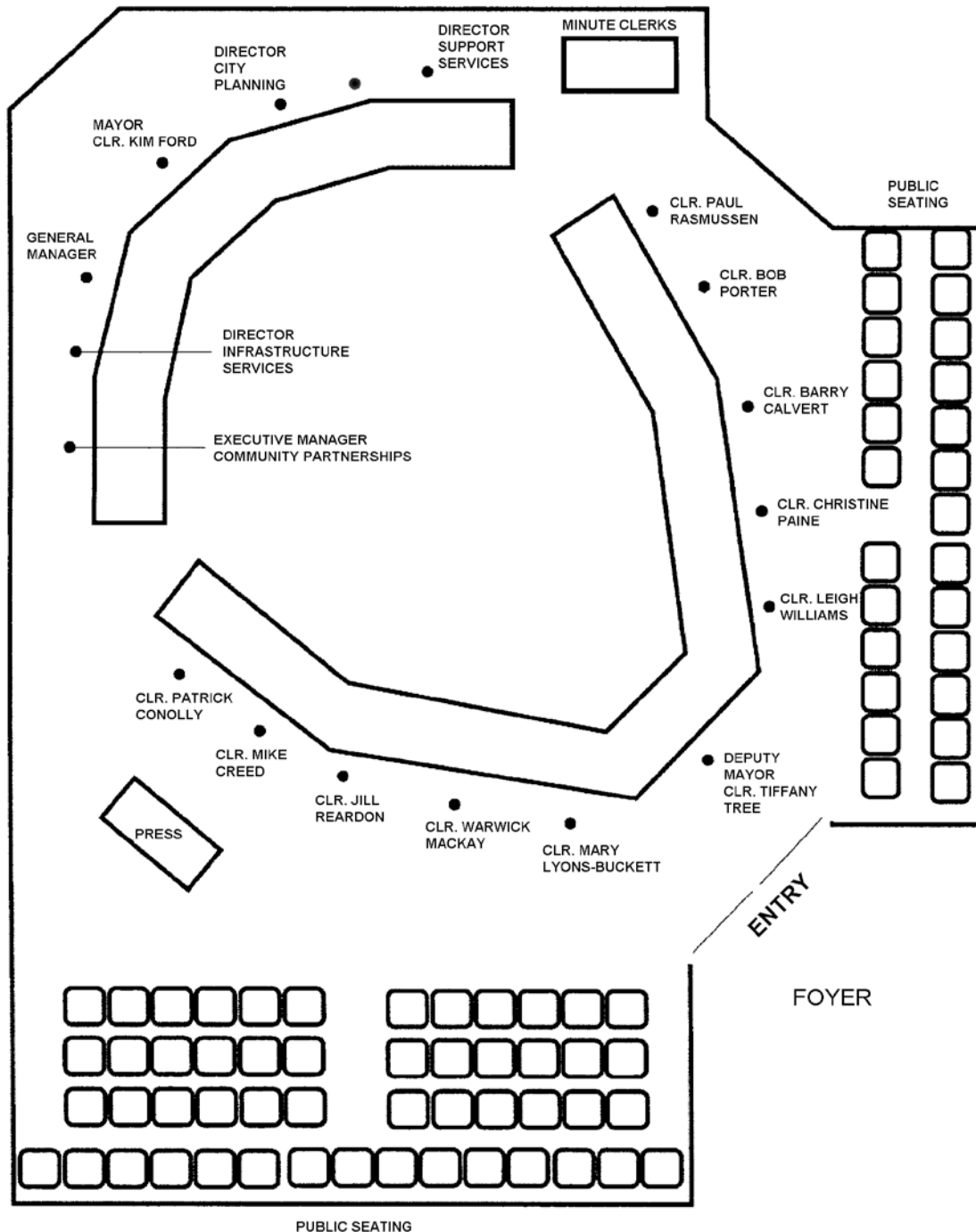
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

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

Further Information

A guide to Council Meetings is available on the Council's website. If you require further information about meetings of Council, please contact the Manager, Corporate Services and Governance on, telephone (02) 4560 4444.

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- **DECLARATION OF INTERESTS**
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- **ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL**
- **SECTION 2 - Mayoral Minutes**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 3 - Reports for Determination**
 - Planning Decisions**
 - General Manager**
 - City Planning**
 - Infrastructure Services**
 - Support Services**
- **SECTION 4 - Reports of Committees**
- **SECTION 5 - Notices of Motion**
- **QUESTIONS FOR NEXT MEETING**
- **REPORTS TO BE DISCUSSED IN CONFIDENTIAL SESSION**

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SECTION 3 - Reports for Determination

GENERAL MANAGER

Item: 66

GM - 2014 National General Assembly of Local Government - (79351, 82046)

REPORT:

Executive Summary

The 2014 National General Assembly of Local Government, conducted by the Australian Local Government Association, will be held from 15 - 18 June, 2014 in Canberra. Due to its relevance to Council's business, it is recommended that the 2014 National General Assembly of Local Government be attended by Councillors and appropriate staff. It should be noted however, that the Extra Ordinary meeting of Council to consider the adoption of the Draft Operational Plan, Budget and Rates for 2014/2015 is scheduled for Tuesday, 17 June 2014.

