



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 03 February 2015

location: council chambers

time: 6:30 p.m.



mission statement

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

How Council Operates

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

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

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

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

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

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

Public Participation

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

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

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

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

Voting

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

Planning Decision

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

Business Papers

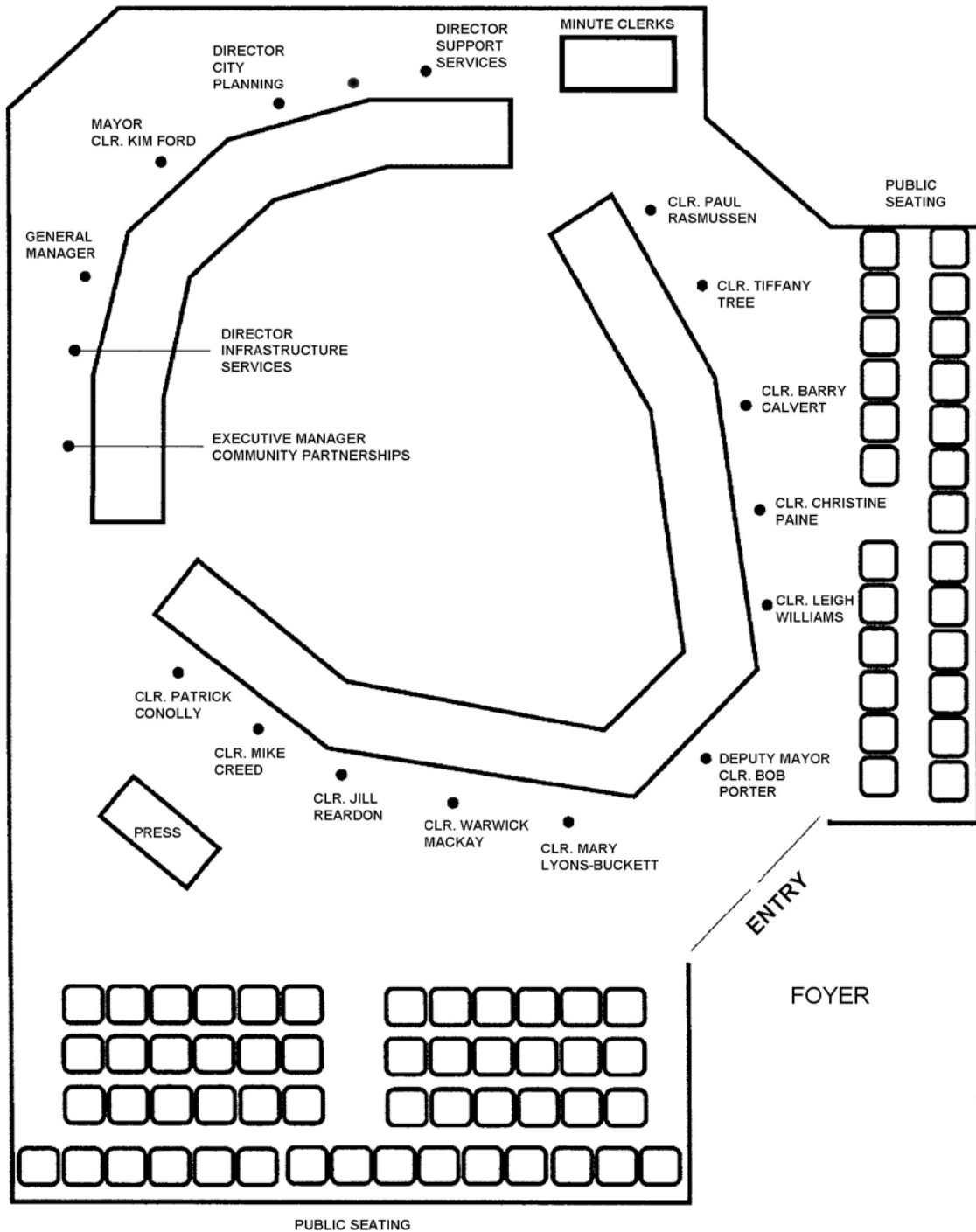
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

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

Further Information

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

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MM **Implementation planning for Hawkesbury Residential Land Strategy - (79351, 79353, 120428)**

REPORT:

The Hawkesbury Residential Land Strategy (RLS) was adopted by Council on 10 May 2011. Since that time a number of planning proposals, consistent with that Strategy, have been considered and supported by Council. Some of these applications have been finalised but the majority are yet to be finalised.

Notably there have been no houses constructed from these applications to date.

The RLS, in Chapter 6, proposed a number of actions that would assist with the implementation of the Strategy. The Strategy envisaged that these "implementation actions" would, at least partially, be in place prior to fully implementing the Strategy. These actions specifically relate to structure planning and funding models (S94 etc.). With the exception of Redbank at North Richmond and Jacaranda Ponds at Glossodia (these proposals were large single development proposals that undertook sufficient structure planning with funding models addressed via Voluntary Planning Agreements [VPA]), the structure and funding model planning has not yet been completed.

Council currently has 13 planning proposals for residential rezoning, and 2 for industrial, that are in various stages of processing. The approximate total proposed residential lots from these applications is 310. Approximately 128 of these are located in the RLS investigation area of Kurmond. The remainder are located in Richmond, Windsor or Pitt Town. The Kurmond applications have the following included in the Council resolutions:

"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."

In February 2013 Council resolved to investigate the Kurmond locality ("Kurmond Village large lot residential/rural residential Investigation Area") and to undertake the necessary structure and funding investigations. At the time of that report Council had three planning proposals in Kurmond. However, in the same resolution Council also required the continued processing and acceptance of additional planning proposal applications for the locality. The limited resources available within Council and the continued acceptance of additional applications coupled with a significant range of other matters (the commencement of the planning for the Vineyard Precinct, review of Pitt Town S94 Plan, Council resolutions for the review of DCP shed provisions; review of RLS; reports on the preparation of S94 Plans; preparation of planning proposal for second dwellings, etc.) have resulted in delays in the implementation planning for the RLS.

It is clear that structure planning for any development area is vital to ensure that the roads and other infrastructure provided by development is done so with maximum productivity with minimum wasted effort or expense; the maintenance burden of Council is minimised and that the development contributes equitably to the provision of infrastructure. In most of the development areas of the RLS there is a need to prepare development contributions plans due to the fragmented ownership of the localities, where preparation and agreement by landowners to a VPA is virtually impossible.

Allowing development to proceed in the absence of the appropriate S94 Contributions Plan, structure planning, or the like, results in the Council and the community bearing the full cost of upgrades to infrastructure that should be shared amongst the development.

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RECOMMENDATION:

That:

1. Council suspend acceptance of new planning proposals under the Hawkesbury Residential Land Strategy (RLS) until the key implementation actions of the RLS, in particular, structure planning and development contribution planning has been completed for the Kurrajong/Kurmond investigation areas or 31 July 2015.
2. Planning proposals (for which the application fee payment has already been received) currently lodged with Council are to continue to be processed. These applications, in accordance with previous resolutions of Council, are not to proceed to gazettal until the relevant structure plan and/or S94 Plan is in place.
3. The structure and development contributions planning referred to above be given priority and if funding is required to undertake this work, the work program for the Strategic Planning Branch be reviewed and any work/budget adjustment be considered in the next quarterly review.
4. Given the time and specialist input required to undertake this work, a report be received by Council in July 2015 regarding the progress of this work, where the processing of planning proposals can be reviewed, with the aim to complete this work by the end of August.

oooO END OF MAYORAL MINUTE Oooo

ordinary

section

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reports
for determination

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 1 **CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012
- Lot 5 DP 237575, 35 Chapel Street, Richmond - (95498, 124414)**

REPORT:

Executive Summary

This report discusses a planning proposal which seeks to amend *Hawkesbury Local Environmental Plan 2012* (the LEP) in order to rezone and permit the subdivision of part of Lot 5 DP 237575, 35 Chapel Street, Richmond for residential purposes.

As discussed in this report, the land has a number of major constraints that limit its potential for residential development including flooding, proximity to a wetland, proximity to a State listed heritage item, there being no legal frontage to a road (as access is via a tree lined, heritage listed, Right of Carriageway) and traffic impacts onto Kurrajong Road / March Street.

It is considered that the planning proposal does not present a resolution to these complexities of the site for the intended purpose, particularly traffic impacts and access to the site and the heritage impacts of that access. Accordingly, it is recommended that Council not support the planning proposal.

Consultation

The planning proposal has not been exhibited as there are a number of outstanding matters that have not been satisfactorily resolved. If the planning proposal was to proceed it would 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

For more than 20 years Council has considered and rejected a range of requests by the land owners (Mr and Mrs Smith) to vary the Council's local environmental plans in order to allow residential subdivision of this property. Following is a chronology of such requests and associated Council decisions.

August 1993 - Plan submitted to Council for 46 lots.

October 1998 - Re-submission of August 1993 plan from McKinlay Morgan & Associates Pty Ltd. McKinlay Morgan advised to submit a site specific Local Environmental Plan application with accompanying Local Environmental Study considering matters such as visual impact, effect on wetlands, proximity to heritage items, service availability.

February 1999 - Request from owners for Council to include land in Council's Urban Development Strategy. Suggestion by owner of approximately 30 lots.

March 1999 - Letter from Council advising owners that property falls outside the Urban Land Strategy investigation areas and that if they wish to pursue the matter they should submit a detailed application.

May 1999 - Rezoning submission received by Falson and Associates Pty Ltd with proposal for 46 lots (same plan as 1993 plan).

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August 1999 - Letter from Council to Falson and Associates requesting further information and clarification of some matters.

April 2000 - Response received from Falson and Associates with number of proposed lots reduced to 38.

June/July 2000 - Matter reported to Council's General Purpose Committee. Recommendation that proposal not be supported, suggestion that a lower density development addressing concerns raised in report may be considered by Council. Ordinary Meeting of Council deferred matter pending submission of further information from applicant. Petition from some residents of William Cox Drive objecting to proposal was received.

December 2000 - Additional information, including traffic report, received from Falson and Associates and proposal amended to 18 lots.

January 2001 - Meeting with Council staff, Mr Glenn Falson and Mr Smith. Additional information / clarification of issues requested by Council staff.

November 2003 - Letter from owners requesting advice regarding possibility of subdivision of land into 8 to 10 allotments.

April 2004 - Letter from Council advising of previous matters which require consideration/additional information.

October 2006 - Letter from owners requesting property be considered for residential rezoning in new City wide LEP.

November 2006 - General report to Council regarding City wide LEP. Mr Smith addressed Council.

December 2006 - Letter from Council advising of "conversion" nature of new City wide LEP and information to be submitted with rezoning request.

April 2007 - Notice of Motion regarding anomalies in Hawkesbury Local Environmental Plan 1989. Subject property nominated for change to residential zone or zone for aged care facility.

May 2007 - Report to Council regarding investigations resulting from Notice of Motion. Council resolved that the land be subject to a further report to Council following the release of the State Government Subregional Study.

October 2007 - Proposal received from Montgomery Planning Solutions for 16 lots. Reported to Council on 8 July 2008 whereby Council resolved:

"That:

- 1. The proposed rezoning of 35 Chapel Street, Richmond for residential purposes not be supported at this time and this land be considered in future land planning strategies.*
- 2. This land be considered further when Council has finalised a residential strategy that is consistent with the North West Subregional Strategy and further work has been undertaken on the Flood Risk Management Plan for the Hawkesbury."*

In general terms, throughout the various proposals and discussions, Council staff have requested the follows matters be addressed in any rezoning proposal:

- Visual impact
- Effect on nearby wetland
- Proximity to and impact on adjacent heritage item (Hobartville Stud)
- Service availability
- Department of Planning Section 117 directions

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- Provisions of SREP No 20 Hawkesbury - Nepean (No.2 -1997)
- Details and justification of lot sizes, configuration and density
- Aircraft noise
- Impact on flora and fauna
- Traffic impacts, in particular operation of intersection of Chapel Street and Kurrajong Road - March Street
- Legal access over Right of Carriageway and adequacy of access

The planning proposal, the subject of this report, was received by Council in November 2013. Following an initial staff assessment, in March 2014 the applicant was advised in writing of a number of concerns regarding the proposal and invited to withdraw the application due to the extent of concerns. In response, the applicant provided additional written information in April 2014, met with Council staff in August 2014, and provided further additional information in November 2014.

Planning Proposal

Fragar Planning and Development (the applicant) seeks an amendment to the LEP in order to rezone and permit the subdivision of Lot 5 DP 237575, 35 Chapel Street, Richmond for residential purposes. Specifically, the applicant requests that part of the land (approximately 3.5ha) be rezoned from RU2 Rural Landscape to R1 General Residential and that the minimum lot size for the land to be rezoned be reduced from 10ha to 450m².

The area of land subject to the planning proposal is shown in Figure 1 below.



Figure 1: Subject site

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The applicant advises that the overall intention of the planning proposal is to develop the land mainly for residential purposes to include:

- detached dwellings on individual titled lots with a minimum lot size of 450 m²; and
- semi-detached and attached dwellings.

The applicant advises that the expected development yield would be between 54 and 58 dwellings. The applicant has not provided a concept plan of subdivision and has not been requested to do so as it is considered that there are pre-determinative matters that preclude support for the planning proposal as outlined below.

Subject Site and Surrounds

The property is located on the western edge of the Richmond township approximately 1 km from the Richmond railway station.

The property is located to the south of Chapel Street, Richmond and is accessed via a right of carriageway over an access handle of an adjoining property (Hobartville Stud). The site does not front a public road and the legal status/suitability of this accessway will be discussed later in this report.

The property has a total area of 8.099 ha and is presently zoned part RU2 Rural Landscape (approx. 6.6ha) and part E2 Environmental Conservation (approx. 1.5ha). Under the current provisions of LEP 2012 zone, the property has a minimum lot size for subdivision of 10ha; hence at present the property does not have subdivision potential.

The property varies in height from approx. 21m AHD to 18m AHD in the area where the new lots are proposed. This is an area of approx. 3.5ha with the higher land fronting the right of carriageway. Beyond this upper plateau the land then falls sharply to the north-west to low lying land with a height of approximately 9m AHD.

Improvements on the land are mainly within the eastern corner of the property and consist of a dwelling with onsite disposal of effluent, a tennis court and associated driveway and landscaping. The balance of the property mainly consists of grass lands and a wetland (see Figure 1).

R2 Low Density Residential and RE1 Public Recreation zoned land is located to the south, Hobartville Stud is located to the west, Kurrajong Road is located to the north, two dwellings with an aged care village (Hawkesbury Village) beyond is located to the north-east and R1 General Residential zoned land (John Tebbutt Mews) is located to the east. The minimum lot size of surrounding land zoned R1 General Residential and R2 Low Density Residential is 450m². Hobartville Stud is listed as a heritage item on Schedule 1 of HLEP 2012 as well as being State heritage listed. The property shares an accessway (via a Right of Carriageway) from Chapel Street with Hobartville Stud. The accessway is flanked by an avenue of trees that lead to Chapel Street. The avenue of street trees in Chapel Street is also heritage listed under the LEP.

Beyond the immediately surrounding properties, the main distant views to the property are from the west through to north across the floodplain.

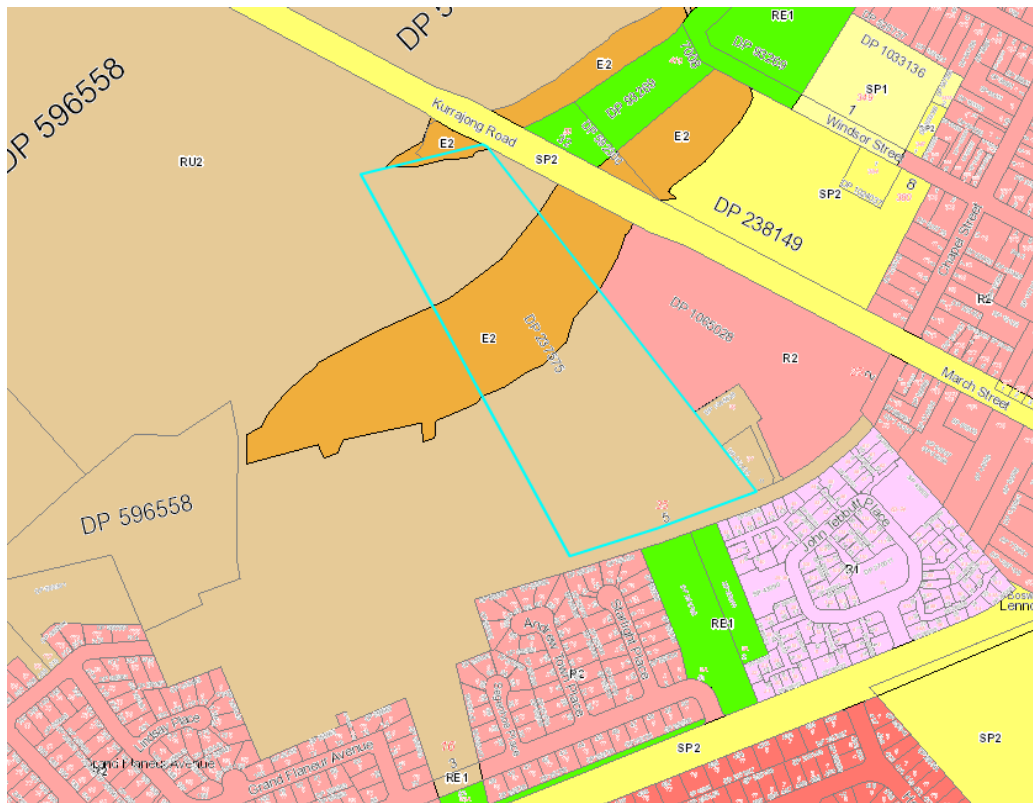


Figure 2: Land Zone Map extract

The height of the 1 in 100 year flood event for the surrounding area varies from 18.3m AHD at Yarramundi to 17.5m AHD at the North Richmond Bridge. The rear of the site is severely flood prone and only a small area immediately adjacent to the accessway is above the 1 in 100 year flood event level.

The land is partly affected by the 20 - 25 ANEF contour, however most of the land subject to the rezoning is not affected by the ANEF contours. The 20 - 25 ANEF affection does not represent a significant impediment to further residential development of this land.

The lower parts of the property are generally shown as either *Significant Vegetation* or *Connectivity Between Significant Vegetation* on the Terrestrial Biodiversity Map of LEP 2012 and the access handle is also shown as *Significant Vegetation*. Most of the land subject to the rezoning does not fall under either of these categorisations.

The site is not shown as being bushfire prone on the NSW Rural Fire Service's Bushfire Prone Land Map.

The land contains Class 4 and Class 5 acid sulphate lands as shown on the Acid Sulphate Soils Planning Map. The Class 4 land is generally in the low lying wetland area with the Class 5 making up the balance of the property.

The site is shown as being Agriculture Land Classification 5 on maps prepared by the former NSW Department of Agriculture. This classification is described as *Land unsuitable for agriculture or at best suited to only light grazing. Agricultural production is very low to zero as a result of severe constraints, including economic factors, which preclude land improvement.*

The site falls within the "Transition Area" as shown on the NSW Trade & Investment's Mineral Resources Audit 2104 map due to its proximity to the Richmond Lowland sand and gravel resource area. As a result, if the planning proposal is to proceed, referral to the Mineral Resources Branch of NSW Trade & Investment would be required.

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The site falls within the Middle Nepean & Hawkesbury River Catchment Area of *Sydney Regional Environmental Plan No.20 Hawkesbury - Nepean River (No.2 - 1997)*. The lower parts of the site fall within an area of regional significance under this SREP and the wetland is also shown as a wetland under *Sydney Regional Environmental Plan No. 20 - Hawkesbury - Nepean River (No.2 - 1997)*.

Applicant's Justification of Proposal

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

- *The subject site would be developed more economically and to its full potential if it was rezoned to R1 General Residential or similar zone and the minimum lot size allowed for 450 m2 residential lots. This type of development would be in line with the character of the surrounding area and would contribute to the provision of the much-needed residential housing supply of Richmond. The proposed R1 Residential General zone will provide for a mix of residential housing types that can respond to market demand and increase the supply of affordable housing in close proximity to public transport services.*
- *Development of the land as proposed will be consistent with the objectives of the R1 General Residential zone, the Hawkesbury Residential Land Use Strategy 2011, relevant SEPPs and S117s directions.*
- *The proposed amendments to the Hawkesbury LEP 2012 zoning and minimum lot size maps will be the best means of achieving the intended objective to develop the site for residential purposes.*

A Plan for Growing Sydney and the Draft North West Subregional Strategy

The NSW Government's *A Plan for Growing Sydney (December 2014)* provides a long-term planning framework for the Sydney metropolitan area. The Plan's vision is "A strong global city, a great place to live".

This is to be achieved by the Plan's goals, which are:

- *a competitive economy with world-class services and transport*
- *a city of housing choice with homes that meet our needs and lifestyles*
- *a great place to live with communities that are strong, healthy and well connected*
- *a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources*

A number of Directions accompany each of the goals.

The Plan divides the Metropolitan area up into the Metropolitan Urban Area and the Metropolitan Rural Area. The Hawkesbury Local Government Area (LGA) is in the Metropolitan Rural Area and is within the West Region sub-region with the Blue Mountains and Penrith LGAs.

The planning proposal is generally consistent with the provisions of *A Plan for Growing Sydney*.

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. It contains 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 planning proposal is generally consistent with the provisions of the dNWSS.

