



# Hawkesbury City Council

## ordinary meeting business paper

date of meeting: 28 October 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](mailto: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**

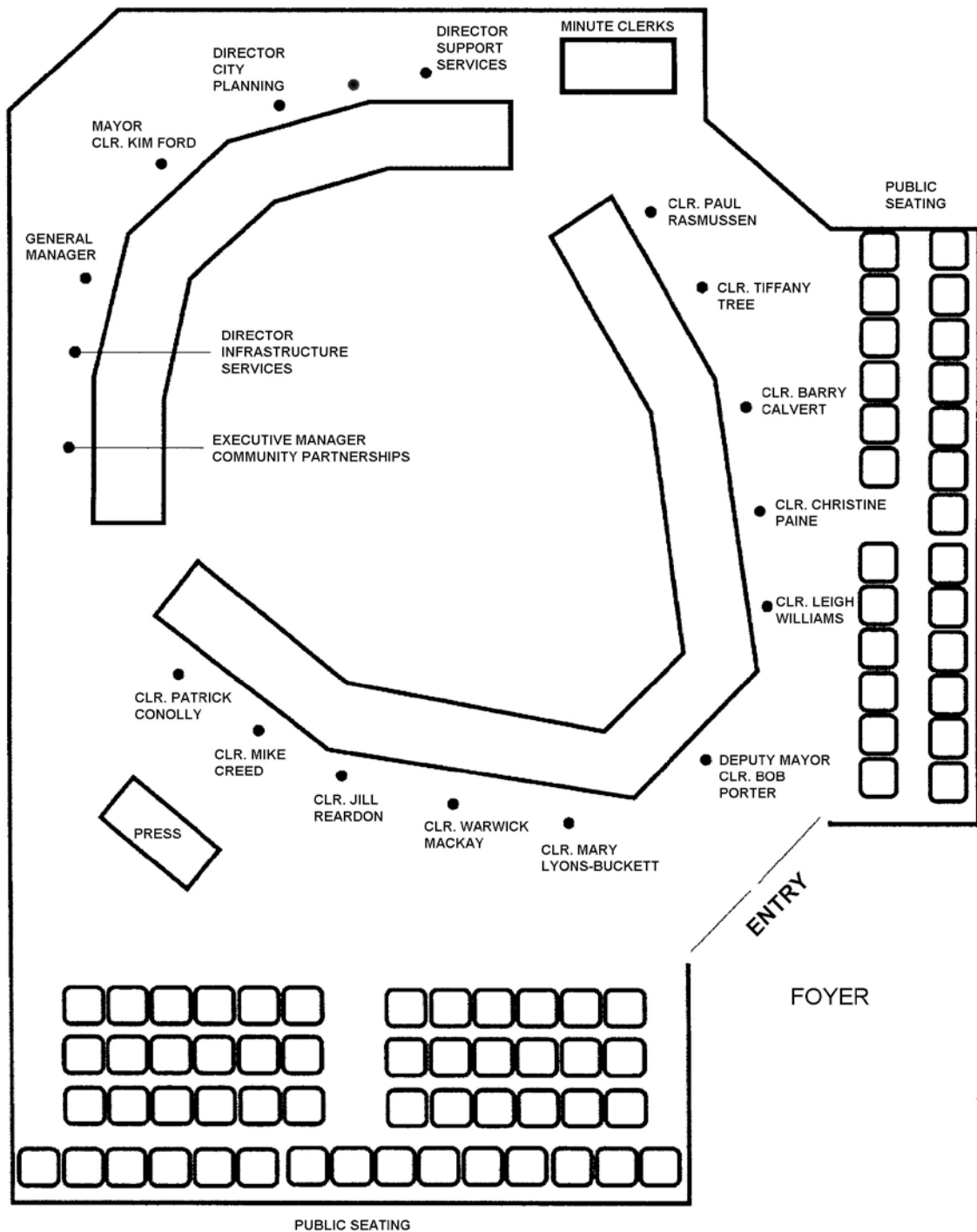
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

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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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 205 CP - Planning Proposal to amend Hawkesbury Local Environmental Plan 2012  
- 373 Bells Line of Road, Kurmond - (95498)

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REPORT:

**Executive Summary**

This report discusses a planning proposal which seeks to amend *Hawkesbury Local Environmental Plan 2012* (the LEP) in order to permit the subdivision of 373 Bells Line of Road, Kurmond into six development lots and one community lot.

It is recommended that Council support the preparation of a planning proposal to allow development of the subject land primarily for rural residential development.

**Consultation**

The planning proposal has not yet been exhibited. If the planning proposal is to proceed it will be exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* (the Act) and associated Regulations and as specified in the "Gateway" determination administered by the Department of Planning and Environment (DP&E).

**Background**

Council considered a report on a proposed investigation area for development within the vicinity of Kurmond at its meeting of 5 February 2013 and resolved (in part) as follows:

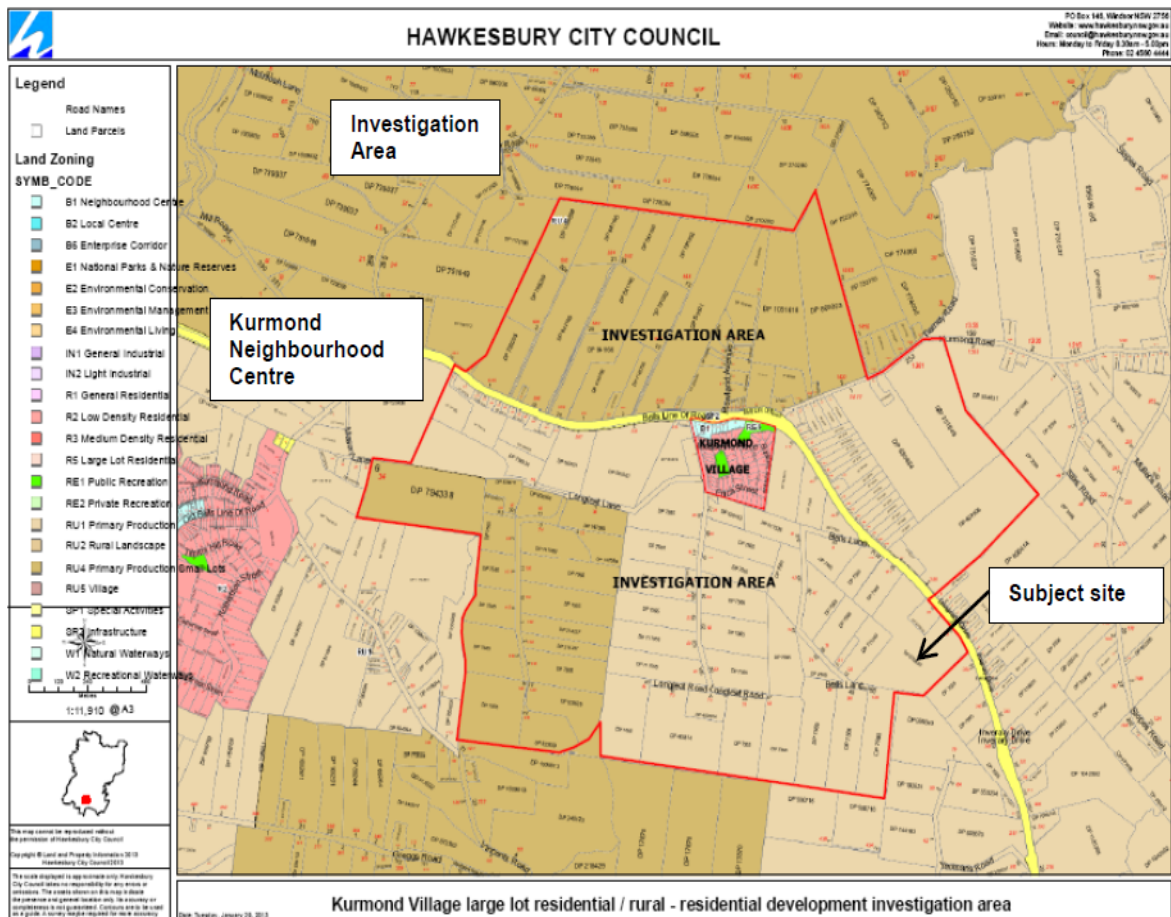
"That:

1. Council carry out investigations within the area on the map entitled "Kurmond Village large lot residential/rural-residential Investigation Area". These investigations are to determine the suitability of the identified lands for large lot residential and/or rural residential development and are to be funded by planning proposal application fees.
2. Investigations already undertaken by applicants for Planning Proposals within the Kurmond area be utilised by Council as a basis for their further investigations as appropriate.
3. The applicants be consulted by Council with a view of assisting the investigations where appropriate.
7. Council consider any new planning proposals on their merit and compliance with the relevant criteria of the *Hawkesbury Residential Land Strategy*, unless and until the strategy is changed by Council."

The "Kurmond Village large lot residential/rural-residential Investigation Area" referred to in this report includes the subject land given its location within the one kilometre radius of the Kurmond Neighbourhood Centre (see Figure 1 below).

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**Figure 1: Kurmond Investigation Area**

On 24 June 2014 Council considered a report on the progress and review of the Hawkesbury Residential Land Strategy (HRLS) which reinforced the Kurmond investigation area and also resolved in part as follows:

*“That:*

4. *Future planning proposals for residential development must be consistent with any structure plan and/or Section 94 Plan prepared for the locality. If no such plan is in place the applicant is to work with Council to prepare same as part of the planning proposal. Existing planning proposals currently submitted to Council will continue to be processed.”*

Given Council received the subject planning proposal in November 2013 the above part resolution does not apply to this planning proposal and therefore this report considers the proposal against the current state and local strategic planning framework and other relevant criteria.

However, should the planning proposal be supported Council staff will work with the applicant with a view to ensuring that this proposal contributes fairly to the infrastructure that will be identified in the future S94 Plan for the locality.



## Planning Proposal

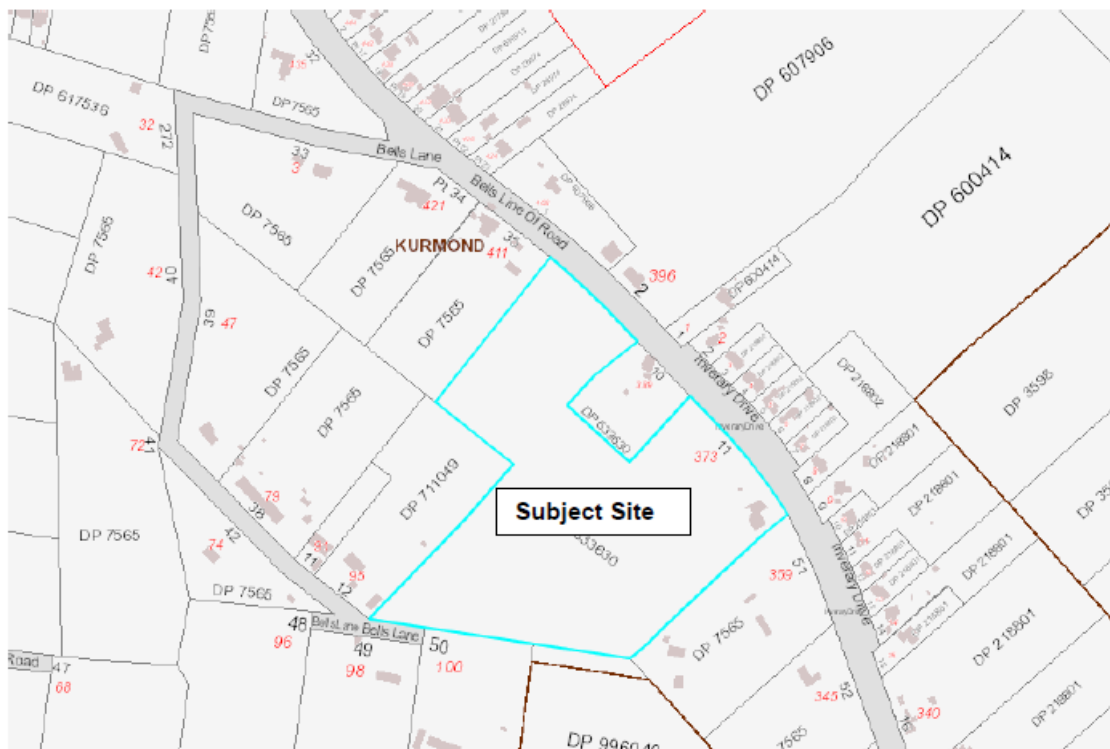
Falson & Associates Pty Ltd (the applicant) seeks an amendment to *Hawkesbury Local Environmental Plan 2012* (the LEP) in order to permit the subdivision of 373 Bells Line of Road, into six development lots and one community lot. The concept plan of the subdivision submitted with the proposal show the development lots ranging in size from 7828m<sup>2</sup> to 2.45ha and the community lot consisting of a private accessway and a vegetated riparian area.

The applicant proposes to amend Lot Size Map Sheet LSZ\_008AA of the LEP to allow the proposed subdivision of the land. A concept plan of a proposed subdivision is included as Attachment 1 to this report. (Note: this is for information purposes only and is not endorsed as an approved subdivision plan.)

## Subject Site and Surrounds

The site is legally described as Lot 11 DP 633630, 373 Bells Line of Road, Kurmond. It is located approximately 1km south-east of the Kurmond Neighbourhood Centre (the Neighbourhood Centre).

The site has an area of 10.31ha, is irregular in shape, and has frontage to both Bells Line of Road and Bells Lane, Kurmond (see Figure 2).



**Figure 2: Subject Site**

The site contains a Veterinary clinic in the south-east corner of the site and four dams. Outside of the immediate confines of the Veterinary clinic the site appears to be used primarily for low scale grazing.

An unnamed intermittent watercourse runs north-west to south-east generally through the middle of the site. Surrounding this watercourse is the majority of remnant vegetation on the site.

The land is undulating and has an elevation of approximately 93m AHD at Bells Line of Road and falling to approximately 55m AHD at the unnamed watercourse and then rising to an elevation of approximately 90m AHD towards Bells Lane. Slopes on the site generally exceed 10% with some parts of the site towards Bells Line of Road and the unnamed watercourse exceeding 15%.

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The site is zoned RU1 Primary Production under the LEP. The current minimum lot size for subdivision of this land is 10ha.

Land within the vicinity of the unnamed watercourse and the north-western boundary is shown as *Significant Vegetation* on the Terrestrial Biodiversity Map of LEP 2012. Council's vegetation mapping suggests this vegetation consists of Alluvial woodland, Shale Sandstone Transition Forest (High Sandstone Influence), Shale Sandstone Transition Forest (Low Sandstone Influence), and Shale Hills Woodland.

The site is shown as being bushfire prone (bushfire vegetation category 1 and 2 and buffer) on the NSW Rural Fire Service's Bushfire Prone Land Map.

The site is shown as being within Acid Sulfate Soil Classification 5. This represents a relatively low chance of acid sulfate soils being present on the site.

The site is shown as being Agriculture Land Classification 3 maps prepared by the former NSW Department of Agriculture.

The site falls within the Middle Nepean & Hawkesbury River Catchment Area of *Sydney Regional Environmental Plan No.20 Hawkesbury - Nepean River (No.2 - 1997)* and is not within an area of scenic significance under this SREP.

According to Council's records a development application (DA0602/09) for subdivision of the land into two lots was approved by Council in September 2010. This subdivision sought to excise the Veterinary clinic (proposed Lot 1 at 3165m<sup>2</sup>) from the balance of the site (proposed Lot 2 at 10ha). Council records show that the owner of the property has activated this consent, however, at present a Subdivision Certificate has not been issued by Council nor the proposed lots registered. However, the number of lots proposed by this planning proposal is in addition to the proposed Veterinary clinic lot approved by DA0602/09. The approved subdivision plan is shown in Attachment 2 of this report.

Land surrounding the site consists of a varied mix of lots sizes with smaller lots generally located to the east and north and larger lots are generally located to the south and west. The predominant land use in the vicinity is low density residential and rural residential development.

### **Applicant's Justification of Proposal**

The applicant has provided the following justification for the planning proposal:

- *The subject site is on the periphery of the Kurmond village and is a site that has available low density urban infrastructure and is suitable for large lot residential subdivision as proposed.*
- *The proposal would allow a reasonable low density housing use of the site and also provides a reasonable transition between the village and larger rural lots.*
- *Importantly the proposal is consistent with Council's adopted Residential Land Strategy as it provides larger residential lots on the edge of an existing urban area commensurate with available services. It is also consistent with the Metropolitan Strategy and Draft North Western Subregional Strategy in that it will assist in a small way of creating the target of 5-6,000 dwellings to 2031.*
- *There will be a net community benefit in that the proposal (and subsequent residential use) will assist in maintaining local village commercial and retail uses.*
- *Additionally there is a multiplier effect associated with expenditure from subsequent access and dwelling construction which will be of benefit to the local community. This is manifest in the boost particularly to the local Kurmond community with added catchment for the local retail sector, provision of jobs, use of transport, and the strengthening of the general economic and social wellbeing of the local community. It is also noteworthy that the local public school needs more children to keep up their class numbers.*

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- *There are no identified negative community impacts arising from the proposal.*
- *It is believed that the planning proposal satisfies the requirements of the Department of Planning & Infrastructure for a Gateway Determination by the LEP Review Panel.*

The following sections of this report provide an assessment of the planning proposal.

### **Metropolitan Plan for Sydney 2036, Draft Metropolitan Strategy for Sydney 2031, Draft North West Subregional Strategy and Hawkesbury Residential Land Strategy**

The NSW Government's Metropolitan Plan for Sydney 2036 (the Metro Plan) provides a long-term planning framework for Sydney and identifies the following key Strategic Directions to transform Sydney as a more compact, networked city with improved accessibility, capable of supporting more jobs, housing and lifestyle opportunities by 2036:

- A. Strengthening 'the City of Cities'
- B. Growing and renewing centres
- C. Transport for a connected city
- D. Housing Sydney's population
- E. Growing Sydney's economy
- F. Balancing land uses on the city fringe
- G. Tackling climate change and protecting Sydney's natural environment
- H. Achieving equity, liveability and social inclusion
- I. Delivering the Plan

The Draft Metropolitan Strategy for 2031 (the draft Metro Strategy) released in March 2013 sets out a vision with key objectives, policies and actions to drive sustainable growth of Sydney to 2031 and beyond and it aims to achieve the following key outcomes for Sydney:

- Balanced growth
- A liveable city
- Productivity and prosperity
- Healthy and resilient environment
- Accessibility and connectivity

Once the draft Metro Strategy finalised, it will replace the Metro Plan.

The Draft North West Subregional Strategy (dNWSS) provides a broad framework for the long-term development of the north-western sector of Sydney, guiding government investment and linking local and state planning issues.

The above explained documents contain a number of key strategies, objectives and actions relating to the economy and employment, centres and corridors, housing, transport, environment and resources, parks and public places, implementation and governance, and identify a hierarchy of centres.