Consultation

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

Background

The 2014 National General Assembly (NGA) of Local Government will be held from 15 - 18 June, 2014 in Canberra. The theme of this year's NGA is 'Getting Down to Business' and is a local government event, bringing together mayors and councillors and senior officers from councils across Australia to develop local government policy ideas, meet with key federal politicians and hear from renowned experts on the key issues affecting local government in Australia.

Cost of attendance at the National General Assembly of Local Government will be approximately \$2,000 plus travel expenses per delegate.

Budget for Delegate Expenses - Payments made:

- | | |
|---|----------|
| • Total Budget for Financial Year 2013/2014 | \$45,500 |
| • Expenditure to date | \$41,303 |
| • Budget balance as at 1/04/2014 | \$4,197 |

It should be noted that outstanding commitments of approximately \$12,783 in relation to the 2014 Urban Development Institute of Australia National Congress held in March; 2014 LGMA National Congress and Business Expo to be held in April/May; 2014 Floodplain Management Association Conference to be held in May and the 2014 Best Practice in Local Government Conference to be held in May are not reflected in the balance indicated.

In addition, as indicated in the Executive Summary, the Extra Ordinary meeting of Council to consider the adoption of the Draft Operational Plan, Budget and Rates for 2014/2015 is scheduled for Tuesday, 17 June 2014.

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Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

Funding for attendance at the NGA of Local Government will be provided from the Delegates Expenses within the 2013/2014 Budget.

RECOMMENDATION:

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2014 National General Assembly of Local Government at an approximate cost of \$2,000 plus travel expenses per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 67 **GM - Outcomes of Contribution towards various Christmas Lights Events in 2013 - (79351, 111215)**

Previous Item: Item 421 (Ordinary 30 November, 2010);
 Item 243 (Ordinary 8 November, 2011);
 Item 172 (Ordinary 9 October, 2012);
 Item 68 (Ordinary 12 March, 2013)

REPORT:

Executive Summary

In recent years, Council has provided funds towards the provision of Christmas lights that are undertaken by local business groups. Following relevant processes at the time, funds were allocated to Windsor Business Group (WBG) in 2010, 2011 and 2012 for the provision of Christmas lights and associated activities in the Windsor CBD.

In 2013/2014, Council again allocated funds to business groups for the provision of Christmas lights (Christmas 2013). WBG again received funds for its Windsor Christmas Lights project, Kurrajong Community Forum (KCF) received funds for its inaugural Kurrajong Christmas lights banners project, and Hawkesbury City Chamber of Commerce (HCCC) funds were donated to the Hawkesbury District Hospital Christmas tree lighting and carols fund raiser.

This report provides Council with an overview of the funds provision for Christmas lights in 2013, in respect to its resolution and the results of each Christmas lights projects.

Consultation

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

Background

Council allocated \$8,000 in the 2013/2014 Operational Plan for Christmas lights and associated activities (including prize money for business lights competitions) in business centres, as a business development activity to be undertaken by business groups.

Following approaches to relevant business groups/ organisations representing the town centres in line with relevant processes, a request for the allocation of the 2013/2014 Christmas lights funds was received from:

- WBG Light Up Windsor 2013 Christmas lights project. A lights display on some Windsor CBD buildings and a competition for best lights by a business. WBG proposed to use funds to add lights to the stock secured under previous funding rounds.
- KCF Kurrajong Christmas lights banners project. A banners display on street poles in the mainstreet of Kurrajong and a competition for the best shop front display. KCF proposed to buy start up Christmas lights banners.
- HCCC Donation to annual Christmas lights fund raiser, being the annual Hawkesbury District Hospital Christmas tree lighting and carols.

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Council considered the matter at its meeting on 24 September, 2013 and resolved:

"That Council:

- 1. Allocate its available Christmas Lights funding to the projects presented by the Windsor Business Group and the Kurrajong Community Forum in the amounts of \$3,000 and \$4,000, respectively, to support Christmas Lights displays and associated activities for Christmas 2013 in business centres subject to the two organisations providing details of the proposed expenditure of any allocated funds to the satisfaction of the General Manager.*
- 2. Donate an amount of \$500 to the Hawkesbury District Hospital Christmas tree lighting activity in recognition of the suggestion made by the Hawkesbury City Chamber of Commerce.*
- 3. Retain \$500 of the available Christmas Lights funding to be used towards prizes for competitions undertaken by Windsor Business Group and Kurrajong Community Forum to encourage businesses to participate in the Christmas lights activities.*
- 4. Approve the execution of the Council's standard Sponsorship Agreement for projects."*

In respect of part 1 of the resolution, WBG and KCF subsequently provided details as to how the allocated funds would be used for their Christmas lights projects, WBG had requested \$7,000 and KCF had requested \$5,000. Details received are below and any excess in budgeting was to be made up by the groups own funds:

- **WBG** **Items:**

Two large trees/lights on shop roofs (approx. \$760); smaller trees/lights for in shop windows (approx. \$840); Christmas ornaments for shop fronts including trees, reindeers, santas, fairy lights, coloured balls (approx. \$1,400). LED lights.

Plant/ install: Lift hire (approx. \$256)

Total: \$3,256
- **KCF** **Items:**

12 banners (approx. \$1,200); brackets for poles (approx. \$1,400); artwork (approx. \$280); admin/printing (approx. \$25)

Plant/ install approx. \$1,200

Total: \$4,105

Based on the above details supplied by the groups, the General Manager agreed to provide the funds to WBG and KCF for their projects, and sponsorship agreements were executed in respect of part 4 of the resolution.