Hawkesbury Residential Land Strategy

The Hawkesbury Residential Land Strategy (HRLS) seeks to:

- accommodate, based on estimated demand, between 5,000 to 6,000 additional dwellings by 2031, primarily within the existing urban areas as prescribed in the dNWSS
- preserve the unique and high quality natural environment of the LGA
- accommodate changing population, which presents new demands in terms of housing, services and access
- identify on-going development pressures to expand into natural and rural areas, as well as new development both in and around existing centres
- identify physical constraints of flood, native vegetation and bushfire risk

To achieve this, the HRLS identifies residential investigation areas and associated sustainable development criteria.

The subject site is located within the Richmond investigation area and the proposal is generally consistent with the relevant sustainability development criteria.

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.

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."

As will be discussed in a later section of this report, it is considered that the proposal has not adequately addressed the existing infrastructure issues in the locality of the development, primarily with respect to access to the site and the impact of additional vehicular traffic on the Chapel Street and Kurrajong Road - March Street intersection.

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. The Section 117 Directions contain criteria to be considered if a proposal is inconsistent with those Directions.

The Section 117 Directions of most relevance to this proposal are follows:

- Direction 1.2 Rural Zones
- Direction 1.3 Mining, Petroleum Production and Extractive Industries
- Direction 3.1 Residential Zones
- Direction 3.3 Home Occupations
- Direction 3.4 Integrating Land Use and Transport
- Direction 4.1 Acid Sulfate Soils
- Direction 4.3 Flood Prone Land
- Direction 7.1 Implementation of the Metropolitan Strategy

It is considered that the proposal is consistent with or justifiably inconsistent with these directions.

State Environmental Planning Policies

The State Environmental Planning Policies of most relevance are as follows:

- State Environmental Planning Policy No. 55 - Remediation of Land
- Sydney Regional Environmental Plan No. 9 - Extractive Industry (No 2- 1995)
- Sydney Regional Environmental Plan No. 20 - Hawkesbury - Nepean River (No.2 - 1997)

It is considered that the proposal is generally consistent with these policies.

Vehicle and Pedestrian Access to the Site

The site does not have direct vehicular or pedestrian frontage to a public road being Chapel Street. The site has access to Chapel Street via two Right of Carriageways. One Right of Carriageway is 9.145m wide, is part of the State Heritage listing and is located within the Hobartville Stud's access handle from Chapel Street. This access handle consists of a narrow bitumen sealed driveway lined by generally substantial, mature trees such as Bunya Pines and Celtes. The other Right of Carriageway is 4.57m wide and is located immediately to the north-west of the previously mentioned Right of Carriageway on adjoining lands. It is the Hobartville Stud Right of Carriageway that the proponent seeks to utilise.

The owner of the land has provided a legal opinion regarding the current and future use of the Right of Carriageway. The conclusion of this legal opinion is as follows:

- *Lot 5 DP 237575 has a Right of Carriageway easement to the eastern extension of Chapel Street.*
- *If the property is subdivided in the future, the Right of Carriageway must be registered on each individual new title created.*
- *Consent of the owner of the land over which the existing Right of Carriageway exists is not required.*

The proponent has provided an indicative plan (see Attachment 1 of this report) showing a proposed 5.5m wide access carriageway between the existing trees. Council's DCP requirement for the proposed development (54 - 58 residential dwellings) is for a 15m road reservation comprising an 8m wide road and 3.5m wide verges. Hence in terms of road width and verges the proposal is significantly inconsistent with Council's standard.

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The proponent claims that reduced road widths for residential subdivisional are acceptable on a case by case basis and cites the provision of Australian Model Code For Residential Development (AMCORD) as an appropriate alternative standard.

The following extracts from AMCORD have been provided by the proponent in support of the use of a narrower road design standard. These are as follows:

- *A carriageway width of 3 metres is adequate for a local "Access Lane" where the maximum daily traffic is less than 100 vehicles per day (typically 10 single dwellings or 20 townhouses). For these streets, on-street parking is NOT permitted and the design speed is 15km/hr. Pedestrian access may need to be separately considered. The alignment of Access Lanes can meander through a site based upon the swept path needs of the maximum length vehicle expected on a regular basis. Dwelling setback based upon noise attenuation methods employed.*
- *A minimum carriageway width of 3.5 metres is adequate for a local "Access Place" where the maximum daily traffic is less than 300 vehicles per day (typically 30 single dwellings or 60 townhouses). For these streets shared pedestrian traffic is permitted and the design speed is 15km/hr. If on-street parking is permitted it is to be in the form of separated indented parking bays. The alignment of Access Places can meander through a site based upon the swept path needs of the maximum length vehicle expected on a regular basis. Verge widths of 3.5m both sides also required for utility services, landscaping and noise attenuation setback for dwellings.*
- *A maximum carriageway width of 5.5 metres is adequate for an "Access Street" where the maximum daily traffic is between 300 to 1,000 vehicles per day (typically up to 100 single dwellings or 200 townhouses). For these streets, on-street parking is permitted and the design speed is 40km/hr. Verge widths of 4m both sides also required for utility services, landscaping and noise attenuation setback for dwellings.*
- *For "Access Streets" accommodating higher daily traffic volumes of between 1,000 to 2,000 vehicles per day, the design speed is 40km/hr still applies, however the carriageway width increases to a minimum of 7.5m with on-street parking permitted. Verge widths of 4m both sides also required for utility services, landscaping and noise attenuation setback for dwellings.*
- *Separated 1.2m wide footpaths are typically introduced on one side only of access streets accommodating in excess of 1,000 vehicles per day.*
- *Bicycle traffic shares the road space for access streets, access places and access lanes accommodating less than 2,000 vehicles per day.*

The proponent claims that based on the above extracts the proposed 5.5m wide road carriageway is acceptable for the proposed number of lots/dwellings and that it can be accommodated within the existing right of carriage way without requiring the removal of existing trees along Chapel Street. Further, the proponent claims that on-street car parking and a verge would only be required should individual lots obtain direct access from Chapel Street, however, should parking within a 2.5 metre wide kerb be required, it can be provided along the northern boundary of the right of carriage way without impacting on the heritage listed trees along this road.

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Comment

The proposal for the existing Right of Carriageway to service 54 to 58 dwellings is considered to be unsatisfactory and unsustainable. In general terms, it is good planning practice to provide properties with direct vehicular access to a public road and avoid the use of Right of Carriageways or at least limit their use to serve a small number of lots. Like any other type of road, vehicular Right of Carriageways require regular maintenance. In this regard, council staff's experience is that disputes often arise between respective land owners over the frequency of maintenance, the nature/extent of maintenance works and apportionment of costs between users. With the greater number of land owners using a Right of Carriageway there is the greater potential for such disputes to arise. Further, in this case, the practicalities of access for larger vehicles (e.g. garbage, removalist, service vehicles) is constrained by the width and the physical location of the trees flanking the Right or Carriageway.

Further without direct public road access to the proposed subdivision all roads within the subdivision would need to be private roads as it is legally not possible to create an isolated public road. Therefore, if the proposed development was to eventuate, vehicular access to the properties would be via a public road (Chapel Street), a Right of Carriageway over Hobartville Stud, and then private roads within the subdivision.

With respect to garbage, recyclables and green waste collection, Council's current practice is not to allow Council collection trucks or Council contractor collection trucks to traverse private roads or Rights of Carriageways. This is primarily to avoid potential maintenance claims against Council due to possible damage caused by the weight and turning movements of the trucks. These private roads are also generally unsuitably designed (turning paths, height clearance, construction standards, etc.) for sustainable use by these vehicles. The possibility of storing a significant number of future garbage, recycle and green waste bins within Chapel Street for collection is considered unacceptable due to the available space, the unsightly nature of the likely number of bins within a confined area of Chapel Street and the inconvenience caused for existing residents of the Chapel Street and future residents of the development. Hence, collection of garbage, recyclables and green waste from the proposed development would need to be undertaken by private contractor under agreement with future owners. This would most likely require future owners to form a collective (perhaps through a community title) in order to secure such private collection. This, however, would not stop the potential for future land owners to seek collection services from Council in the event that the contractual arrangements could not be maintained or became cost prohibitive for land owners.

The proponent's claim that the proposed 5.5m wide road carriageway can be accommodated within the existing Right of Carriage way without requiring the removal of existing trees is disputed. Inspection by Council staff revealed that due to the proximity of the proposed road to existing vegetation, approximately 4 - 6 trees would require removal and 3 of these trees are large and significant trees within the surrounding landscape. Removal of these trees would require permission of the owners of Hobartville Stud and Heritage Council of NSW approval. A site inspection revealed that many of these trees might be retained if the road was re-aligned to the south; however, this would require the road to be constructed outside of the right of carriageway and hence would require permission of the owners of Hobartville Stud and Heritage Council of NSW approval.

Also, due to the broader concerns regarding the proposed access and impact of additional vehicular traffic on the Chapel Street and Kurrajong Road - March Street intersection (to be discussed later in this report) the proponent has not been requested to seek such permission from the owners of Hobartville Stud. It is however noted that when the previous rezoning proposal was reported to Council in October 2007 the then Manager of Hobartville Stud spoke against the proposal.

Notwithstanding the provisions of AMCORD, the narrow width of the proposed road carriageway is considered unacceptable on this site in terms of the potential conflicts between vehicles and pedestrians. The AMCORD guidelines are not mandatory, rather they are suggestions that a council may choose to adopt or adapt based on their individual circumstances. Further the provisions of AMCORD are best considered in light of an integrated planning framework/assessment for an area or region rather than on an ad-hoc site by site basis. Finally, even if the provisions of AMCORD were applied to this proposal the proposed access does not comply with AMCORD standard as no verge or parking is provided on the southern side of the proposed access.

Traffic Generation and Impact on Chapel Street and March Street - Kurrajong Road Intersection

The proponent has submitted advice from McLaren Traffic Engineering (MTE) that considers the current operation of the Chapel Street and Kurrajong Road - March Street intersection and the likely impact of additional vehicular traffic caused by the proposed development.

The MTE report found that in the AM and PM peak periods the intersection performed poorly for the purposes of a right hand turning movement from Chapel Street into March Street under both existing and forecast future conditions based on retaining the two lane flow arrangement along Kurrajong Road.

In response, MTE advise that:

"Whilst this appears to be an issue at first glance . . . it is evident that the current delay and queue lengths associated with these right turns increase only marginally. The . . . analysis does not include the benefits that can occur with gaps created between platoons of traffic generated by the traffic signal control at Bosworth Street further east of Chapel Street.

The provision of 4 through lanes along Kurrajong Road assists in improving the overall level of service of the intersection of Kurrajong / Chapel, and the delays to the right turns out of Chapel Street will significantly improve. The volume of additional right turning traffic from the development site is very low in the context of existing traffic flow demand being some 5 additional vehicles or 1 additional vehicle per 12 minutes during the weekday PM peak hour. That volume of additional traffic would not be sound justification for upgrading the intersection."

In considering this further, MTE considered the following traffic management options:

- Option 1 - Do nothing
- Option 2 - No Right Turn onto March Street from Chapel Street in the morning between 7-10am
- Option 3 - No Right Turn into Chapel Street from Kurrajong Road in the morning and afternoon
- Option 4 - No Right Turn onto March Street from Chapel Street in the morning and No Right turn from Kurrajong Road in the morning

MTE favoured Option 4 and stated that *traffic delay for the critical eastbound flow along the main road of Kurrajong Road during the 7-10AM weekday morning commuter peak is not exacerbated [by the proposed development] and accordingly is supportable in terms of external road network impact.*

Comment:

Whilst MTE claim that the traffic delay for eastbound flow along Kurrajong Road/March Street is not exacerbated no improvement to the intersection is provided and for existing residents of Chapel Street, any easterly paths of travel would be extended and delayed by the No Right Turn restriction. This restriction would require existing residents seeking to travel easterly to turn left on Kurrajong Road and then double back via Old Kurrajong Road, Yarramundi Land and Inalls Lane. This proposed change is considered unsatisfactory and unacceptable.

As noted by MTE, the proposal does not generate sufficient traffic to be a catalyst for an intersection upgrade. Hence, this is inconsistent with Council's Residential Strategy and related resolutions about infrastructure upgrades for planning proposals and development contributions.

Suitability of Proposed R1 General Residential Zone

In support of the proposed R1 General Residential zone the proponent has provided the following commentary:

Some land in the vicinity of the subject site is zoned R2 - Low Density Residential. Land to the south east across Chapel Street is zoned Residential 1. Having regard to the zoning of the land immediately surrounding the subject site it is submitted that an R1 - General Residential is appropriate.

The R2 - Low Density Residential zone does not permit Attached Dwellings, Semi Detached Dwellings and Multi Dwelling Housing. The R2 - Low Density Residential zone is therefore not suitable for the site, being in very close proximity to other R1 - General Residential land and close to the Town Centre, transport, etc.

The R1- General Residential zone permits a variety of housing types to include Semi Detached and Attached Dwellings with the consent of Council. It is not the intention of the applicant to provide Residential Flat Buildings as part of the development on the subject site and can be excluded as part of a special clause from the proposed Residential 1 - General zone should it be required by Council.

The proposal to provide for a variety of housing types as permitted in terms of the R1 - General Residential zone, will be in line with objectives to encourage a variety and choice of housing types to provide for existing and future housing needs and to make efficient use of existing infrastructure and services as stated in the:

- *Ministerial Direction 3.1 Residential Zones;*
- *Hawkesbury Residential Land Use Strategy 2011;*
- *Improving Transport Choice - Guidelines for planning; and*
- *North West region, Metropolitan Sub regional Strategy.*

The proposed R1 - Residential General zone will provide for a mix of residential housing types that can respond to market demand and increase the supply of affordable housing in close proximity to public transport and Richmond Town Centre. This is the preferred option.

An R3 - Medium Density Residential zone permits Dwellings, Attached Dwellings, Dual Occupancies, Multi Dwelling Houses and Semi - detached dwellings with the consent of the Council. This zone could also be suitable for the intended development of the site. Whilst this is not the preferred option, the application of an R3 - Medium Density Residential zone would be an acceptable alternative outcome for the planning proposal.

Comment:

The R1 General Residential zone permits a wide range of residential development including residential flat buildings. It is considered that permitting such development on the land would be inconsistent with the type and character of surrounding residential development which is predominantly single storey detached dwelling. The suggestion by the proponent to exclude such development from the site by way of a separate clause is inconsistent with the DP&E's guidelines for LEPs which do not allow individual clauses to prohibit otherwise permissible development established by the respective zone.

Council's previous approach to the zoning of land for the purposes of medium density development has been to restrict such development to within 1km of a railway station or 500m of a commercial zone in the townships of Richmond, North Richmond, Windsor, South Windsor, and Hobartville. Most of the land subject to the planning proposal is greater than 1km (measured in a straight line) from the Richmond Railway Station and as can be seen by Figure 2 above the dominant residential zoning in the vicinity is R2 Low Density Residential.

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The proponents desire to provide affordable housing is not disputed however it appears to be incongruent with the nature of the site limitations and the likely need for privately managed road, access and waste and recycling collection.

Conformance to the Hawkesbury Community Strategic Plan

The following provisions of the HCSP are of most relevance to this residential development 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 future residential and commercial development designed and planned to minimise impacts on local transport systems, allowing easy access to main metropolitan gateways

Strategy

- Upgrade the necessary physical infrastructure and human services to meet contemporary needs and expectations

Shaping Our Future Together

Direction

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

Financial Implications

The applicant has paid the fees required by Council's fees and charges for the preparation of an amendment to the local environmental plan.

Conclusion

It is recommended that Council not support this planning proposal to allow development of the land for residential purposes due to the inappropriateness of the proposed zone, inadequate vehicular and pedestrian access to the site, and the determinant impacts of the proposed development on the Chapel Street and Kurrajong Road - March Street intersection.

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 Council not support the planning proposal to seeking to rezone and permit the subdivision of part of Lot 5 DP 237575, 35 Chapel Street, Richmond for residential purposes.

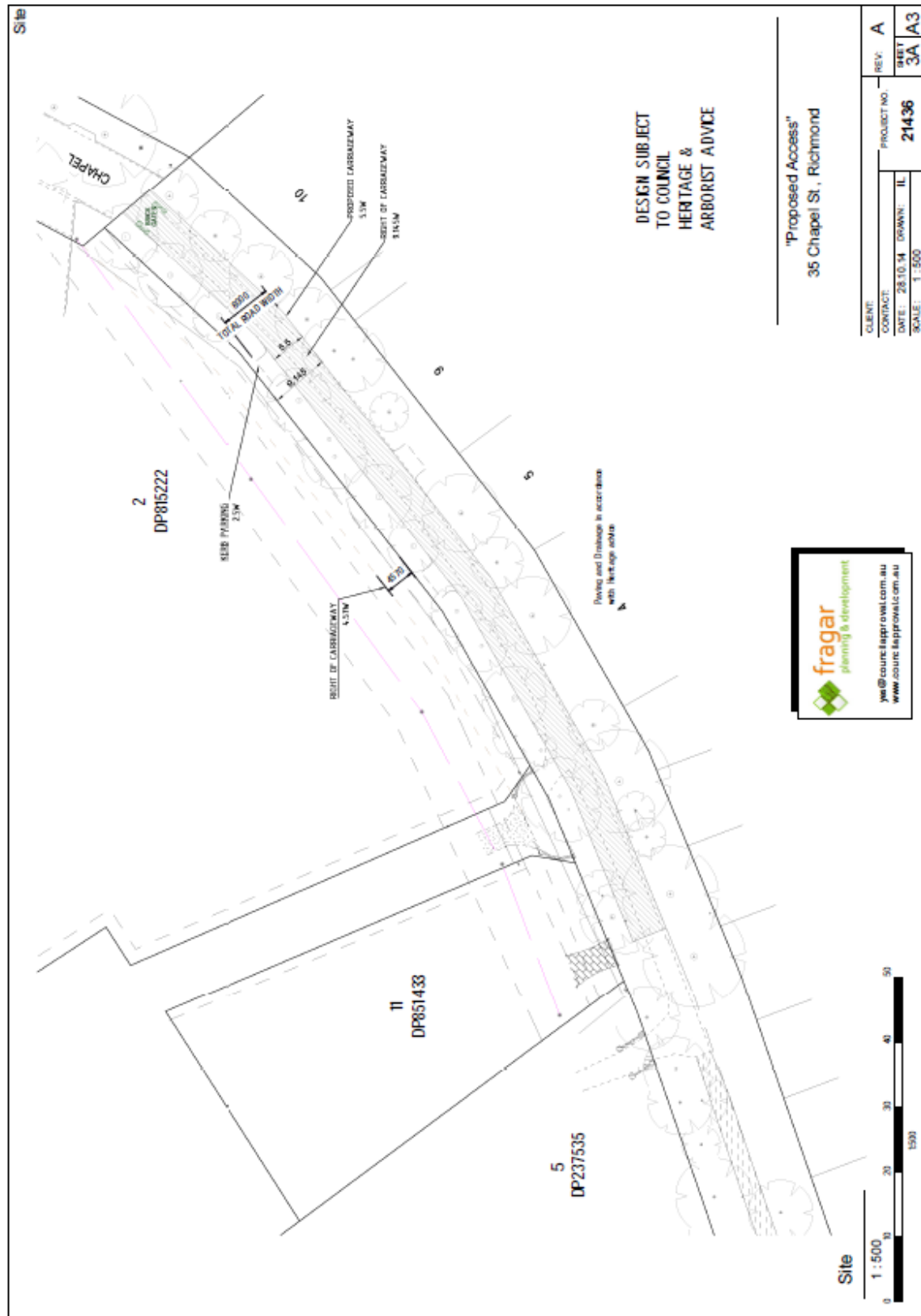
ATTACHMENTS:

AT - 1 Proposed Access Plan

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AT - 1 Proposed Access Plan



oooO END OF REPORT Oooo

**Item: 2 CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012
- 6 Speedwell Place, South Windsor - (95498, 124414)**

REPORT:

Executive Summary

This report discusses a planning proposal from Natalie Richter Planning (the applicant) which seeks to rezone part of Lot 21 DP 806993, 6 Speedwell Place, South Windsor from RU1 Primary Production to IN1 General Industrial to allow development of an increased portion of the land for general industrial purposes and retain the balance for rural purposes. The site is located within the recommended South Windsor investigation area identified by the Hawkesbury Employment Land Strategy (HELS).

This report provides Council with an overview of the planning proposal and recommends that the planning proposal be submitted to the Department of Planning and Environment (DP&E) for a Gateway determination.

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.

Planning Proposal

The planning proposal submitted by the applicant seeks an amendment to the Land Zoning Map of Hawkesbury Local Environmental Plan 2012 (the LEP) to rezone part of the site zoned from RU1 Primary Production to IN1 General Industrial under the provisions of the LEP to allow industrial and ancillary uses on that part of the land.

The planning proposal is supported by the following reports:

- Bushfire Assessment Statement prepared by Building Code & Bushfire Hazard Solutions Pty Ltd.
- Remediation Action Plan/Environmental Assessment prepared by DLA Environmental.

Subject Site and Surrounds

The subject site is located to the east of the South Windsor shops (a Small Village Centre), and is immediately east of the existing South Windsor industrial area. The site is located approximately 1.9kms from the Windsor Railway Station and 2.9kms from the Windsor Town Centre (see Figure 1 below). The site has a rear boundary to South Creek.

The site is legally described as Lot 21 DP 806993, 6 Speedwell Place, South Windsor, and has an area of approximately 11.45ha. The overall site is approximately 203m wide and 545m long and is accessed via an approximately 65m long and 8m wide access handle off Speedwell Place which forms part of the site (see Figure 2 below).

The site (other than the access handle) is zoned RU1 Primary Production and the access handle with an area of approximately 525m² is zoned IN1 General Industrial under the LEP.