The applicant has provided an assessment of the planning proposal against the Metro Plan and dNWSS and concludes that the proposal is consistent with these strategies. Taking into consideration the location of the proposed residential development i.e. on the western side of Hawkesbury River and on the fringe of Kurmond Neighbourhood Centre and a reasonable access to the required infrastructure it is considered that the proposal is generally in compliance with all these strategies.

The Hawkesbury Residential Land Strategy (HRLS) is, in part, a response to the above mentioned State strategies and seeks to identify residential investigation areas and sustainable development criteria which are consistent with the NSW Government's strategies.

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The importance of maintaining the viability of existing rural villages is recognised in the HRLS and as such it recommends that future residential development in rural villages should be low density and large lot residential, which focus on proximity to centres and services and facilities.

The main aim of the planning proposal is to subdivide the land into six development lots and one community title lot with development lot sizes ranging from 7828m<sup>2</sup> to 2.45ha. Hence the proposal can be described as a rural residential / large lot residential development on the fringe of the Kurmond village.

The HRLS states that the future role of rural residential development is as follows:

*"Rural residential developments have historically been a popular lifestyle choice within Hawkesbury LGA. However, rural residential development has a number of issues associated with it including:*

- *Impacts on road networks;*
- *Servicing and infrastructure;*
- *Access to facilities and services;*
- *Access to transport and services;*
- *Maintaining the rural landscape; and*
- *Impacts on existing agricultural operations.*

*Whilst this Strategy acknowledges rural residential dwellings are a part of the Hawkesbury residential fabric, rural residential dwellings will play a lesser role in accommodating the future population. As such, future rural development should be low density and large lot residential dwellings."*

For the purposes of this proposal, the relevant criteria for rural residential development are that it be large lot residential dwellings and:

- *be able to have onsite sewerage disposal;*
- *cluster around or on the periphery of villages;*
- *cluster around villages with services that meeting existing neighbourhood criteria services as a minimum (within a 1km radius);*
- *address environmental constraints and have minimal impact on the environment;*
- *within the capacity of the rural village*

The ability to dispose of effluent on site is discussed in later sections of this report.

The site is on the periphery of the Kurmond village centre.

Relevant environmental constraints are discussed in later sections of this report.

### **Council Policy - Rezoning of Land for Residential Purposes - Infrastructure Issues**

On 30 August 2011 Council adopted the following Policy:

*"That as a matter of policy, Council indicates that it will consider applications to rezone land for residential purposes in the Hawkesbury LGA only if the application is consistent with the directions and strategies contained in Council's adopted Community Strategic Plan, has adequately considered the existing infrastructure issues in the locality of the development (and the impacts of the proposed development on that infrastructure) and has made appropriate provision for the required infrastructure for the proposed development in accordance with the sustainability criteria contained in Council's adopted Hawkesbury Residential Land Strategy.*

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### **Note 1:**

*In relation to the term “adequately considered the existing infrastructure” above, this will be determined ultimately by Council resolution following full merit assessments, Council resolution to go to public exhibition and Council resolution to finally adopt the proposal, with or without amendment.*

### **Note 2:**

*The requirements of the term “appropriate provision for the required infrastructure” are set out in the sustainability matrix and criteria for development/settlement types in chapter six and other relevant sections of the Hawkesbury Residential Land Strategy 2011.”*

Compliance with the HRLS has been discussed above. Compliance with the Hawkesbury Community Strategic Plan 2013 - 2032 will be discussed later in this report.

### **Council Policy - Our City Our Future Rural Rezoning Policy**

This Policy was adopted by Council on 16 May 1998 and had its origin in the Our City Our Future study of the early 1990s.

NOTE: Since the time of adoption, this Policy has essentially been superseded by subsequent amendments to Hawkesbury Local Environmental Plan 1989, NSW Draft North West Subregional Strategy, the HRLS, the Hawkesbury Community Strategic Plan, the commencement of the current LEP, and the DP&E's gateway system for dealing with planning proposals.

The Policy is repeated below with responses provided by the applicant. Where relevant, additional staff responses are provided.

#### **a. Fragmentation of the land is to be minimised**

Applicant response:

*The land is within an area identified within Council's subsequent Residential Land Strategy as having urban potential. Fragmentation of this land is envisaged by this subsequent strategy.*

#### **b. Consolidation within and on land contiguous with existing towns and villages be preferred over smaller lot subdivision away from existing towns and villages**

Applicant response:

*The proposal is consistent with this principle.*

#### **c. No subdivisions along main road and any subdivision to be effectively screened from minor roads**

Applicant response:

*Existing vegetation will largely screen the subdivision.*

Staff response:

The planning proposal proposes four lots with either direct or indirect access from Bells Line of Road which is a main road. If the planning proposal is to proceed it will be referred to Roads and Maritime (RMS) for comment regarding the permissibility, or otherwise, of additional accesses from Bells Line of Road.

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It is considered that the two proposed lots accessed from Bells Lane would represent a minor change to the immediate visual catchment and no additional screening of these lots is necessary. The lots to be accessed from Bells Line of Road when viewed from Bells Lane will be substantially screened by the vegetation in along the unnamed watercourse running through the site.

**d. No subdivision along ridgelines or escarpments**

Applicant response:

*The site is not on a ridgeline or in an escarpment area.*

**e. Where on site effluent disposal is proposed, lots are to have an area of at least 1 (one) hectare unless the effectiveness of a smaller area can be demonstrated by geotechnical investigation.**

(NOTE: This provision has been superseded by the LEP)

Applicant response:

*The lots will vary in size down to a minimum of 7828m<sup>2</sup>. This is larger than the size of allotment that is indicated by Council as being the minimum to contain on-site effluent disposal in later studies (e.g. Kurrajong Heights, Wilberforce and within LEP 2012 generally).*

**f. The existing proportion of tree coverage on any site is to be retained or enhanced.**

Applicant response:

*The subdivision does not propose removal of vegetation. It is believed that dwellings and bushfire asset protection zones can be established on each lot without removal of significant vegetation. Some understorey management may be required.*

**g. Any rezoning proposals are to require the preparation of Environmental Studies and Section 94 Contributions Plans at the applicant's expense.**

(NOTE: The need for an environmental Study is determined by the Gateway process.)

Applicant response:

*The rezoning process has altered since this policy of Council. The Gateway Process will dictate whether further studies are required.*

Staff response:

Taking into consideration the scale of the development is it considered that an environmental study is not required. However, this will be a matter for the DP&E's "Gateway" determination.

The need for a Section 94 Contribution Plan or a Voluntary Planning Agreement will be further discussed with the applicant if this planning proposal is to proceed.

**h. Community title be encouraged for rural subdivision as a means of conserving environmental features, maintaining agricultural land and arranging for the maintenance of access roads and other capital improvements.**

Applicant response:

*The proposed subdivision incorporates community title subdivision for part of it that will allow proper management of access from Bells Line of Road and of vegetation along the watercourse.*

**Section 117 Directions**

Section 117 Directions are issued by the Minister for Planning and Infrastructure and apply to planning proposals. Typically, the Section 117 Directions will require certain matters to be complied with and/or require consultation with government authorities during the preparation of the planning proposal. A summary of the key Section 117 Directions follows:

*Direction 1.2 Rural Zones*

Planning proposals must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone and must not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

The planning proposal seeks an amendment to Lot Size Map of the LEP and does not propose any changes to the current RU1 Primary Production zoning.

The applicant states:

*"the proposal is considered to be of minor significance only in terms of impact on the available rural zones and rural/agricultural lands. The site has not been used for any form of rural/agricultural use for many years and is currently required to be mechanically slashed to keep grass and weed infestation at bay. Due to the location of the site adjacent to dwellings on small lots and vegetation and watercourse on site the land is arguably not conducive to productive agricultural use. As the proposal . . . provides a community benefit and is considered to be of minor significance the proposal does not, in our view, warrant the preparation of a specific rural study particularly noting Council's Residential Strategy that identified sites such as this for village expansion."*

*Direction 1.3 Mining, Petroleum Production and Extractive Industries*

The objective of this Direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.

Direction 1.3 (3) states that:

*"This Direction applies when a relevant planning authority prepares a planning proposal that would have the effect of:*

- (a) Prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or*
- (b) Restricting the potential development of resources of coal, other mineral, petroleum or extractive materials which are of State regional significance by permitting a land use that is likely to be incompatible with such development."*

The subject land is not located within the Identified Resource Area or the Potential Resource Area or the Transition Area - areas adjacent to identified resource areas as defined by mineral resource mapping provided by the NSW Resource & Energy Division of NSW Trade & Investment. Further, the subject land is not located within or in the vicinity of land described in Schedule 1, 2 and 5 of the *Sydney Regional Environmental Plan No. 9 - Extractive Industry (No 2- 1995)* nor will the proposed development restrict the obtaining of deposits of extractive material from such land.

The planning proposal seeks amendment only to the Lot Size Map of the LEP, and does not propose any provisions prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential development of resources of coal, other mineral, petroleum or extractive materials which are of State regional significance by permitting a land use that is likely to be incompatible with such development.

*Direction 3.1 Residential Zones*

Planning proposals must include provisions that encourage the provision of housing that will:

- broaden the choice of building types and locations available in the housing market, and
- make more efficient use of existing infrastructure and services, and
- reduce the consumption of land for housing and associated urban development on the urban fringe, and
- be of good design.

Furthermore a planning proposal must contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it).

The applicant states:

*"subdivision of the land would allow for a variety of lot sizes and housing opportunities, enable connection to existing services and be of appropriate environmental impact."*

Given clause 6.7 Essential services of the LEP already makes provision for essential services this planning proposal does not need to propose additional services requirements and it is considered that the planning proposal is generally consistent with this Direction.

*Direction 3.3 Home Occupations*

The objective of this Direction is to encourage the carrying out of low-impact small businesses in dwelling houses. Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.

The planning proposal seeks amendments only to the Lot Size Map of the LEP and the current RU1 Primary Production zoning of the land is to remain unchanged. This zone permits carrying out of home occupations in dwelling houses without development consent. The planning proposal is therefore consistent with this Direction.

*Direction 3.4 Integrating Land Use and Transport*

Planning proposals must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of Improving Transport Choice - Guidelines for planning and development (DUAP 2001).

In summary this document seeks to provide guidance on how future development may reduce growth in the number and length of private car journeys and make walking, cycling and public transport more attractive. It contains 10 "Accessible Development" principles which promote concentration within centres, mixed uses in centres, aligning centres with corridors, linking public transport with land use strategies, street connections, pedestrian access, cycle access, management of parking supply, road management, and good urban design.

The document is very much centres based and not readily applicable to consideration of a rural-residential planning proposal. The document also provides guidance regarding consultation to be undertaken as part of the planning proposal process and various investigations/plans to be undertaken. It is recommended that if this planning proposal is to proceed, Council seek guidance from the DP&E via the "Gateway" process, regarding the applicability of this document as it would seem that the substantial increase in large lot residential development (rural residential development) may be contrary to this Direction.



*Direction 4.1 Acid Sulfate Soils*

The objective of this Direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils. This Direction requires consideration of the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of DP&E. The subject site is identified as containing "Class 5" (less constrained) acid sulphate soils on the Acid Sulfate Soils Planning Maps, and as such any future development on the land will be subject to Clause 6.1 Acid sulfate soils of the LEP which has been prepared in accordance with the Acid Sulfate Soils Model Local Environmental Plan provisions within the Acid Sulfate Soils Planning Guidelines adopted by the Director General.

This Direction requires that a relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soil study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of such study to the Director General prior to undertaking community consultation in satisfaction of section 57 of the Act. An acid sulfate soil study has not been included in the planning proposal.

The applicant has not provided an acid sulfate soil study demonstrating the appropriateness of the proposed minimum lot sizes for the land however the applicant does note the mapped classification and states:

*"no works are proposed with the subdivision or subsequent dwellings that would require an assessment of soils. The draft LEP is of minor significance."*

The DP&E will consider this as part of their "Gateway" determination and if required can request further information/consideration of this matter.

*Direction 4.4 Planning for Bushfire Protection*

The site is shown as being bushfire prone on the NSW Rural Fire Service's Bushfire Prone Land Map. This Direction requires consultation with the NSW Rural Fire Service following receipt of a Gateway determination from DP&E, compliance with Planning for Bushfire Protection 2006, and compliance with various Asset Protection Zones, vehicular access, water supply, layout, and building material provisions.

*Direction 6.1 Approval and Referral Requirements*

The objective of this Direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. This Direction requires that a planning proposal must:

- "(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and*
- (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:*
  - (i) the appropriate Minister or public authority, and*
  - (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act, and*
- (c) not identify development as designated development unless the relevant planning authority:*
  - (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and*

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- (ii) *has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act."*

The planning proposal is consistent with this Direction as it does not contain provisions requiring the concurrence, consultation or referral of development applications to a Minister or public authority, and does not identify development as designated development.

### *Direction 6.3 Site Specific Provisions*

The objective of this Direction is to discourage unnecessary restrictive site specific planning controls. The planning proposal proposes an amendment to the Lot Size Map of the LEP only and does not include any restrictive site specific planning controls. It is therefore considered that the proposed amendment is consistent with this Direction.

### *Direction 7.1 Implementation of the Metropolitan Strategy*

The objective of this Direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036. This Direction requires that planning proposals should be consistent with the NSW Government's Metropolitan Plan for Sydney 2036.

The Section 117 Directions do allow for planning proposals to be inconsistent with the Directions. In general terms a planning proposal may be inconsistent with a Direction only if the DP&E is satisfied that the proposal is:

- a) justified by a strategy which:
  - gives consideration to the objectives of the Direction, and
  - identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
  - is approved by the Director-General of the DP&I, or
- b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this Direction, or
- c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this Direction, or
- d) is of minor significance.

The HRLS has been prepared with consideration given to the various policies and strategies of the NSW Government and Section 117 Directions of the Minister. In this regard, a planning proposal that is consistent with the HRLS is more likely to be able to justify compliance or support for any such inconsistency.

### **State Environmental Planning Policies**

The State Environmental Planning Policies of most relevance are *State Environmental Planning Policy No. 55 - Remediation of Land*, *Sydney Regional Environmental Plan (SREP) No. 9 - Extractive Industry (No 2 - 1995)* and *(SREP) No. 20 - Hawkesbury - Nepean River (No.2 - 1997)*.

#### *State Environmental Planning Policy No. 55 - Remediation of Land - (SEPP 55)*

*State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)* requires consideration as to whether or not land is contaminated, and if so, is it suitable for future permitted uses in its current state or does it require remediation. The SEPP may require Council to obtain, and have regard to, a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.

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A contamination report has not been submitted with the planning proposal. The applicant states that:

*"The land has not been used for any intensive agricultural use or any other use that would suggest that remediation is required. There is no obvious evidence of surface or groundwater pollution. It is not believed that any geotechnical investigations need to be carried out for the planning proposal to proceed."*

If the planning proposal is to proceed, the DP&E can consider this as part of their "Gateway" determination and if required can request further information/consideration of this matter. This would also be a consideration in any future development applications for the site.

### *Sydney Regional Environmental Plan No. 9 - Extractive Industry (No 2- 1995) - (SREP 9)*

The primary aims of *Sydney Regional Environmental Plan No. 9 - Extractive Industry (No 2- 1995) - (SREP 9)* are to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive material of regional significance and to ensure consideration is given to the impact of encroaching development on the ability of extractive industries to realise their full potential.

Given the site is not located within or in the vicinity of land described in Schedule 1, 2 and 5 of SREP 9 nor will the proposed development restrict the obtaining of deposits of extractive material from such land the planning proposal is consistent with this direction.

### *Sydney Regional Environmental Plan No. 20 - Hawkesbury - Nepean River (No.2 - 1997) - SREP 20*

The aim of *Sydney Regional Environmental Plan No. 20 - Hawkesbury - Nepean River (No.2 - 1997) - SREP 20* is 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. This requires consideration of the strategies listed in the Action Plan of the Hawkesbury-Nepean Environmental Planning Strategy, impacts of the development on the environment, the feasibility of alternatives and consideration of specific matters such as total catchment management, water quality, water quantity, flora and fauna, agriculture, rural-residential development and the metropolitan strategy.

Specifically SREP 20 encourages Council to consider the following:

- rural residential areas should not reduce agricultural viability, contribute to urban sprawl or have adverse environmental impact (particularly on the water cycle and flora and fauna);
- develop in accordance with the land capability of the site and do not cause land degradation;
- the impact of the development and the cumulative environmental impact of other development proposals on the catchment;
- quantify, and assess the likely impact of, any predicted increase in pollutant loads on receiving waters;
- consider the need to ensure that water quality goals for aquatic ecosystem protection are achieved and monitored;
- consider the ability of the land to accommodate on-site effluent disposal in the long term and do not carry out development involving on-site disposal of sewage effluent if it will adversely affect the water quality of the river or groundwater. Have due regard to the nature and size of the site;
- when considering a proposal for the rezoning or subdivision of land which will increase the intensity of development of rural land (for example, by increasing cleared or hard surface areas) so that effluent equivalent to that produced by more than 20 people will be generated, consider requiring the preparation of a Total Water Cycle Management Study or Plan;

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- minimise or eliminate point source and diffuse source pollution by the use of best management practices;
- site and orientate development appropriately to ensure bank stability;
- protect the habitat of native aquatic plants;
- locate structures where possible in areas which are already cleared or disturbed instead of clearing or disturbing further land;
- consider the range of flora and fauna inhabiting the site of the development concerned and the surrounding land, including threatened species and migratory species, and the impact of the proposal on the survival of threatened species, populations and ecological communities, both in the short and longer terms;
- conserve and, where appropriate, enhance flora and fauna communities, particularly threatened species, populations and ecological communities and existing or potential fauna corridors;
- minimise adverse environmental impacts, protect existing habitat and, where appropriate, restore habitat values by the use of management practices;
- consider the impact on ecological processes, such as waste assimilation and nutrient cycling;
- consider the need to provide and manage buffers, adequate fire radiation zones and building setbacks from significant flora and fauna habitat areas;
- consider the need to control access to flora and fauna habitat areas;
- give priority to agricultural production in rural zones;
- protect agricultural sustainability from the adverse impacts of other forms of proposed development;
- consider the ability of the site to sustain over the long term the development concerned;
- maintain or introduce appropriate separation between rural residential use and agricultural use on the land that is proposed for development;
- consider any adverse environmental impacts of infrastructure associated with the development concerned.

It is considered that some form of rural residential development on the subject land has the potential to either satisfy the relevant provisions SREP No 20 or be able to appropriately minimise its impacts.

### **Hawkesbury Local Environmental Plan 2012**

The planning proposal does not propose to rezone the land, and the current RU1 Primary Production Small Lots zoning under the LEP is to remain unchanged. The planning proposal seeks to amend only the Lot Size Map of the LEP to allow the proposed subdivision of the land.

Given the site is located within the “Kurmond Village large lot residential/rural-residential Investigation Area” the proposal to amend the Lot Size Map is considered appropriate.