In respect of part 2 of the resolution, the donation was provided to Hawkesbury District Hospital for its Christmas tree lighting and carols fundraiser on behalf of the HCCC. A 'donation hand over' event was held on Friday, 8 November 2013, with the Mayor, Councillor Ford; HCCC President, Mr Pilgrim and Hospital representatives. Editorial appeared in The Gazette on Wednesday, 13 November 2013. The Hospital was appreciative of the donation and Council received correspondence to this effect.

In respect of part 3 of the resolution, \$200 was provided to each of WBG and KCF to use towards prizes for the competitions they would undertake in conjunction with their Christmas lights projects.

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Council's Sponsorship Policy requires a group who receives sponsorship funds from Council to provide Council with an evaluation of the project and how Council's funds were spent, including a statement of income and expenditure of the sponsorship funds. Details received are below:

- **WBG**

- | | |
|-------------|--|
| Project | New lights (including lights from previous funding) erected early December 2013; launch event to turn on lights and for competition on Friday, 6 December 2013 and attended by Mayor and Councillor J Reardon; lights displayed 6 December 2013 to 31 January 2014; light locations - Thompsons Square, Windsor Mall and Windsor Riverview Shopping Centre vicinity; and project mentioned in WBG weekly column in The Gazette, including Wednesday, 11 December 2013. |
| Businesses: | Macquarie Arms Hotel, Trentino's on George, Windsor Ice Creamery, Baker and George, Wilkinson's Real Estate, Simons Coffee Lounge, The Shop of Lollies, Frickers Shoes, Dinki Di Cleaning, Smik Surf, Chattering Scissors and Fone Fanatics, and Post Office Arcade. |
| Other: | Council's main tree in Thompsons Square with lights, part of project. |
| Funds: | Project cost not provided. Council contribution was \$3,000 for lighting and \$200 for the competition. |

- **KCF**

- | | |
|---------|--|
| Project | Banners erected early December 2013, positive comments from local community and visitors made to shops/business owners about the project; lights location – main street Kurrajong; media coverage in publications (The Gazette and The Courier), including editorial in The Gazette on Wednesday, 25 December 2013; acknowledgement of Council in communication; and competition event on Saturday, 14 December 2013 and attended by Mayor and Councillor J Reardon. |
| Funds: | Project cost was \$4,436.40 (unaudited). Council contribution was \$4,000 for banners and \$200 for the competition. |

The Christmas lights program for main streets to be undertaken by business groups has been undertaken for another year and it is encouraging to see KCF and HCCC become involved. WBG and KCF reported that the Christmas lights in each town centre contributed to more people in towns during the Christmas period and that they were well received by residents and visitors, but no data has been provided to support this (it has been suggested that WBG do this as part of the event evaluation).

Conformance to Community Strategic Plan

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

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

Financial Implications

An amount of \$8,000 for Christmas light activities and associated prize money for competitions by business groups was allocated in the 2013/2014 Operational Plan in the Strategic Activities service area.

RECOMMENDATION:

That the information be noted.

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ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 68 **CP - Variation of 88B Instrument for Lot 4, DP 1149702, 73 Grand Haven Road, East Kurrajong - (95498)**

REPORT:

Executive Summary

The purpose of this report is to authorise the variation and use of the Seal of Council on the necessary documentation required to vary the 88B Instrument for a building envelope benefitting Hawkesbury City Council over Lot 4, DP 1149702 (73 Grand Haven Road, East Kurrajong).

Consultation

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

Background

A development application for the construction of a dwelling on Lot 4, DP 1149702, 73 Grand Haven Road, East Kurrajong has been received. A building envelope exists on the land imposed as an 88B Restriction on the Title. This requires that all development on the land (with the exception of access requirements) be confined to the nominated area. The building envelope was considered necessary as part of the consideration of the subdivision of the land due to bushfire considerations (as an Asset Protection Zone is required to be established) and an Endangered Ecological Community (EEC) existing on the land. The building envelope as originally proposed by the applicant (and approved) is shown in *Attachment 2*. This plan also shows the extent of the Endangered Ecological Community - Shale Sandstone Transition Forest. This building envelope was subsequently moved to the position shown on the plan in *Attachment 3*. This was done via a Section 96 Modification to the Consent and was subsequently registered with the NSW Department of Land and Property Information.

Request to Vary 88B Instrument

The owner of the subject lot wishes to vary the 88B Instrument by slightly increasing the size of the nominated building envelope. The building envelope is proposed to increase by seven metres to the North and 15 metres to the East. The extent of the variation is shown on the plan in *Attachment 4*. The request to vary the building envelope is considered reasonable as the area where the dwelling is to be sited is not as steep as the land where the envelope is currently shown. There are no additional implications in terms of construction to meet bushfire requirements or the establishment of an Asset Protection Zone (APZ). The dwelling site and the APZ are clear of the EEC. There is no impediment to the varying of the building envelope on planning grounds.

Council is the Authority that is empowered to release, vary or modify the restriction. In order to do this, the Seal of the Council must be executed on the necessary documentation.

Conformance to Community Strategic Plan

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

- Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.

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

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

Financial Implications

There are no financial implications as a result of this report.