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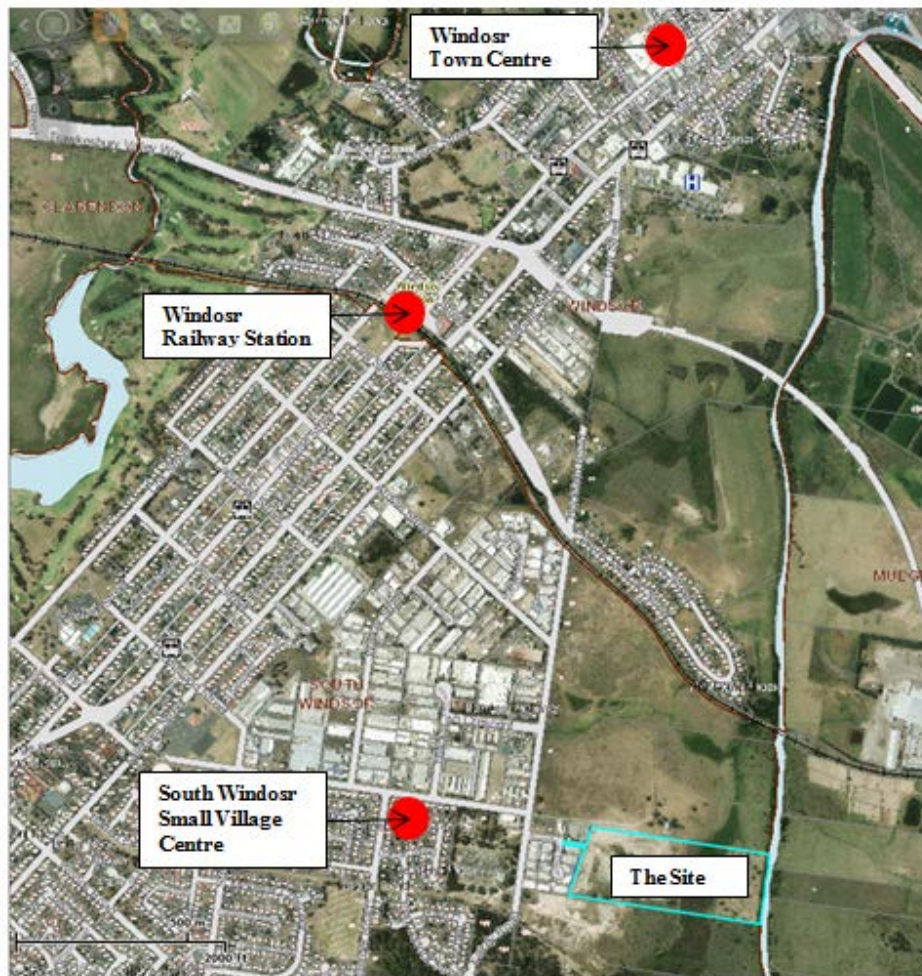


Figure 1: Locality Map

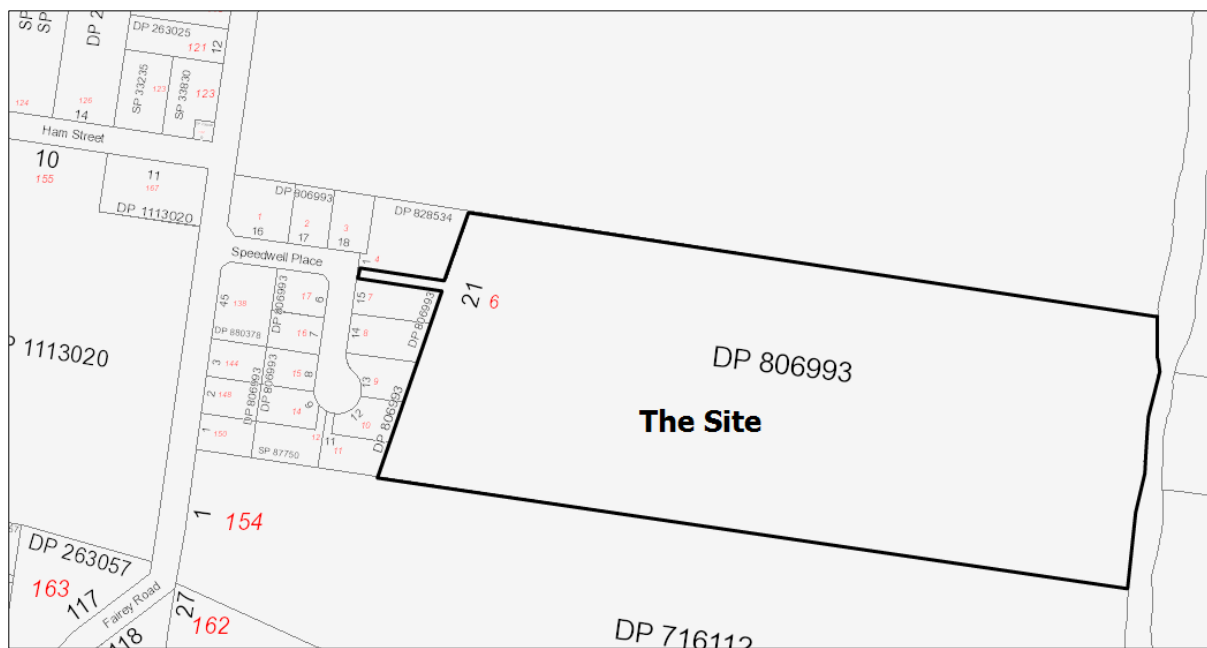


Figure 2: Subject Site

The site is currently vacant and undeveloped (see Figure 3).

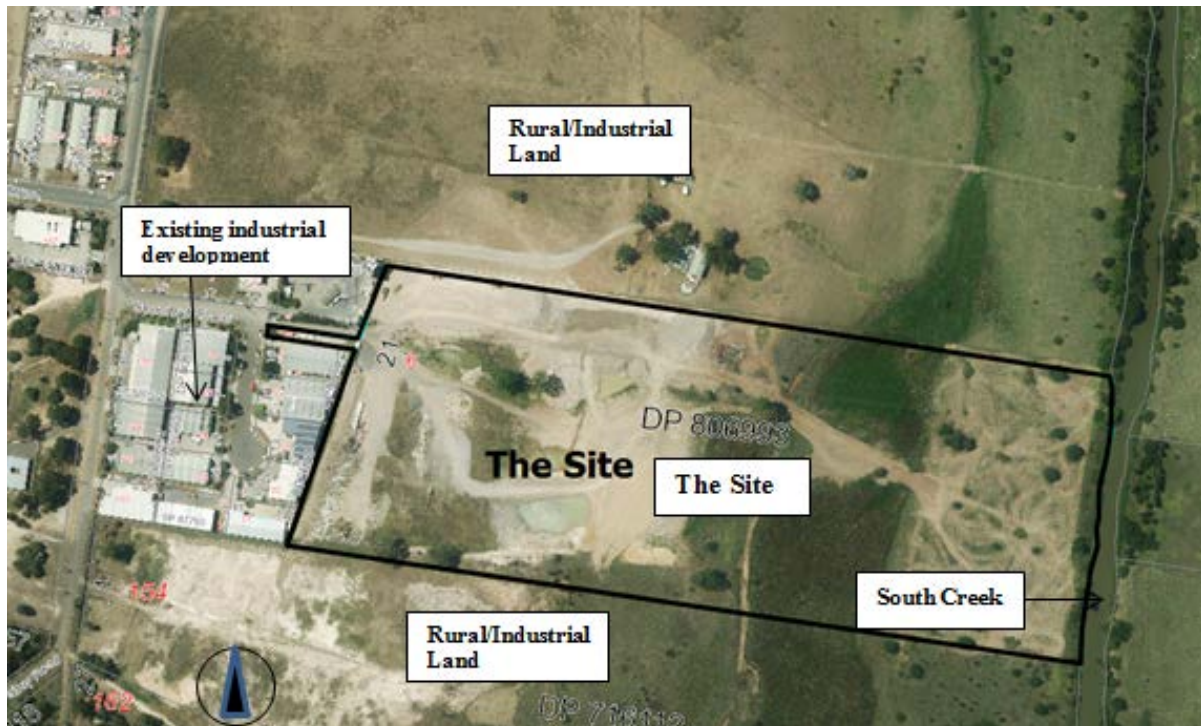


Figure 3: Aerial View of the Site

Whilst the existing industrial development fronting Speedwell Place forms the western boundary of the site, South Creek forms the eastern boundary and similarly split zoned Industrial/Rural properties form northern and southern boundaries (see Figure 3 above).

According to Council's mapping information the natural elevation of the site varies between 1m AHD at eastern boundary and 16m AHD at western boundary and the site generally falls north-easterly direction to South Creek at 1m AHD. The majority of the site area is generally flat with a slope of 6% or less. Narrow strips of land mainly along the western and eastern boundaries, and areas of land at the south-western corner and near the middle of the northern boundary contain slopes in excess of 15%.

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 within an area of scenic significance under this SREP.

The whole site is shown as being bushfire prone (bushfire vegetation category 1) on the NSW Rural Fire Service's Bushfire Prone Land Map. Also the whole site is shown as a flood prone land on Council's mapping system.

The whole site is shown as being within Acid Sulfate Soil Classification 5.

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

The Terrestrial Biodiversity Map of the LEP records the site as containing Shale Plains Woodland and shows some parts of the site as either Significant Vegetation or Connectivity between Remnant Vegetation.

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According to Council's records, a development application for the use of the site as intensive horticulture, land filling and a wholesale plant nursery (DA 358/06) was approved for the land in March 2007. Council's records also show that a dwelling house was approved on the site in 1992 and 1997. The site has previously been used as a building materials storing facility, a recycling facility and pasture and grazing land. In the early nineties part of the site near the southern boundary was used as a 'borrow pit' to fill the adjoining industrial land that has been subdivided later.

The site is surrounded by a mixture of land uses including industrial, rural, residential and public recreation uses. Properties immediately to the north and south are zoned both IN1 General Industrial and RU1 Primary Production, properties immediately to the west are zoned IN1 General Industrial and east are zoned RU1 Primary Production.

Applicant's Justification of Proposal

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

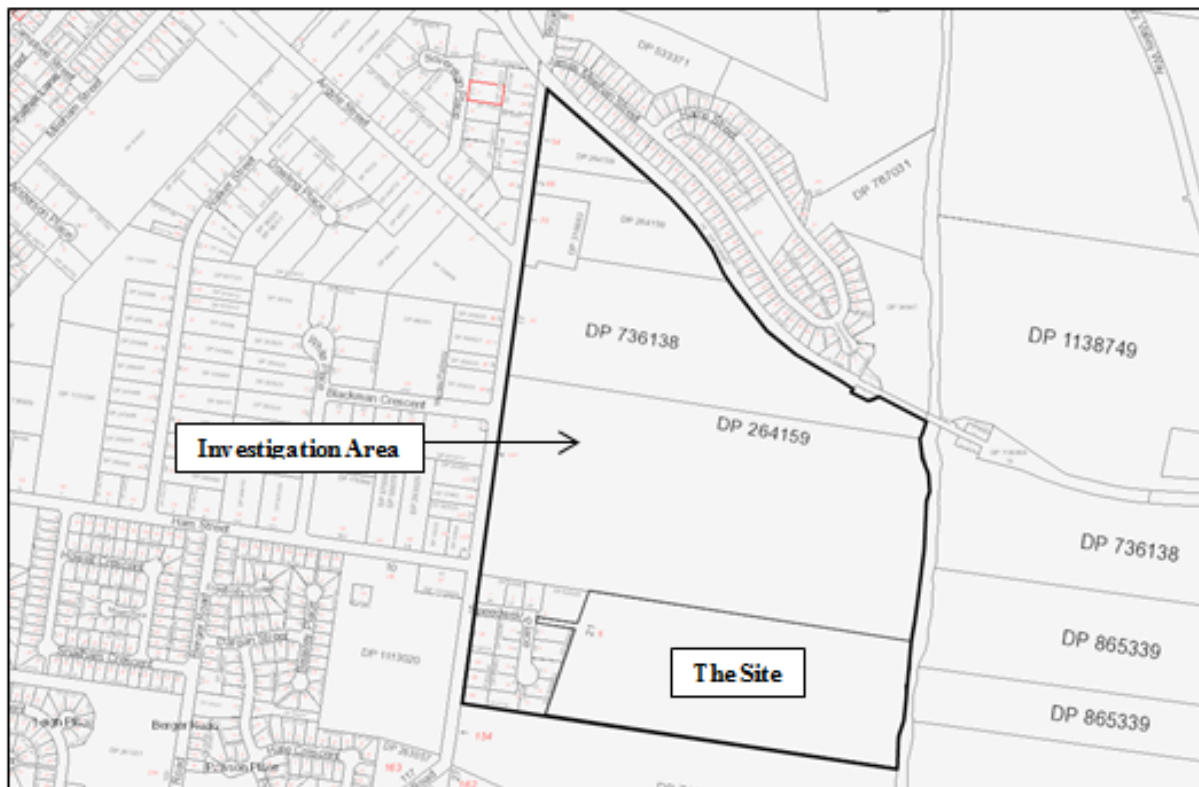
- *The site is located within an area zoned for industrial/employment services. This area is well serviced by transport and is located nearby the Windsor Town Centre and surrounding residential areas.*
- *The proposal is considered reasonable given that the access handle of the site is zoned for industrial and that the adjoining properties are zoned for industrial.*
- *Given the position of the site within industrial land, the proposed adjusted ratio of RU1 and IN1 is considered appropriate.*
- *Given the interface with industrial uses and site presentation, the site is not considered particularly suitable for agricultural purposes.*
- *The proposal will boost the take up of industrial land given that the owner/business operator will provide for the necessary servicing.*
- *The proposal will provide more opportunities for working close to home in line with local and metropolitan planning objectives.*
- *The site is cleared and altered, lending itself to industrial uses (similar to those surrounding) as opposed to rural.*
- *Future development could incorporate improvements to landscaping, parking and road links and site rehabilitation.*
- *The proposal represents the efficient use of available land, sustainable and energy efficient development and has the effect of relieving land pressure in outer areas in keeping with local and metropolitan land development objectives.*
- *The lower section of the site could be used for agricultural purpose, providing a balance between Council's industrial/employment generating and agricultural objectives.*
- *The planning proposal is considered to be consistent with the relevant state and local planning policies.*
- *The proposal will not have any adverse implications on flood planning, trees, biodiversity, acid sulfate soils or wetland. The site is not classified as heritage.*

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- Hawkesbury Employment Lands Strategy 2008**

“Additional land could be zoned industrial where demand is identified and conditions are met. Areas that would be appropriate for such investigations include South Windsor, and North Richmond which are close to current population concentrations, and Mulgrave which is close to McGraths Hill and to the North West Growth Centre (expected to accommodate up to 67,000 new dwellings), and can also service the growing Pitt Town Area.”

The site is located within the recommended South Windsor investigation area (see Figure 4).



Given the site is located within the area recommended for investigation the planning proposal seeking rezoning of the land to IN2 Light Industrial is generally consistent with the HELS.

Hawkesbury Local Environmental Plan 2012

The site is currently zoned part RU1 Primary Production and part IN1 General Industrial under the LEP (see Attachment 1). A range of land uses are permitted in the RU1 zone but industrial uses are not a permitted land use in the zone. Therefore, the planning proposal is seeking to amend the Land Zoning Map of the LEP to rezone part of the subject site to IN1 General Industrial to allow development of that part of the land for general industrial purposes (see Attachment 2).

As shown in Attachment 1 to this report the properties immediately west of the site are zoned IN1 General Industrial and the properties immediately north and south are zoned part IN1 General Industrial and part RU1 Primary Production. The properties east of the site are zoned RU1 Primary Production. The predominant zonings in the immediate locality are IN1 General Industrial and RU1 Primary Production. Therefore, the planning proposal seeking rezoning part of the site to IN1 General Industrial which is aligned with the current IN1 General Industrial zoned land immediately north and south of the site and retaining the current RU1 Primary Production zoning for the remainder of the site is considered generally consistent with the surrounding zonings (see Attachment 2).

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. However, all these Directions permit variations subject to meeting certain criteria (See the last part of this section of the report). The principal criterion for variation to a 117 Direction is consistency with an adopted Local or Regional Strategy. A summary of the key Section 117 Directions follows:

Direction 1.1 Business and Industrial Zones

The objectives of this direction are to:

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

The planning proposal seeks to rezone part of the subject land from a rural to general industrial zone. The land adjoins the existing South Windsor light industrial area. This will therefore enable the expansion of the established industrial area and economic development of the site for a range of general industrial uses including light industries, depots, freight transport facilities, general industries, industrial training facilities, neighbourhood shops, warehouse or distribution centres. Additionally the land is in close proximity to the South Windsor Small Village Centre and the surrounding residential population so the land has potential to boost economic, business and employment activities in the locality and help improve the viability of the small village centre. Hence, it is considered that the planning proposal is consistent with this direction.

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).

There is a minor inconsistency with this direction as the planning proposal seeks to rezone RU1 Primary Production zoned land area within the site to IN1 General Industrial to allow certain general industrial uses on the site. This minor inconsistency is justified with the following reasons:

- This is a good opportunity to provide additional industrial land adjacent to the established South Windsor industrial area and in proximity to South Windsor Small Village Centre Windsor Town Centre and the Windsor Railway Station and Bus Interchange to enable improved viability of the Centres and the public transport system consistent with both State and Local Government strategic frameworks.

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- The subject land is located within the recommended investigation area for future industrial uses in the HELS.
- Given the location of the site adjacent to the established South Windsor industrial area, as well as its easy access to community infrastructure, the land can be developed more economically for industrial purposes than a rural or an agricultural use to boost the local economy.
- Future development of that part of the land for general industrial purposes is more compatible with surrounding land uses.
- The land appears not to have been previously used for agricultural use (other than grazing). The majority of the site would remain zoned RU1 Primary Production and is not proposed for rezoning hence would still be available for agricultural purposes if required.

Direction 1.3 Mining, Petroleum Production and Extractive Industries

Should Council resolve to proceed with the planning proposal and receive a gateway determination advising to proceed with the planning proposal from DP&E, the NSW Trade and Investment (NSW T&I) would be consulted accordance with Direction 1.3(4).

Direction 3.4 Integrating Land Use and Transport

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

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

The Planning Proposal will enable approximately 3.4ha of industrial employment land with reasonably good access to both rail and road transport networks and improved local business/retail activities and employment opportunities within a reasonable walking distance from the South Windsor Small Village Centre and surrounding residential development, thereby minimising likely travel demand and distance for shopping and employment activities. It is therefore considered that the proposed planning proposal is generally consistent with 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 sulfate 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 acid sulfate soils on the Acid Sulphate 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 land has been filled since the preparation of the Acid Sulfate maps and the DP&E will consider this as part of their Gateway determination and if required can request further information/consideration of this matter.

Direction 4.3 Flood Prone Land

The objectives of this Direction are:

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

This Direction states that:

- Planning proposals must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).
- A planning proposal must not rezone land within the flood planning areas from special use, special purpose, recreation, rural or environmental protection zones to a residential, business, industrial, special use or special purpose zone.
- A planning proposal must not contain provisions that apply to the flood planning areas which:
 - (a) permit development in floodway areas,
 - (b) permit development that will result in significant flood impacts to other properties,
 - (c) permit a significant increase in the development of that land,
 - (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or
 - (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodway or high hazard areas), roads or exempt development.

The land is identified as flood prone land. Clause 6.3 Flood Planning of the LEP makes provisions for flood prone land, and the planning proposal does not contain any flood planning provisions. According to the NSW Floodplain Development Manual 2005, Council has developed and adopted the Hawkesbury Floodplain Risk Management Study and Plan for the entire Hawkesbury LGA to enable effective development and management of flood prone land with minimal impact of flooding on individual owners and occupiers of flood prone property and to reduce private and public losses resulting from floods, and the likely impacts of future development of the land on flood management and evacuation can be effectively assessed at development application stage.

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However there is a minor inconsistency with this direction as it is proposed to rezone part of the flood prone site to IN1 General Industrial. This inconsistency has already been justified under the Direction 1.2 Rural Zones above.

It is anticipated that due to the flood affectation of the land the planning proposal will be referred to the Office of Environment and Heritage and the State Emergency Service for consideration.

Direction 4.4 Planning for Bushfire Protection

The land is identified as bushfire prone, containing Vegetation Category 1. This Direction requires consultation with the NSW Rural Fire Service following receipt of a Gateway determination, 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*
 - (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.”*

It is considered that 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 Land Zoning Map only. 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 proposal should be consistent with the NSW Government's *Metropolitan Plan for Sydney 2036*.

'*Metropolitan Plan for Sydney 2036*', which is one of the issues taken into consideration in the early part of the assessment of the Planning Proposal, establishes that the planning proposal is consistent with this Plan.

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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 HELS 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 Hawkesbury Employment Land Strategy 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 (SEPP) 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)

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.

Council records reveal that materials used to fill the site was not the Council recommended Virgin Excavated Natural Materials (VENM) in the development approval for Intensive agriculture, land filling, dam construction and operation of a wholesale nursery (DA 0358/06).

In June 2013 Council received a DA0291/13 for site remediation works supported by a remediation action plan (RAP) prepared by David Lane Environmental to address the minor asbestos contamination that occurred on the site.