**Services**

The applicant advises that reticulated water, electricity, telephone, garbage and recycling services are provided to the site and would be available to the additional lots created. The detail of this servicing is a matter that must be considered at the development application stage for the site, should the planning proposal be supported.

There is no reticulated sewer in the vicinity of the site. Initial assessment of the land and proposed lot sizes suggests that on-site disposal of effluent could be achieved. This can be further considered at the development application stage.

**Topography**

The land is undulating and has an elevation of approximately 93m AHD at Bells Line of Road and falling to approximately 55m AHD at the unnamed watercourse and then rising to approximately an elevation of approximately 90m AHD towards Bells Lane. Slopes on the site generally exceed 10% with land some parts of the site towards Bells Line of Road and the unnamed watercourse exceeding 15%.

The HRLS recognises slopes greater than 15% act as a constraint to development. The concept plan of subdivision shows that reasonable sized building envelopes can be accommodated on land with slope less than 15%.

**Site Access, Public Transport and Traffic Generation**

Vehicular access to the site is from Bells Line of Road and Bells Lane. These access points are relatively level and good sight distances could be achieved in each direction subject to some vegetation removal along the Bells Line of Road frontage. The subdivision design proposes to have a shared access from Bells Line of Road for the newly created lots. The existing access for the veterinary clinic will continue to exist.

The site is subject to a RMS re-alignment plan which affects a narrow strip of land adjacent to Bells Line of Road.

If the planning proposal is to proceed, it will be referred to RMS for comment regarding the proposed access and effect on the re-alignment plan.

The site is within reasonable cycling and walking distance to the Kurmond village shops. There is a bike path on the opposite side of Bells Line of Road that links North Richmond with Kurmond.

Public transport is limited to the Westbus Route 682 service along Bells Line of Road between Richmond and Kurrajong. The service operates every 30 minutes during peak period. The closest bus stop is located near the Kurmond Post Office. Given the limited frequency of service and the location of the bus stop it is anticipated that the occupants of the proposed subdivision will be private vehicle dependent.

The planning proposal is not supported by a traffic impact statement and the cumulative impact of similar proposals that may occur in the future has not been considered by the planning proposal. It is considered that this is a matter for Council and the RMS to address with the outcome being incorporated into affected planning proposals.

Council has received petitions from residents west of the Hawkesbury River concerned about rezoning of land for residential purposes in the absence of necessary infrastructure upgrades. It is considered this will be a fundamental matter to be dealt with by Council prior to the finalisation of any planning proposals in the locality as the cumulative impact of these types of development will be unacceptable if no traffic improvements are made. In response to this issue the applicant states:

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*"it is envisaged that if this Planning Proposal were to proceed a contribution would be levied on the subdivision for each additional lot created to assist in implementation of traffic infrastructure in the locality. Alternatively the landowner could enter into a Voluntary Planning Agreement with Council so that an amount approximating what might come from the S94 Plan can be levied with the resultant subdivision if the S94 Plan has not at that time been implemented."*

### Ecology

The applicant has not undertaken a flora/fauna assessment of the site however states:

*"the subdivision proposes that a "riparian zone" be established along the watercourse so that the area can be properly managed with development excluded from it. It is envisaged that this would be set up through a community title form of subdivision. It is considered that houses could be built on the proposed vacant lots without the need for any clearing of vegetation. It is not considered that a formal report on flora/fauna of the site is required at this stage but would be more appropriate if identified through the Gateway process."*

In general terms it is considered that the concept subdivision plan shows sufficient land within the generally cleared area that could be available for the erection of buildings, waste water disposal and asset protection zones. Furthermore the planning proposal does not seek to amend *Clause 6.4 Terrestrial biodiversity* of the LEP or the associated map layer hence detailed consideration of any future development of the land will occur at development application stage.

### Agricultural Land Classification

The site is shown as being Agriculture Land Classification 3 on maps prepared by the former NSW Department of Agriculture. These lands are described by the classification system as:

*"3. Grazing land or land well suited to pasture improvement. It may be cultivated or cropped in rotation with sown pasture. The overall production level is moderate because of edaphic or environmental constraints. Erosion hazard, soil structural breakdown or other factors, including climate, may limit the capacity for cultivation and soil conservation or drainage works may be required."*

Given the site is in close proximity to the Kurmond Neighbourhood Centre, surrounding rural residential development and it not being used for intensive agricultural uses for many years it is considered that it is unlikely the site could be used for a substantial or viable agricultural enterprise.

### Bushfire Hazard

No formal bushfire assessment has been undertaken at this stage however it is considered that there is sufficient room on each proposed lot to site a dwelling that complies with Planning for Bushfire Protection 2006 (PBP) including asset protection zones, water supply etc.

If the planning proposal is to proceed it will be referred to the NSW Rural Fire Service (RFS), being the responsible authority of bushfire protection, for consideration. It is noted that the proposed access off Bells Line of Road appears not to comply with the provisions of PBP with respect to the number of lots served hence it is anticipated that the RFS will make comment regarding this.

### Heritage Significance

The site does not contain or adjoin and items of heritage significance or heritage conservation areas.

### **Conformance to the Hawkesbury Community Strategic Plan**

The following provisions of the Hawkesbury Community Strategic Plan are of most relevance to the planning proposal:

#### **“Looking After People and Place”**

##### *Directions*

- Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury’s towns, villages and rural landscapes.
- Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.
- Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.
- Have development on both sides of the river supported by appropriate physical and community infrastructure.

##### *Strategies*

- Revitalise and enhance town centres and villages.
- Manage rural and natural lands to support a balance of agriculture, environment and housing that delivers viable rural production and rural character.

### **Financial Implications**

The applicant has paid the fees required by Council’s fees and charges for the preparation of a local environmental plan.

### **Conclusion**

It is considered that some form of large lot residential / rural residential development on the subject site is appropriate and feasible and it is recommended that Council support amending LEP 2012 to allow the subject land to be developed for rural residential development.

It is also recommended that if the DP&E determines that the planning proposal is to proceed, this development, via a Section 94 plan or Voluntary Planning Agreement, contribute to the required infrastructure, especially road upgrade and provision, in the locality.

### **Planning Decision**

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

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### RECOMMENDATION:

That:

1. Council support the preparation of a planning proposal for Lot 11 DP 633630, 373 Bells Line of Road, Kurmond to allow development of the land for large lot residential / rural residential development.
2. The planning proposal be forwarded to the Department of Planning and Infrastructure for a "Gateway" determination.
3. The Department of Planning and Infrastructure be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.
4. The Department of Planning and Infrastructure and the applicant be advised that in addition to all other relevant planning considerations being addressed, final Council support for the proposal will only be given if Council is satisfied that satisfactory progress, either completion of the Section 94 Developer Contributions Plan or a Voluntary Planning Agreement, has been made towards resolving infrastructure provision for this planning proposal.
5. Council does not endorse the subdivision concept plan submitted with the planning proposal as this will need to be subject to a future development application if the plan was made.

### ATTACHMENTS:

**AT - 1** Concept Plan of the Proposed Subdivision

**AT - 2** Plan of subdivision approved by DA0602/09

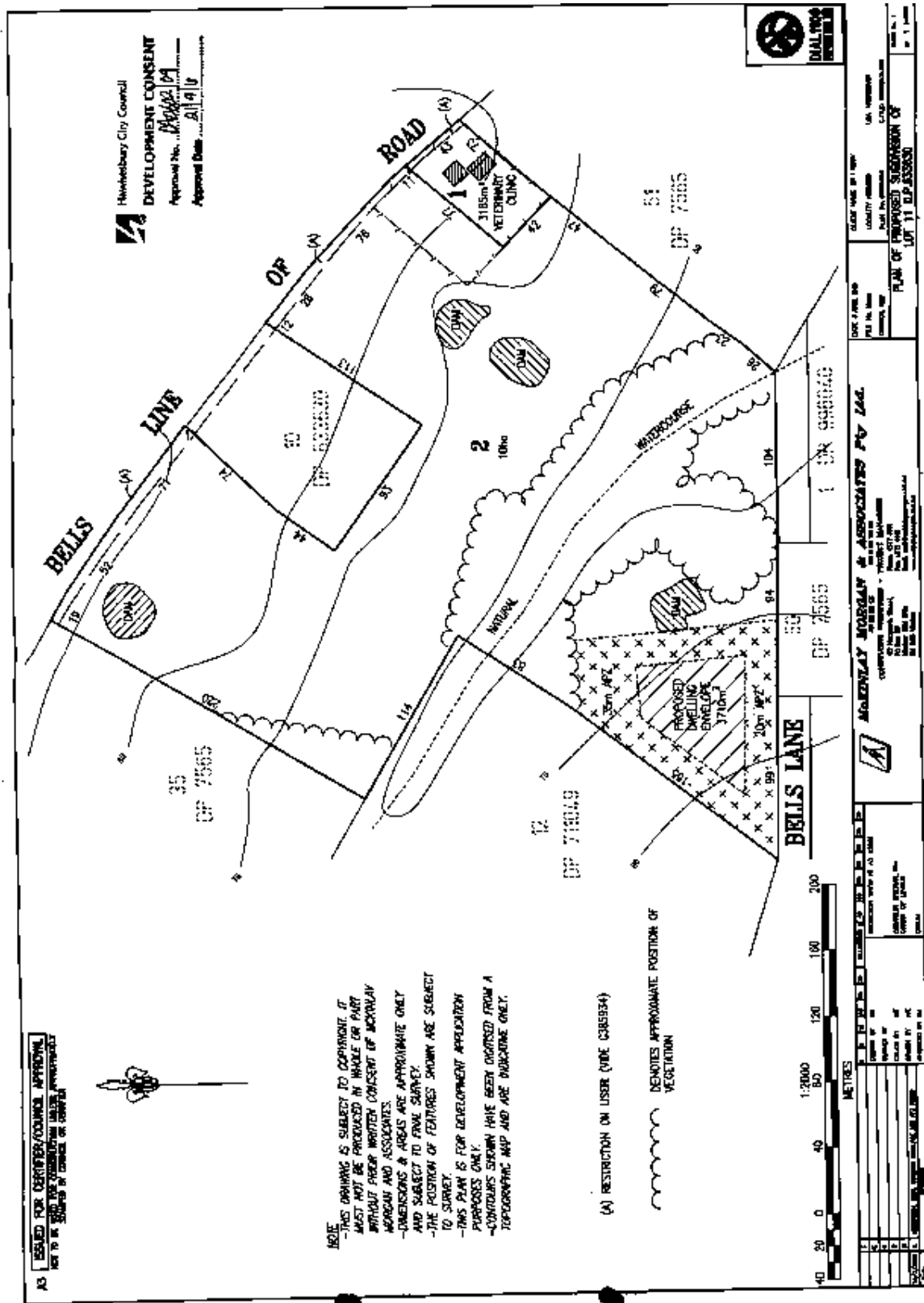




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## AT - 2 Plan of subdivision approved by DA0602/09



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### CITY PLANNING

**Item: 206**                      **CP - Local Heritage Assistance Fund 2014/2015 - (95498, 80242)**

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#### **REPORT:**

##### **Executive Summary**

This purpose of this report is to:

- a) advise Council of the recently re-activated Local Heritage Assistance Fund for minor works to Slab Barns (the Fund);
- b) consider the applications received for assistance; and
- c) seek Council's support for the allocation of funds (in accordance with Section 356 of the *Local Government Act 1993*).

##### **Introduction**

A Local Heritage Assistance Fund has been established by Council to assist property owners to conserve slab barns within the Hawkesbury area.

Council and the NSW Office of Environment & Heritage will be jointly funding the Local Heritage Assistance Fund. The aim is to encourage the retention and conservation of Hawkesbury's unique and significant early settlement slab barns through support for minor protection works, promotion and heritage awareness.

##### **Background**

A Slab Outbuilding Scheme was previously active in 2005 when applications for assistance (usually varying from \$750 - \$2,000) were supported to a total sum annually of approximately \$20,000. However since that time the scheme has been inactive due to limited resources and funding.

In 2009 Council, together with the Department of Planning, jointly funded a Slab Barns Study. The primary purpose of study was to comprehensively identify the location of barns across the Hawkesbury Local Government Area. Whilst there had been other studies of barns for individual sites and precincts, a city-wide barns-specific study had not previously been undertaken.

The Slab Barn Study was completed in 2010 and identified 106 slab barns (on 91 individual sites) many of which had not previously been identified in a study. The age of the slab barns range from those associated with original land grants constructed c1795 to those from the early twentieth century c1925 with only a few constructed since that time.

##### **Consultation**

Letters were sent in August 2014 to all landowners for the slab barns identified in the 2010 Slab Barn Study informing them of the Local Heritage Assistance Fund. Application forms and guidelines about how to apply for assistance were made available on Council's website.

An information session for landowners was held on 19 August 2014. The information session included:

- instructions on how to apply for the funding
- practical methods for repair, maintenance and conservation of slab barns
- a brief history of Hawkesbury slab barns and their historical significance
- presentations by Local Heritage Advisors and Council Officers

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- how to make a booking for Council's free Heritage Advisory Service
- the application for assistance deadline of Friday 30 September 2014

Presenting at the session was Graham Edds and Associates who prepared the study. Council's Heritage Advisors and Council officers were also available on the evening to answer heritage queries. Opportunities were also provided to book follow-up site visits with Council's Heritage Advisors.

### Local Heritage Assistance Fund 2014/2015

Grant funding was sought to enable the reactivation of the previously offered incentive scheme for minor works to Slab Barns. This funding will specifically target landowners with slab barns that require urgent repair or stabilisation. This was one of the key recommendations of the 2010 Slab Barn Study (available on Council's website).

As reported to the Heritage Advisory Committee (HAC) on 22 May 2014, Council has now been successful in obtaining a financial assistance grant of \$9,000 from the NSW Office of Environment and Heritage (OEH). Council is contributing a matching potential allocation of \$18,000. This provides a total fund of \$27,000.

Applications have been assessed by a panel comprised of Council's Heritage Advisors and Council officers. The criteria used to assess applications included:

- the eligibility of the subject site and the proposal.
- the applicant's ability to demonstrate technical and financial responsibility in relation to the project and demonstrated ability to complete the project within six months from the date of funding confirmation.
- the degree to which the applicant is financially contributing to the project given the limitations of the funding available.
- projects which clearly complement broader conservation objectives, for example projects which implement or support key findings within Council's 2010 Slab Barn Study.
- projects of demonstrated heritage value to the community.
- projects which are highly visible to the public.

The maximum funding available for any one applicant/property is \$2,000 (including GST). Funding will be offered on a dollar for dollar basis (\$1 of private funding for each \$1 of grant funding) to enable works to the minimum value of \$4,000 (including GST) to be undertaken. It should be noted that the funding allocation amounts were aimed at encouraging minor works and also to enable as many barns as possible to be beneficiaries of the funding.

As shown below, 12 applications for financial assistance were received and reviewed by Council officers. Table 1 summarises the applications received and the proposed level of financial assistance to be provided.

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| Site  | Proposal   | Total Applicant Contribution (\$ inc. GST) | Matched Funding Amount (\$ inc.GST) |
|---|--|--|-------------------------------------|
| 22 Buckingham Street, Pitt Town               | Stair, landing and railing repair.   | 3,900                                      | 1,950                               |
| 995 Upper Colo Road, Upper Colo               | Roof, gutters and stabilisation works. Replacement of slabs and repair.                      | 5,202                                      | 2,000                               |
| 1349 Upper Macdonald Road, Upper Macdonald    | Roof, gutters and stabilisation works. Replace ridge pole, roof members, and drainage works. | 13,948                                     | 2,000                               |
| 30 Wolseley Road, McGraths Hill               | Roof, gutters and structural member replacement.   | 4,000                                      | 2,000                               |
| 353 Pitt Town Bottoms Road, Pitt Town Bottoms | Roof, gutters and various stabilisation works including ramp replacement.                    | 1,900                                      | 950                                 |
| 279 Freemans Reach Rd, Freemans Reach         | Roof, gutters and repainting of roof.  | 2,178                                      | 1,089                               |
| 176B Hibberts Lane, Freemans Reach            | Roof, gutters and member replacement and repair.   | 5,258                                      | 2,000                               |
| 4 Catherine Street, Windsor                   | Roof, gutters and member replacement and repair.   | 8,580                                      | 2,000                               |
| 820 Sackville Road, Ebenezer                  | Window replacement and mezzanine works.  | 10,050                                     | 2,000                               |
| 8 Chatham Street, Pitt Town                   | Gutters repair, timber surface protection and drainage works.                                | 4,000                                      | 2,000                               |
| 477 Upper Macdonald Road, St Albans           | Stabilisation, roof and gutter repair.   | 4,000                                      | 2,000                               |
| 135B Wollombi Road, St Albans                 | Stabilisation, re-sheeting and gutter repair and pest control.                               | 3,025                                      | 1,512.50                            |
|   |  | <b>TOTAL</b>                               | <b>21,501.50</b>                    |

## Criteria

As indicated in the funding application criteria, the priorities for slab barn funding reflect the Slab Barn Study recommendations as follows:

- 1<sup>st</sup> Stabilisation works (e.g. under pinning, propping).
- 2<sup>nd</sup> Weather protection (e.g. urgent roof repairs).

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- 3<sup>rd</sup> Repair of existing fabric or replacement of missing fabric (e.g. structural members).
- 4<sup>th</sup> Miscellaneous works (e.g. painting).

All of the submitted applications meet the above criteria and can be supported as the total funding is within the allocated maximum amount of \$27,000.

### *Implementation*

All applicants will be advised in writing of the determination of their application. Applicants will be required to enter into a Plain English Agreement with Council. This agreement includes provisions for acceptance of the offer of funding, permission to commence work, time limits, claims for payment, and any special conditions relating to the project.

On completion of the work an inspection will be carried out by Council officers and Council's Heritage Advisor to ensure that the work has been carried out in accordance with the Plain English Agreement. If the work is satisfactory a cheque for the approved grant amount would then be forwarded to the applicant.

### **Conformance to the Hawkesbury Community Strategic Plan**

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

- Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's town, villages and rural landscapes.

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

- Recognise, protect and promote the values of indigenous, natural and built heritage through conservation and active use.

### **Conformance to Heritage Strategy**

The funding and the implementation of the Local Heritage Assistance Fund 2014/2015 will achieve a number of specific actions under Council's Heritage Strategy.

1. Under **Recommendation 2: Identify the heritage items in your area and list them in your local environmental plan**, the action 2013-2014 was to: '*Promote completed Barn Study outcomes*'. The Fund will specifically seek to promote the study outcomes together with the information session for slab barn landowners on 19 August 2014.
2. Under **Recommendation 5: Introduce a local heritage fund to provide small grants to encourage local heritage projects**, the following specific actions:
  - *"Develop Incentive Fund allocation Criteria*
  - *Commence allocation of Heritage Incentive Fund*
  - *Promote Fund Publicly.*
  - *Monitor Fund allocation*
  - *Seek matching funding from Heritage Council".*

### **Financial Implications**

The adopted Operational Plan for 2014/2015 includes an allocation for the Fund derived from the Heritage Reserve. The remainder will be drawn from the funding from the NSW Government as outlined above.