RECOMMENDATION:

That the Seal of Council be affixed to the necessary documentation required to vary the 88B Instrument for a building envelope benefitting Hawkesbury City Council over Lot 4, DP 1149702, 73 Grand Haven Road, East Kurrajong.

ATTACHMENTS:

- AT - 1** Location Map
- AT - 2** Original Subdivision Approval
- AT - 3** Modified Subdivision Approval
- AT - 4** Proposed Variation to Building Envelope

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Legend

- Road Names
- Suburbs
- Pending Subdivisions
- Land Parcels
- Building Footprints
- Roads
- photos2011

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

Scale

0 50 100 200
Metres

North Arrow

Inset Map

Map Title

Map Date

Map Author

Map Contact

Map Copyright

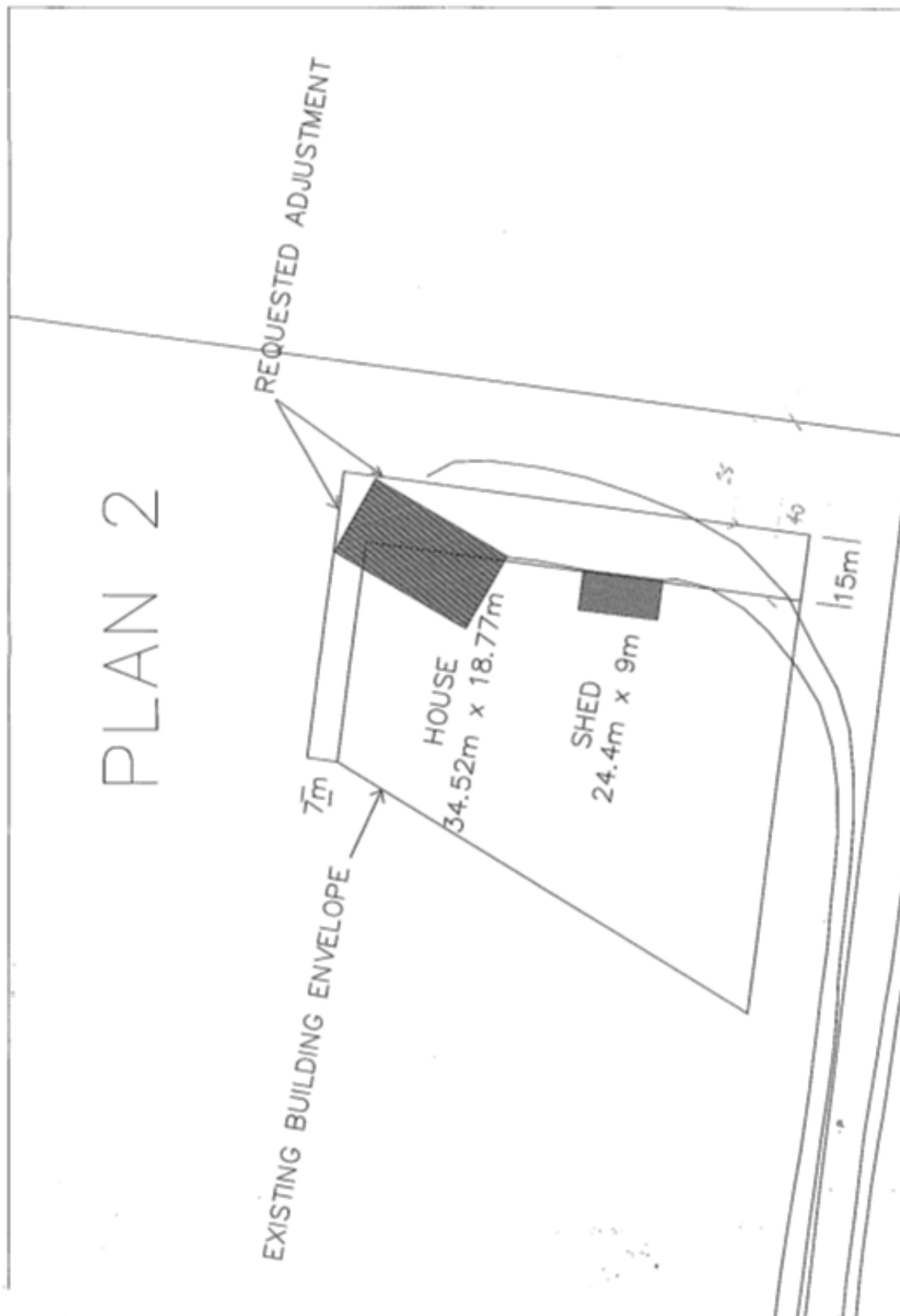
Map Disclaimer

Map Notes

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AT - 4 Proposed Variation to Building Envelope



oooO END OF REPORT Oooo

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Item: 69 **CP - Public Exhibition of the Upper Hawkesbury Coastal Zone Management Plan Draft Report March 2014 - (95498)**

Previous Item: 241, Ordinary (11 October 2011)
 140, Ordinary (31 July 2012)

REPORT:

Executive Summary

The purpose of this report is to advise Council of the preparation of the Upper Hawkesbury Coastal Zone Management Plan (CZMP) Draft Report March 2014 and seek Council's endorsement to place the draft CZMP on public exhibition.

Consultation

It is proposed that the draft CZMP be placed on public exhibition for a minimum of 28 days.