A review of the present land use suitability of the site undertaken by DLA Environmental (DLA) in accordance with the amended National Environmental Protection (Assessment of Site Contamination) Measures (NEPM) guidelines 2013 in March 2014 states that:

"The site is now considered suitable for its intended land use and requires no remedial actions to be undertaken and can be developed in its current state without risk to human health or the environment. The Site identified as Lot 21 DP806993, located at 6 Speedwell Place NSW, complies with the most sensitive health investigation levels, being Residential A - Residential with accessible soils, in accordance with NEPM 2013 and as such complies with the designated Industrial/Commercial land use criteria".

As a result DA0291/13 has been withdrawn as remedial work was no longer required.

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The applicant states that:

“Further investigations and potential remediation may be required for future industrial development of the site, however the likelihood and type of potential contamination does not preclude the site for use as industrial.”

Despite the findings of the above review, if the planning proposal is to proceed, further consideration of potential contamination can be dealt with after DP&E’s Gateway determination.

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

The primary aims of 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. The site is not within the vicinity of land described in Schedule 1, 2 and 5 of the SREP nor will the proposal development restrict the obtaining of deposits of extractive material from such land.

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

The aim of 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;*
- *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;*

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- *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.*

The site falls within the Middle Nepean & Hawkesbury River Catchment Area of SREP 20.

The applicant states:

"The proposed zoning change is considered to be consistent with the objectives and planning provisions of SREP 20.

The South Creek catchment area is a regionally significant landscape unit. A Part 3A permit and Environmental Management Plan is applicable under the current development consent for the site. This plan required the construction of dams at the lower point on the site using aquatic plants to rehabilitate the area and these dams have been constructed.

A bund wall has also been constructed adjacent to the rear boundary of the site in the accordance with the Environmental Management Plan. This provides a suitable buffer between industrial land uses and earthworks from South Creek.

Given the above, the proposal is considered consistent with the environmental and planning strategies embodied in the SREP."

It is considered that some form of industrial development on the subject land has the potential to either satisfy the relevant provisions SREP 20 or to minimise likely impacts on the environment of the Hawkesbury-Nepean River system. Further detailed consideration of the above matters can be addressed at the development application stage.

Character of the Area

There is a mix of land uses around the site including low-rise urban and rural residential development, parks and public reserves, childcare centres, schools and industrial development. The predominant land use within the immediate vicinity of the site is industrial and therefore the planning proposal seeking rezoning of part of the site to IN1 General Industrial is generally consistent with the surrounding land uses.

Services

The site is adjacent to the existing South Windsor industrial area with good access to infrastructure services that could be made available to the site through satisfactory arrangements with the relevant service providers.

The applicant advises that the owner/developer will make appropriate arrangements to provide the required level of services to accommodate a suitable form of an industrial development on the site. The site also has good access to both regional road transport system and Sydney Metropolitan Rail Network.

If the planning proposal is to proceed, the relevant public authorities such as Sydney Water, Integral Energy and Telstra Corporation will need to be consulted on the planning proposal after DP&E's Gateway determination.

Public Transport and Traffic Movement

The planning proposal is not supported by a transport/traffic statement or traffic impact statement. The applicant states that the area is well serviced by public transport system.

There is a limited bus service within the South Windsor area. A public bus service (Route No. 676) is operating between South Windsor and Windsor. Also public buses are running through South Windsor between Windsor and Mount Druitt Interchange (Route No 674) and Windsor and Penrith Interchange (Route No 673).

The site is located approximately 1.9kms from Windsor Railway Station and Bus Interchange. Public bus service is available from Windsor Interchange to surrounding suburbs in the region including Penrith, Mt Druitt, Richmond, Wilberforce, Pitt Town and Riverstone, McGraths Hill and Vineyard. Also a NightRide bus service operates three times a week between Richmond and City (Town Hall) via Windsor Station. Therefore it is considered that the site has reasonably easy access to public transport.

Given the proposed site access arrangement from Speedwell Place which is a local road with no significant traffic movements, it is a matter for Council to consider any likely impacts of the future development of the land on the local road network or the residential amenity in the locality at the development application stage.

Ecology

The applicant states that there are no significant trees or landscape features on the site. The majority of vegetation has been removed under previous approvals.

The Terrestrial Biodiversity Map of the LEP records the site as containing Shale Plains Woodland and shows some parts of the site as either Significant Vegetation or Connectivity between Remnant Vegetation.

A recent site investigation undertaken by Council's Land Management Officer reveals that there is very little vegetation remaining on site other than a couple of remnant trees. There is a wetland towards the rear of the property which is not affected by the proposed rezoning. The wetland is not a RAMSAR wetland.

A detailed consideration of any future development of the land can occur at development application stage.

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Bushfire Hazard

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

A bushfire report prepared by Building Code & Bushfire Hazard Solutions Pty Ltd states that:

"The subject site is a large allotment with an area of industrial and rural/production allotments. The vegetation posing a potential threat to the proposed rezoning is located to the north and south within neighbouring private allotments and east within the site itself. The vegetation posing a hazard was determined to be Grassland to all three aspects.

The Rural Fire Service supports protection of the subfloor or the integration of 1.8metre high protective (non-combustible) fencing in conjunction with screened windows and a basic Asset Protection Zone of 10 metres for Grassland hazards regardless of the type of development. The subject site can accommodate multiple building footprints >10 metres from the northern and southern boundaries and the proposed RU1 boundary (to the east).

We are satisfied that future permissible development within the new IN1 (General Industrial) zone can achieve the minimum Asset Protection Zone, Water Supply Access and other relevant specifications and requirements detailed in Planning for Bushfire Protection 2006.

In accordance with the bushfire safety measures contained in this assessment, and consideration of the site specific bushfire risk assessment it is our opinion that the proposed planning proposal can provide a reasonable level of bushfire protection and can also satisfy the relevant specifications and requirements of Planning for Bushfire Protection 2006".

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 comment.

Agricultural Land Classification

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

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

Given the site has not been used for any agricultural purposes (other than grazing) in the past and is adjacent to the existing South Windsor industrial area with reasonable access to public transport system and road transport network and other public amenities it has a reasonable urban development potential and therefore more economical and sustainable development can be achieved should part of the site be rezoned to IN1 General Industrial as proposed in the planning proposal.

Heritage

The subject property is not listed as a heritage item in Schedule 5 Environmental Heritage of the LEP (Schedule 5) or identified as an archaeological site.

Conformance to the Hawkesbury Community Strategic Plan

The following provisions of the CSP are of most relevance to the planning proposal.

Supporting Business and Local Jobs

Directions:

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

Strategy:

- *Increase the focus on high end jobs and innovation to build on our strengths and achieve a diverse industry base.*

Goals:

- *Have and expanded, sustainable and growing industry base.*
- *Stronger, broader range of sustainable businesses.*

The planning proposal will enable increased business and ancillary retail opportunities on the land and boost the Hawkesbury LGA's economic activities and employment opportunities, and therefore it will be an appropriate tool in the implementation of the Directions and Strategies contained in the CSP and the recommendations of the HELS.

Financial Implications

The applicant has paid the planning proposal application fees required by Council's Fees and Charges for the preparation of a local environmental plan.

Conclusion

The assessment of the planning proposal with regard to the matters considered in this report reveals that the subject site has the potential for some form of industrial development and the planning proposal has some merit.

It is recommended that Council support amending the LEP as explained in this report to allow part of the subject land to be developed for general industrial purposes.

The following matters discussed in this report and/or any other additional studies or investigations required by a Gateway determination issued by the DP&E in respect of this planning proposal will need to be undertaken by the applicant and/or Council as specified in the determination prior to finalisation of the proposed amendment to the LEP.

- Acid sulfate soil study.
- Consultation with the Office of Environment and Heritage, the State Emergency Service, the NSW Rural Fire Service, the NSW Trade and Investment, Sydney Water, Integral Energy and Telstra Cooperation prior to public exhibition of the planning proposal.

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Planning Decision

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

RECOMMENDATION:

That:

1. Council support the preparation of a planning proposal to rezone part of Lot 21 DP 806993, 6 Speedwell Place, South Windsor from RU1 Primary Production to IN1 General Industrial under Hawkesbury Local Environmental Plan 2012 as shown in Attachment 2 to this report.
2. The planning proposal be forwarded to the Department of Planning and Environment with a request for a Gateway determination.
3. The Department of Planning and Environment be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.

ATTACHMENTS:

- AT - 1** Current Land Zoning Map Extract - Subject Site and Surrounding Properties
- AT - 2** Proposed Land Zoning Map

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Item: 3 **CP - DA0429/14 - 1 Powells Lane, Richmond Lowlands - Lot 25 DP 663770 - Restaurant - Alterations and additions to the building and the operation of a restaurant - (95498, 78522, 102260)**

Development Information

File Number: DA0429/14
Property Address: 1 Powells Lane, Richmond Lowlands
Applicant: Montgomery Planning Solutions
Owner: Basscave Pty Ltd
Proposal Details: Restaurant - Alterations and additions to the building and operation of a restaurant
Estimated Cost: \$110,500
Zone: RU2 Rural Landscape and E2 Environmental Conservation
Date Received: 4 July 2014
Advertising: 10 to 24 July 2014 and re-notified 28 August to 11 September 2014

Key Issues:

- ◆ Definition and Permissibility
- ◆ Noise
- ◆ Flooding

Recommendation: Refusal

REPORT:

Executive Summary

This application seeks the consent of Council to undertake alterations and additions to a building and the operation of a restaurant at 1 Powells Lane, Richmond Lowlands. The subject building is described in the plans and documentation as the 'Polo Barn'.

Whilst 'restaurants or cafes' are permissible within the RU2 Rural Landscape zone, it is considered that the development would be more accurately defined as a 'Function Centre' under the provisions of Hawkesbury Local Environmental Plan 2012. The proposed development does not provide food preparation facilities, i.e. a commercial kitchen within the building, and would instead rely on the external preparation of food by caterers. On this basis the proposal cannot be defined as a restaurant or café.

Function centres are a prohibited land use within the RU2 Rural Landscape zone and accordingly the refusal of this application is recommended.

The application is being reported to Council firstly because it has been called up by Councillor Lyons-Buckett and secondly because a Class 1 Appeal against Council's 'deemed refusal' has been filed with the Land and Environment (L&E) Court.

The premises is currently being used for events and functions such as wedding receptions without the consent of Council.

Key Issues

- Permissibility under Hawkesbury Local Environmental Plan 2012
- Noise
- Flooding

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Description of Proposal

Pursuant to Section 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's approval for alterations and additions to the Polo Barn and the operation of a restaurant. The proposal specifically involves the following:

- Use of the Polo Barn as a restaurant.
- Alterations and additions to the Polo Barn to provide food service and storage areas, a disabled toilet and entertainment area.
- The provision of car parking for 40 vehicles.

The supplied documentation outlines the following operational details for the restaurant:

- Seating for up to 120 patrons.
- Operating hours of 9am to 11pm Sunday to Thursday and 9am to 12am (midnight) on Fridays and Saturdays.
- 10 staff (maximum).

Operating hours of 2pm to 12am were originally nominated but have since been altered by the Applicant. The documentation also outlined that any music would cease by 10:30pm, that patrons would leave by 11pm and that staff cleaning would cease by 12am, however such details were not supplied for the amended hours of operation.

No signage is proposed, nor does the development involve the removal of any native vegetation onsite.

Site and Locality Description

The subject property is legally described as Lot 25 DP 663770 and has a site area of approximately 28 Hectares. The subject site adjoins Powells Lane to the east and has a northern frontage to the Hawkesbury River. The property is located within the Richmond Lowlands, approximately 2km from the Richmond town centre.

The site contains a number of polo fields, a stable complex, a rural workers dwelling, an agricultural farm shed and the subject Polo Barn. The Polo Barn is located within the northeastern corner of the site.

The Polo Barn is accessible via a private road from Ridges Lane that passes through three allotments that are collectively known as 100 Ridges Lane. A secondary access is also available from Powells Lane however the use of this driveway is not proposed with this development.

Surrounding development within the Richmond Lowlands generally comprises of agricultural land, polo fields and limited numbers of rural residential properties. Land on the opposite of the Hawkesbury River comprises of a steep escarpment with residential properties located at the top of that escarpment along Terrace Road.

Background

- On 15 June 2014 a Notice of Intention to Serve an Order under the EP&A Act was issued to the owner to cease the unauthorised use of the site for wedding receptions and other functions.
- The current development application was lodged with Council on 4 July 2014.
- The application was notified from 10 to 24 July 2014.
- On 18 August 2014, the applicant sought an amendment to the hours of operation.
- The application was re-notified between 28 August 2014 to 11 September 2014.
- Six submissions were received in response to the notification.

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- On 12 September 2014, an Order under the EP&A Act was issued to the owner to cease the unauthorised use of the site for weddings and functions.
- Additional information was requested by Council on 22 October 2014. A response to these matters was provided by the Applicant on 25 November 2014 and 5 December 2014.
- The Applicant filed a Class 1 Appeal against Council's deemed refusal of the application on 12 December 2014.
- Argosy Agricultural Group Pty Ltd, Sydney Polo Club Pty Ltd and Peter and Rebecca Higgins provided an undertaking on 17 December 2014 that they would refrain from promoting the venue or taking any further bookings for the use as a Function Centre (Wedding Receptions) until further discussions take place with Council officers early in 2015.
- A Section 34 Conference on the matter is scheduled for 20 February 2015.

Development Plans Policies, Procedures and Codes to Which the Matter Relates

- Hawkesbury Local Environmental Plan 2012 (HLEP 2012)
- State Environmental Planning Policy No. 44 – Koala Habitat Protection (SEPP No. 44)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55)
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP No. 20)
- Hawkesbury Development Control Plan 2002 (HDCP 2002)

In determining the application, Council is required to take into consideration the following matters relevant to the development that applies to the type of development and the land to which the development relates:

Section 79C Matters for Consideration

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

(a)(i) Environmental Planning Instruments

Hawkesbury Local Environmental Plan 2012

Part 2 – Permitted and Prohibited Development and Land Use Table

The subject property is zoned part RU2 Rural Landscape and part E2 Environmental Conservation under the HLEP 2012. The portion of the site that is subject to this application is zoned RU2 Rural Landscape.

The HLEP 2012's Dictionary provides the following definitions for restaurants or cafes and function centres:

***"restaurant or cafe** means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided."*

***function centre** means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility."*

The documentation supplied in support of the application indicates that the proposed development is defined as a restaurant or cafe, which is permissible within the RU2 Rural Landscape zone.

However, the above definition outlines that the principal purpose of a restaurant or café is the “*preparation and serving... of food and drink*”. The proposed development does not provide food preparation facilities, i.e. a commercial kitchen, within the building and would instead rely on the external preparation of food by caterers. On this basis the proposal cannot be defined as a restaurant or café.

The development is more accurately defined as a Function Centre as the Polo Barn is to be used primarily for the holding of events and functions (principally wedding receptions). Function Centres are prohibited within the RU2 Rural Landscape zone.

Clause 4.3 – Height of Buildings

The maximum height of the building is 7.199m which is well below the maximum building height of 10m required by this Clause.

Clause 6.1 – Acid Sulphate Soils

The land affected by the development falls within Class 4 and Class 5 as identified on the Acid Sulfate Soils Planning Map. The proposed development does not include any works as defined within this clause and therefore no further investigations in respect to acid sulphate soils are required. The proposal is consistent with the requirements of this Clause.

Clause 6.3 – Flood Planning

The adopted 1-in-100 year flood level for the area is 17.4m AHD. Council's mapping indicates that the area of the site that accommodates the Polo Barn has a land level of approximately 15m AHD. It is also noted that the main access route to and from the site is as low as 10m AHD. The property is therefore defined as flood prone land.

Clause 6.3(1)(c) of the HLEP 2012 states that consent must not be granted to development on flood liable land unless the consent authority is satisfied that the development “*incorporates appropriate measures to manage risk to life from flood*”. The following matters, contained in Council's Development of Flood Liable Land Policy must also be applied when assessing an application on flood affected land or to which Clause 6.3 of the HLEP 2012 applies:

- "1. A building shall not be erected on any land lying at a level lower than 3 metres below the 1:100 ARI (average recurrent interval) flood event level for the area in which the land is situated, except as provided by subclauses (3) and (5).
2. Each habitable room in a building situated on any land to which this Policy applies shall have a floor level no lower than the 1:100 ARI (average recurrent interval) flood event level for the area in which the land is located.
3. Notwithstanding subclauses (1), (2), (7) and (8), a building that was lawfully situated on any land at 30 June 1997 may be extended, altered, added to or replaced if the floor level of the building, after the building work has been carried out, is not more than 3 metres below the floor height standard for the land immediately before the commencement day.
4. The assessment of a development application must consider the flood liability of access to the land and, if the land is within a floodway area, the effect of isolation of the land by flooding, notwithstanding whether other aspects of this Policy have been satisfied. In this regard the access to, and egress from, the land should not result in a travel path through areas of higher flood hazard risk and the development should not result in the occupants/users of the development being isolated and requiring rescue.

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5. *Minor (Non-Habitable) structures such as Farm Buildings, Outbuildings, Sheds, Garages and other Ancillary Structures may be erected on land below the 1:100 ARI (average recurrent interval) flood event level. However, the assessment of a development application for such a structure must consider the likely frequency of flooding, the potential flood damage (to both the subject structure and to other surrounding property should the structure be washed away) and measures to be taken for the evacuation of the property. In this regard the access to, and egress from, the land should not result in a travel path through areas of higher flood hazard risk.*
6. *Any part of a building below the 1:100 ARI (average recurrent interval) flood event level is to be constructed of flood compatible materials."*

The subject building satisfies Clause 1 above in that it is located on land that is not less than 3m below the adopted 1-in-100 year flood level. The proposal involves the use of an existing building for a non-habitable purpose so as to also satisfy Clause 5 of the Development of Flood Liable Land Policy.

Access to the site from Ridges Lane will require visitors to pass through areas of higher flood hazard, which is contrary to the Policy. However, access to the site will be inundated by backwaters prior to the land itself being flooded. Warnings will generally be issued a minimum of 24 hours before any major flooding event which should be sufficient to allow for the closure of the premises during periods of flood risk.

A Flood Evacuation Management Plan has not been provided in conjunction with the application however it is acknowledged that this would ordinarily be required to be prepared as a condition of consent. It is considered that the proposal will generally satisfy Clause 6.3 of the HLEP 2012 and Council's Development of Flood Liable Land Policy.

Clause 6.4 – Terrestrial Biodiversity

Northern and southern portions of the site are identified on the Terrestrial Biodiversity Map as comprising 'Endangered Ecological Communities' and 'Connectivity between significant vegetation' under this Clause. It is noted that no tree removal is proposed in conjunction with the proposal and the development area is clear of the mapped areas identified above. The development is therefore seen to be consistent with this Clause.

Clause 6.5 – Wetlands

A mapped wetland is located in the southwest portion of the site. The proposed works are located approximately 600m from this wetland and are unlikely to impact the waterbody.

Clause 6.7 – Essential Services

A wastewater disposal report has been submitted that has been based around the use of the existing aerated wastewater treatment system (AWTS) that is to utilise an onsite sewage management area of 1200m². As the irrigation area is located on land that is situated below the predicted 1-in-100 year flood level additional information has been provided by Envirotech Consultants detailing that the proposal will involve the installation of a sub-surface irrigation system.

This system is to utilise the existing (AWTS) tank and provide an equalisation tank to cope with the predicted wastewater load. The adequacy of this system to cater for anticipated wastewater volumes would be able to be given further consideration in conjunction with a separate Application to Install a Sewage Management System.

Should potable water be provided from an on-site collection system and associated storage tanks a Quality Assurance Program (QAP) for water usage intended in cooking/food preparation would need to be developed in accordance with the Private Water Supply Guidelines developed by NSW Health.

In order to alleviate the need for this requirement the applicant has advised that bottled water will be used within the food service and preparation areas.

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State Environmental Planning Policy No. 44 – Koala Habitat Protection

The site exceeds 1Ha in area and therefore triggers the requirements of SEPP No. 44. However, no tree removal is proposed and the development is not considered to impact on potential koala habitat and is therefore satisfactory having regard to the provisions of this policy.

State Environmental Planning Policy No. 55 – Remediation of Land

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

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

The site has a history of being used for agricultural, sporting and residential purposes. The subject building was previously used as a milking shed and office for a dairy which operated on the land. The proposed use is to utilise the existing structures on the land does not result in the disturbance of the land. It is unlikely that such a use would have contaminated the land. The land is therefore considered suitable for the proposed commercial development with regard to the provisions of SEPP No. 55.

Sydney Regional Environmental Planning Policy No. 20 - Hawkesbury Nepean River

The subject land falls within the boundary of SREP No. 20 and Council is required to assess development applications with regard to the general and specific considerations, policies and strategies set out in this Policy.

The site is located within an area identified as being of regional significance and the proposal involves additions to a structure greater than 50m² and with a height of more than one storey. However as the building is situated 140m from the Hawkesbury River and existing vegetation will be maintained, the proposal is seen to be consistent with Clause 11(16) of SREP No. 20.

The proposed development involves an onsite sewage management system which is defined as ‘sewage works’ under Clause 11(17) of the Plan. Consent is required and consideration is to be given to the effect on the River or floodplain areas. Council’s SMF Officer has reviewed a report prepared for the onsite sewage management system and found it to be generally satisfactory.

A farm building and fence located on the site are identified as being of non-aboriginal heritage in Schedule 1 of SREP No. 20. The proposed works are not located within the vicinity of these items.

The proposal is considered to be consistent with the aims, planning considerations, planning policies, recommended strategies and development controls of SREP No. 20.

(a)(ii) Draft Environmental Planning Instruments

There are no Draft Environmental Planning Instruments applicable to the proposed development or the subject land.