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### **Conclusion**

The re-activation of financial assistance for works to slab barns will assist in implementing the Council's objective under the Community Strategic Plan and specifically seeks to respond to the recommendations of the 2010 Slab Barn Study. Slab barns are a unique heritage asset individually and collectively the importance of these buildings within the Hawkesbury has been recognised by the NSW Government's joint funding.

Another round of funding will be considered in the future to deal with the remaining funds in this project.

### **RECOMMENDATION:**

That Council:

1. Approve payments under Section 356 Financial Assistance to the organisations or individuals listed, and at the level recommended in Table 1 of this report.
2. The successful applicants for Local Heritage Assistance Fund 2014/2015 be advised accordingly.

### **ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

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Item: 207

CP - Notice of Intention to Apply for a Liquor Licence - Tammie Sharp - (95498, 131522)

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### REPORT:

#### Executive Summary

Council has received a Notice of Intention from Ms Tammie Sharp that an application for a packaged Liquor Licence for the premises at 21 Woods Road, South Windsor is soon to be lodged with the NSW Casino, Liquor and Gaming Control Authority (the Authority). The applicant - Ms Sharp - is required to obtain any comments from Council, the local Police and the community in order to prepare a Community Impact Statement (CIS) as part of their application to the Control Authority.

Council and the public may make submissions to Ms Sharp in respect of the proposal.

The business involves re-labelling bottles of alcohol with personalised messages. Transactions occur over the internet and the labelling occurs at the subject premises. The re-labelled bottles are then sent to the customer.

As the administration of the business operates from the subject premises, a liquor licence is required to be in force to permit the sale of alcohol to occur.

The business activity is defined as a "Home Business" and may be carried out without development consent.

Given that development consent is not required for the activity as it is intended to operate, it is recommended that a response be provided to the applicant advising that no objection is raised to the issue of a Liquor Licence for the premises.

#### Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. In this particular case, the applicant is consulting with Council. Council is being asked to represent the views of the community to the applicant and the NSW Casino, Liquor and Gaming Control Authority as part of the Liquor Licence Application process.

#### Background

At the Ordinary Meeting of 30 June 2009, Council resolved to have all liquor licence applications that required the preparation of a Community Impact Statement (CIS) reported to Council.

It is considered there is better opportunity for Council to influence the outcome of a Liquor Licence Application with early involvement at the preparation of the CIS.

#### Packaged Liquor Licence Application

Council has received correspondence dated 13 August 2014, giving notice to Council that the applicant - Ms Tammie Sharp - intends to lodge an application for a Packaged Liquor Licence with the Authority in the near future. The licence (if granted) will allow the sale of packaged liquor from the premises. Council may make comments to the applicant for inclusion in the CIS which will be submitted to the Authority in respect of the Liquor Licence application.

Council has previously adopted that any Licence application that requires a Community Impact Statement (CIS) be reported to a Council meeting.



## ORDINARY MEETING

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The business activity involves primarily an internet based-business where personalised messages are placed onto bottles of alcohol. Once an order is placed on-line or by phone, the applicant purchases the alcohol, re-labels the bottle and dispatches it via courier or Australia Post to the customer.

No production of alcohol occurs on the premises and customers would not ordinarily attend the premises. The only production involves the re-labelling and packaging of the finished product.

The hours of trading for the Liquor Licence as proposed by the applicant are 10am - 5pm.

The premise is located in the residential area of South Windsor. The land-use activity is defined as a "Home Business" under *State Environmental Planning Policy (Exempt and Complying Development Codes (2008))* and *Hawkesbury Local Environmental Plan 2012*.

**"Home Business"** means a business that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:

- a) the employment of more than 2 persons other than those residents, or
- b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
- d) the exhibition of any signage (other than a business identification sign), or
- e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

**Note.** See clause 5.4 for controls relating to the floor area used for a home business."

Clause 5.4 of Hawkesbury Local Environmental Plan 2012 states the following with respect to home businesses:

### **"5.4 Controls relating to miscellaneous permissible uses**

#### **(2) Home businesses**

*If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area."*

Provided the business operates consistently with the above provisions (i.e. maximum of two staff, no adverse impact upon the neighbourhood and not occupying more than 50 square metres of floor area) the activity does not require development consent and may be carried out without approval. The applicant has provided information to Council staff to confirm the scale of the operation. The operation is considered to be of a low scale at present.

No objections are raised by Council staff to the activity occurring on the premises and no objection is raised to a Packaged Liquor Licence being granted by the Authority.

Given the above it is recommended that Council respond to the applicant to advise that no objection is raised to the issue of a Liquor Licence for the premises.

## ORDINARY MEETING

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### Conformance to the Hawkesbury Community Strategic Plan

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

- Plan for a range of industries that build on the strengths of the Hawkesbury to stimulate investment and employment in the region.

and is also consistent with a strategy within the Hawkesbury Community Strategic Plan being:

- Encourage stronger relationships between the business and community sectors to increase local career options.

The Home Business to re-label bottles is proposed by local business people who live within the Hawkesbury Area. This activity will provide for the needs of the community as well as provide jobs for local people.

### Financial Implications

No financial implications applicable to this report.

### RECOMMENDATION:

That a response be provided to the applicant advising that no objection is raised to the issue of a Liquor Licence for the premises.

### ATTACHMENTS:

AT - 1 Notice of Intention

AT - 2 Example of Re-labelled Bottles

AT - 1 Notice of Intention

# Notice of intention to apply for a liquor licence or a licence authorisation

(date of notice)

13/8/14

(name of applicant)

ANN'S MESSAGE ON A BOTTLE

**proposes to make an application to the Casino, Liquor and Gaming Control Authority for a**

(type of liquor licence or licence-related authorisation)

PACKAGED LIQUOR LICENCE

**at**

(address of existing or proposed premises)

21 WOODS ROAD  
SOUTH WINDSOR  
NSW 2756

The following information is provided to you as a requirement for the preparation of a community impact statement (CIS).

The NSW liquor laws require a CIS to be prepared by an applicant for certain liquor licence or licence-related authorisations.

The CIS summarises the results of consultation between the applicant and the local and broader community about any issues with the proposed application.

The application cannot be granted unless the Authority is satisfied that the overall social impact will not be detrimental to the well-being of the local or broader community. In determining this, the Authority will consider the CIS, along with the application, any submissions made by stakeholders, and reports from police and the Director of Liquor and Gaming.

## ORDINARY MEETING

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### What liquor-related activity is proposed?

The following describes the proposed premises including:

- proposed trading hours
- proposed activities and entertainment to be provided on the premises
- maximum patron numbers

2 10AM to 5PM

2 PROVIDING UN-OPENED BOTTLES WITH PERSONALISED LABELS -

2 SOLD BY PHONE/INTERNET ONLY

2 NO ALCOHOL WILL BE OPENED OR CONSUMED ON PREMISES.

2 MESSAGE ON A BOTTLE IS PROVIDING PERSONALISED GIFTS.

### How to seek further information and provide comment

The following describes how to seek further information and provide feedback to the potential applicant regarding the proposal.

This feedback can be in various forms such as a written response (including email), phone response, or face to face. You have 30 days to respond to the date of the notice. If applicable the details of further organised consultation sessions will be outlined below.

TAMMIE SHARP

### Next steps

A CIS summarising the results of consultation, including a summary of responses to this notice, must be included with the papers lodged with the Authority when a liquor licence or licence-related authorisation application requiring a CIS is made. Your feedback will be used to compile the CIS. Unless agreed the CIS will not identify anyone who comments on the proposed application.

The licence application cannot be lodged until 30 days from the date of this notice.

You will be able to view the completed CIS on the NSW Office of Liquor, Gaming and Racing website [www.olgr.nsw.gov.au](http://www.olgr.nsw.gov.au) if the application for the liquor licence or authorisation is lodged with the Authority. Notice will be provided by the applicant to you (where you provide reasonable contact details) at that time. Any person can make submissions regarding the application directly to the Authority. The law requires that the Authority take into account any submissions made when determining on an application.

## ORDINARY MEETING

Meeting Date: 28 October 2014

### AT - 2 Example of Re-labelled Bottles



oooO END OF REPORT Oooo

## ORDINARY MEETING

Meeting Date: 28 October 2014

### INFRASTRUCTURE SERVICES

**Item: 208**                      **IS - Provision and Acquisition of Road Access to Lot 109 DP751656 - 556B Blaxlands Ridge Road, Blaxlands Ridge - (95495, 79344, 79346, 14893)**

**Previous Item:**              11, Ordinary (31 January 2006)

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#### **REPORT:**

##### **Executive Summary**

This report outlines issues relating to the provision and acquisition of road access to Lot 109 in Deposited Plan 751656 (556B Blaxlands Ridge Road, Blaxlands Ridge) and recommends that acquisition in accordance with the current requirements of the Office of Local Government be progressed.

##### **Consultation**

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

##### **Background**

Highland Park Pty Limited owns Lot 109 DP 751656, being 556B Blaxlands Ridge Road, Blaxlands Ridge. The access provided to the property, at the time of its creation, was over Roberts Creek in the south-west corner of the property by way of a Crown Public Road via East Kurrajong Road. This legal access is extremely steep as well as traversing over Roberts Creek.

Practical access to the property is however, obtained from Blaxlands Ridge Road via a section of Crown Public Road through Lot 2 DP 547929 and Lot 1 DP 790059 (approx. 600m). There is, however, a missing link (approx. 240m) from these two properties leading to Lot 109 DP 751656. The missing link is over Crown Land where a formed track currently exists. It is apparent that access over the missing link has been in place for more than a century. Furthermore, utilities such as electricity and telephone exist within the bounds of this corridor.

The Crown Lands Division of NSW Trade & Investment has previously indicated that there would be no objection in principal with Council acquiring the required land for the continuity of the Road Reserve (20.115m wide) over the existing track (being the area referred to as the missing link). This land, subject to Departmental consent, could be acquired by Council for the public purpose of 'Road' under the relevant legislature provisions and due compensation. A condition of the Department's approval is that Council also acquire the existing Crown Public Road Reserve which links Blaxlands Ridge Road to the Missing Link (through Lot 2 DP 547929 and Lot 1 DP 790059).

Council, at its meeting on 31 January 2006, considered a report pertaining to this matter and resolved as follows:

*"That:*

1. *Subject to the following actions and requirements being agreed to by the owners of No. 556B Blaxlands Ridge Road, Blaxlands Ridge, Council's solicitors be instructed to prepare the necessary documentation including imposition of appropriate bonds, to ensure Council's interests are protected.*
2. *Application be made to the Department of Lands to acquire/transfer the existing Crown Road Reserve 20.115 metres wide bounded by Lot 2 DP 547929 and Lot 1 DP 790059.*

## ORDINARY MEETING

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3. *Application be made to the Department of Lands to acquire Public Road Reserve 20.115 metres wide over Crown Land, linking the Road Reserve from Lot 2 DP 547929 and Lot 1 DP 790059 to Lot 109 DP751656 - the 'Missing Link'.*
4. *The new Roads be dedicated under Section 10 of the Roads Act.*
5. *All costs be the responsibility of the owners of Lot 109 DP 751656 No. 556B Blaxlands Ridge Road, Blaxlands Ridge, (also known as Portion 109 Parish of Meehan County of Cook). These costs to include and not be limited to the road acquisition, transfers from the Department of Lands/Crown, full sealed road construction, survey costs, legal costs and other associated costs including Councils administration charge of \$2,000.00."*

During the consultation process associated with the acquisition, the Deerubbin Local Aboriginal Land Council filed Aboriginal Land Claim #15594 with the Office of the Registrar of the Aboriginal Land Rights Act 1983. After negotiation, a settlement was reached and the claim was withdrawn on 27 September 2011.

Since then, the owners of 556B Blaxlands Ridge Road, Blaxlands Ridge (now Highland Park Pty Limited) have agreed to all actions and requirements of the aforementioned resolution and it is now appropriate for action to be taken to formalise the acquisition. However, the previous resolution requires amendment to comply with relevant regulatory processes to enable the acquisition and subsequent dedication of the road reserve to occur, and ensure that construction of the road is carried out at no cost to Council.

Due to the length of time that has elapsed and changes in procedure and process, advice was sought from both Crown Lands Division of NSW Trade & Investment and the Office of Local Government regarding appropriate wording of an updated resolution. This is contained within the recommendation section of this report and remains consistent with the intent of Council's previous resolution.

### **Conformance to the Hawkesbury Community Strategic Plan**

The proposal is consistent with the Linking the Hawkesbury Directions Statement;

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

### **Financial Implications**

There are no financial implications arising from this report, with all costs met by the applicant, including construction of a sealed road for the full length of the road from Blaxlands Ridge Road to the Missing Link (through Lot 2 DP 547929 and Lot 1 DP 790059).

## ORDINARY MEETING

Meeting Date: 28 October 2014

### RECOMMENDATION:

That, subject to all costs associated with the acquisition and dedication being met by and remaining the responsibility of the owners of Lot 109 DP 751656 including, but not limited to, the road acquisition, transfers from the Crown, full sealed road construction, survey costs, legal costs and other associated costs and such actions being secured by way of appropriate bonds as determined by the General Manager:

1. Council undertake compulsory acquisition (under sections 177 and 178 of the Roads Act 1993 (NSW) and sections 186 and 187 of the Local Government Act 1993 (NSW)) of:
  - a) Lot 1 in Deposited Plan 1197894; and
  - b) Lot 1 in Deposited Plan 1193603(the Land) for the purpose of dedication as a public road.
2. Council approve the making of an application to Crown Lands for the transfer of the sections of Crown Road from Blaxlands Ridge Road through to and including the section within Lot 109 DP 751656 in accordance with its condition of consent for the acquisition of the Land by Council dated 26 June 2013.
3. Council approve the making of an application to the Minister for the Local Government for the issue of a proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the Land.
4. Council approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the Land.
5. The Seal of Council be affixed to any documents required to be executed under Seal as part of the compulsory acquisition process for the Land.
6. Grant delegation to the General Manager to execute any documents on behalf of Council, associated with the compulsory acquisition process, which do does not require the Seal of Council to be affixed.
7. Council dedicate the land as a public road under Section 10 of the Roads Act 1993 (NSW) once the acquisition has been completed.

### ATTACHMENTS:

- AT - 1** Correspondence from Crown Lands Division - Consent for the acquisition of the Land by Council dated 26 June 2013 (as referred to in point 2 of the recommendation) including a site plan.



ORDINARY MEETING

Meeting Date: 28 October 2014

**AT - 1 Correspondence and Site Plan from Crown Lands Division**



Our Ref: MN07H54 & 08/9191  
Your Ref: not available  
Date: 26<sup>th</sup> June 2013

Nicole Cooney  
Hawkesbury City Council  
PO Box 146  
WINDSOR NSW 2756

Dear Nicole

**Council Acquisition of Crown land being part Lot 7304 DP 1164771 at Blaxlands Ridge (Highland Park Pty Limited)**

I refer to Council's letter dated 28 May 2013 regarding NSW Trade & Investment (Crown Lands) conditions of consent to the above acquisition and our subsequent telephone conversation regarding this matter.

The subject condition of consent being the requirement for Council to accept transfer of the Crown Road (excluding the section proposed to be closed) from Blaxlands Ridge Road through to and including the section within Lot 80 DP 751656 (identified by yellow dots on Diagram "A").

Council's objection to transfer of the full length of the subject road is acknowledged and the matter has now been given further consideration. Approval has been provided to amend the condition of consent as follows:

*Crown Lands consent to the acquisition of part Lot 7304 DP 1164771 subject to Council agreeing to transfer the sections of Crown Road (excluding the section proposed to be closed) from Blaxlands Ridge Road through to and including the section within Lot 109 DP 751656 (shown by blue dots on Diagram "A"). The road through Lot 80 DP 751656 may remain Crown Road.*

The owner of Lot 109 DP 751656 has submitted a development application to NSW Trade & Investment Crown Lands seeking land owner's consent to lodgement. The DA relates to a substantial residential subdivision that will be accessed via the subject roads.

Crown Lands therefore require transfer of the roads to Council to ensure continuity of legal and practical access to the development and to bring the roads under one authority's control.

I trust that Council will agree to this amendment, however if you wish to discuss the matter further I can be contacted on the number below.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Kristy Poole'.

Kristy Poole  
Regional and Strategic Projects  
Crown Lands, NSW Trade & Investment

Kristy Poole, Senior Property Development Officer  
Crown Lands, NSW Trade & Investment  
[kristy.poole@lands.nsw.gov.au](mailto:kristy.poole@lands.nsw.gov.au)

Cnr Newcastle Rd & Banks Street  
PO Box 2215 DANGAR NSW 2309  
T: 02 4937 9313 [www.crownland.nsw.gov.au](http://www.crownland.nsw.gov.au)



## ORDINARY MEETING

Meeting Date: 28 October 2014

Item: 209

### **IS - Richmond Fresh Food Christmas Market and Eclectic Events Twilight Markets - (95495, 79354, 127235, 129069)**

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#### **REPORT:**

##### **Executive Summary**

Council previously approved applications from Richmond Fresh Food to hold weekly Saturday growers markets at Richmond Park (known as Richmond Good Food Market) and Eclectic Markets and Events to hold Saturday monthly markets at Governor Phillip Reserve (known as Windsor Riverside Market). The markets commenced in March and June 2014 respectively with an initial approval period of one year.

Richmond Fresh Food have requested that they replace the market planned for Saturday, 27 December 2014 with a one off night time Christmas market on Tuesday, 23 December 2014 between 4pm and 8pm and Eclectic Markets and Events have requested permission to hold twilight markets on 17 January 2015 between 1pm and 7pm. These requests have been on the basis that the community will have the opportunity to experience different markets during the peak holiday period.

##### **Consultation**

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

##### **Background**

Council previously approved applications by Richmond Fresh Food to hold weekly Saturday growers markets at Richmond Park and Eclectic Markets and Events to hold monthly Saturday markets at Governor Phillip Reserve at its Ordinary meetings held on 27 August 2013 and 11 March 2014 respectively. Both approvals were for an initial period of one year.

Richmond Fresh Food have requested that they replace the market planned for Saturday, 27 December 2014 with a one off night time Christmas market on Tuesday, 23 December 2014 between 4pm and 8pm and Eclectic Markets and Events have requested permission to hold twilight markets on 17 January 2015 between 1pm and 7pm. These requests have been on the basis that the community will have the opportunity to experience different markets during the peak holiday period.

The dates proposed by both organisers for these markets do not have any impact or conflict with other events at Richmond Park and Governor Phillip Reserve.

##### **Conformance to the Hawkesbury 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.

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

- Differentiate, brand and promote the Hawkesbury as a tourism destination.

##### **Financial Implications**

No significant financial implications arise from these requests. Richmond Fresh Food are currently invoiced on a per stall basis and Eclectic Markets and Events are invoiced on a daily hire basis. This would remain the same for the additional/replacement events.