During the public exhibition period the following activities are proposed to be undertaken:

- Placing the draft CZMP on Council's website and the dedicated Upper Hawkesbury CZMP website;
- Providing a copy of the document to the key stakeholders;
- Conducting a static display at the Hawkesbury Central Library.

Background

On 31 July 2012, Council resolved to prepare a CZMP. The purpose of the draft CZMP is to provide strategic direction and guidance on future environmental and strategic planning for the Hawkesbury River and tributaries.

The draft CZMP has been developed under the NSW Government's Estuary Management Program in accordance with the *Coastal Protection Act 1979*. It also complies with the requirements of the NSW Coastal Policy 1997 and the Hawkesbury Nepean Catchment Action Plan 2013.

Extensive consultation has been conducted as part of the preparation of the draft CZMP. This has included:

- A Community drop-in information booth on the 29 June 2013;
- An open community meeting on 15 July 2013;
- A website including online surveys;
- A targeted stakeholder workshop including participants from relevant government agencies and industry; and
- A meeting and telephone based discussions with representatives of the local aboriginal community.

Issues that arose from this initial round of consultation have been incorporated into the draft CZMP as appropriate.

The draft CZMP consists of a series of Action Plans for undertaking targeted works and other initiatives aimed at achieving the overall goal of improved environmental conditions of the River. Thirty six actions have been selected for inclusion in the draft CZMP.

The actions address the broad themes of:

- water quality
- aquatic and riparian habitat
- recreation and amenity

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- landuse and planning development
- foreshore protection
- cultural heritage
- climate change and sea level rise
- monitoring and evaluation

It is now appropriate that the draft CZMP be exhibited.

Following the exhibition any submissions received will be considered and, if required, amendments made to the draft document. The final CZMP will then be reported back to Council for adoption.

Conformance to Community Strategic Plan

The proposal is consistent with the Caring for the Environment Theme.

- To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural ecosystems, rural and cultural landscape.

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

- Effective management of our rivers, waterways, riparian land, surface and groundwaters and natural eco-systems through local action and regional partnerships.

Financial Implications

The preparation of the CZMP has been funded through grants and general funds. One reason the draft CZMP was prepared was to attract Federal and State Government funding for relevant projects. By demonstrating that a considered and informed approach has been taken to develop actions for the Upper Hawkesbury River, funding organisations are more likely to resource the projects knowing that the projects identified will be a good investment in river health and sustainability.

Grant funding may be sought, if available from some of the following sources:

- Caring For Our Country
- BiodiversityFUND
- Community Action Grants
- Estuary Management Program

RECOMMENDATION:

That:

1. The draft Upper Hawkesbury Coastal Zone Management Plan be placed on public exhibition for a minimum of 28 days.
2. Following the public exhibition period the Upper Hawkesbury Coastal Zone Management Plan be reported back to Council for consideration of any submissions or amendments before adoption.

ATTACHMENTS:

AT - 1 Upper Hawkesbury Coastal Zone Management Plan Draft Report March 2014 - (*Distributed Under Separate Cover*)

oooO END OF REPORT Oooo

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Item: 70

CP - Request to Revoke Dangerous Dog Declaration - (95498, 39906)

REPORT:

Executive Summary

An application to revoke a dangerous dog declaration under Section 39(1) of the *Companion Animals Act* that was previously issued by Blacktown City Council (BCC) has been received from Mr and Mrs Maxwell of Oakville.

Under the provisions of the *Companion Animals Act*, the owner of a dog that has been declared dangerous can apply to the Council of the area in which the dog is ordinarily kept (whether or not it is the Council that made the declaration) for the declaration to be revoked. The application cannot be made until 12 months after the dog was declared dangerous.

It is proposed that the subject dangerous dog declaration be revoked.

Consultation

Discussions with BCC companion animal officers have confirmed that there have been no other issues with the offending dog since the order was declared and the dog's owner had put all legislative requirements of owning a dangerous dog in place whilst the dog was housed at Stanhope Gardens.

The dog has since been relocated to Oakville during the past three months.

Background

BCC placed the dangerous dog declaration on the offending dog, a Boxer cross Mastiff, approximately eight years ago.

The order was placed in response to a report of the dog attacking another dog which came onto Mr and Mrs Maxwell's property. The injuries suffered by the victim dog were not life threatening, and all vet fees were paid by Mr and Mrs Maxwell.

The owners of the declared dangerous dog have relocated from their BCC Stanhope Gardens address to an address in Oakville within Council's area during February 2014.

The dog is currently housed in a secure enclosure constantly, due to the legislative requirements, which the owners feel is now unnecessary as the dog has now matured considerably over the past eight years and a recent temperament test carried out by Dr Zammit has indicated that the dog does not have any anti-social behaviour tendencies and is considered stable. Dr Zammit has stated that in his professional opinion the dog will not enter into an unprovoked attack and is not a danger to the public or to other animals.

Council's animal control officers have attended the property where the subject dog is housed and have also conducted an assessment of the dog, and have reported that the dog doesn't show any signs of aggression, and are satisfied that the dangerous dog declaration should be revoked.

Section 9.7.2. of the 2010 Guideline on the Exercise of Functions under the *Companion Animals Act*, stipulates that a dangerous dog declaration can only be revoked by a resolution of Council.

Conformance to Community Strategic Plan

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

- Have friendly neighbourhoods, connected communities, and supported households and families.