(a)(iii) Development Control Plans

Hawkesbury Development Control Plan 2002

The HDCP 2002 applies to the proposal. An assessment of the proposal against the relevant provisions of this Plan follows:

Part A Chapter 3 – Notification

The application was notified in accordance with Part A Chapter 3 of the HDCP 2002. With the amendment to the operating hours, the application was re-notified.

A number of submissions were received objecting to the proposal and these are discussed in more detail below.

Part C Chapter 2 – Car parking and Access

Part C Chapter 2 of the HDCP 2002 outlines that car parking for restaurants is to be provided at a rate of one space per 20m² of gross floor area or one space per three seats, whichever is greater.

Based on the gross floor area of the dining area (132m²) seven car parking spaces are required, whilst based on 120 seats 40 car parking spaces are required. In accordance with this chapter, 40 car parking spaces are therefore required for the proposed use.

A total of 40 marked parking spaces are proposed to satisfy the numerical requirements of the HDCP 2002.

(a)(iiia) Planning Agreements

There has been no planning agreement or draft planning agreement entered into under Section 93F of the EP&A Act.

(a)(iv) Matters prescribed by the Regulations

The EP&A Regulation 2000 outlines that the development is to:

- Comply with the National Construction Code / Building Code of Australia (BCA); and
- be levied against Council's S94A Development Contributions Plan

Suitable conditions of consent may be imposed to ensure compliance with these requirements should the application be approved.

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

Noise

An acoustic report has been prepared in support of the development. This acoustic report recommends that the external walls of a dedicated dance floor area be acoustically treated and that doors on the eastern elevation are to remain closed.

Council's Environmental Health Co-ordinator has reviewed the report and has identified a number of deficiencies. Most critically background noise levels within the report were represented by levels obtained at a property along Terrace Road, as opposed to the closest affected property along Edwards Road (Location B as indicated within the submitted report).

Therefore the application fails to demonstrate that the development will not generate adverse noise impacts for residents within the vicinity of the proposed development.

Access, Transport and Traffic

The proposal provides suitable access and parking for the effective and efficient operation of the site. It is considered that the proposed development is unlikely to result in unreasonable traffic, transport or access impacts upon the surrounding road network.

Safety, Security & Crime Prevention

The proposal is considered to result in improved safety, security and crime prevention as the site will be actively used providing passive surveillance from visitors and staff on site and will be managed to ensure the site is safe and secure on a daily basis. The application was referred to Windsor Local Area Command for comment and found to comply with the provisions of Crime Prevention Through Environmental Design principles.

Accessibility

Disabled parking and a ground floor accessible toilet are nominated although a detailed design has not yet been finalised. A condition may be imposed to ensure compliance with the Disability (Access to Premises – Buildings) Standards 2010.

(c) *Suitability of the site for the development*

These matters have been considered in the assessment of this application. The proposal is most accurately defined as a Function Centre being a use that is prohibited in the RU2 Rural Landscape zone. In addition, insufficient information has been provided to demonstrate that the operation of the premises would not generate adverse amenity impacts for neighbours having regard to noise impact.

(d) *Any submissions made in accordance with the Act or the Regulations*

The application was notified in accordance with the HDCP 2002. Objections from five adjoining property owners and 14 emails of support were received in response to this notification.

Matters raised in these submissions include:

- The absence of a functioning working kitchen highlights that the development will operate as a function centre as opposed to a bona fide restaurant.
- The proposal constitutes a prohibited use in the zone.
- The development will generate unacceptable noise impacts for nearby residents.
- The use of live bands and amplified music will generate unacceptable noise impacts for nearby residents.
- Restaurants should be restricted to commercial areas, not rural land.
- Unauthorised works have been undertaken within the building.
- Roads within the Richmond Lowlands have not been designed to cater for the levels of traffic generated by the development.

The matters raised in the submissions relating to use, permissibility and noise are generally agreed with for the reasons specified previously in this report. It is acknowledged that unauthorised works have been undertaken within the building however if required this may be addressed through the Building Certificate process that would be addressed via consent conditions should the development be approved. If the development is not approved these works will be addressed via the Building Certificate provisions of the Environmental Planning and Assessment Act 1979.

ORDINARY MEETING

Meeting Date: 03 February 2015

(e) The Public Interest

Based on the limited information provided with the application in relation to noise, the approval of a restaurant use without adequate noise attenuation would not be in the public interest.

However, the proposal in its current format involves the operation of Function Centre and is more accurately defined as such. Council is not legally able to approve the use of a Function Centre under the current provisions of the HLEP 2012. Any such consideration would need to be addressed via a planning proposal where the public interest consideration would be more adequately considered.

Referrals

Windsor Local Area Command – Provided comment in regards to the crime prevention aspects of the development as well as liquor licencing. No objection was raised from NSW Police.

Environmental Health – The Environmental Health Coordinator has identified a number of deficiencies in the prepared acoustic report.

Development Engineer – No objection.

SMF Officer – No objection.

Developer Contributions

Based on the supplied estimated value-of-work a Section 94 Development Contribution of \$552.50 would be payable should the application be approved.

Conclusion

The application has been assessed in accordance with the provisions of the EP&A Act, with all matters specified under Section 79C having been taken into consideration. Based on the supplied documentation the proposal is most accurately defined as a Function Centre, which represents a prohibited land use within the RU2 Rural Landscape zone. In addition, the applicant has not provided adequate information demonstrating that the use would not have an unacceptable acoustic impact upon immediately adjoining properties. The refusal of the application is therefore recommended.

Planning Decision

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

RECOMMENDATION:

That Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 refuse Development Application No. DA0429/14 for a Restaurant on Lot 25 DP 633770, known as 1 Powells Lane, Richmond Lowlands, for the following reasons:

1. The proposed development as described in the application is defined as a ‘Function Centre’, which is prohibited within the RU2 Rural Landscape zone under the Hawkesbury Local Environmental Plan 2012.
2. The applicant has not provided suitable information demonstrating that the use would not have unacceptable noise impacts upon adjoining properties.

ORDINARY MEETING

Meeting Date: 03 February 2015

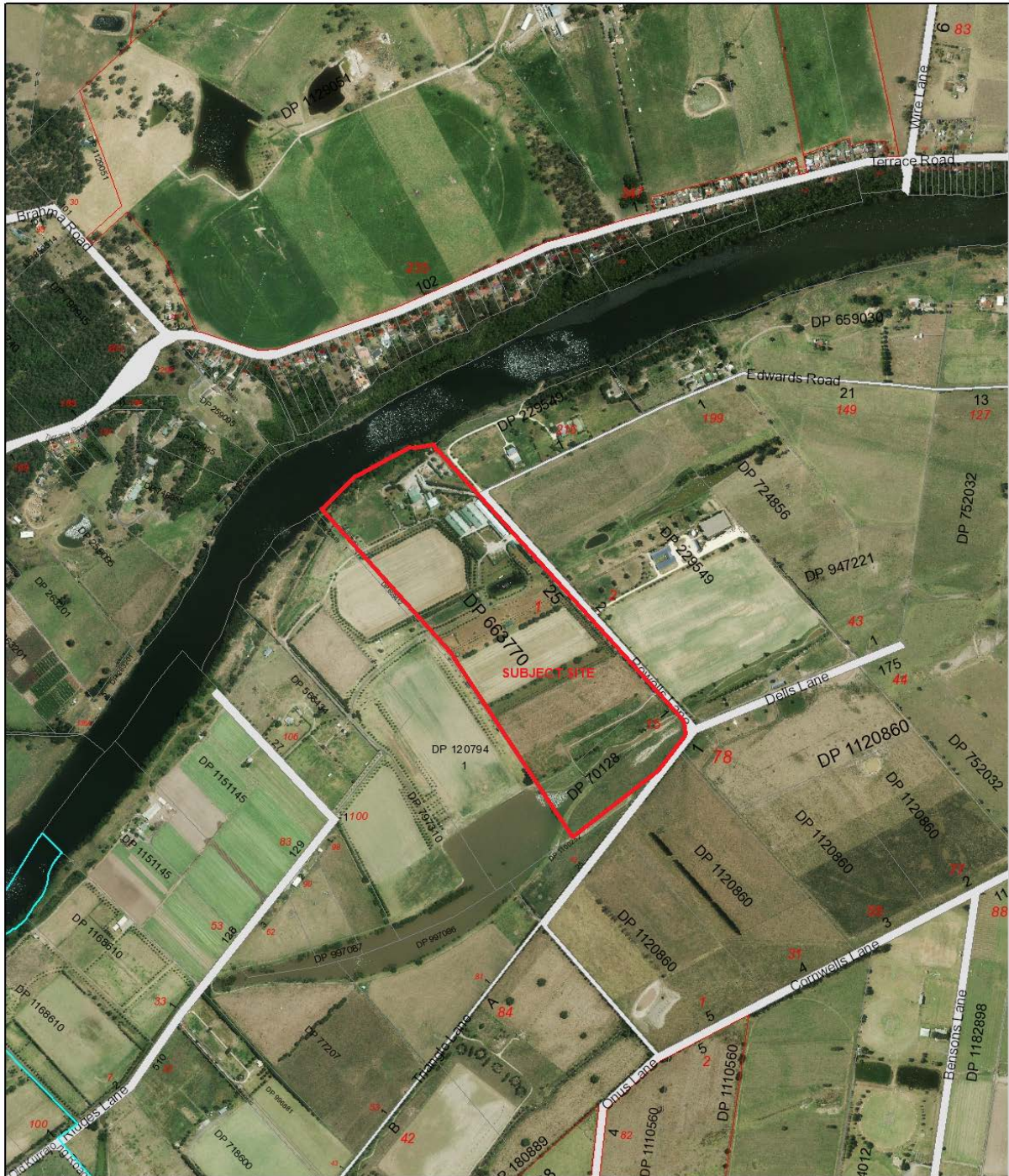
ATTACHMENTS:

- AT - 1** Locality Map
- AT - 2** Aerial Map
- AT - 3** Plans of the Proposal

Meeting Date: 03 February 2015

Meeting Date: 03 February 2015

AT - 2 Aerial Map



ORDINARY MEETING

Meeting Date: 03 February 2015

COMMENTS APPLIES TO THIS DRAWING. ANY CHANGES TO THE DESIGN OR CONSTRUCTION OF THE PROPOSED DEVELOPMENT MUST BE APPROVED BY THE ARCHITECT. ANY CHANGES TO THE DESIGN OR CONSTRUCTION OF THE PROPOSED DEVELOPMENT MUST BE APPROVED BY THE ARCHITECT. ANY CHANGES TO THE DESIGN OR CONSTRUCTION OF THE PROPOSED DEVELOPMENT MUST BE APPROVED BY THE ARCHITECT.

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Revision	date	description
A	24/03/14	Issue for Council



Unit 3
112 Rustel Street
emu plains nsw 2750
1 02 47288500

Project Title
Sydney Polo Club

Client
Rebecca Higgins

Address
1 Powell Lane, Richmond, New South Wales

Lot and GP
Lot 25 DP-B63700

Planning Zone
Rural B1m

Proposed Development
GFS

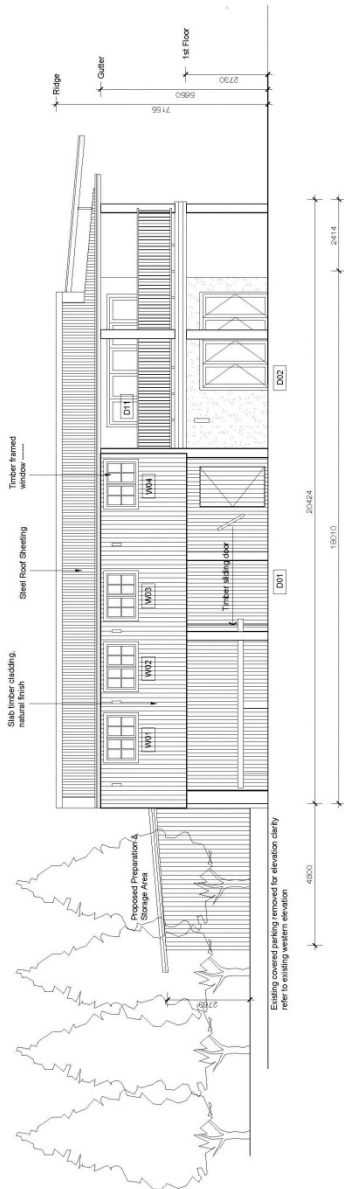
Scale
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DA - 10

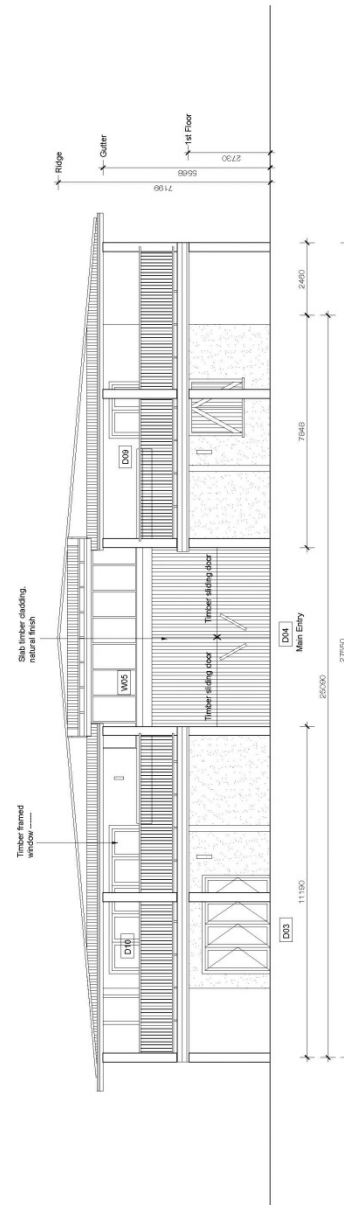
Issue
A

Date
30 / MAY / 2014

Development Application



1 PROPOSED WEST ELEVATION
1:100



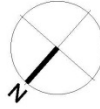
2 PROPOSED NORTH ELEVATION
1:100

ORDINARY MEETING

Meeting Date: 03 February 2015

CONSENT APPLIES TO THE PROPERTY OF RAU PTB ARCHITECTS. ANY REUSE OF THIS DRAWING FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF RAU PTB ARCHITECTS IS NOT PERMITTED WITHOUT OUR CONSENT. THIS DRAWING IS THE PROPERTY OF RAU PTB ARCHITECTS. ANY REUSE OF THIS DRAWING FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF RAU PTB ARCHITECTS IS NOT PERMITTED WITHOUT OUR CONSENT. THIS DRAWING IS THE PROPERTY OF RAU PTB ARCHITECTS. ANY REUSE OF THIS DRAWING FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF RAU PTB ARCHITECTS IS NOT PERMITTED WITHOUT OUR CONSENT.

Issue	Date	Description
1	24/02/2014	Issue for Client



112 russell street
emu plains nsw 2750
1 02 47286500

Project Title
Sydney Polo Club

Client
Rebecca Higgins

Address
1 Powells Lane, Richmond Lowlands

Lot 25 DP 662700

Proposed Elevation Plan

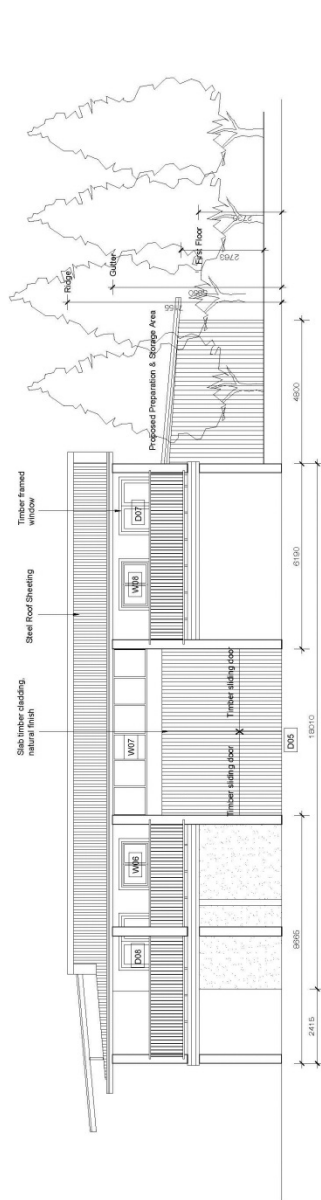
Client
GFS

Scale
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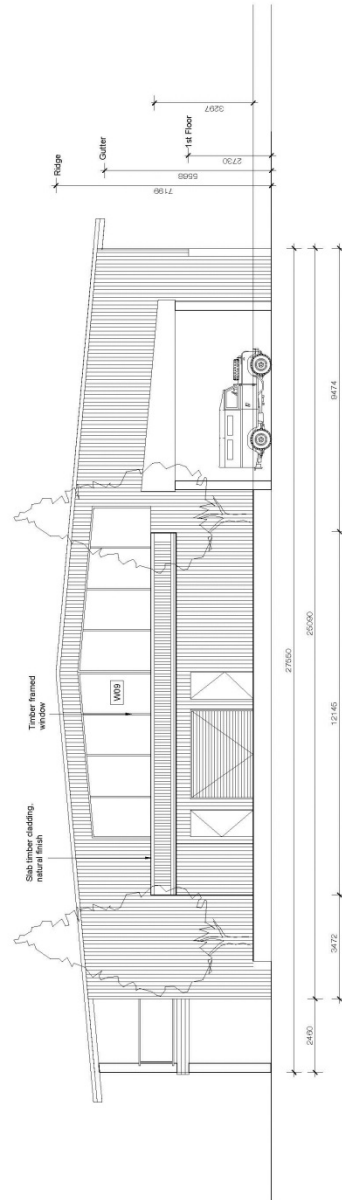
DA - 11

Issue
30 / MAY / 2014

Development Application



1 PROPOSED EAST ELEVATION
1:100



2 PROPOSED SOUTH ELEVATION
1:100

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 03 February 2015

Item: 4 **CP - DA0430/14 - 106 Ridges Lane, Richmond Lowlands - Lot 27 DP 566434 and Lot 1 DP 797310 - Restaurant - Alterations and additions to the building and the operation of a restaurant - (95498, 78522, 102260)**

Development Information

File Number: DA0430/14
Property Address: 106 Ridges Lane, Richmond Lowlands
Applicant: Montgomery Planning Solutions
Owner: Basscave Pty Ltd
Proposal Details: Restaurant – Alterations and additions to the building and the operation of a restaurant
Estimated Cost: \$215,000
Zone: RU2 Rural Landscape
Date Received: 4 July 2014
Advertising: 10 to 24 July 2014 and re-notified 28 August to 11 September 2014

Key Issues:

- ◆ Definition and Permissibility
- ◆ Noise
- ◆ Flooding

Recommendation: Refusal

REPORT:

Executive Summary

This application seeks the consent of Council to undertake alterations and additions to a building and the operation of a restaurant at 106 Ridges Lane, Richmond Lowlands. The subject building is described in the plans and documentation as 'Sunnybrook Barn'.

Whilst 'restaurants or cafes' are permissible within the RU2 Rural Landscape zone, it is considered that the development is more accurately described as a 'Function Centre' under the provisions of Hawkesbury Local Environmental Plan 2012. The proposed development does not provide food preparation facilities, i.e. a commercial kitchen within the building, and would instead rely on the external preparation of food by caterers. On this basis, the proposal cannot be defined as a restaurant or café.

Function Centres are prohibited within the RU2 Rural Landscape zone and accordingly the refusal of this application is recommended.

The application is being reported to Council firstly because it has been called up by Councillor Lyons-Buckett and secondly because a Class 1 Appeal against Council's 'deemed refusal' has been filed with the Land and Environment (L&E) Court.

The premises are currently being used for events and functions such as wedding receptions without the consent of Council.

Key Issues

- Permissibility under Hawkesbury Local Environmental Plan 2012
- Noise
- Flooding

ORDINARY MEETING

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Description of Proposal

Pursuant to Section 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's approval for alterations and additions to Sunnybrook Barn and the operation of a restaurant. The proposal specifically involves the following:

- Use of Sunnybrook Barn as a restaurant.
- Alterations and additions to Sunnybrook Barn including the construction of an attached amenities building consisting of a food service and storage area and toilets, entertainment area, storage room and pergolas.
- The provision of car parking for 40 vehicles.

The supplied documentation outlines the following operational details for the restaurant:

- Seating for up to 120 patrons.
- Operating hours of 9am to 11pm Sunday to Thursday and 9am to 12am (midnight) on Fridays and Saturdays.
- 10 staff (maximum).

Operating hours of 2pm to 12am were originally nominated but have since been altered by the Applicant. The documentation also outlined that any music would cease by 10:30pm, that patrons would leave by 11pm and that staff cleaning would cease by 12am, however such details were not supplied for the amended hours of operation.

No signage is proposed, nor does the development involve the removal of any native vegetation onsite

Site and Locality Description

The subject property consists of two allotments that are legally described as Lot 27 DP 566434 and Lot 1 DP 797310 and have a combined site area of approximately 27 Hectares. The site adjoins Ridges Lane to the west and has a northern frontage to the Hawkesbury River. The property is located within the Richmond Lowlands, approximately 2km from the Richmond town centre.

The site contains a number of polo fields, wetlands, a dwelling house and a number of outbuildings, including the subject Sunnybrook Barn. Sunnybrook Barn is located within the northeastern corner of the site.

Sunnybrook Barn is accessible via a private road from Ridges Lane.

Surrounding development within the Richmond Lowlands generally comprises of agricultural land, polo fields and limited numbers of rural residential properties. Land on the opposite of the Hawkesbury River comprises of a steep escarpment with residential properties located at the top of this escarpment along Terrace Road.