## **ORDINARY MEETING**

**Meeting Date:** 28 October 2014

### **RECOMMENDATION:**

That:

1. Richmond Fresh Food be given approval to replace the market event planned for Saturday, 27 December 2014 with a one off Christmas night time market to be held on Tuesday, 23 December 2014 between 4pm and 8pm.
2. Eclectic Markets and Events be given approval to hold twilight markets on Saturday, 17 January 2015 between 1pm and 7pm.
3. This approval be subject to the same conditions applying to the previously approved markets.

### **ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**



**ORDINARY MEETING**

Meeting Date: 28 October 2014

**SUPPORT SERVICES**

Item: 210

**SS - Monthly Investments Report - September 2014 - (96332, 95496)****REPORT:****Executive Summary**

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

This report indicates that Council held \$47.20 million in investments at 30 September 2014.

It is recommended that this report be received and noted.

**Consultation**

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

**Background**

The following table indicates that Council held \$47.20 million in investments as at 30 September 2014. Details of the financial institutions with which the investments were made, date investments were taken out, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, and the percentage of the total portfolio, are provided below:

| Investment Type                  | Institution Short Term Rating | Institution Long Term Rating | Lodgement Date | Maturity Date | Interest Rate % | Principal \$ | Percentage of Portfolio | Total \$         |
|----------------------------------|-------------------------------|------------------------------|----------------|---------------|-----------------|--------------|-------------------------|------------------|
| <b>On Call</b>                   |                               |                              |                |               |                 |              |                         |                  |
| ANZ                              | A1+                           | AA-                          |                |               | 2.95%           | 2,500,000    | 5.30%                   |                  |
| CBA                              | A1+                           | AA-                          |                |               | 2.35%           | 2,700,000    | 5.72%                   |                  |
| <b>Total On-call Investments</b> |                               |                              |                |               |                 |              |                         | <b>5,200,000</b> |
| <b>Term Investments</b>          |                               |                              |                |               |                 |              |                         |                  |
| ANZ                              | A1+                           | AA-                          | 20-Nov-13      | 19-Nov-14     | 3.85%           | 2,000,000    | 4.24%                   |                  |
| ANZ                              | A1+                           | AA-                          | 27-Nov-13      | 26-Nov-14     | 3.85%           | 1,000,000    | 2.12%                   |                  |
| ANZ                              | A1+                           | AA-                          | 20-Aug-14      | 04-Feb-15     | 3.69%           | 1,000,000    | 2.12%                   |                  |
| ANZ                              | A1+                           | AA-                          | 29-Aug-14      | 08-Apr-15     | 3.69%           | 1,500,000    | 3.18%                   |                  |
| ANZ                              | A1+                           | AA-                          | 29-Aug-14      | 22-Apr-15     | 3.69%           | 1,500,000    | 3.18%                   |                  |
| ANZ                              | A1+                           | AA-                          | 28-May-14      | 27-May-15     | 3.70%           | 1,000,000    | 2.12%                   |                  |
| ANZ                              | A1+                           | AA-                          | 11-Jun-14      | 10-Jun-15     | 3.70%           | 1,500,000    | 3.18%                   |                  |
| ANZ                              | A1+                           | AA-                          | 11-Jun-14      | 10-Jun-15     | 3.70%           | 500,000      | 1.06%                   |                  |
| ANZ                              | A1+                           | AA-                          | 18-Jun-14      | 17-Jun-15     | 3.70%           | 500,000      | 1.06%                   |                  |
| ANZ                              | A1+                           | AA-                          | 23-Jul-14      | 22-Jul-15     | 3.70%           | 1,000,000    | 2.12%                   |                  |
| ANZ                              | A1+                           | AA-                          | 06-Aug-14      | 06-Aug-15     | 3.70%           | 2,000,000    | 4.24%                   |                  |
| ANZ                              | A1+                           | AA-                          | 20-Aug-14      | 19-Aug-15     | 3.71%           | 2,000,000    | 4.24%                   |                  |
| ANZ                              | A1+                           | AA-                          | 03-Sep-14      | 02-Sep-15     | 3.73%           | 1,000,000    | 2.12%                   |                  |
| NAB                              | A1+                           | AA-                          | 03-Sep-14      | 03-Oct-14     | 2.95%           | 1,000,000    | 2.12%                   |                  |
| NAB                              | A1+                           | AA-                          | 19-Dec-13      | 15-Oct-14     | 3.81%           | 500,000      | 1.06%                   |                  |

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| Investment Type                                 | Institution Short Term Rating | Institution Long Term Rating | Lodgement Date | Maturity Date | Interest Rate % | Principal \$ | Percentage of Portfolio | Total \$          |
|---|-------------------------------|------------------------------|----------------|---------------|-----------------|--------------|-------------------------|-------------------|
| NAB   | A1+                           | AA-                          | 29-Jan-14      | 29-Oct-14     | 3.75%           | 2,000,000    | 4.24%                   |                   |
| NAB   | A1+                           | AA-                          | 19-Dec-13      | 17-Dec-14     | 3.83%           | 1,500,000    | 3.18%                   |                   |
| NAB   | A1+                           | AA-                          | 15-Jan-14      | 17-Dec-14     | 3.82%           | 1,000,000    | 2.12%                   |                   |
| NAB   | A1+                           | AA-                          | 05-Mar-14      | 04-Feb-15     | 3.73%           | 1,000,000    | 2.12%                   |                   |
| NAB   | A1+                           | AA-                          | 18-Jun-14      | 19-Mar-15     | 3.65%           | 1,000,000    | 2.12%                   |                   |
| NAB   | A1+                           | AA-                          | 20-Aug-14      | 22-Jul-15     | 3.66%           | 1,000,000    | 2.12%                   |                   |
| NAB   | A1+                           | AA-                          | 21-Aug-13      | 19-Aug-15     | 4.25%           | 1,000,000    | 2.12%                   |                   |
| NAB   | A1+                           | AA-                          | 03-Sep-13      | 02-Sep-15     | 4.10%           | 2,000,000    | 4.24%                   |                   |
| NAB   | A1+                           | AA-                          | 03-Sep-14      | 02-Sep-15     | 3.65%           | 500,000      | 1.06%                   |                   |
| Westpac   | A1+                           | AA-                          | 05-Mar-14      | 15-Oct-14     | 3.70%           | 1,000,000    | 2.12%                   |                   |
| Westpac   | A1+                           | AA-                          | 08-Apr-14      | 19-Nov-14     | 3.85%           | 2,000,000    | 4.24%                   |                   |
| Westpac   | A1+                           | AA-                          | 23-Apr-14      | 17-Dec-14     | 3.75%           | 500,000      | 1.06%                   |                   |
| Westpac   | A1+                           | AA-                          | 15-May-14      | 17-Dec-14     | 3.75%           | 1,000,000    | 2.12%                   |                   |
| Westpac   | A1+                           | AA-                          | 15-Jan-14      | 15-Jan-15     | 3.80%           | 2,000,000    | 4.24%                   |                   |
| Westpac   | A1+                           | AA-                          | 28-May-14      | 15-Jan-15     | 3.75%           | 1,000,000    | 2.12%                   |                   |
| Westpac   | A1+                           | AA-                          | 23-Jul-14      | 15-Jan-15     | 3.75%           | 500,000      | 1.06%                   |                   |
| Westpac   | A1+                           | AA-                          | 29-Jan-14      | 29-Jan-15     | 3.65%           | 1,000,000    | 2.12%                   |                   |
| Westpac   | A1+                           | AA-                          | 06-Aug-14      | 29-Jan-15     | 3.80%           | 1,000,000    | 2.12%                   |                   |
| Westpac   | A1+                           | AA-                          | 19-Mar-14      | 19-Mar-15     | 3.70%           | 2,000,000    | 4.24%                   |                   |
| Westpac   | A1+                           | AA-                          | 25-Jun-14      | 25-Jun-15     | 3.75%           | 500,000      | 1.06%                   |                   |
| Westpac   | A1+                           | AA-                          | 04-Jul-14      | 08-Jul-15     | 3.75%           | 500,000      | 1.06%                   |                   |
| <b>Total Term Investments</b>                   |                               |                              |                |               |                 |              |                         | <b>42,000,000</b> |
| <b>TOTAL INVESTMENT AS AT 30 September 2014</b> |                               |                              |                |               |                 |              |                         | <b>47,200,000</b> |

## Performance by Type

| Category     | Balance \$        | Average Interest | Bench Mark                       | Bench Mark % | Difference to Benchmark |
|--------------|-------------------|------------------|----------------------------------|--------------|-------------------------|
| Cash at Call | 5,200,000         | 2.64%            | Reserve Bank Cash Reference Rate | 2.50%        | 0.14%                   |
| Term Deposit | 42,000,000        | 3.75%            | UBS 90 Day Bank Bill Rate        | 2.74%        | 1.01%                   |
| <b>Total</b> | <b>47,200,000</b> | <b>3.51%</b>     |                                  |              |                         |

## Restricted/Unrestricted Funds

| Restriction Type              | Amount \$         |
|-------------------------------|-------------------|
| External Restrictions -S94    | 11,676,343        |
| External Restrictions - Other | 4,173,999         |
| Internal Restrictions         | 21,620,578        |
| Unrestricted                  | 9,729,080         |
| <b>Total</b>                  | <b>47,200,000</b> |

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Unrestricted funds, whilst not subject to a restriction for a specific purpose, are fully committed to fund operational and capital expenditure in line with Council's adopted Operational Plan. As there are timing differences between the accounting for income and expenditure in line with the Plan, and the corresponding impact on Council's cash funds, a sufficient level of funds is required to be kept at all times to ensure Council's commitments are met in a timely manner. Council's cash management processes are based on maintaining sufficient cash levels to enable commitments to be met when due, while at the same time ensuring investment returns are maximised through term investments where possible.

In addition to funds being fully allocated to fund the Operational Plan activities, funds relating to closed self-funded programs that are subject to legislative restrictions, cannot be utilised for any purpose other than that specified. Externally restricted funds include funds relating to Section 94 Contributions, Domestic Waste Management, Sewerage Management, Stormwater Management and Grants.

Funds subject to an internal restriction refer to funds kept aside for specific purposes, or to meet future known expenses. This allows for significant expenditures to be met in the applicable year without having a significant impact on that year. Internally restricted funds include funds relating to Tip Remediation, Workers Compensation, and Election.

### ***Investment Commentary***

The investment portfolio increased by \$2.30 million for the month of September 2014. During September 2014, income was received totalling \$7.34 million, including rate payments amounting to \$4.83 million, while payments to suppliers and staff costs amounted to \$5.95 million.

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

Council has a loan agreement for an amount of \$5.26 million under the Local Government Infrastructure Renewal Scheme (LIRS). The full amount was drawn down upon signing the agreement in March 2013, with funds gradually being expended over a period of approximately two years. The loan funds have been placed in term deposits, with interest earned on unexpended invested loan funds being restricted to be used for works relating to the LIRS Program projects.

As at 30 September 2014, Council's investment portfolio is all invested with major Australian trading banks and in line with Council's Investment Policy.

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

Council's investment portfolio complies with Council's Investment Policy, adopted on 27 May 2014.

### ***Investment Certification***

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

### **Conformance to the Hawkesbury 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

### **Financial Implications**

Funds have been invested with the aim of achieving budgeted income in 2014/2015.

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**RECOMMENDATION:**

The report regarding the monthly investments for September 2014 be received and noted.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**



## ORDINARY MEETING

Meeting Date: 28 October 2014

**Item: 211**                      **SS - Code of Conduct Complaints Statistics Report - 1 September 2013 to 31 August 2014 - (95496)**

**Previous Item:**            3, Ordinary (5 February 2013)

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### REPORT:

#### Executive Summary

Under Council's adopted "Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW" the Complaints Coordinator is required to submit a report on a range of complaints statistics to the Council. These complaints statistics are also required to be provided to the NSW Office of Local Government (OLG).

The purpose of this report is to submit the required Code of Conduct complaints statistics for the period from 1 September 2013 to 31 August 2014.

It is recommended that Council note the contents of the report.

#### Consultation

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

#### Background

Council, at its meeting on 5 February 2013, gave consideration to a report regarding the review and release of the new Model Code of Conduct by the OLG.

At that meeting, Council adopted the Model Code of Conduct with some relatively minor amendments as the Council's Code of Conduct, and also adopted the 'Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW' (the Procedures) issued by the then NSW Division of Local Government, as the Council's Procedures. Both of these documents became effective on and from 1 March 2013.

Under the provisions of Clause 3.12 of the Procedures, the General Manager has appointed the Director Support Services as the Complaints Coordinator.

Clause 12.1 of the Procedures states that Council's Complaints Coordinator must, within three months of the end of September each year, report on a range of complaints statistics to the Council. Clause 12.2 of the Procedures requires Council to provide the complaints statistics to the OLG. Clauses 12.1 and 12.2 of the Procedures are as follows:

*"12.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:*

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September,*
- b) the number of code of conduct complaints referred to a conduct reviewer,*
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints,*
- d) the number of code of conduct complaints investigated by a conduct reviewer,*
- e) the number of code of conduct complaints investigated by a conduct review committee,*

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- f) *without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures,*
- g) *the number of matters reviewed by the Division and, without identifying particular matters, the outcome of the reviews, and*
- h) *the total cost of dealing with code of conduct complaints made about councillors and the general manager in the year to September, including staff costs.*

12.2 *The council is to provide the Division with a report containing the statistics referred to in clause 12.1 within 3 months of the end of September of each year."*

In accordance with Clause 12.1 of the Procedures, the following complaints statistics are provided to Council in respect of the period from 1 September 2013 to 31 August 2014:

| Information Required  | Reported Details   |
|---|--|
| a) The total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September.                        | 5  |
| b) The number of code of conduct complaints referred to a conduct reviewer.   | 3  |
| c) The number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints                         | 3<br>The outcomes were as follows: <ul style="list-style-type: none"> <li>• 2 complaints - Take no action</li> <li>• 1 complaint - Resolve by alternative and appropriate strategies.</li> </ul> |
| d) The number of code of conduct complaints investigated by a conduct reviewer.   | Nil  |
| e) The number of code of conduct complaints investigated by a conduct review committee.   | Nil  |
| f) Without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures. | Not Applicable   |
| g) The number of matters reviewed by the Division and, without identifying particular matters, the outcome of the reviews.  | Nil  |
| h) The total cost of dealing with code of conduct complaints made about councillors and the general manager in the year to September, including staff costs.                | Total Cost (including staff costs)<br>= Approximately \$8,310 (excl. GST where relevant)   |

The above complaints statistics will also be forwarded to the OLG as required under Clause 12.2 of the Procedures.

### **Conformance to the Hawkesbury 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.

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**Financial Implications**

There are no financial implications applicable to this report.

**RECOMMENDATION:**

That the report under Clause 12.1 of the Council's Procedures for the Administration of the Code of Conduct, in respect of the Code of Conduct complaints statistics for the period from 1 September 2013 to 31 August 2014, be noted.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

## ORDINARY MEETING

Meeting Date: 28 October 2014

Item: 212

SS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)

### REPORT:

#### Executive Summary

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

#### Consultation

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

#### Background

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

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

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

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

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

| Position                               | Return Date | Date Lodged |
|--|-------------|-------------|
| Para Building and Development Officer  | 08/07/2014  | 26/08/2014  |
| Library Co-ordinator Cultural Services | 14/07/2014  | 25/07/2014  |
| Technical and Restorations Officer     | 14/07/2014  | 21/08/2014  |

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The above Designated Persons have lodged their Section 449(1) Returns prior to the due dates (being three months after the Return Dates), as required by the Act for the receipt of the Returns.

In addition, the following Section 449(5) Return has been lodged with regard to Section 450A(2)(c):

| Position                   | Return Period            | Date Lodged |
|----------------------------|--------------------------|-------------|
| Strategic Planning Manager | 01/07/2014 to 16/10/2014 | 16/10/2014  |

The above details are now tabled in accordance with Sections 450A(2)(a) and (c) of the Act, and the abovementioned Returns are available for inspection if requested.

### Conformance to the Hawkesbury 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

No financial implications applicable to this report.

### RECOMMENDATION:

That the information be received and noted.

### ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

**ORDINARY MEETING**

**Meeting Date:** 28 October 2014

ordinary

section 4

reports  
of committees

**ORDINARY MEETING**  
**Reports of Committees**



**ORDINARY MEETING**  
**Reports of Committees**

**SECTION 4 - Reports of Committees**

**ROC**                      **Audit Committee Minutes - 27 August 2014 - (95496, 91369)**

The meeting commenced at 4:08pm

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**Present:**                Ellen Hegarty  
                              Nisha Maheshwari (Chair)  
                              Councillor Paul Rasmussen

**Apologies:**            Councillor Patrick Conolly  
                              Harry Khouri  
                              Laurie Mifsud - Director Support Services  
                              Dennis Banicevic - Council's External Auditor

**In Attendance:**       Peter Jackson - General Manager  
                              Steven Kelly - Internal Auditor  
                              Emma Galea - Chief Financial Officer  
                              Jan Readford - Minute Secretary

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**REPORT:**

**RESOLVED** on the motion of Ms Ellen Hegarty and seconded by Councillor Paul Rasmussen that the apologies be accepted.

**Attendance Register of Audit Committee**

| Member                            | 26/02/2014 | 28/05/2014 | 27/8/2014 |
|-----------------------------------|------------|------------|-----------|
| Councillor Patrick Conolly        | A          | ✓          | A         |
| Councillor Paul Rasmussen         | ✓          | A          | ✓         |
| Councillor Bob Porter (Alternate) | N/A        | N/A        | N/A       |
| Ms Ellen Hegarty                  | ✓          | ✓          | ✓         |
| Mr Harry Khouri                   | ✓          | A          | A         |
| Ms Nisha Maheshwari (Chair)       | A          | ✓          | ✓         |

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

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Ms Ellen Hegarty and seconded by Councillor Paul Rasmussen that the Minutes of the Audit Committee held on the 28 May 2014 be confirmed.

**SECTION 3 - Reports for Determination**

**ORDINARY MEETING**  
**Reports of Committees**

**Item 1: AC - Status Report - Management Responses to Development Applications Audit Recommendations - July 2014 - (91369, 121470, 79351)**

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**DISCUSSION:**

- Mr Kelly advised there has not been any significant change to the status of the Development Applications Audit Recommendations and that there have also been no issues encountered.
- Mr Kelly advised that Council has appointed a Strategic Planning Manager from within, and that a Development Services Manager has been appointed and will commence on 1 September 2014.
- Mr Jackson advised there are a number of issues in the Development Services area due to staffing issues. Ms Shari Hussein is currently Acting as the Director City Planning. Mr Jackson advised that it has been requested that other staff be considered eligible to provide assistance with the backlog.

**RECOMMENDATION TO COMMITTEE:**

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

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Ms Ellen Hegarty, seconded by Councillor Paul Rasmussen.