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Financial Implications

No financial implications associated with this report

RECOMMENDATION:

That:

1. The dangerous dog declaration placed on the dog (a Boxer cross Mastiff) owned by Mr and Mrs Maxwell be revoked.
2. In accordance with the requirements of the *Companion Animals Act*, Council notify the Deputy Director General of the revocation within seven days of its decision.
3. The applicant be notified in writing of the revocation of the dangerous dog orders.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 71 IS - Lennon Bros and Stardust Circus - Applications for McQuade Park - (95495, 79354)

REPORT:

Executive Summary

Two applications to hold circuses at McQuade Park in late 2014 and early 2015 have been lodged.

The McQuade Plan of Management allows Council to lease or licence for circuses on the site subject to appropriate notification.

This report recommends that both events be notified in accordance with the Local Government Act 1993 and the matter, with any feedback, then be reported to Council for determination.

Consultation

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

The events will be advertised for a 28 day consultation period in accordance with the requirements of the Local Government Act 1993.

Background

Applications have been received from both Lennon Bros Circus and Stardust Circus to hold shows at McQuade Park. They have requested the following dates:

- Lennon Bros Circus - 20 October 2014 to 10 November 2014; and
- Stardust Circus – 9 February 2015 to 1 March 2015

Both these circuses describe themselves as animal circuses due to the use of performing animals.

The McQuade Park Plan of Management does allow circuses however due to the event running longer than three days, Council must notify the community of the event in accordance with the Local Government Act 1993. Following the notification period of 28 days, Council must consider all submissions prior to giving a lease or licence.

It is recommended that both events be notified in accordance with the Local Government Act 1993 and the matter detailing any submissions received would then be reported to Council for determination.

Conformance to Community Strategic Plan

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

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

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Financial Implications

There are no financial implications on the current Budget in relation to this event. Fees and Charges proposed for next year are \$1,000 per day for show days and \$500 per day for set up/removal and non-show days.

RECOMMENDATION:

That:

1. Community notification of the Lennon Bros Circus to be held in McQuade Park, between 20 October 2014 - 10 November 2014 be carried out in accordance with the Local Government Act 1993.
2. Community notification of the Stardust Circus to be held in McQuade Park, between 9 February 2015 - 1 March 2015 be carried out in accordance with the Local Government Act 1993.
3. Following the closure of the notification period, the matter detailing any submissions received be reported to Council for determination.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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SUPPORT SERVICES

Item: 72

SS - Pecuniary Interest Return - Designated Person - (95496, 79337)

REPORT:

Executive Summary

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

Consultation

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

Background

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

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

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

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

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

Position	Return Date	Date Lodged
Senior Network Administrator	6 January 2014	20 February 2014

The above Designated Person has lodged their Section 449(1) Return prior to the due date, as required by the Act for the receipt of the Return.

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

Conformance to Community Strategic Plan

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

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

Financial Implications

There are no financial implications applicable to this report.

RECOMMENDATION:

That the information be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 73**SS - NSW Public Library Funding - (80248, 103542, 95496)**

REPORT:**Executive Summary**

Council has received a letter from the NSW Public Library Associations (NSWPLA), which represents country and metropolitan libraries, outlining a campaign to seek additional State Government funding for public libraries. NSWPLA is seeking Council's support of this campaign, which will be launched during 7-11 April 2014.

The letter outlines the reasons for the campaign and the strategies it will encompass, as well as the actions taken to date by the Library Council of NSW, NSWPLA and the State Library of NSW.

This report recommends that Council supports the campaign mounted by the NSWPLA for increased State funding to Local Government for public libraries.

Consultation

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

Background

The NSW Public Library Association (NSWPLA) has forwarded a letter dated 18 March 2014 to Council, seeking Council's support for the forthcoming campaign to seek additional funding for public libraries. A copy of the letter from the NSWPLA is attached as Attachment 1 to this report.

The NSW public library funding situation is an historic issue under successive NSW governments. The intent of the NSW Library Act in 1939 was for equal funding from State and Local Governments to provide library services. Since that time, local government has increasingly carried the funding burden, with a significant shift in proportional funding during the past few decades. The proportion of State Government funding now stands at 7% compared to 93% funding from Local Government.

The key issues are:

- NSW receives the lowest per capita funding for public libraries from the State Government of all states in Australia.
- State Government expenditure on public libraries has decreased as a proportion of total public library expenditure from 23% in 1980, to 7% in 2013.
- NSW Local Government councils are currently paying 93% of the costs to operate public libraries in NSW (which are governed by State legislation).

The NSWPLA are now coordinating a targeted campaign to bring the situation to the attention of politicians, and funding decision makers, to address the problem.

Local Government NSW (LGNSW) and the Australian Library and Information Association (ALIA) are assisting the NSWPLA in this campaign, and information will be provided to councils and public libraries on an ongoing basis from these bodies throughout the campaign. In addition, local supporters of public libraries, including library users, will be engaged in the campaign.

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Given that 43% of the State's population are library users, it is anticipated that there will be strong support for the campaign in the community. Research also highlights the high value placed on public libraries by users and non-users alike. There will be high level media engagement and local and national champions of public libraries will be advocating for funding reform.

Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

There are no financial implications applicable to this report. Campaign collateral (petition, poster, fact sheet) is supplied by the NSWPLA. If the campaign is successful, the proportion of funding provided by the State Government for the operation of the Hawkesbury Library Service will increase.