Background

- On 15 June 2014 a Notice of Intention to Serve an Order under the EP&A Act was issued to the owner to cease the unauthorised use of the site for wedding receptions and other functions.
- The current development application was lodged with Council on 4 July 2014.
- The application was notified from 10 to 24 July 2014.
- On 18 August 2014 the applicant sought an amendment to the hours of operation.
- The application was re-notified between 28 August 2014 to 11 September 2014.
- Six submissions were received in response to the notification.

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- On 12 September 2014 an Order under the EP&A Act was issued to the owner to cease the unauthorised use of the site for weddings and functions.
- Additional information was requested by Council on 22 October 2014. A response to these matters was provided by the Applicant on 25 November 2014 and 5 December 2014.
- The Applicant filed a Class 1 Appeal against Council's deemed refusal of the application on 12 December 2014.
- Argosy Agricultural Group Pty Ltd, Sydney Polo Club Pty Ltd and Peter and Rebecca Higgins provided an undertaking on 17 December 2014 that they would refrain from promoting the venue or taking any further bookings for the use as a Function Centre (Wedding Receptions) until further discussions take place with Council officers early in 2015.
- A Section 34 Conference on the matter is scheduled for 20 February 2015.

Development Plans Policies, Procedures and Codes to Which the Matter Relates

- Hawkesbury Local Environmental Plan 2012 (HLEP 2012)
- State Environmental Planning Policy No. 44 – Koala Habitat Protection (SEPP No. 44)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55)
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP No. 20)
- Hawkesbury Development Control Plan 2002 (HDCP 2002)

In determining the application, Council is required to take into consideration the following matters relevant to the development that applies to the type of development and the land to which the development relates:

Section 79C Matters for Consideration

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

(a)(i) Environmental Planning Instruments

Hawkesbury Local Environmental Plan 2012

Part 2 – Permitted and Prohibited Development and Land Use Table

The subject property is zoned RU2 Rural Landscape under the HLEP 2012.

The HLEP 2012's Dictionary provides the following definitions for restaurants or cafes and function centres:

***"restaurant or cafe"** means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.*

***function centre** means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility."*

The documentation supplied in support of the application indicates that the proposed development is defined as a restaurant or cafe, which is permissible within the RU2 Rural Landscape zone.

ORDINARY MEETING

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However, the above definition outlines that the principal purpose of a restaurant or café is the “*preparation and serving... of food and drink*”. The proposed development does not provide food preparation facilities, i.e. a commercial kitchen, within the building and would instead rely on the external preparation of food by caterers. On this basis the proposal cannot be defined as a restaurant or café.

The development is more accurately defined as a Function Centre as Sunnybrook Barn is to be used primarily for the holding of events and functions. Function Centres are prohibited within the RU2 Rural Landscape zone.

Clause 4.3 – Height of Buildings

The maximum height of the building is 6.84m which is well below the maximum building height of 10m required by this Clause.

Clause 6.1 – Acid Sulphate Soils

The land affected by the development falls within Class 4 and Class 5 as identified on the Acid Sulfate Soils Planning Map. The proposed development does not include any works as defined within this clause and therefore no further investigations in respect to acid sulphate soils are required. The proposal is consistent with the requirements of this Clause.

Clause 6.3 – Flood Planning

The adopted 1-in-100 year flood level for the area is 17.4m AHD. Council's mapping indicates that the area of the site that accommodates Sunnybrook Barn has a land level of approximately 15.5m AHD. It is also noted that the main access route to and from the site is as low as 10m AHD. The property is therefore defined as flood prone land.

Clause 6.3(1)(c) of the HLEP 2012 states that consent must not be granted to development on flood liable land unless the consent authority is satisfied that the development “*incorporates appropriate measures to manage risk to life from flood*”. The following matters, contained in Council's Development of Flood Liable Land Policy must also be applied when assessing an application on flood affected land or to which Clause 6.3 of the HLEP 2012 applies:

- "1. A building shall not be erected on any land lying at a level lower than 3 metres below the 1:100 ARI (average recurrent interval) flood event level for the area in which the land is situated, except as provided by subclauses (3) and (5).
2. Each habitable room in a building situated on any land to which this Policy applies shall have a floor level no lower than the 1:100 ARI (average recurrent interval) flood event level for the area in which the land is located.
3. Notwithstanding subclauses (1), (2), (7) and (8), a building that was lawfully situated on any land at 30 June 1997 may be extended, altered, added to or replaced if the floor level of the building, after the building work has been carried out, is not more than 3 metres below the floor height standard for the land immediately before the commencement day.
4. The assessment of a development application must consider the flood liability of access to the land and, if the land is within a floodway area, the effect of isolation of the land by flooding, notwithstanding whether other aspects of this Policy have been satisfied. In this regard the access to, and egress from, the land should not result in a travel path through areas of higher flood hazard risk and the development should not result in the occupants/users of the development being isolated and requiring rescue.

5. *Minor (Non-Habitable) structures such as Farm Buildings, Outbuildings, Sheds, Garages and other Ancillary Structures may be erected on land below the 1:100 ARI (average recurrent interval) flood event level. However, the assessment of a development application for such a structure must consider the likely frequency of flooding, the potential flood damage (to both the subject structure and to other surrounding property should the structure be washed away) and measures to be taken for the evacuation of the property. In this regard the access to, and egress from, the land should not result in a travel path through areas of higher flood hazard risk.*
6. *Any part of a building below the 1:100 ARI (average recurrent interval) flood event level is to be constructed of flood compatible materials."*

The subject building satisfies Clause 1 above in that it is located on land that is not less than 3m below the adopted 1-in-100 year flood level. The proposal involves the use of an existing building for a non-habitable purpose so as to also satisfy Clause 5 of the Development of Flood Liable Land Policy.

Access to the site from Ridges Lane will require visitors to pass through areas of higher flood hazard, which is contrary to the Policy. However, access to the site will be inundated by backwaters prior to the land itself being flooded. Warnings will generally be issued a minimum of 24 hours before any major flooding event which should be sufficient to allow for the closure of the premises.

A Flood Evacuation Management Plan has not been provided in conjunction with the application however it is acknowledged that this would ordinarily be required to be prepared as a condition of consent. It is considered that the proposal will generally satisfy Clause 6.3 of the HLEP 2012 and Council's Development of Flood Liable Land Policy.

Clause 6.4 – Terrestrial Biodiversity

Northern and southern portions of the site are identified on the Terrestrial Biodiversity Map as comprising 'Endangered Ecological Communities' and 'Connectivity between significant vegetation' under this Clause. However, no tree removal is proposed and the area of the development is clear of these identified areas. The development is therefore seen to be consistent with this Clause.

Clause 6.5 – Wetlands

A mapped wetland is located in the southern portion of the site. The proposed works are located approximately 700m from this wetland and are unlikely to impact the waterbody.

Clause 6.7 – Essential Services

A wastewater disposal report has been submitted providing that the proposal involves the installation of an aerated wastewater treatment system (AWTS) including a low pressure sub-surface drip irrigation area of 1004m².

The adequacy of the proposed system to cater for anticipated wastewater volumes would be able to be given further consideration in conjunction with a separate Application to Install a Sewage Management System.

Should potable water be provided from an on-site collection system and associated storage tanks a Quality Assurance Program (QAP) for water usage intended in cooking/food preparation would need to be developed in accordance with the Private Water Supply Guidelines developed by NSW Health.

In order to alleviate the need for this requirement the applicant has advised that bottled water will be used within the food service and preparation areas.

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State Environmental Planning Policy No. 44 – Koala Habitat Protection

The site exceeds 1Ha in area and therefore triggers the requirements of SEPP No. 44. However, no tree removal is proposed and the development is not considered to impact on potential koala habitat and is therefore satisfactory having regard to the provisions of this policy.

State Environmental Planning Policy No. 55 – Remediation of Land

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

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

The site has a history of being used for agricultural, sporting and residential purposes. The subject building is of modern construction (approved with Development Consent No. DA01127/04) and was previously used for the storage of hay prior to its current use. It is unlikely that such uses would have contaminated the land. The land is therefore considered suitable for the proposed commercial development with regard to the provisions of SEPP No. 55.

Sydney Regional Environmental Planning Policy No. 20 – Hawkesbury Nepean River

The subject land falls within the boundary of SREP No. 20 and Council is required to assess development applications with regard to the general and specific considerations, policies and strategies set out in this Policy.

The site is located within an area identified as being of regional significance and the proposal involves additions to a structure greater than 50m² and with a height of more than one storey. However as the building is situated 120m from the Hawkesbury River and existing vegetation will be maintained, the proposal is seen to be consistent with Clause 11(16) of SREP No. 20.

The proposed development involves an onsite sewage management system which is defined as 'sewage works' under Clause 11(17) of the Plan. Consent is required and consideration is to be given to the effect on the River or floodplain areas. Council's SMF Officer has reviewed a report prepared for the onsite sewage management system and found it to be generally satisfactory.

The proposal is considered to be consistent with the aims, planning considerations, planning policies, recommended strategies and development controls of SREP No. 20.

(a)(ii) Draft Environmental Planning Instruments

There are no Draft Environmental Planning Instruments applicable to the proposed development or the subject land.

(a)(iii) Development Control Plans

Hawkesbury Development Control Plan 2002

The HDCP 2002 applies to the proposal. An assessment of the proposal against the relevant provisions of this Plan follows:

Part A Chapter 3 – Notification

The application was notified in accordance with Part A Chapter 3 of the HDCP 2002. With the amendment to the operating hours, the application was re-notified.

A number of submissions were received objecting to the proposal and these are discussed in more detail below.

Part C Chapter 2 – Car parking and Access

Part C Chapter 2 of the HDCP 2002 outlines that car parking for restaurants is to be provided at a rate of one space per 20m² of gross floor area or one space per three seats, whichever is greater.

Based on the gross floor area of the dining area (97.5m²) five car parking spaces are required, whilst based on 120 seats, 40 car parking spaces are required. In accordance with this chapter, 40 car parking spaces are therefore required for the proposed use.

A total of 40 marked parking spaces are proposed to satisfy the numerical requirements of the HDCP 2002.

(a)(iiia) Planning Agreements

There has been no planning agreement or draft planning agreement entered into under Section 93F of the EP&A Act.

(a)(iv) Matters prescribed by the Regulations

The EP&A Regulation 2000 outlines that the development is to:

- Comply with the National Construction Code / Building Code of Australia (BCA); and
- be levied against Council's S94A Development Contributions Plan

Suitable conditions of consent may be imposed to ensure compliance with these requirements should the application be approved.

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

Noise

An acoustic report has been prepared in support of the development by Day Design Pty Limited. This acoustic report recommends the acoustic treatment of the entertainment area, controls for the speaker system and an operational requirement that the doors located on the northern elevation of the building are to remain closed.

Council's Environmental Health Co-ordinator has reviewed the report and raises no objection to the methodology adopted in conjunction with the acoustic assessment. The acoustic modelling used in this assessment using background noise levels along Terrace Road is considered acceptable in this instance as the nearest residential receiver likely to be affected by the proposed development is situated along Terrace Road.

Access, Transport and Traffic

The proposal provides suitable access and parking for the effective and efficient operation of the site. The proposed development is unlikely to result in unreasonable traffic, transport or access impacts upon the surrounding road network.

Safety, Security & Crime Prevention

The proposal is considered to result in improved safety, security and crime prevention as the site will be actively used providing passive surveillance from visitors and staff on site and will be managed to ensure the site is safe and secure on a daily basis. The application was referred to Windsor Local Area Command for comment and found to comply with the provisions of Crime Prevention Through Environmental Design principles.

Accessibility

Disabled parking and a ground floor accessible toilet are nominated although a detailed design has not yet been finalised. Should the application be approved a condition may be imposed to ensure compliance with the Disability (Access to Premises – Buildings) Standards 2010.

(c) *Suitability of the site for the development*

These matters have been considered in the assessment of this application. The proposal is most accurately defined as a Function Centre being a use that is prohibited in the RU2 Rural Landscape zone.

(d) *Any submissions made in accordance with the Act or the Regulations*

The application was notified in accordance with the HDCP 2002. Objections from four adjoining property owners and nine emails of support were received in response to this notification.

Matters raised in these submissions include:

- The absence of a functioning working kitchen highlights that the development will operate as a function centre as opposed to a bona fide restaurant.
- The proposal constitutes a prohibited use in the zone.
- The development will generate unacceptable noise impacts for nearby residents.
- The use of live bands and amplified music will generate unacceptable noise impacts for nearby residents.
- Restaurants should be restricted to commercial areas, not rural land.
- Unauthorised works have been undertaken within the building.
- Roads within the Richmond Lowlands have not been designed to cater for the levels of traffic generated by the development.

The matters raised in the submissions relating to use and permissibility are generally agreed with for the reasons specified previously in this report. It is acknowledged that unauthorised works have been undertaken within the building however if required this may be addressed through the Building Certificate process that would be addressed via consent conditions should the development be approved. If the development is not approved these works will be addressed via the Building Certificate provisions of the Environmental Planning and Assessment Act 1979.

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(e) The Public Interest

Based on the limited information provided with the application in relation to noise, the approval of a restaurant use without adequate noise attenuation would not be in the public interest.

However, the proposal in its current format involves the operation of Function Centre and is more accurately defined as such. Council is not legally able to approve the use of a Function Centre under the current provisions of the HLEP 2012. Any such consideration would need to be addressed via a planning proposal where the public interest consideration would be more adequately considered.

Referrals

Windsor Local Area Command – Provided comment in regards to the crime prevention aspects of the development as well as liquor licencing. No objection was raised from NSW Police.

Environmental Health – The Environmental Health Coordinator has considered the acoustic report submitted with the application and raised no objection to the proposal subject to the inclusion of the acoustic measures recommended in this report.

Development Engineer – No objection.

SMF Officer – No objection.

Developer Contributions

Based on the supplied estimated value-of-work a Section 94 Development Contribution of \$2150.00 would be payable should the application be approved.

Conclusion

The application has been assessed in accordance with the provisions of the EP&A Act, with all matters specified under Section 79C having been taken into consideration. Based on the supplied documentation the proposal is most accurately defined as a Function Centre, which represents a prohibited land use within the RU2 Rural Landscape zone. The refusal of the application is therefore recommended.

Planning Decision

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

RECOMMENDATION:

That Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 refuse Development Application No. DA0430/14 for a restaurant on Lot 27 DP 566434 and Lot 1 DP 797310, 106 Ridges Lane, Richmond Lowlands, for the following reasons:

1. The proposed development is defined as a ‘Function Centre’, which is prohibited within the RU2 Rural Landscape zone under the Hawkesbury Local Environmental Plan 2012.

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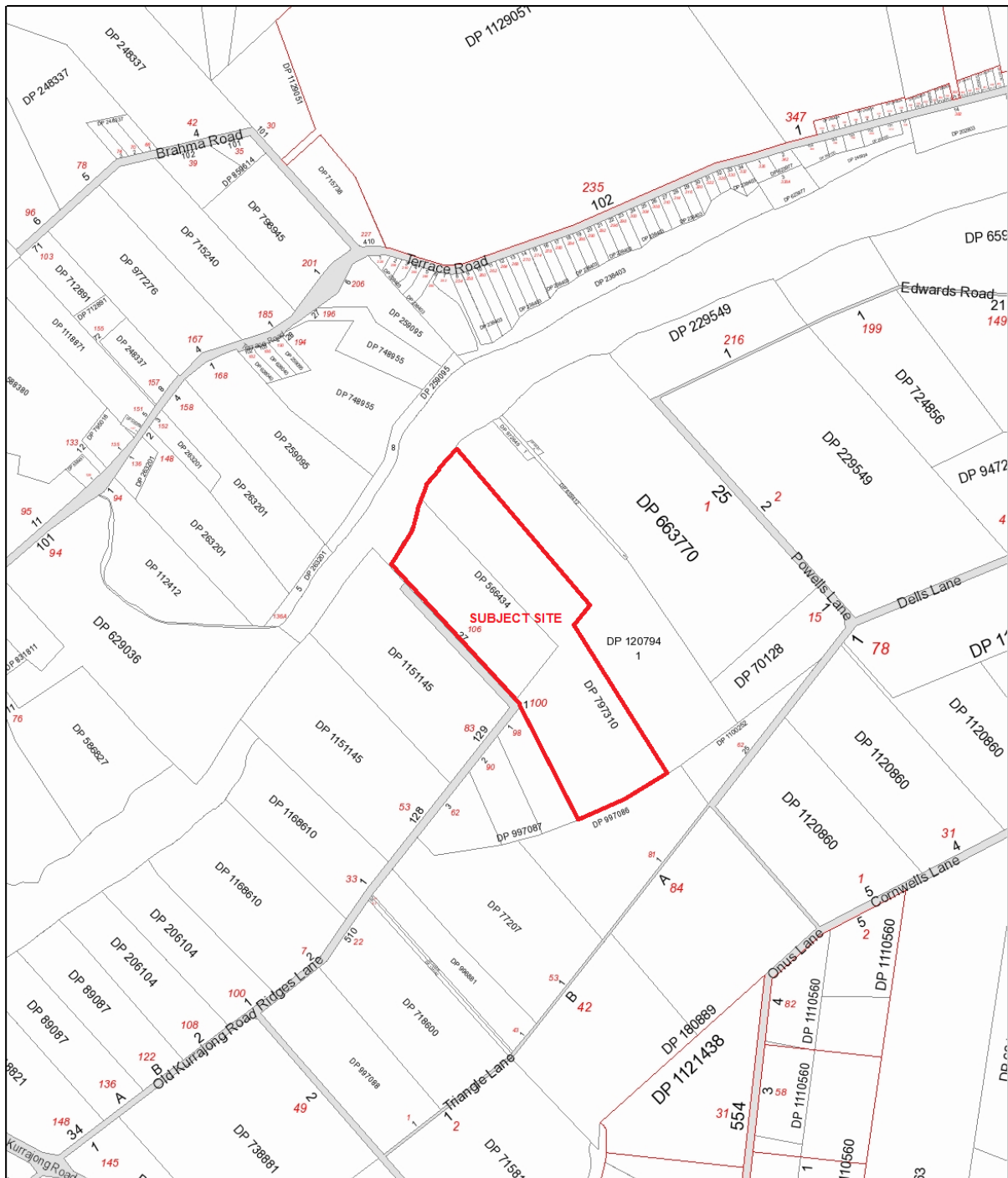
ATTACHMENTS:

- AT - 1** Locality Map
- AT - 2** Aerial Map
- AT - 3** Plans of the Proposal

ORDINARY MEETING

Meeting Date: 03 February 2015

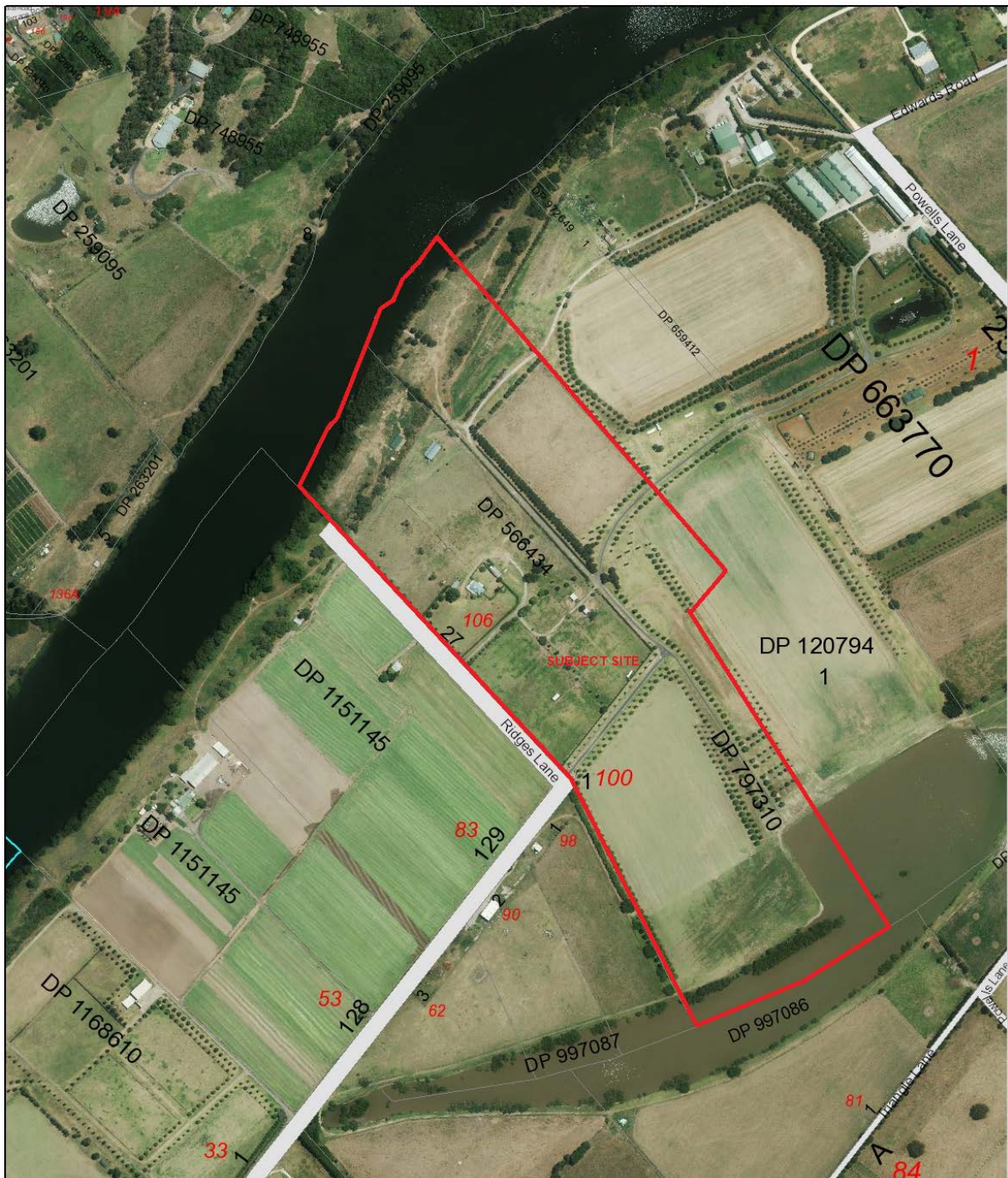
AT - 1 Locality Map



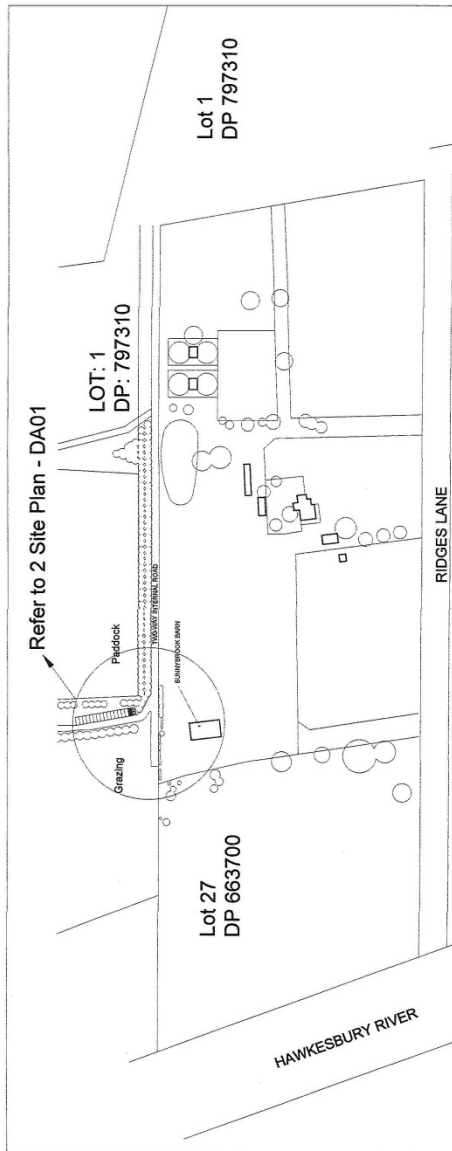
ORDINARY MEETING

Meeting Date: 03 February 2015

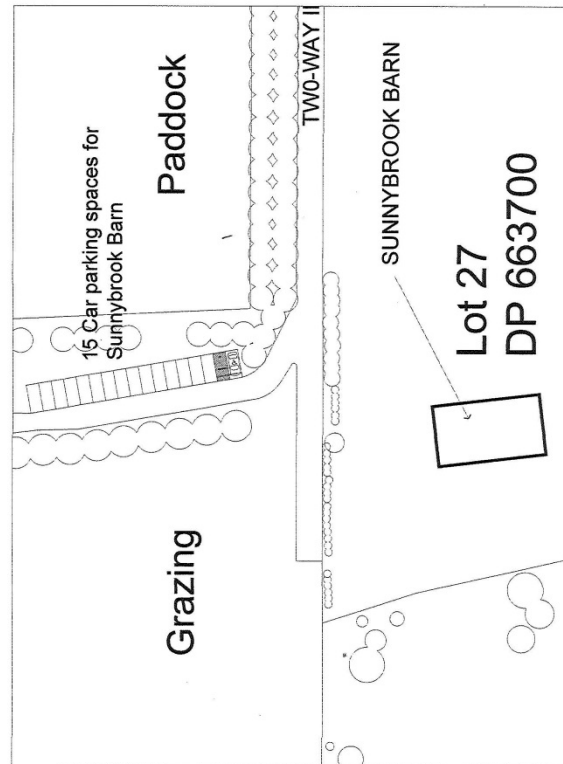
AT - 2 Aerial Map



AT - 3 Plans of the Proposal



1 Location Plan
1:2000



2 Site Plan
1:2000

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Revision	Date	Description
1	14/03/14	Issue for Club



ddc architects

112 russell street
emu plains nsw 2760
1 02 47286500

Project Title
Sydney Polo Club
Owner
Rebecca Higgins

Address
1 Powell's Lane, Richmond Locks
Lot 27 DP 663700

Drawn By
Sydney Polo Club
Location & Site Plan

Client
GFS
Scale
1:1000 A2
Drawing Number
DA - 01

Date
30/MAY/2014
Development Application

ORDINARY MEETING
Meeting Date: 03 February 2015

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Revision Schedule	
Rev	Description
1	Initial
2	Revised
3	Revised



112 RUSSSELL STREET
SYDNEY NSW 2000
02 9231 1111
1 02 477 888 000

Project No: Sydney Polo Club
Client: Sydney Polo Club
Architect: Rebecca Higgins

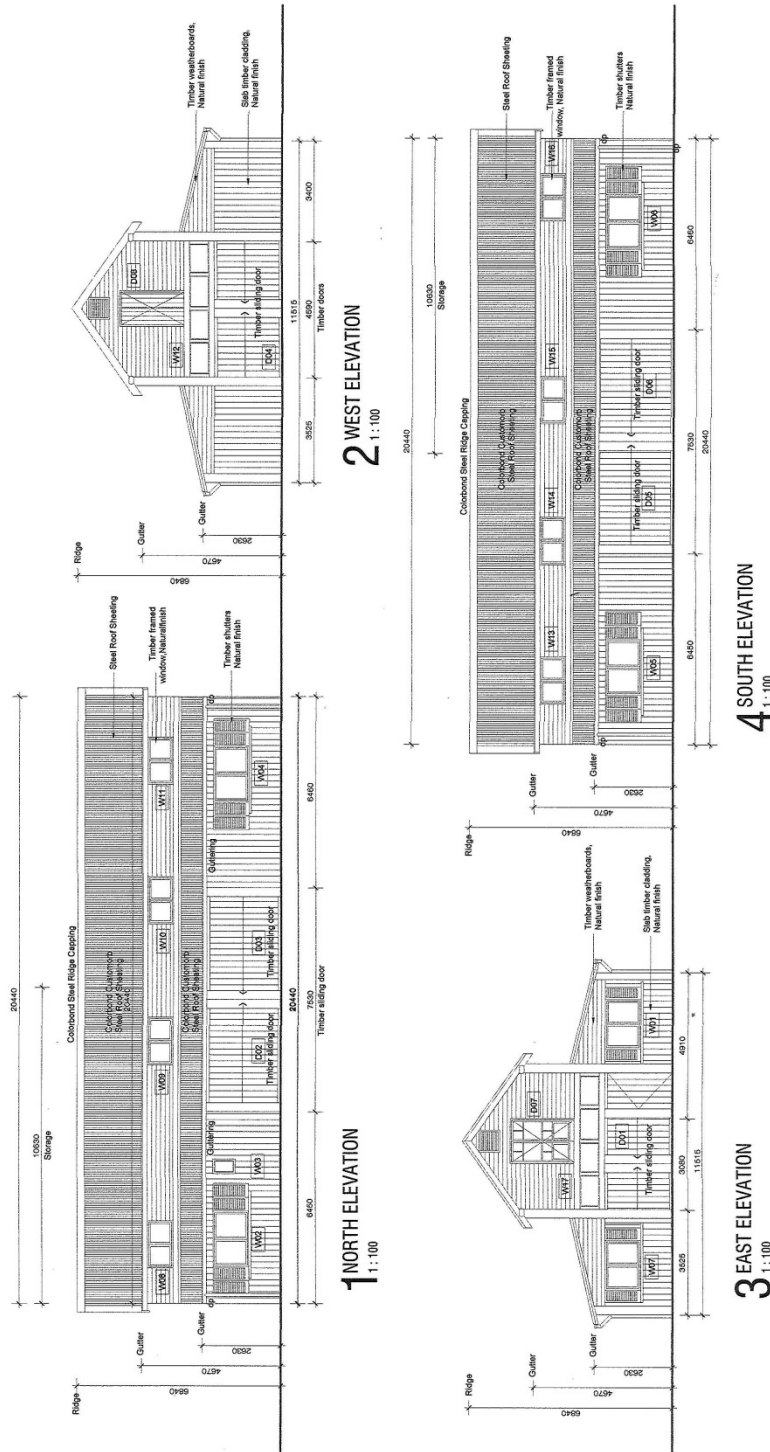
Address: 1 Fowells Lane, Richmond NSW 2323
Lot 27 DP 894434

Shedding No: 1
Shedding Name: Slurpbook Barn
Shedding Address: 1 Fowells Lane, Richmond NSW 2323

Owner: GFS
Contractor: GFS
Scale: 1:100 @ A2

Drawing Number: DA - 05
Date: 30 / MAY / 2014

Development Application



0000 END OF REPORT 0000

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CITY PLANNING

Item: 5 **CP - Pitt Town Development Area - Draft Indicative Road Layout for "Precinct D" - (95498, 124414)**

REPORT:

Executive Summary

This report discusses a draft indicative road layout for "Precinct D" of the Pitt Town Development Area.

At present Council does not have an adopted indicative road layout for Precinct D and the recent receipt of enquiries and development applications within this area have highlighted the urgent need for an overall road layout plan to guide future subdivision within this area. In the absence of this layout future development would be inefficient and more costly.

It is recommended that Council endorse the interim road layout for discussion with the relevant landowners and use that layout as an interim Policy until a further report can be provided to Council. After that consultation it is then proposed to consider a DCP amendment for a road layout in the Central Precinct.

Consultation

The issues raised in this report will require community consultation under Council's Community Engagement Policy. It is recommended that the draft indicative road layout be used as an interim Policy and for discussion with the relevant landowners and then publically exhibited for a minimum period of 28 days as part of a DCP amendment.

Background

Development within the Pitt Town Development Area (PTDA) is governed by specific planning controls contained within the Hawkesbury Local Environmental Plan 2012 (the LEP) and the Part E Chapter 4 Pitt Town of the Hawkesbury Development Control Plan 2002 (the DCP).

The DCP divides the PTDA into a number of precincts and provides both subdivision and building controls for each precinct. Up until recently subdivision of land for residential purposes within the PTDA has been dominated by one developer and in precincts where relatively detailed road layouts have been provided for within the DCP. More recently Council staff have received enquiries and a small number of development applications for subdivision within "Precinct D" (also known as the "Central" precinct) of the DCP. However the DCP does not provide a road layout or other precinct specific planning controls for the Central precinct.

In response to these enquiries and development applications Council staff have prepared a draft indicative road layout for "Precinct D" and it is recommended that Council endorse the use of this layout as an interim Policy whilst the layout is publically exhibited as part of a DCP amendment.

The area, Precinct D, which is the subject of this report, is shown in the following diagram.

Current Provision of Part E Chapter 4 Pitt Town and Draft Indicative Road Layout

For the purposes of road layouts the following provisions of the Hawkesbury Development Control Plan, Chapter 4 Pitt Town are of most relevance:

"4.2 Desired Character

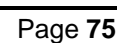
Pitt Town provides a relaxed and comfortable lifestyle with a semi-rural village character. New development is to maintain a semi-rural village character with generous and landscaped building setbacks and open streetscapes within a modified grid urban structure.

4.3 General Principles

The general principles of the subdivision and development controls for Pitt Town set out within this chapter are to:

- *to provide a clear planning document that outlines requirements for development which meets community expectations and addresses the key environmental planning issues of the city;*
- *provide a clear framework for subdivision and development;*
- *ensure development adopts sound urban design and environmental planning practices;*
- *ensure the orderly and proper development of the area;*
- *provide adequate physical and community infrastructure*

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4.5.3 Development Precinct D - Rules

- a) Lot design must comply with the five lots per hectare density control under the Hawkesbury Local Environmental Plan 1989.
- b) Lots must be provided with suitable public street frontage and access.
- c) Lot design should have due regard to established lot boundaries and development within the precinct.
- d) Lot design should have due regard to existing significant vegetation within the precinct.

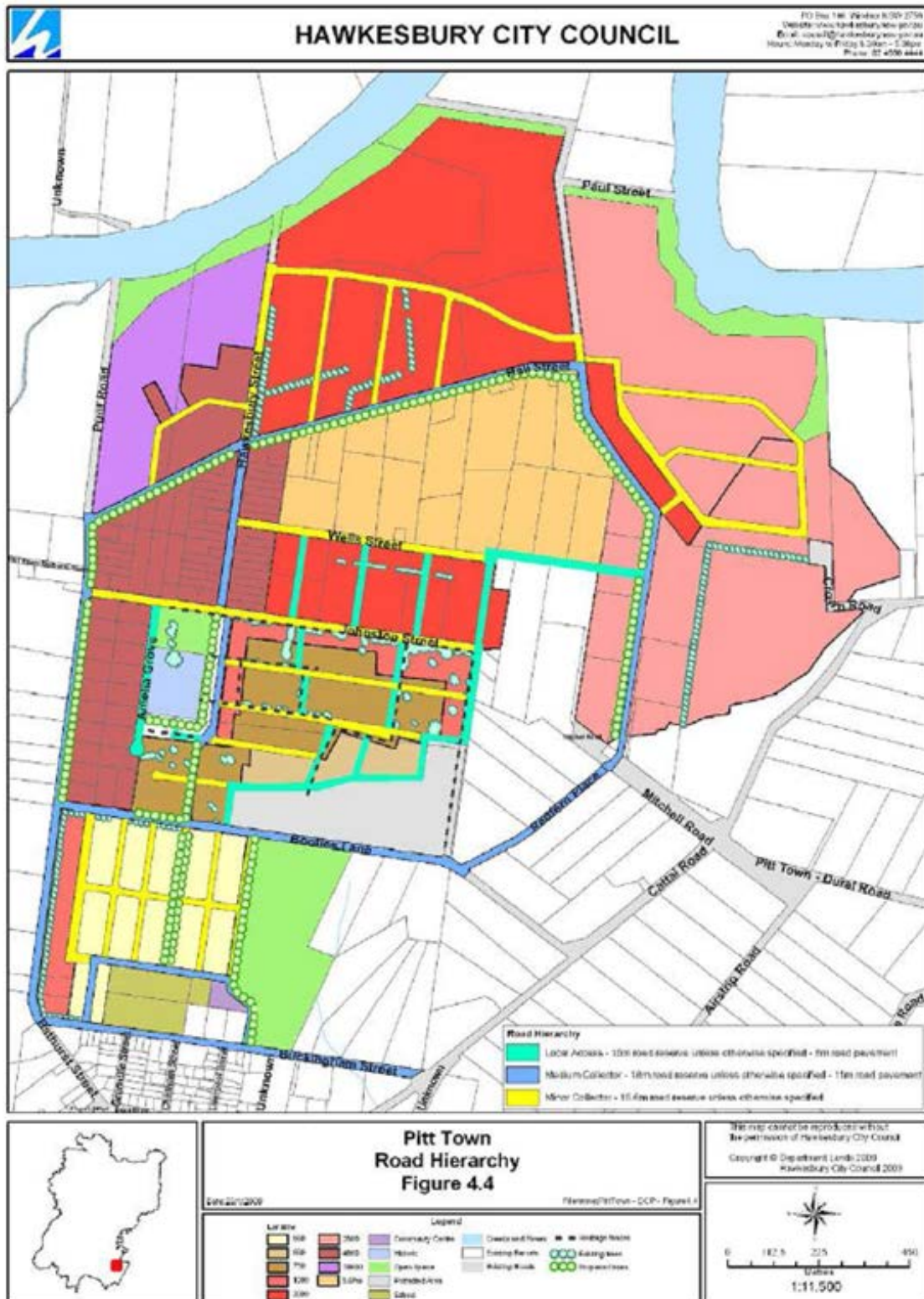
4.6 Street Design**4.6.1 Aims**

- The street design creates a rectilinear urban structure consistent with the original crown land grants in the area.
- The street design retains the boundaries of historic land grants and early subdivision.
- The existing road alignments are retained and extended where feasible.
- Significant vegetation and historic fence lines are retained within road reserves where appropriate.
- The street scale and design is appropriate for its functional role.
- An efficient and interconnected road system is established to service the area.
- Road reserves provide for pedestrian and cyclist movement.
- A safe and efficient flood evacuation route is available for Pitt Town residents.

4.6.2 Rules

- a) Street layout must be substantially in accordance with the Pitt Town Development Plan.
- b) Significant trees on existing road verges are to be retained within the road reserve.
- c) The road hierarchy throughout the development area must comply with Figure E4.4.
- d) The design specifications for roads within the development area set out in Table E4.2 below must be met unless the specific requirements set out below state otherwise.

Table E4. 2: Road Design Specifications Road type	Carriageway	Footway	Road reserve
<i>Medium collector</i>	<i>11.0m</i>	<i>3.5m</i>	<i>18.0m</i>
<i>Minor Collector</i>	<i>9.6m</i>	<i>3.5m</i>	<i>16.6m</i>
<i>Local access road</i>	<i>8.0m</i>	<i>3.5m</i>	<i>15.0m</i>



4.6.6 Flood Evacuation Route - Rule

The flood evacuation route from Bathurst Street to Old Stock Route Road is to be at a minimum height of 17.3 metres AHD, the 1% AEP level. The route will be via Wells Street and/or Hall Street, Mitchell Place and Pitt Town Dural Road. Part of these works will be funded by way of development contributions.

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The draft indicative road layout shown in Attachment 1 of this report has been prepared having regard to various factors including, but not limited to, the following:

- *permitted lot sizes - maximum density of five lots per hectare with a minimum lot size of 1500m²,*
- *anticipated lot dimensions - generally expected to be 28m - 40m wide by 40m - 55m deep,*
- *existing lot boundaries - where appropriate roads straddle common boundaries,*
- *existing built structures - roads have been located to avoid demolition of existing structures that are likely to remain for a longer term,*
- *maximising potential for lots to be provided with direct vehicular access to a public road,*
- *minimising unnecessary or excessive road construction,*
- *Road Design Specifications of the DCP, in this regard it is proposed that the roads be "Local Access Road" with a pavement width of 8m and a road reserved of 15m,*
- *topography and drainage catchments,*
- *current Development Applications and enquiries.*

A preliminary road layout has been developed without input from affected land owners. It is considered the next appropriate step would be to consider the draft layout as an interim Policy and engage with these land owners (and other interested parties). Following that the matter would be reported back to Council for further consideration.

At present it is considered the most efficient and transparent way of dealing with this matter is for Council to adopt any interim road layout as an interim policy of Council pending later inclusion into the DCP. The interim policy could then be published on Council's website and made available to prospective applicants/developers to consider in the preparation of any development application for subdivision. This would give landowners, developers and Council staff direction in relation to road layouts when planning subdivision layouts.

Council staff are currently considering and preparing a number of amendments to the DCP which are to be separately reported to Council and it is considered the most efficient way of dealing with these future amendments and this potential road layout related amendment is to bundle them into one suite of DCP amendments for public exhibition at the same time.

Conformance to the Hawkesbury Community Strategic Plan

The following provisions of the HCSP are of most relevance to the draft indicative road layout.

Looking After People and Place

Direction

- Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.

Strategy

- Upgrade the necessary physical infrastructure and human services to meet contemporary needs and expectations.

Caring for Our Environment

Direction

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

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Strategy

- Manage growth with ecologically sustainable principles.

Financial Implications

The costs associated with the matter can be covered in Council's existing budget.

Planning Decision

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

RECOMMENDATION:

That:

1. The road layout attached to the report for Precinct D (Central Precinct) in the Pitt Town Development Area be used as an interim Policy of Council.
2. Council officers consult with the relevant landowners to discuss the preliminary road layout discussed in this report.
3. A further report be presented to Council, following consultation with landowners, to consider a DCP amendment for a road layout in Precinct D (Central Precinct) of the Pitt Town Development Area.

ATTACHMENTS:

AT -1 Draft Indicative Road Layout for Pitt Town Development Area "Precinct D"

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AT -1 Draft Indicative Road Layout for Pitt Town Development Area "Precinct D"



oooO END OF REPORT Oooo

Item: 6 CP - Review of the Stormwater Management Strategy for the Pitt Town Development Area - (95498, 124414)

REPORT:

Executive Summary

This report discusses the review of the stormwater management strategy for the Pitt Town Development Area (PTDA). The review is required to update the 2005 Water Management Plan to cater for the additional development yield from the previous Part 3A approval in 2008 and to update the controls to deal with contemporary environmental standards.

The review, prepared by Worley Parsons on behalf of Council, has resulted in a revised strategy for the following, yet to be developed, precincts:

- Thornton;
- Thornton East;
- Central; and
- Cattai.

The revised stormwater management strategy was prepared in light of the development potential for the PTDA and to be consistent with the current provisions of the Hawkesbury Development Control Plan 2002.

It is recommended that Council adopt the revised stormwater management strategy.

Consultation

It is considered that, at present, community consultation under Council's Community Engagement Policy is not required. However, consultation with affected land owners is anticipated as part of subsequent implementation of the stormwater management strategy via either contribution plans or development consent conditions. This will be the subject of a separate report to Council.

Background

The provision of stormwater infrastructure within the PTDA is required in order to service the future subdivision of land. In response to this need, in November 2005 Connell Wagner, on behalf of Council, prepared the Pitt Town Development Water Management Plan (WMP).

The WMP outlined measures for water, wastewater and stormwater management infrastructure for the rezoning of land at Pitt Town (known at the time as Amendment 145 Local Environmental Plan 1989 (LEP)) for residential and rural purposes. The land that was to be rezoned covered a total area of 212 hectares.