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

**Item 2: AC - Status Report - Management Responses to Audit Recommendations - July 2014 - (91369, 121470, 79351)**

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**DISCUSSION:**

- Mr Kelly referred to Delegations and advised that Council's Human Resources staff have reviewed various software packages, and two are being considered. Delegations are currently available for staff access on Council's Intranet, however, with the appropriate software, the intention is to also place them on Council's Website. Mr Jackson indicated disappointment with the software reviewed, and although these packages are widely used, they are not considered to be the right packages for Council.
- Mr Kelly referred to the Governance Health Check and advised the Conflicts of Interest Policy is under consideration. Council does have a Register for Legislation, however as it only covers Work Health and Safety, the Register will be expanded to cover other Legislation that affects Council.
- Mr Kelly advised that a number of staff attended the GIPA conference.

## ORDINARY MEETING

### Reports of Committees

- Mr Kelly referred to the substantial increase in requests for information under the Freedom of Information Act in recent years, with a number attributed to people checking plans when they are purchasing properties. Mr Jackson advised that 10 years ago Council received around 12, Section 12 requests per year and it was part of one person's job to process them. Now, Council receives up to 40 formal and 800 plus informal requests. The majority are informal applications and are processed under a week to 10 days. The formal applications request information going back to 10-15 years resulting in a 20 day turnaround.
- Mr Kelly advised that Council's Corporate Services and Governance Manager conducts training sessions every couple of months for frontline staff to ensure, in line with legislation, they are aware of what information can be provided over the telephone.
- Ms Maheshwari referred to Item 1 under the Governance Health Check and enquired if there was no policy currently. Mr Jackson advised that there is provision in the Code of Conduct for dealing with Conflicts of Interest, and noted that most issues with conflict of interest are not complicated.
- Mr Jackson referred to Procurement and advised that Council is a member of WSROC along with 10 other councils. WSROC is promoting a Procurement Road Map to assist councils with improving procurement within the organisation. Along with four other councils, this Council will also take up the process. This will change Council's process on how we do procurement with corporate representation and accountability. Council has already achieved savings from group purchases with WSROC.
- Ms Galea advised there will be significant efficiencies for Council once the Procurement Road Map is established; however, there is a large amount of work to be done before implementation.
- Mr Kelly advised that all staff are continuously advised of the importance of record keeping, and that there are additional mandatory requirements for Records staff.
- Mr Kelly advised a Records Steering Committee has been established and will meet in early September. It will look at an induction program for new and existing employees, including the implementation of standard paragraphs to be included in job descriptions referring to record keeping responsibilities.
- Councillor Rasmussen enquired if Council is keeping track of its contracts. Mr Kelly advised that Council has a Contracts Register, and that original contracts are retained in Council's Records Branch. Mr Jackson advised there is a workflow for this process.
- Mr Kelly advised that WorkCover had conducted an audit at Council last week of the WHS System. WorkCover advised Council that testing business continuity on a regular basis was required. Mr Kelly advised this process will be cleared up by the end of the year. Ms Hegarty noted the significant amount of work required by Council being a self-insurer.

#### RECOMMENDATION TO COMMITTEE:

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

#### COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Ellen Hegarty, seconded by Councillor Paul Rasmussen.

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

**ORDINARY MEETING**  
**Reports of Committees**

**Item 3: AC - Development Contributions - (91369, 121470, 79351)**

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**DISCUSSION:**

- Mr Kelly provided an overview of the Development Contribution System relating to Section 94 of the Environmental Planning and Assessment Act, 1979, including Council's management of the contributions, and some of the issues and restrictions, including the inability to use contributions collected in one area in the LGA, in another area.
- Mr Jackson advised that Council had been working on the Plans for approximately 18 months, and that Council's Executive Manager - Community Partnerships has contributed substantially to the revised Section 94 Plans. Council will appoint a Committee of senior staff to manage the development and implementation of the proposed contributions management system.
- Ms Hegarty agreed that Council should expedite the preparation of revised Section 94 and 94A Contribution Plans for public exhibition.
- Mr Kelly advised that there is currently \$11 million in development contributions. Ms Galea advised that some of these funds have been allocated already including \$2 million to the Senior Citizens Centre in Richmond for its expansion.

**RECOMMENDATION TO COMMITTEE:**

That the Internal Audit Report – Development Contributions be received and noted.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Paul Rasmussen, seconded by Ms Ellen Hegarty.

That the Internal Audit Report – Development Contributions be received and noted.

**Item 4: AC - Audit Committees in Public Sector Organisations - (91369, 121470, 79351)**

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**DISCUSSION:**

- Mr Jackson advised that Council's Audit Committee complies with legislative requirements relevant to Local Government.

**RECOMMENDATION TO COMMITTEE:**

That the Committee note the Internal Auditors (IIA's) publication: *Independent Audit Committees in Public Sector Organisations*.

**ORDINARY MEETING**  
**Reports of Committees**

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Ms Ellen Hegarty, seconded by Councillor Paul Rasmussen.

That the Committee note the Internal Auditors (IIA's) publication: *Independent Audit Committees in Public Sector Organisations*.

**Item 5: AC - Annual Financial Statements - (91369, 121470, 79351)**

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**DISCUSSION:**

- Ms Galea advised that the Unaudited Annual Financial Statements for the Year Ended 30 June 2014 will be submitted to the Audit Committee on Wednesday, 8 October 2014. Mr Vikash Pillay of PricewaterhouseCoopers will attend the meeting, as Mr Banicevic is unavailable to attend.
- Ms Galea advised that the auditors, PricewaterhouseCoopers, will attend Council for a period of two weeks commencing on 22 September 2014 to review the financial statements, and that when the Statements are submitted to the Audit Committee, they would have already been audited and most changes will be been made.
- Ms Galea advised that the Annual Financial Statements will be submitted to Council to be referred to audit at the Council meeting on 14 October 2014.
- Mr Jackson advised that the Statements will be sent as a PDF to the Committee.
- Ms Maheshwari enquired if there were any changes this year. Ms Galea advised that the auditors will look closely at the content provided by engineering managers reported in Special Schedule 7, which had been identified by the auditors for review this year, in preparation for next year when it will be audited.
- Mr Jackson advised that Council's records will be correct, but it will be interesting to see what the audit will show. Ms Galea advised that she did not expect that the figures would change.
- Ms Maheshwari enquired if other Councils are going through the same audit process. Ms Galea indicated that she did expect this to be the case.

**RECOMMENDATION TO COMMITTEE:**

That the Committee note the date of the Special Audit Committee meeting to consider the Annual Financial Statements for the year ended 30 June 2014.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Ms Ellen Hegarty, seconded by Councillor Paul Rasmussen.

That the Committee note the date of the Special Audit Committee meeting to consider the Annual Financial Statements for the year ended 30 June 2014.

**ORDINARY MEETING**  
**Reports of Committees**

**SECTION 4 - General Business**

There were no matters raised under General Business.

The meeting terminated at 5:10pm.

Submitted to and confirmed at the meeting of the Audit Committee held on 26 November 2014.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**Reports of Committees**

**ROC                      Heritage Advisory Committee - 28 August 2014 - (80242)**

The meeting commenced at 5:34pm in Council Chambers.

|                       |   |
|-----------------------|---|
| <b>Present:</b>       | Professor Ian Jack, Chairperson<br>Mr Jonathan Auld, Deputy Chairperson<br>Ms Janice Hart, Community Member<br>Ms Judith Newland, Community Member<br>Ms Michelle Nichols, Community Member<br>Ms Carol Roberts, Community Member |
| <b>Apologies:</b>     | Councillor Patrick Conolly, Hawkesbury City Council<br>Mr John Miller, Community Member<br>Mr Glenn Falson, Community Member<br>Mr Matthew Owens, Hawkesbury City Council   |
| <b>In Attendance:</b> | Mrs Shari Hussein, Hawkesbury City Council<br>Mr Robyn Kozjak - Minute Taker, Hawkesbury City Council   |

**REPORT:**

**RESOLVED** on the motion of Ms Carol Roberts and seconded by Ms Judith Newland that the apologies be accepted.

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Ms Carol Roberts and seconded by Professor Ian Jack that the Minutes of the Heritage Advisory Committee held on 22 May 2014, be confirmed.

**Attendance Register of Heritage Advisory Committee**

| Member                     | 22.08.13 | 06.02.14 | 22.05.14 | 28.08.14 |  |
|----------------------------|----------|----------|----------|----------|--|
| Councillor Patrick Conolly | ✓        | A        | ✓        | A        |  |
| Mr Glenn Falson            | ✓        | ✓        | A        | A        |  |
| Ms Janice Hart             | A        | ✓        | A        | ✓        |  |
| Mr John Miller             | ✓        | ✓        | ✓        | A        |  |
| Professor Ian Jack         | ✓        | ✓        | ✓        | ✓        |  |
| Ms Carol Roberts           | ✓        | ✓        | ✓        | ✓        |  |
| Mr Jonathan Auld           | ✓        | A        | A        | ✓        |  |
| Ms Michelle Nichols        | ✓        | A        | A        | ✓        |  |
| Ms Judith Newland          | ✓        | ✓        | ✓        | ✓        |  |

Key:    A = Formal Apology

✓ = Present

X = Absent - no apology

**SECTION 3 - Reports for Determination**

**ITEM: 1                    Local Heritage Assistance Fund 2014/2015**

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**DISCUSSION:**

- Mrs Hussein confirmed the Local Heritage Assistance Fund had been re-activated for (minor) works on Slab Barns and advised the Committee an information session was held on Tuesday 19 August at Council of which 12 people attended, with several others having made enquiries (outside of that information session). Mrs Hussein advised Mr Graham Edds and Mr Otto Cserhalmi conducted presentations at the session and attendees were invited to make appointments with Council's heritage advisors on their sites. Mrs Hussein reported guidelines on how to apply for funding and application forms were available on Council's website, adding the closing date to apply for funding was 30 September 2014. Mrs Hussein added the Slab Barns Study was also available for viewing on Council's website. Ms Nichols reported she had promoted that information through social media.
- Mrs Hussein advised a targeted approach had been made to slab barn owners, with over 100 invitations to the session being forwarded to owners. Mrs Hussein reported in accordance with Mr Edds' recommendation, stabilisation work would be given priority.
- Ms Nichols asked what would become of the funding in the event there was not enough applications received.
- Mrs Hussein responded the funds would go back into the reserve and added there was some concern the maximum amount of \$2000 was too low, however, reminded the Committee the figure would actually be \$4000 worth of work as the applicant matches the funding dollar for dollar.
- The Chair asked if there were not sufficient applications received, would consideration be given to increasing the maximum funding amount.
- Mrs Hussein responded she would need to confer with senior management to ascertain if that were a viable option.

**RECOMMENDATION TO COMMITTEE:**

That:

1. The information about the Local Heritage Assistance Fund 2014/2015 provided in this report be noted.
2. That a further report be provided to the Committee and then the Council after applications for Local Heritage Assistance Fund close.

**MOTION:**

RESOLVED on the motion of Ms Michelle Nichols, seconded by Ms Judith Newland

***Refer to COMMITTEE RECOMMENDATION***



**COMMITTEE RECOMMENDATION:**

That:

1. The information about the Local Heritage Assistance Fund 2014/2015 provided in this report be noted.
2. That a further report be provided to the Committee and then the Council after applications for Local Heritage Assistance Fund close.

**ITEM: 2                      Historical Milemarkers and Boundary Stones Survey**

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**DISCUSSION:**

- Mrs Hussein made reference to the survey sheets prepared by Christopher Reeves and advised the consultant had suggested a second phase of work to be undertaken to aid in the understanding of the origin of the Historical Milemarkers.
- It was suggested the Roads and Maritime Services be contacted advising them of the location of various Historical Milemarkers within the Hawkesbury area, for referral to their Heritage Advisor. The Chair advised he would be attendance at a Heritage meeting at the RMS the following week and the Committee agreed to his passing on the information prepared by Mr Reeves, to Dennis Gojak, Heritage specialist for RMS.

**RECOMMENDATION TO COMMITTEE**

That:

1. The information about the Historical Milemarkers and Boundary Stones Survey provided in this report be noted.
2. Council undertake a second phase of work to understand the provenance of these Historical Milemarkers and boundary stones.
3. A further report be provided to the Committee after a suitable consultant is engaged and a consultant report is available for Item 3.
4. Any further information or resources that the Committee can provide about the history of these Historical Milemarkers and Boundary Stones be provided to the Director City Planning.

**MOTION:**

RESOLVED on the motion of Ms Janice Hart, seconded by Ms Carol Roberts

***Refer to COMMITTEE RECOMMENDATION:***

**COMMITTEE RECOMMENDATION:**

That:

1. The information about the Historical Milemarkers and Boundary Stones Survey provided in this report be noted.
2. Council undertake a second phase of work to understand the provenance of these Historical Milemarkers and boundary stones.
3. A further report be provided to the Committee after a suitable consultant is engaged and a consultant report is available for Item 3.
4. Any further information or resources that the Committee can provide about the history of these Historical Milemarkers and Boundary Stones be provided to the Director City Planning.
5. Correspondence be forwarded to the Roads and Maritime Service advising them of the location of various Historical Milemarkers within the Hawkesbury, for referral to their Heritage Advisor.

**SECTION 4 - Reports for Information**

**ITEM: 3                      Heritage Plaques - Council Resolution**

**Previous Item:**        2, HAC (6 February 2014)  
                              3, HAC (22 May 2014)

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**RECOMMENDATION TO COMMITTEE:**

That the information be received.

**MOTION:**

RESOLVED on the motion of Mr Jonathan Auld, seconded by Ms Carol Roberts

***Refer to COMMITTEE RECOMMENDATION:***

**COMMITTEE RECOMMENDATION:**

That the information be received.

**SECTION 5 - General Business**

- Mr Auld asked if it was possible to reimplement the notification to the Committee of any Development Applications coming to Council which may have an effect on heritage items, as was done in the past.
- Mrs Hussein responded past Constitutions may have been phrased in such a manner to allow notification to the Committee, however the objectives in Council's (current) Committee Constitutions do not support the practice for Committee members to provide input in the assessment of DA's. Mrs Hussein reported DA's were available on Council's DA Tracker and advised there was opportunity (as individuals) to make submissions in writing on any DA under assessment (excluding minor works).
- Mrs Hussein reported staff were in the process of overhauling Council's website and are currently working on launching Plain English Fact Sheets in relation to Heritage as it was evident that going through the entire LEP was quite laborious.
- Ms Nichols referred to the promotion of cemeteries as being one of the Committee's goals and raised concern the Committee had not undertaken any work relating to cemeteries. Ms Nichols added she had been in discussion with Donald Ellsmore regarding the importance of educating the public about what can and cannot be done to headstones etc. and also raised concern at the lack of signage at some cemeteries (e.g. Sackville Catholic cemetery). Ms Nichols asked if cemeteries could be reviewed next year.
- Mrs Hussein made reference to page 14 of the business paper noting Recommendation 1 regarding the promotion of cemeteries for 2013/2014 and advised the promotion of barn studies outcomes had been concentrated on in lieu of cemeteries. Mrs Hussein suggested the Committee's preference may be to revise the Strategy.
- Mrs Hussein made further reference to page 10 of the business paper under 'Heritage Connections' where Events (Heritage Festival or History Week) was mentioned and suggested if the Committee wished cemeteries to be a core project next year, then such events could be aligned with information on cemeteries.

**MOTION:**

RESOLVED on the motion of Ms Michelle Nichols, seconded by Ms Carol Roberts

***Refer to COMMITTEE RECOMMENDATION***

**COMMITTEE RECOMMENDATION:**

That as the promotion of Slab Barns had taken precedence in regard to the Committee's priorities in 2013/14, special attention be paid to promoting cemeteries in 2015/2016.

- Ms Roberts asked if the Committee had any knowledge of horse troughs being documented or listed.
- Ms Nichols responded she was aware the trough at Agnes Banks had been moved for repair works and replaced back to its location, and was also aware of a trough at the RAAF Base, however, was not aware if they were included in the LEP.

*The Committee determined to bring the matter of horse troughs to the next meeting for discussion.*

- Ms Nichols raised the topic of putting local trees on a register.

**ORDINARY MEETING**  
**Reports of Committees**

- Mrs Hussein responded she was aware of only two sites where trees were listed (plane trees located in Windsor Street and Chapel Street Richmond).
- Ms Nichols referred to the plane trees in Windsor Street and raised concern it was brought to her attention those trees had been marked to be demolished.
- Mrs Hussein responded Council did have a Question with Notice regarding that concern, and advised investigations revealed some other trees on that location were to be removed in relation to a DA for a group home, however she'd been informed by Council's Parks and Recreation Manager that the plane trees were to remain.
- Ms Nichols advised those trees were planted for Queen Victoria in 1898/1899 and the street was known in the past as Victoria Avenue. Ms Nichols added the resident who raised concern about the plane trees had asked if they were listed on a tree register.
- Mrs Hussein responded the strip of Windsor Street where the plane trees exist was listed as a heritage item in the LEP.
- Ms Nichols advised there were many significant trees in the area, citing the Station Master's house at Richmond at which an oak was planted from a seed from "*Hobartville*". Ms Nichols tabled a publication to Mrs Hussein from Parramatta Council entitled "*The Memory of Trees - the Life, Meaning and Significance of Trees in the Parramatta Region.*"

*Mr Auld referred the Committee to a website - "[nationalregisterofbigtrees.com.au](http://nationalregisterofbigtrees.com.au)".*

- The Chair asked if staff might gather information regarding tree registers at other Councils and Mrs Hussein responded she would confer with the relevant manager and organise for a report to be brought back to the Committee, adding there may be other implications such as asset management and tree replacement issues.

*The Committee determined to keep trees on the agenda.*

- Mrs Hussein made reference to the Committee's request for a report on the works being undertaken on Melrose Cottage and provided a verbal report/timeline on events relating to same.
- Ms Nichols advised a number of people were of the understanding the building was to remain as part of the development.
- Mrs Hussein responded it was never intended that the building would remain on the front of the property and advised as the tiles on the building were significant, a suitable solution was negotiated to salvage the tiles as a priority.
- The Chair raised concern he had observed only a dozen or so of the tiles in the yard which was contrary to conditions identified in the consent (which he believed supported the recovery of all of the tiles). The Chair added he was disappointed the only surviving portion of the building appeared to be of the 20<sup>th</sup> Century.
- Mrs Hussein suggested if members wished to make submissions, to do so by 4 September and those submissions would be taken into account, adding the development had already been approved and the application before Council was to modify that approval.
- Ms Roberts raised concern at the disappearance of signage at Wellow Farm on Freemans Reach Road, since occupation of its new owners. Ms Roberts reported the farm originally belonged to Henry Baldwin, an early agricultural pioneer and believed it important that the property be identifiable as many heritage properties were difficult to locate (for those with an historical interest).