RECOMMENDATION:

That Council provide support to the campaign mounted by the NSW Public Library Associations for increased State funding, to Local Government for public libraries, by:

1. Making representations to the local State Members in relation to the need for additional funding from the NSW State Government, for the provision of public library services;
2. Writing to the Hon. George Souris, Minister for the Arts, requesting the Government to implement the Reforming Public Library Funding submission of the Library Council of NSW in 2012, for the reform of the funding system for NSW public libraries;
3. Approving the distribution of NSW Public Library Associations campaign information in Council libraries;
4. Taking a lead role in activating the campaign locally.

ATTACHMENTS:

AT - 1 Letter received 18 March 2014 from NSW Public Library Associations.

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Attachment 1: Letter received 18 March 2014 from NSW Public Library Associations



Contact: Lynne Makin
PO Box 172 Albury NSW 2640
Tel 02 6056 0400 • Fax 02 6056 0500 • Mob 0418 208 292
info@nswpla.org.au • www.nswpla.org.au

18 March 2014

Mr Peter Jackson
General Manager
Hawkesbury City Council

RE: NSW PUBLIC LIBRARY FUNDING

Dear colleague,

The NSW Public Libraries Associations is writing to you to seek your support for the forthcoming campaign to seek additional funding for public libraries.

Background

The NSW public library funding situation is clearly an historic issue that has been ignored by successive NSW governments. There is currently a high degree of uncertainty as to the level of ongoing funding for public libraries in NSW from the State Government. The intent of the NSW Library Act in 1939 was for equal funding from state and local governments to provide library services. Since that time local government has increasingly carried the funding burden and the situation has deteriorated significantly over the past few decades.

The funding demise has now reached a crisis point. The key issues are:

- NSW receives the lowest per-capita funding for public libraries from the State Government of all states in Australia;
- State Government expenditure on public libraries has decreased as a proportion of total public library expenditure from 23% in 1980 to 7% in 2013.
- NSW Local Government councils are currently paying 93% of the costs to operate public libraries in NSW (which are governed by state legislation);
- The current NSW Public Library Funding Strategy includes three components:
 - Per capita subsidy (legislated at \$1.85 per NSW resident) - \$13,503,243 in 2012-13,
 - Disability & Geographic Adjustment (DGA) - includes a component of population-based payments and a proportion of payments based on five disability factors developed by the NSW Local Government Grants Commission (pre-school children; people over 65; people from a NESB; population distribution; isolation) - \$6,551,966;
 - Library Development Grants - \$549,996 (this amount has reduced from \$3.3m in 2005-06)
- The NSW Public Library Funding Strategy is not indexed to population growth or CPI. This means that:
 - Funds have been taken from the Library Development Grant pool over a number of years to meet the increased per capita subsidy costs (and the per-capita component of the Disability and Geographic Adjustment fund) as the NSW population increases each year. If the government had not provided an "additional" \$2m to maintain the Country Public Libraries fund contribution in 2013-14, there would be no funding left for Library Development Grants; and
 - If the current funding situation is not addressed urgently, NSW councils will suffer a reduction in their Disability and Geographic Adjustment payments to meet the increase in legislated per-capita subsidy costs for additional NSW population.

Action to date

The NSW State Government made a pre-election commitment to undertake a comprehensive review of the quantum and allocation of funding for NSW public libraries when it was in Opposition during the election

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campaign prior to the 2011 elections. There has been no significant action by the government to meet this commitment to date.

In the absence of any government action the Library Council of NSW used the government's pre-election commitment as a trigger to convene a committee of representatives from the Public Libraries NSW association (representing regional and rural councils and libraries), the NSW Metropolitan Public Libraries Association (representing metropolitan councils and libraries), and the State Library of NSW to develop an evidence-based submission about public library funding.

The Library Council of NSW then provided a submission to the State Government called *Reforming Public Library Funding* in October 2012. The evidence-based submission recommended a fairer, simplified and more transparent method for the distribution of funds.

The following principles for a new approach were recommended:

- Establish a base level of funding for councils with populations below 20,000 people (a safety net for small councils);
- Grant a modest increase in per capita allocations for all councils to recognise cost movements since 1994;
- Address disadvantage transparently through the application of appropriate disability factors;
- Phase out anomalies in current allocations due to former council amalgamations;
- Ensure sustainability by providing that no council receives less recurrent funding than 2012/13; and
- Build and maintain infrastructure via a substantial capital fund, entitled the *Building Library Infrastructure Program*.

The Library Council recommended that recurrent public library funding to councils be modestly adjusted from the current \$26.5M to \$30M per annum from 2013/14 and indexed from the following year. This would be allocated as follows: 68% (\$20.4M in 2013/14) to councils by population with a base level of funding for councils with fewer than 20,000 residents, 17% (\$5.1M) to councils by NSW Local Government Grants Commission (LGGC) disability factors to explicitly address disadvantage and 15% (\$4.5M) applied to Statewide Programs.

In addition, a *Building Library Infrastructure Program* of \$30M per annum for building and maintaining infrastructure was recommended to replace the now defunct provision of grants from operating funds. This program would enable councils to renew library buildings, systems, collections and equipment in regional, urban and growth areas. It was proposed that this be phased in, rising to \$30M over the 4 years from 2013/14 and indexed thereafter.