**ORDINARY MEETING**  
**Reports of Committees**

- Mrs Hussein advised the Committee that owners of private properties were not required to erect signage identifying their properties as being heritage items and that there were other avenues available to locate heritage properties.
- Discussion took place relating to the fact that Kurrajong Comleroy Historical Society had commenced a project photographing heritage items in the Kurrajong district.
- The Chair advised he was keen that the photography project be extended to other local historical groups, Hawkesbury Historical Society and Dharug and Lower Hawkesbury Historical Society, so that a record of heritage items in 2014/15 covered the whole of the LGA. It was reported approaches were being made to Hawkesbury Camera Club to also get involved in the project.
- Mrs Hussein noted the Committee's suggestion that approaches be made to the various Societies conducting photographic projects of this nature, with the view of Council seeking access to copies of photos taken of items on Council's LEP. Mrs Hussein added Council was progressing a revitalisation project of town centres for Windsor, Richmond and North Richmond and advised having photos taken, over time, of buildings in key centres, would be very beneficial.

**MOTION:**

RESOLVED on the motion of Ms Michelle Nichols, seconded by Ms Carol Roberts

***Refer to COMMITTEE RECOMMENDATION***

**COMMITTEE RECOMMENDATION:**

That approaches be made to the various Societies conducting photographic projects with a view of Council seeking access to copies of photos taken of items on Council's LEP.

The meeting closed at 7:10pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**Reports of Committees**

**ROC**                      **Hawkesbury Access and Inclusion Advisory Committee Minutes - 25 September 2014 - (124569, 96328)**

The meeting commenced at 4pm.

**Present:**                      Mr Alan Aldrich  
                                     Ms Kate Barlow  
                                     Mr Robert Bosshard  
                                     Ms Debbie Court  
                                     Mr Desmond Crane  
                                     Mr Gary London  
                                     Ms Carolyn Lucas  
                                     Ms Mary-Jo McDonnell  
                                     Ms Melanie Oxenham  
                                     Councillor Barry Calvert  
                                     Councillor Leigh Williams

**Apologies:**                Mr Ken Ferris

**In Attendance:**        Joseph Litwin - Executive Manager - Community Partnerships  
                                     Meagan Ang - Community Development Co-ordinator (Minutes)

**REPORT:**

**RESOLVED** on the motion of Mr Desmond Crane and seconded by Mr Robert Bosshard that the apology be accepted.

**Attendance Register**

| <b>Member</b>             | <b>28/11/2013</b> | <b>27/2/2014</b> | <b>8/5/2014</b> | <b>26/6/2014</b> | <b>25/9/2014</b><br>[Postponed from 28/8/2014] |  |
|---------------------------|-------------------|------------------|-----------------|------------------|--|--|
| Councillor Barry Calvert  | A                 | ✓                | A               | A                | ✓  |  |
| Councillor Leigh Williams | ✓                 | X                | A               | ✓                | ✓  |  |
| Mr Alan Aldrich           | ✓                 | ✓                | A               | ✓                | ✓  |  |
| Ms Kate Barlow            | N/A               | N/A              | ✓               | A                | ✓  |  |
| Mr Robert Bosshard        | ✓                 | ✓                | ✓               | A                | ✓  |  |
| Ms Debbie Court           | ✓                 | A                | ✓               | ✓                | ✓  |  |
| Mr Desmond Crane          | ✓                 | ✓                | ✓               | ✓                | ✓  |  |
| Mr Ken Ferris             | A                 | A                | A               | ✓                | A  |  |
| Ms Carolyn Lucas          | ✓                 | ✓                | ✓               | A                | ✓  |  |
| Mr Gary London            | N/A               | ✓                | A               | ✓                | ✓  |  |
| Ms Mary-Jo McDonnell      | ✓                 | ✓                | A               | A                | ✓  |  |
| Ms Melanie Oxenham        | N/A               | N/A              | ✓               | A                | ✓  |  |

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

**ORDINARY MEETING**  
**Reports of Committees**

Mr Aldrich referred to the previous minutes under the Capital Works Program, in particular the footpath outside the Macquarie Arms advising that this footpath was only built in 1962, and requested that the previous, which state that the footpath is heritage listed, be amended. Mr Litwin noted that Thompson Square itself is heritage listed and that there is a definition of curtilage which relates to an area surrounding a heritage listed site, and that this is why all works that surround a heritage listed site require approval from the Heritage Council – an independent body. Ms Ang will seek clarification on footpath works approval requirements for the Thompson Square site and email a response to the Committee prior to the October meeting.

Ms Ang advised that Mr Richard Vaby, Council's Construction and Maintenance Manager, is scheduled to attend the next meeting in October.

Ms Ang is to clarify with Mr Sean Perry, Council's Parks and Recreation Manager, the opening and closing times for the public toilets in Richmond Park, and then notify the Committee.

MLAK is included in the Access and Inclusion Plan. Once the Plan is adopted by Council, the implementation of MLAK in the Hawkesbury can be further investigated.

### **CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Mr Desmond Crane and seconded by Mr Robert Bosshard that the Minutes of the Hawkesbury Access and Inclusion Advisory Committee held on the 25 September 2014, be confirmed.

*Mr London arrived at the meeting at 4:45pm.*

### **SECTION 3 - Reports for Determination**

#### **Item 1: HAIAC - Creating Liveable Communities Grant - (124569, 96328)**

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#### **DISCUSSION:**

- Ms Ang outlined the Guidelines for the Creating Liveable Communities Grant.
- The Committee suggested the following projects be considered for inclusion under the Creating Liveable Communities Grant:
  - Training of Gallery and Library staff
  - Sensory trails
  - Accessible play equipment
  - Nelson Bay has a paved path through its forest. Council to consider outdoor spaces and create wheelchair access in Scheyville National Park, Cattai Park and Yarramundi.
  - Improve access to existing outdoor equipment.
- Mr Litwin advised that the Committee's ideas will be useful for future grant opportunities.

**RECOMMENDATION TO COMMITTEE:**

That:

1. The Committee review the Creating Liveable Communities Grant Guidelines.
2. The Committee recommend grant project/s to Council for consideration.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr Ken Ferris, seconded by Mr Alan Aldrich.

That the Committee consider the Livable Communities Grant and provide feedback and/or suggestions for grant applications to Meagan Ang by email by 10 October 2014.

**SECTION 4 - General Business**

**1. Access and Inclusion Audits – Update**

- Ms Ang updated the Committee on audit locations to date, including the presentation given to the Hawkesbury Chamber of Commerce.
- An application has been received from Kurrajong Pistol Club for an Access and Inclusion Grant.

**2. Public Exhibition of the Draft Access and Inclusion Plan - Update**

- Public Exhibition of the Draft Access and Inclusion Plan closed on 19 September 2014 with no submissions received.
- A report will now be prepared for Council.
- The Access and Inclusion Plan will be included on the next Committee meeting agenda to enable the Committee to prioritise actions.

**MOTION:**

RESOLVED on the motion of Mr Alan Aldrich, seconded by Councillor Ms Mary-Jo McDonnell.

Refer to **COMMITTEE RECOMMENDATION**

**COMMITTEE RECOMMENDATION:**

That the information under General Business be received and noted.

The meeting terminated at 5pm.

Submitted to and confirmed at the meeting of the Hawkesbury Access and Inclusion Advisory Committee held on 23 October 2014.

**oooO END OF REPORT Oooo**



**ORDINARY MEETING**  
**Reports of Committees**

**ROC                      Audit Committee Minutes - 8 October 2014 - (95496, 91369)**

The meeting commenced at 4:05pm.

**Present:** Nisha Maheshwari  
Ellen Hegarty  
Councillor Paul Rasmussen

**Apologies:** Harry Khouri  
Councillor Patrick Conolly  
Dennis Banicevic - PricewaterhouseCoopers

**In Attendance:** Peter Jackson - General Manager  
Laurie Mifsud - Director Support Services  
Steven Kelly - Internal Auditor  
Emma Galea - Chief Financial Officer  
Vanessa Browning - Senior Management Accountant  
Vikash Pillay - PricewaterhouseCoopers  
Jan Readford - Minute Secretary

**REPORT:**

**RESOLVED** on the motion of Councillor Paul Rasmussen and seconded by Ms Ellen Hegarty that the apologies be accepted.

**Attendance Register of Audit Committee**

| Member                            | 26/02/2014 | 28/05/2014 | 27/8/2014 | 8/10/2014 |  |
|-----------------------------------|------------|------------|-----------|-----------|--|
| Councillor Patrick Conolly        | A          | ✓          | A         | A         |  |
| Councillor Paul Rasmussen         | ✓          | A          | ✓         | ✓         |  |
| Councillor Bob Porter (Alternate) | N/A        | N/A        | N/A       | N/A       |  |
| Ms Ellen Hegarty                  | ✓          | ✓          | ✓         | ✓         |  |
| Mr Harry Khouri                   | ✓          | A          | A         | A         |  |
| Ms Nisha Maheshwari (Chair)       | A          | ✓          | ✓         | ✓         |  |

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

**SECTION 3 - Reports for Determination**

**Item 1: AC - Unaudited Annual Financial Statements for the Year Ended 30 June 2014 - (95496, 91369, 79351)**

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**DISCUSSION:**

- Mr Pillay advised that interim testing of Council's Statements indicated there were no issues, and that Council's financial position is sound. Most of the audit has been completed with only minor things identified to be tidied up prior to the finalisation of the audit, which will be completed by the end of this week.
- Mr Pillay acknowledged the assistance provided by Ms Galea and Ms Browning during the audit process resulting in an efficient and smooth audit.
- Mr Pillay referred to Schedule 7 Infrastructure Backlog and the cost of approximately \$79 million to bring assets to a satisfactory condition, and indicated that the cost is high compared to other councils. Ms Galea advised that a review of the figures is planned to ensure there are no inconsistencies.
- Ms Galea advised that in the past the content in the Special Schedule 7 was taken on face value and not audited. However, finance staff took the opportunity to review the figures more closely this year and found some inconsistencies in the determination of amounts by Council's engineers. Mr Pillay advised that other councils have also experienced a similar situation. Ms Galea indicated that industry guidelines are needed as there are varying viewpoints between engineers and finance staff on the basis of determining amounts. Meetings have been scheduled with managers tomorrow to review assumptions made for 2013/2014 and to ensure consistency. Once the 2013/2014 financial audit process has been finalised, finance staff will conduct a further review.
- Ms Galea advised that the review of Special Schedule 7 amounts will not change the financial results for 2013/2014. Mr Pillay assured the Committee that Council's Financial Statements are audited against the guidelines specified under the Local Government Act, 1993 and Regulations; the Australian Accounting Standards and Professional Pronouncements; and the Local Government Code of Accounting Practice and Financial Reporting. Mr Jackson indicated that whilst a lot of work has already been done to Special Schedule 7, it was not an emphasis as it was not part of the audit. However, this review will continue to improve the process.
- Mr Pillay indicated that the financial reports include a number of indicators, including an Operating Performance Ratio which is comparable to 2012/2013, however has been impacted by the timing of difference in the payment of the Financial Assistance Grant; the Own Source Operating Revenue Ratio of 69.10% - higher than the benchmark of 60%; the Unrestricted Current Ratio - higher than benchmark of 150%; Debt Service Cover Ratio - higher than the benchmark of 2.00%; and Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage - higher than the benchmark of 5% (excluding arrangements with pensioners).
- Ms Hegarty referred to Borrowing Costs and noted that whilst \$759,000 had been budgeted, the actual borrowings were \$574,000. Ms Galea advised there have been no additional loans, that a calculation is included in the Budget to cover borrowing cost relating to Tip Remediation Provision for the Waste Management Facility.
- Ms Maheshwari enquired about the reason for the Depreciation as it has improved on the budgeted figure. Ms Galea advised that an adjustment was made to the Comparisons at the time of the last audit, noting that remaining useful lives of assets were considered this time last year.

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| <p style="text-align: center;"><b>ORDINARY MEETING</b><br/><b>Reports of Committees</b></p> |
|---|

- Ms Maheshwari referred to the Defined Benefit Superannuation Contribution Plans, noting Council's participation in the Defined Benefit Superannuation Scheme, and enquired if Council was affected by the error in State Superannuation. Mr Pillay advised that the issue related to superannuation not being paid for a period of time and does not need to be recognised in the Financial Statement as a shortfall.
- Ms Maheshwari referred to the valuation of the Defined Benefit Superannuation Scheme conducted as at 30 June 2013, and noted that Council's share of the deficit is an estimated \$1.3 million. Mr Kelly advised this deficit relates to the funds held in the Retirement Scheme, which ceased to operate during the 1990s and does not apply to any staff employed since that time. Ms Galea advised that Council contributes a fixed portion annually.

**RECOMMENDATION TO COMMITTEE:**

That the information concerning the General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2014 be received.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Paul Rasmussen, seconded by Ms Ellen Hegarty.

That the information concerning the General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2014 be received.

**SECTION 4 - General Business**

There were no matters raised.

The meeting terminated at 4:50pm.

Submitted to and confirmed at the meeting of the Audit Committee held on 26 November 2014.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**Reports of Committees**

**ROC                      Waste Management Advisory Committee - 8 October 2014 - (95249)**

The meeting commenced at 4:03pm in Council's Large Committee Room.

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|                       |   |
|-----------------------|---|
| <b>Present:</b>       | Councillor Kim Ford, Chairperson<br>Councillor Jill Reardon, Deputy Chairperson<br>Councillor Bob Porter, Hawkesbury City Council<br>Councillor Leigh Williams, Hawkesbury City Council<br>Mr Geoff Bessell, Community Member   |
| <b>Apologies:</b>     | Professor Basant Maheshwari, University of Western Sydney<br>Ms Robin Woods, Community Member<br>Mrs Shari Hussein, Hawkesbury City Council   |
| <b>In Attendance:</b> | Mr Matthew Owens, Hawkesbury City Council<br>Mr Jeff Organ, Hawkesbury City Council<br>Mr Ramiz Younan, Hawkesbury City Council<br>Ms Suzanne Stuart, Hawkesbury City Council<br>Mr Oliver Bradshaw, Hawkesbury City Council<br>Ms Sophie Barrett, Hawkesbury City Council<br>Ms Robyn Kozjak - Minute Taker, Hawkesbury City Council |

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**REPORT:**

**RESOLVED** on the motion of Councillor Reardon and seconded by Councillor Ford that the apologies be accepted.

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Mr Geoff Bessell and seconded by Councillor Reardon that the Minutes of the Waste Management Advisory Committee held on the 12 March 2014, be confirmed.

**SECTION 3 - Reports for Determination**

**Item 1:                      Election of Chairperson and Deputy Chairperson**

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Mr Owens conducted the election of Chairperson and Deputy Chairperson.

Nominations were called for the election of Chairperson.

Councillor Ford, as Mayor, announced in accordance with Council's Code of Meeting Practice, he was eligible to assume the role of Chair.

Nominations were called for the election of Deputy Chairperson. Councillor Reardon was subsequently voted in as Deputy Chair.

*Outgoing Chair, Councillor Williams, handed the meeting over to incoming Chair, Councillor Ford.*

**RECOMMENDATION TO COMMITTEE:**

That an election for the position of Chairperson and Deputy Chairperson of the Waste Management Advisory Committee for the 2014/2015 term of the Committee be carried out.

**COMMITTEE RECOMMENDATION:**

That:

1. Councillor Ford assumed the position of Chairperson for the Waste Management Advisory Committee for the 2014/2015 term of the Committee.
2. Councillor Reardon (nominated by Councillor Porter and seconded by Mr Bessell) was the only nomination and assumed the position of Deputy Chairperson for the Waste Management Advisory Committee for the 2014/2015 term of the Committee.

**SECTION 4 - Reports for Information**

**Item 2:                    Compulsory Acquisition of UWS Lands - Progress Update**

**Previous Item:**        WMAC, (12 March 2014)

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**DISCUSSION:**

- Mr Organ provided the Committee with an update on the progress of the proposed acquisition, reporting the matter lies with the Aboriginal Land Claims Unit and to date there was no indication of an outcome. Mr Organ suggested the matter may take a further six months or so. Mr Organ added the claim was approved (there are two claims, one over the existing waste facility and one over the expansion area) and it was the acquisition aspect which remains unresolved.

*Mr Younan arrived at 4:09pm.*

**RECOMMENDATION TO COMMITTEE:**

That the information be received.

**MOTION:**

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Porter.

***Refer to COMMITTEE RECOMMENDATION***

**COMMITTEE RECOMMENDATION:**

That the information be received.

**ORDINARY MEETING**  
**Reports of Committees**

**Item 3: Progress Report - WaSIP Projects 2013/2014**

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**DISCUSSION:**

- Mr Younan made reference to the “*Have You Been Seen*” signage erected on Fairey Road South Windsor and congratulated the waste team on that initiative as illegal dumping had now ceased in that area.
- Councillor Williams congratulated regulatory services staff for their prompt response to reports of illegally dumped waste.
- The Chair congratulated Education Officer (Sophie Barrett) for her work, reporting the waste projects worked on across the Hawkesbury were highly visible and productive.

**RECOMMENDATION TO COMMITTEE:**

That the information be received.

**MOTION:**

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Porter

***Refer to COMMITTEE RECOMMENDATION***

**COMMITTEE RECOMMENDATION:**

That the information be received.

**Item 4: Progress Report - Waste Education Officer - Hawkesbury Show 2014 - Waste Stall**

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**DISCUSSION:**

- The Chair referred to the worm farms given away as prizes at the Waste Stall and enquired if Council sold worm farms to the public.
- Ms Barrett responded many people ask if they can purchase the farms from Council, however, Council does not currently sell them and customers are referred to Bunnings to purchase the farms. Ms Barrett added funding was currently being pursued with the aim of expanding Council's participation in waste education programs such as the “Compost Revolution” program, which offered discounted compost bins and worm farms to residents.

**RECOMMENDATION TO COMMITTEE:**

That the information be received.

**MOTION:**

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Williams

***Refer to COMMITTEE RECOMMENDATION***

**ORDINARY MEETING**  
**Reports of Committees**

**COMMITTEE RECOMMENDATION:**

That the information be received.

**Item 5:                   Progress Report - Waste Education Officer - Chemical CleanOut and E-waste Recycling Events 2014**

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**DISCUSSION:**

- Mr Bradshaw referred to a media release this week regarding a residential asbestos disposal scheme run by the EPA. Mr Bradshaw advised the trial program would run until August 2015 and would provide households the opportunity to dispose of asbestos more economically.

**RECOMMENDATION TO COMMITTEE**

That the information be received.

**MOTION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Williams

***Refer to COMMITTEE RECOMMENDATION***

**COMMITTEE RECOMMENDATION:**

That the information be received.

**SECTION 5 - General Business**

- Mr Owens reported on a minor incident which recently occurred relating to one of Council's waste trucks where a small fire ignited, damaging paintwork. Mr Owens advised both the truck and driver were fine and that an Incident Report was in the process of being prepared.
- Councillor Porter raised concern at the amount of material stacked at the rear of the old East Kurrajong waste landfill site and asked if the material could be moved and rehabilitation of the site commenced.

Mr Younan responded a rehabilitation plan had been lodged and approved by the EPA to remove leachate from the dam (rainwater), and to fill and rehabilitate the area and that would be undertaken in approximately 6 months' time. Mr Younan added once the site was completely filled and rehabilitated, then an overall plan would be prepared as to the site's future.

- Councillor Reardon asked for an update on mulch at the waste facility.

Mr Bradshaw responded 3,000 cubes would be available as of 13 October and would be sold at \$7 per tonne.

- The Chair asked for an update of the Tarpomatic.

Mr Bradshaw responded the Tarpomatic was maintenance intensive, with the tarps showing considerable wear and tear after 18 months (life expectancy was three years).

**ORDINARY MEETING**  
**Reports of Committees**

- The Chair asked for an update on flaring.

Mr Bradshaw responded the quality and amount of gas captured from eleven wells (3,044 tonnes of CO<sub>2</sub> emissions) was beyond expectation, adding the landfill was high in putrescible waste.

The meeting closed at 4:54pm.

**oooO END OF REPORT Oooo**



**ORDINARY MEETING**  
**Reports of Committees**

**ROC                      Local Traffic Committee - 13 October 2014 - (80245)**

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on 13 October 2014, commencing at 3pm.

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|                       |   |
|-----------------------|---|
| <b>Present:</b>       | Councillor Kim Ford (Chairman)<br>Inspector Ian Woodward, NSW Police Force<br>Snr Constable Debbie Byrnes, NSW Police Force<br>Mr Steve Grady, Busways  |
| <b>Apologies:</b>     | Mr James Suprain, Roads and Maritime Services<br>Mr Bart Bassett, MP (Londonderry)<br>Mr Ray Williams, MP (Hawkesbury)<br>Mr Kevin Conolly, MP (Riverstone)<br>Ms Jill Lewis, NSW Taxi Council                      |
| <b>In Attendance:</b> | Mr Chris Amit - Manager, Design & Mapping Services<br>Ms Judy Wong - Community Safety Coordinator<br>Ms Laurel Tweedie - Administrative Officer, Infrastructure Services<br>Ms Jillian Bentham - Events Coordinator |

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The Chairman tendered an apology on behalf of Mr James Suprain, Roads and Maritime Services and Mr Kevin Conolly, MP (Riverstone) advising that Mr James Suprain, Roads and Maritime Service and Mr Kevin Conolly, MP (Riverstone), concurred with recommendations as contained in the formal agenda and had granted proxy to himself to cast votes on their behalf.

**SECTION 1 - Minutes**

**Item 1.1              Confirmation of Minutes**

The Committee resolved on the Motion of Inspector Ian Woodward, seconded by Councillor Kim Ford that the minutes from the previous meeting held on Monday 8 September 2014, be confirmed.

**Item 1.2              Business Arising**

There was no business arising from previous minutes.

**SECTION 2 - Reports for Determination**

**Item:2.1              LTC - 13 October 2014 - Item 2.1 - Proposed No Parking and No Stopping zone in Dight Street, Windsor adjacent to Windsor Public School (Riverstone) - (80245, 4693)**

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**REPORT:**

Representation has been received from the Principal of Windsor Public School, requesting the installation of a 'Kiss & Drop' zone along the north eastern side of Dight Street, Windsor, adjacent to the existing 'School Bus Zone'.

The Principal has indicated that there are concerns faced by parents and students when arriving to and departing the school site as there is no 'Kiss & Drop' zone. Dight Street being a one-way street has rear to kerb parking on the opposite side of the school with the side adjacent to the school having a school bus zone and untimed parking for approximately three vehicles. It is requested that the section of kerb providing untimed parking be converted to a 'Kiss & Drop' zone.

**Discussion:**

Dight Street, Windsor, is a local road which is restricted to one-way traffic flow in the direction of George Street to Macquarie Street (State Road). The speed limit is 40km/h supplemented with the 40km/h School zone.

The main access point to Windsor Public School is from the Dight Street frontage. The School is bounded by Dight/George/Christie and Macquarie Streets. The kerb side adjacent to the main entrance to the School consists of a 'School Bus Zone' commencing from the kerb return with George Street for a distance of 52 metres. There is a section of kerb for a distance of 24 metres extending from the south east point of the 'School Bus Zone' which is not sign posted. This section of kerb includes the main driveway (six metres) to the School. A 'No Stopping' zone exists from this point to Macquarie Street.

On the south western side of Dight Street (opposite to the school), there are 26 rear to kerb 90° parking spaces. These parking spaces are not time restricted. The 'School Bus Zone' operates between 8:30am to 9:30am and 2:30pm to 3:30pm. Outside of these times, kerb side parking is available. The Principal has requested that the operating times for the 'School Bus Zone' remain even though they do not follow the current standard to match the School Zone times.

The provision of a 'Kiss & Drop' zone was explained and discussed with the Principal during a site visit. A 'Kiss & Drop' zone is not a regulatory zone. The only available option is to provide a 'No Parking' zone. The proposed 'No Parking' zone will operate between 8am to 9:30am and 2:30pm to 4pm School Days. A full time 'No Parking' zone is not required at this location, with the time zone providing kerb side parking outside of the time restrictions. The Principal is in favour of this option as there will be minimal effect to the loss of parking in the vicinity of the School. The Principal will communicate the proposed changes to the School Community through the School newsletter.

In accordance with Australian Road Rule 168 (ARR168), the driver of a vehicle must not stop on a length of road or in an area to which a 'No Parking' sign applies unless the driver is dropping off, or picking up passengers or goods, which must be completed within two minutes and does not leave the vehicle unattended (driver stays within three metres of the vehicle). In effect a 'No Parking' zone is a drop off and pickup area or a 'Kiss & Drop' zone.

It is proposed to convert the existing 24 metre section of untimed kerb side parking on the north eastern side of Dight Street, Windsor, adjacent to Windsor Public School, between the existing 'School Bus Zone' and the existing 'No Stopping' zone, and commencing from the south east end of the 'School Bus Zone', to a 16 metre 'No Parking' zone (operating between 8am to 9:30am and 2:30pm to 4pm School Days) and an eight metre 'No Stopping' zone respectively. The No Stopping zone will extend across the main driveway access to the School. Details of the proposed zones are outlined in Attachment 1 – Plan No. TR02/14.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Snr Constable D Byrnes, seconded by Councillor K Ford

Support for the Recommendation: Unanimous

That a 16 metre 'No Parking' zone operating between 8am to 9:30am and 2:30pm to 4pm School Days and an eight metre 'No Stopping' zone be respectively provided on the north eastern side of Dight Street, Windsor, adjacent to Windsor Public School, commencing from the south eastern end of the existing 'School Bus Zone' and extending in a south easterly direction, across the main driveway access to the School and to connect with the existing 'No Stopping' zone, which extends to Macquarie Street. Details of the proposed zones are outlined in Attachment 1 – Plan No. TR02/14.

**APPENDICES:**

**AT – 1** Windsor Public School – Proposed No Parking and No Stopping Zone – Dight Street, Windsor (Plan No. TR02/14)

**AT – 1 Windsor Public School – Proposed No Parking and No Stopping Zone – Dight Street,  
Windsor (Plan No. TR02/14)**



**SECTION 3 - Reports for Information**

**Item:3.1**      **LTC - 13 October 2014 - Item 3.1 - RMS Update on the NSW Government's School Zone Flashing Lights Program - (Hawkesbury, Londonderry, Riverstone) - (80245, 93364, 123265, 119081)**

**Previous Item:** Item 3.1, LTC (13 January 2014)

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**REPORT:**

Advice received from the Roads and Maritime Services - RMS (formerly RTA) that the NSW State Government had committed to providing School Zone Flashing Lights at all NSW Schools by the end of December 2015 was reported to the Local Traffic Meeting on 13 January 2014. An update has been provided by RMS to indicate that this program has commenced and is expected to conclude in December 2015. The information provided by RMS in part is listed below (ECM Document No. 4912661).

*"I am writing to advise you that Transport for NSW has released the rollout schedule for the NSW Government's school zone flashing lights program and is attached for your records.*

*The schedule is available to the community on the Centre for Roads Safety's website: [roadsafety.transport.nsw.gov.au](http://roadsafety.transport.nsw.gov.au). The Centre for Road Safety has also developed an online map for parents and schools that show the status of every school under the flashing lights program.*

*The expansion of the flashing lights program announced by the Government in June 2013 will see the delivery of school flashing lights to all schools in NSW. The program has now commenced and will conclude in December 2015.*

*Due to the large scale nature of the program, the schedule has been developed to ensure an efficient delivery of flashing lights to more than 1,500 of the remaining schools without flashing lights across NSW. Installations will be undertaken in LGA clusters and installation crews will concurrently install flashing lights at metropolitan and regional locations.*

*Roads and Maritime Services (RMS) has consulted with all schools to ensure that the most suitable location for flashing lights is selected. RMS will also contact schools and residents to inform them of installation timeframes closer to the installation date.*

*Flashing lights will be retrofitted to existing school zone signage, and will be installed at existing school zone signage locations wherever possible."*

In accordance with the RMS schedule, the rollout for schools in the Hawkesbury LGA is expected to commence around February 2015.

The following schools within the Hawkesbury Local Government Area have School Zone Flashing Lights:

1. Arndell Anglican College at Wolseley Road, Oakville,
2. Bede Polding College at Rifle Range Road, Bligh Park,
3. Bilpin Public School at Bells Line of Road, Bilpin,
4. Cattai Public School at Cattai Road, Cattai,
5. Colo Heights Public School at Putty Road, Colo Heights,
6. Colo High School at Bells Line of Road, North Richmond,
7. Comleroy Road Public School at McMahons Road,
8. Ebenezer Public School at Sackville Road, Ebenezer,
9. Freemans Reach Public School at Kurmond Road and Hibberts Lane, Freemans Reach,
10. Grose View Public School at Grose Wold Road, Grose Wold,
11. Hawkesbury High School at Kurmond Road and Hibberts Lane, Freemans Reach,
12. Hawkesbury Independent School at Comleroy Road,
13. Kurmond Public School at Bells Line of Road, Kurmond,

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14. Kurrajong East Public School at East Kurrajong Road, East Kurrajong,
15. Kurrajong North Public School at Bells Line Of Road, Kurrajong Hills,
16. Kurrajong Public School at Grose Vale Road, Kurrajong,
17. Kuyper Christian School at Redbank Road and Greggs Road, Kurrajong,
18. Macdonald Valley Public School at St Albans Road,
19. Maraylya Public School at Neich Road,,
20. Oakville Public School at Oakville Road, Ogden Road and Hanckel Road, Oakville,
21. Pitt Town Public School at Buckingham Street, Pitt Town,
22. Richmond High School at Castlereagh Road and Lennox Street, Richmond,
23. Richmond North Public School at Grose Vale Road, North Richmond,
24. Richmond Public School at Francis Street and Windsor Street, Richmond,
25. St Monica's Catholic Primary School at Francis Street, Richmond,
26. Windsor High School at Mulgrave Road, Mulgrave,
27. Windsor Public School at George Street, Windsor.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor K Ford, seconded by Snr Constable D Byrnes

Support for the Recommendation: Unanimous

That the information be received.

**APPENDICES:**

There are no supporting documents for this report.

**SECTION 4 - General Business**

**Item: 4.1      LTC - 13 October 2014 - Item 4.1 - No Stopping Signs along the Cul-de-sac at Swallow Reach Place, Ebenezer, (Hawkesbury) - (80245)**

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**REPORT:**

Mr C Amit advised the Committee that a request has been received for the installation of 'No Stopping' signs along the Cul-de-sac at Swallow Reach Place, Ebenezer. Vehicles are parking within the cul-de-sac to access the adjacent Reserve and making it difficult for large vehicles to turn around in the cul-de-sac.

The cul-de-sac along Swallow Reach Place commences at a point north of the driveway access to No. 32 Swallow Reach Place.

Alternate parking is available along Swallow Reach Place with access to Charles Kemp Reserve available from Swallow Reach Place and Portland Head Road.

Mr J Suprain (RMS), although absent for the meeting, concurred (via email ECM 4978235) with the provision of the 'No Stopping' zone. The remaining Committee members supported the provision of 'No Stopping' signs around the cul-de-sac at Swallow Reach Place which will improve manoeuvring and safety for larger vehicles.





#### COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Snr Constable D Byrne, seconded by Councillor K Ford.

Support for the Recommendation: Unanimous

That 'No Stopping' signs be provided along the Cul-de-sac at Swallow Reach Place, Ebenezer, from a point north of the driveway access to No. 32 Swallow Reach Place and around the Cul-de-sac, terminating at a point opposite the north point of the driveway to No. 32.

#### APPENDICES:

There are no supporting documents for this report.

**Item: 4.2** LTC - 13 October 2014 - Item 4.2 - No Stopping signs in Mileham Street and Day Street, Windsor, (Riverstone) - (80245, 1506, 8223, 29815)

**Previous Item:** Item 2.7, LTC (17/03/10)  
Item 2.1, LTC (20/10/10)  
Item 4.4, LTC (16/11/11)  
Item 4.1, LTC (12/11/12)

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#### REPORT:

Mr C Amit advised the Committee that a request has been received for the resident/owner at No. 1 Mileham Street, Windsor for the provision of parking restrictions along their road frontage. The property at No. 1 Mileham Street is situated on the corner of Mileham Street and Day Street.

**ORDINARY MEETING**  
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The issue relates to vehicles parking in close proximity and at times partly across the driveways of No. 1 Mileham Street, Windsor. There are two driveways to the property with a separation between the driveways of 4.5 metres. Vehicles are parking between the two driveways and encroaching across the driveways. This action impedes access into and out of the property. Visibility is also an issue for the resident when exiting the property due to the curve and crest in the road. The driveways commence approximately 12 metres from the intersection of Day Street.

Previous changes to parking restrictions have been implemented along Mileham Street and in particular along the road frontage to Nos 3,5,6,8 and the new Police Station. The provision of the parking restriction signs were related to access issues and ensuring sight distance of oncoming vehicles when exiting driveways.

It is proposed that 'No Stopping' zones be provided on both sides of Mileham Street commencing at its intersection with Day Street and extending; on the northern side to the boundary on Nos 1 and 3 and the southern side to a point 18 metres north east of the existing 'No Parking' zone across the driveway to No.6. Whilst 'No Parking' zones have been provided at other locations in Mileham Street across driveways, due to the proximity of this location to the intersection with Day Street, the provision of 'No Stopping' zones to 'No Parking' zones is preferred as it will ensure the intersection is kept clear of any vehicles.

The Police advised the Committee that parking is at premium at this location and any loss of parking needs to be kept to a minimum. The preference for the Police is to retain the parking between the driveways. It is however noted that safety of motorists is important.

Mr J Suprain (RMS), although absent for the meeting, concurred (via email ECM 4978235) with the provision of the 'No Stopping' zones. The remaining Committee members, with the exception of the Police supported the provision of the 'No Stopping' zones on both sides of Mileham Street extending back from Day Street.



**ORDINARY MEETING**  
**Reports of Committees**

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor K Ford, seconded by RMS, (by proxy).

Support for the Recommendation: Majority support.

Support: Councillor Ford, and RMS by proxy.

Object: Police

That 'No Stopping' zones be provided on both sides of Mileham Street commencing at its intersection with Day Street and extending; on the northern side to the boundary on Nos 1 and 3 and the southern side to a point 18 metres north east of the existing 'No Parking' zone across the driveway to No.6 Mileham Street.

**APPENDICES:**

There are no supporting documents for this report.

**SECTION 5 - Next Meeting**

The next Local Traffic Committee meeting will be held on 10 November 2014 at 3pm in the Large Committee Rooms.

The meeting terminated at 3:55pm.

**oooO END OF REPORT Oooo**



ordinary

section 5

notices of motion

**ORDINARY MEETING**

Notices of Motion

**ORDINARY MEETING**

**Notices of Motion**

**SECTION 5 - Notices of Motion**

**NM1**

**Submission to Sydney Water - (79351, 105109, 125612)**

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**Submitted by:** Councillor Lyons-Buckett

**NOTICE OF MOTION:**

That Council make a submission to Sydney Water requesting details of:

1. The current capacity of water service delivery in the Kurrajong/Kurmond areas, and
2. Any potential upgrades planned for Sydney Water facilities which service the Kurrajong/Kurmond areas.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**

Notices of Motion

**NM2**                      **Establishment of Working Group to Progress Review of Rating Structure -  
(79351, 105109, 80104)**

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**Submitted by:**        Councillor Paine

**NOTICE OF MOTION:**

That:

1.     Further to the report submitted to the Council meeting on 9 September 2014 regarding Council's rating structure Council establish a Working Group to further progress a review of Council's rating structure and make recommendations to Council in this regard.
2.     The Working Group consist of Councillors nominated by Council at the meeting, together with staff as considered appropriate by the General Manager and meet as soon as practicable in order to commence the process.

**oooO END OF NOTICE OF MOTION Oooo**

## ORDINARY MEETING

### Notices of Motion

**NM3**

**Amendment to Hawkesbury LEP - (79351, 105109, 90477)**

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**Submitted by:** Councillor B Porter

#### **NOTICE OF MOTION:**

That Council amend the Hawkesbury LEP 2012 in the following manner to permit detached dual occupancies in certain rural and environmental zones with an area of two hectares or greater:

1. Dual Occupancy (detached) as currently defined in the LEP be permitted with consent in the following zones:

- RU1 Primary Production
- RU2 Rural Landscape
- RU4 Primary production small lots
- E3 Environmental Management
- E4 Environmental Living.

2. Insert the following additional clause:

#### **Dual Occupancies (detached) in certain rural and environmental zones.**

- a) The objective of this clause is to ensure that effluent generated by dual occupancies is managed on-site to protect waterways and the amenity of the adjoining lots.
- b) This clause applies to land in the following zones:
  - RU1 Primary Production
  - RU2 Rural Landscape
  - RU4 Primary production small lots
  - E3 Environmental Management
  - E4 Environmental Living.
- c) Development consent must not be granted for a dual occupancy detached on a lot to which this clause applies unless the lot has an area of at least two hectares.
- d) Development consent must not be granted for the erection of more than two dwellings on a lot to which this clause applies.
- e) Development consent must not be granted for the subdivision of a dual occupancy on a lot to which this clause applies into a strata, company or community title.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**  
Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

**Councillor Questions from Previous Meeting and Responses - (79351)**

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**REPORT:**

**Questions - 14 October 2014**

| # | Councillor | Question  | Response  |
|---|------------|---|---|
| 1 | Reardon    | Enquired if a hazard reduction burn in the area of Cabbage Tree Road, Grose Vale could be arranged. | The Director Infrastructure Services advised that the request would be forwarded to the Rural Fire Service.         |
| 2 | Williams   | Requested that Packer Road be graded.   | The Director Infrastructure Services advised that instructions have been issued for the maintenance of Packer Road. |

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**CONFIDENTIAL REPORTS**

**CONFIDENTIAL REPORTS**

**Item: 213**                      **CP - Land and Environment Court Proceedings No.10142 of 2014, Lot 7 DP 251845, 69 Blacktown Road, Freemans Reach Appeal against Council's Refusal of Development Application DA0280/13 - (95498) CONFIDENTIAL**

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**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)(g) of the Act as the matter is the subject of Class 1 proceedings in the Land and Environment Court and the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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



ordinary  
meeting

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