Many NSW councils wrote to Hon. George Souris, Minister for the Arts during 2012, urging the State Government to adopt the *Reforming Public Library Funding* strategy. Despite a high level of expectation that the State Government would fulfil its pre-election undertaking to review and increase its funding allocation to NSW public libraries, this did not eventuate in the 2013 state budget.

Campaign

The NSW Public Library Associations (NSWPLA), representing country and metropolitan libraries, are now co-ordinating a targeted campaign to bring the situation to the attention of politicians and funding decision makers to address the problem.

Local Government NSW (LGNSW) and the Australian Library and Information Association (ALIA) are assisting NSWPLA in this campaign and information will be provided to councils and public libraries on an ongoing basis throughout the campaign. In addition, local supporters of public libraries and library users will be engaged in the campaign to lobby State Members.

Given that 43% of the state's population are library users and the majority of these are voters, it is anticipated that there will be strong support for the campaign in the community. Research also highlights the high value placed on

ORDINARY MEETING

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public libraries by users and non-users alike. There will be high-level media engagement and local and national champions of public libraries will be advocating for funding reform.

How local councils can assist

As part of the campaign strategy a government lobbyist has been engaged who has provided some valuable advice and has been working in several arenas to highlight the funding issue. It is recognised that the campaign will rely very much on our ability to generate interest and action at the grass roots level. Local councils will play a very important role. All library managers will have received a template for a report to be submitted to their council, seeking support for the campaign. Several councils have already resolved to assist by contacting their local state member and the Hon George Souris MP; approving the distribution of NSWPLA campaign information in council libraries; and taking a lead role in activating the campaign locally. If you have not yet seen this council report template a copy can be obtained from Lynne Makin, (0418 208 292 or info@nswpla.org.au.)

We are seeking to influence the current state government budget discussions for 2014/5 as well as the budget for 2015/6 (which will be in an election year). A week of action has been scheduled from 7-11 April 2014, when the campaign will be launched. It is clear that urgent action is required to address the increased burden on local government in the provision of public library services. Your assistance in getting your council to resolve to support the campaign by the end of March will be critical to the success of the campaign.

LGNSW have provided their strong support in this campaign. Regular updates will be provided through the LGNSW weekly and from NSWPLA to your library manager. If you would like any further information refer to the NSWPLA website www.nswpla.org.au or please do not hesitate to contact us. Working together we can make our voice heard.

Cr Graham Smith
(Chairman Public Libraries NSW)
02 4937 2653 or clrgrahamsmith@gmail.com

Cr Veronique Marchandau
(President NSW Metropolitan Public Libraries Association)
02 6056 0400 or marver2060@gmail.com

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ORDINARY MEETING
Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses - (79351)

REPORT:

Questions - 25 March 2014

#	Councillor	Question	Response
1	Rasmussen	Enquired if it was possible to determine why the traffic in North Richmond was delayed for more than an hour on 25 March 2014.	The Director Infrastructure Services advised that enquiries have been made with RMS, which is investigating any possible issues or works.
2	Calvert	Enquired if overgrown grass near Crowleys Lane, Agnes Banks could be addressed as it is impeding vision for motorists.	The Director Infrastructure Services advised that instructions have been issued for mowing to be carried out.
3	Paine	Enquired if a clean-up notice could be issued to the owners of a block of land behind Richmond Library, as it is very overgrown and causing problems to neighbours.	The Director City Planning advised correspondence is being forwarded to the owner requesting the property be cleaned up within a specific timeframe.
4	Paine	Enquired if the area between the Kurmond shops and the Bells Line of Road could be mowed.	The Director Infrastructure Services advised that instructions have been issued for mowing and maintenance.
5	Tree	Enquired if Windsor Rotary could be requested to remove graffiti in Bligh Park as part of its ongoing graffiti removal program.	The Director Infrastructure Services advised that Rotary do undertake graffiti removal in this area, and that they would be requested to undertake further clean up.
6	Tree	Enquired if the round-about at Rifle Range Road, Bligh Park could be weeded and replanted with low growing shrubs and mulch.	The Director Infrastructure Services advised that it was intended to provide a decorative concrete infill of the centre island, due to poor growing conditions and repeated failure of soft landscaping.
7	Tree	Noted that birds are nesting in the street light cages around the sporting complex in Bligh Park and raised concerns of the potential fire hazard.	The Director Infrastructure Services advised that repairs to the light enclosures would be undertaken.
8	Tree	Enquired about the mowing of and the parking on the nature strip outside a property in Colonial Drive, Bligh Park.	The Director City Planning advised the matter was being investigated and appropriate action would be undertaken.

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
9	Reardon	Enquired about the status of the previous request to install historic flood markers.	The Director City Planning advised the proposal to install flood icons/markers had been adopted in the Hawkesbury Flood Risk Management Study and Plan as part of the education process and implementation is charged with the Flood Risk Management Advisory Committee.
10	Reardon	Requested that the lighting and line markings in the parking bays at the car park in North Richmond be improved for safety reasons.	The Director Infrastructure Services advised that an additional light would be installed and line marking would be carried out.
11	Reardon	Enquired if Council can trim vegetation along Grose Vale Road, between Bowen Mountain Road and Westbury Road, Bowen Mountain.	The Director Infrastructure Services advised that instructions have been issued for vegetation to be cut back.

oooO END OF REPORT Oooo



ordinary
meeting

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