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The water management infrastructure was planned with a view to it servicing a yield of 690 lots. A series of wetlands and associated drainage works were proposed to capture and treat stormwater from the development area. The wetlands were conceptually sized using guidelines detailed in The Constructed Wetlands Manual - Volume 2 (1998). The indicative size and location of the wetlands, proposed as part of the original plan, are shown in the table and figure below.

Proposed Wetlands*	Catchment area in hectares	Wetland size in m²
A & D	78.1	22,600
B	60.2	20,300
E	32.1	8,200
F	11.0	2,200
G	11.4	3,000
H ₁	10.3	2,100
H ₂	8.3	1,700

Table 1: Wetland Catchments, Connell Wagner, 2005

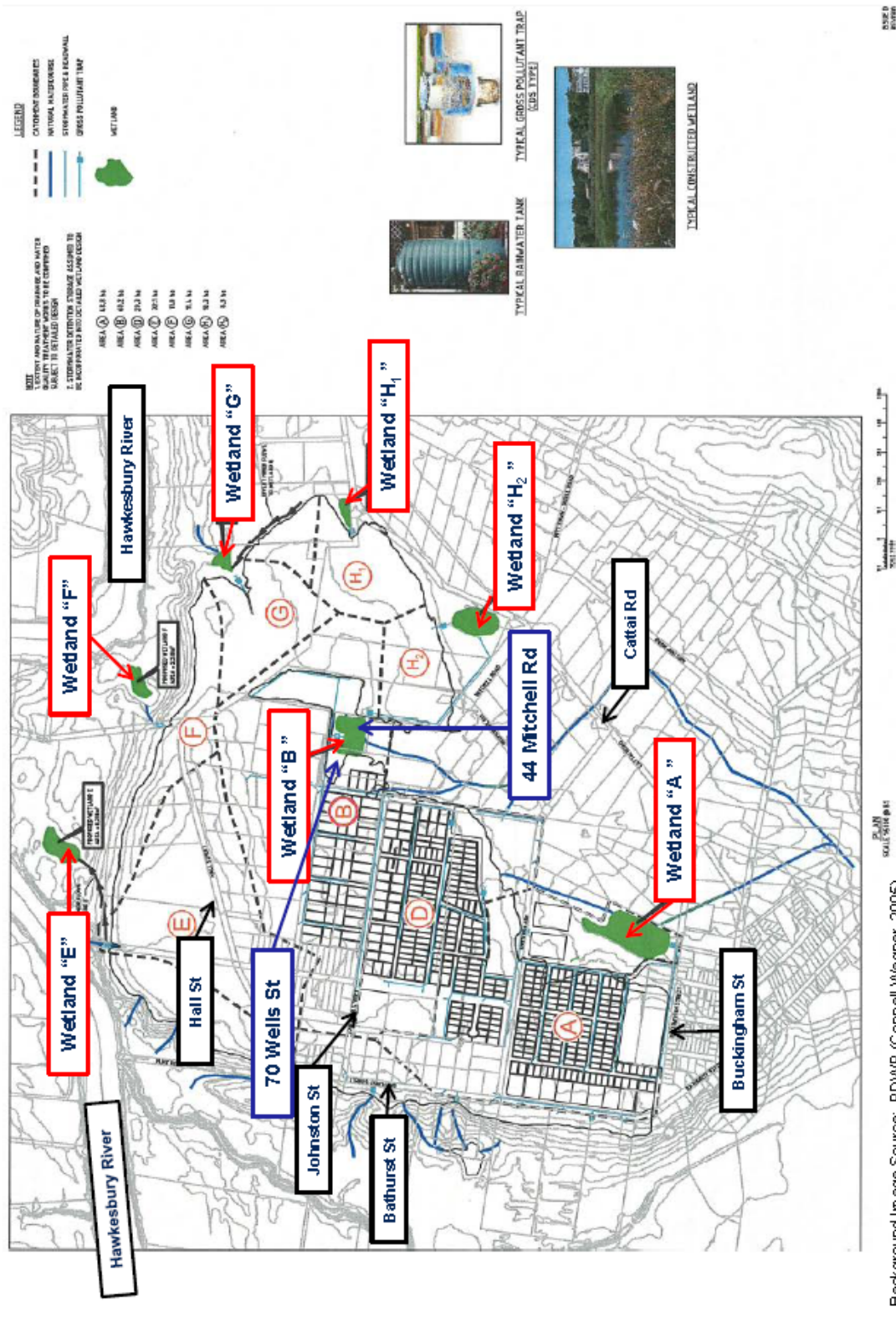


Figure 1: Proposed Wetlands, Connell Wagner 2005

301015-03518
Pitt Town Development
Updated Stormwater Management Strategy
2005 Pitt Town Development Draft Stormwater Management Plan
FIGURE 1.1

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Amendment 145 was gazetted on 18 August 2006 and resulted in amendments to the Hawkesbury Local Environmental Plan 1989 (LEP) and the Hawkesbury Development Control Plan 2002 (DCP).

On 18 July 2008, the PTDA, which incorporated land subject to Amendment 145, was further rezoned for residential and rural residential purposes. This was done via the Part 3A provisions of the *Environmental Planning and Assessment Act 1979* and State Environmental Planning Policy (Major Projects) 2008. The resulting lot yield increased to 943 lots. This resulted in further amendment to the LEP and DCP.

In both series of amendments to the DCP relevant outcomes of the WMP were incorporated into Part E Chapter 4 Pitt Town of the DCP.

The PTDA is divided into a number of development precincts with various minimum lot size and building coverage provisions. The precincts names and location are shown below and also marked on Figure 2 below:

- Blighton
- Cleary
- Thornton
- Thornton East
- Central
- Cattai
- Bona Vista
- Fernadell

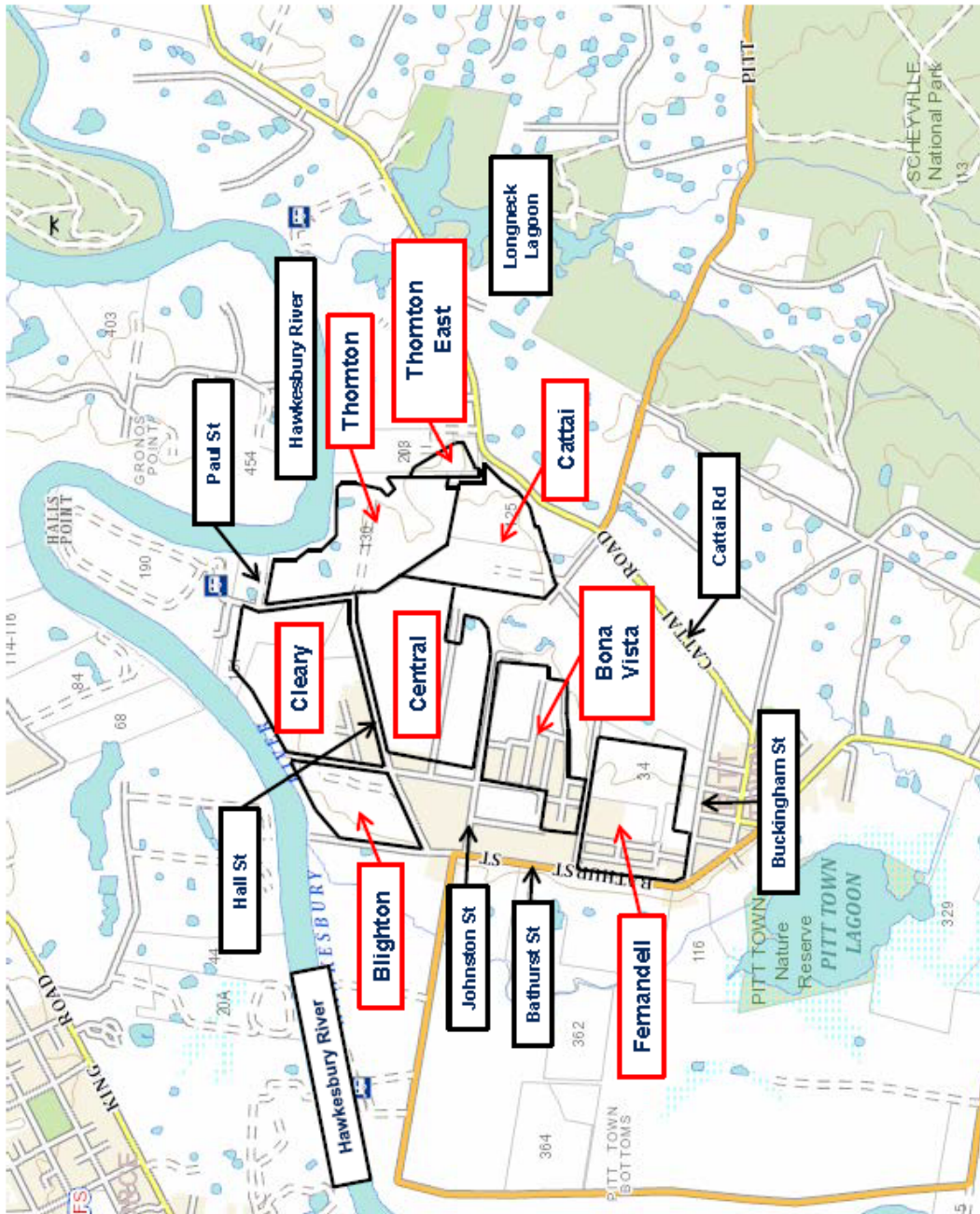


Figure 2: Pitt Town Development Area Precinct Map

301015-03518
Pitt Town Development
Updated Stormwater Management Strategy
Site Map with PTRP Boundary
CLIPIDE 1 2

The results of the WMP (2005) have been used to ensure the provision of stormwater infrastructure associated with subsequent subdivision within the Bona Vista, Fernadell and Cleary development precincts. These subdivisions have been undertaken by a single developer (JPG).

More recently Council staff have received enquiries and a small number of development applications for subdivision within other precincts. In response to the passage of time since the adoption of the WMP, the increase in lot yield as a result of the Part 3A rezoning of the land, and these recent enquiries Council staff engaged Worley Parsons (WP) to undertake a review of the stormwater management plan contained within the WMP.

Stormwater Management Strategy & Review of Pitt Town Water Management Plan

The primary objectives of the review undertaken by Worley Parsons were as follows:

- 1) Prepare a revised stormwater management plan for the following precincts in Pitt Town:
 - Thornton;
 - Thornton East;
 - Central; and
 - Cattai.
- 2) Identify suitable options for water treatment, determine indicative construction and life cycle cost estimates for identified stormwater treatment options to enable costs to be incorporated into the existing developer contributions plan.

Whilst the initial stormwater management measures proposed in the WMP (2005) only included constructed wetlands, the current review, considers a number of alternative treatment options to meet contemporary water quality standards. The sizing of these alternate treatment measures has been undertaken using the Model for Urban Stormwater Improvement Conceptualisation, or MUSIC as it is commonly known. MUSIC is regarded as the current best practice tool for the sizing of water sensitive urban design infrastructure.

The key objectives and outcomes of the review and revised strategy are as follows. (The full strategy is attached to this report.)

Design Criteria for the Stormwater Quality Management Strategy

The objectives of the updated stormwater quality management strategy are:

- to preserve the state of existing watercourses; and,
- to ensure that post-development pollutant loads are consistent with Council's stormwater pollutant load reduction targets set in the DCP.

Water Quality Targets

The DCP contains specific water quality targets and those targets have been incorporated into the strategy.

- | | |
|--------------------------------|---|
| • Total Suspended Solids (TSS) | 80% reduction in the average annual load. |
| • Total Phosphorus (TP) | 45% reduction in the average annual load. |
| • Total Nitrogen (TN) | 45% reduction in the average annual load. |

The recommendations for a revised strategy have been developed such that the quality objectives are achieved within each Pitt Town development precinct, independently of the other precincts.

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Stormwater Management Treatment Options

Stormwater quality improvement devices of varying types and sizes were modelled and those that resulted in the achievement of the stormwater pollutant reduction targets were identified. A minimum of two options per precinct have been developed.

The treatment measures investigated include gross pollutant traps (GPT), bioretention systems, swales, constructed wetlands and sedimentation basins and a combination of these measures.

The following table provides a summary of the treatment options considered for each of the development precincts and the preferred option. The preferred options identified in Table 2 below were chosen based on assessment merits and water quality targets, taking into account consideration for maintenance frequency, costs, and land area required for infrastructure construction including access for maintenance.

Development Precinct	Stormwater Treatment Measure				
	GPT	Swale	Wetland	Bioretention system	Preferred Option
Thornton					
Option 1	√		√		
Option 2	√	√		√	√
Thornton East					
Option 1	√		√		
Option 2	√			√	√
Cattai					
Option 1	√		√		√
Option 2	√			√	
Central					
Option 1 (Catchment 1 and 2)	√	√	√		
Option 2 (Catchment 1)	√	√	√		√
Option 2 (Catchment 2)	√			√	√
Option 3	√			√	

Table 2: Stormwater Treatment Options and Preferred Measures

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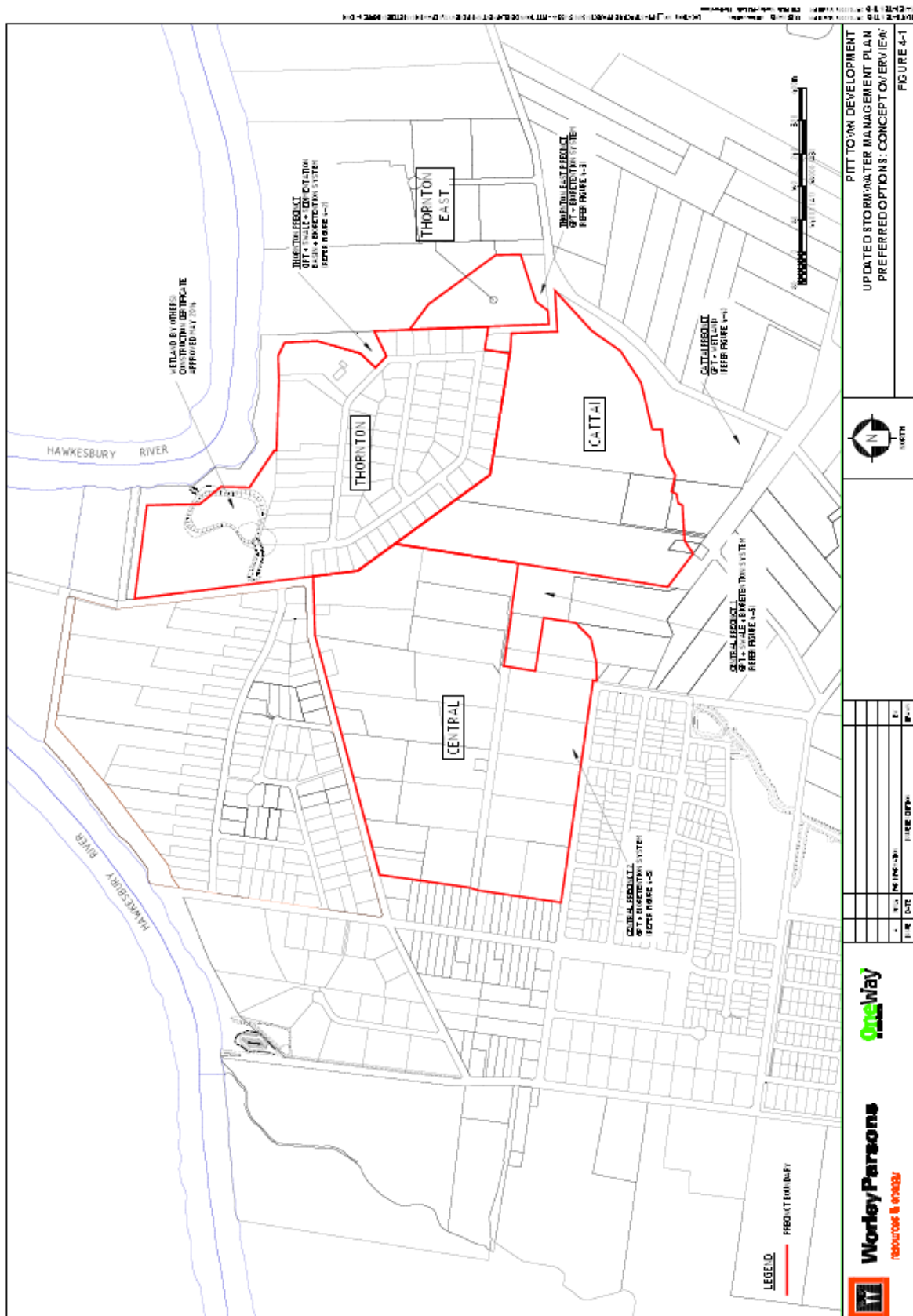


Figure 3: Diagram Showing Location of Four Development Precincts

Current Stormwater Management Provisions of DCP Part E Chapter 4 Pitt Town

For the purposes of stormwater management, the following current provisions of the DCP Chapter 4 Pitt Town are of most relevance:

"4.3 General Principles

The general principles of the subdivision and development controls for Pitt Town set out within this chapter are to:

- *to provide a clear planning document that outlines requirements for development which meets community expectations and addresses the key environmental planning issues of the city;*
- *provide a clear framework for subdivision and development;*
- *ensure development adopts sound urban design and environmental planning practices;*
- *ensure the orderly and proper development of the area;*
- *ensure that new development embraces water-sensitive urban design principles;*
- *conserve and manage areas of environmental significance;*
- *provide adequate physical and community infrastructure;*
- *protect the health and safety of existing and future residents; and,*
- *ensure development is consistent with Council's adopted sustainability principles.*

4.12 Stormwater Management

4.12.1 Aims

- *The amount of stormwater generated within Pitt Town up to the 100 ARI events, and discharged to the Hawkesbury-Nepean River System is reduced or not increased.*
- *The water quality of stormwater discharged up to the 100 ARI event to the Hawkesbury-Nepean River System is improved or not worsened.*
- *The risk of localised flooding within Pitt Town is minimised and not increased.*

4.12.2 Rules

- a) *The sites shown as stormwater basins on the Pitt Town Development Plan Figure E4.2, **or as shown on a subsequent Council approved/adopted stormwater management plan**, are to be set aside for stormwater management purposes. The land will be acquired when required by Council by using funds from the Water Management fees.*
- b) *The water quality of stormwater discharged to the Hawkesbury-Nepean River System must comply with the standards set out in Table E4. 3 below.*
- c) *A stormwater management plan must accompany development applications for subdivision and must be substantially consistent with the Pitt Town Development Plan. The plan must be consistent with water-sensitive urban design principles.*
- d) *...*
- e) *The stormwater system shall be generally in accordance with the **adopted Water Management Plan for Pitt Town.**"*

Comment:

Rule a) makes reference to the location of stormwater basins being in accordance with the Pitt Town Development Plan Figure E4.2 "or as shown on a **subsequent Council approved/adopted stormwater management plan**".

Rule e) makes reference to the stormwater system being generally in accordance with an "**adopted water management plan**".

In relation to these two Rules (a & e) the *adopted stormwater/water management plan* is referenced in the DCP and does not form part of the DCP. In this regard this plan can be updated to keep pace with the contemporary development standards and requirements without the need to formally amend the DCP.

One of the main purposes of the Worley Parsons review was to provide Council with a *subsequent Council approved/adopted stormwater management plan*. Accordingly it is recommended that the revised stormwater management strategy be adopted by Council and be used to assess relevant development applications with respect to the above mentioned rules a) and e) of the DCP chapter for Pitt Town.

Conformance to the Hawkesbury Community Strategic Plan

The following provisions of the HCSP are of most relevance.

Looking After People and Place

Directions

- 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

Strategy

- Upgrade the necessary physical infrastructure and human services to meet contemporary needs and expectations

Caring for Our Environment

Direction

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

Strategy

- Effective management of our river, waterways, riparian land, surface and groundwaters, and natural eco-systems through local actions and regional partnerships

Financial Implications

The initial capital cost for stormwater infrastructure and associated land acquisition/dedication can be partly recouped through developer contributions (e.g. s94 or s64 Contribution Plans) or required by way of development consent conditions.

ORDINARY MEETING**Meeting Date:** 03 February 2015

Upon adoption of the revised stormwater management plan for the Pitt Town Development Area, it would be appropriate for Council officers to commence discussions with affect land owners regarding their development intentions, timeframes and likely costs for land acquisition or dedication. These discussions would also assist Council officers in determining whether or not a revised contributions plan needs to be prepared and/or requires the provision of stormwater infrastructure via development consent conditions. It is anticipated that these discussions will commence shortly after adoption of the revised stormwater management plan with the outcome of those discussions to be reported back to Council for consideration (Anticipated mid 2015).

In addition to the capital costs and land costs, Council will also have responsibility to undertake ongoing operations, maintenance and asset renewal of the stormwater infrastructure upon commissioning. The level of funding required over time will vary as the stormwater management infrastructure is likely to be commissioned over a period of time.

Estimates of construction and maintenance cost of preferred options are presented in Table 3 below. (The maintenance costs in the third column will be the sole responsibility of Council. The other costs may be partially recouped via developer contributions plan and/or development consent conditions.)

Development Precinct	Construction	Construction Establishment (first two years of system's life)	Maintenance per year Ongoing (third year of system's life onwards)
Thornton Precinct	\$842,100	\$84,200	\$31,240
Thornton East Precinct	\$156,580	\$10,800	\$16,460
Cattai Precinct	\$1,110,500	\$30,000	\$20,400
Central Precinct	\$1,019,800	\$94,300	\$47,660
Subtotal	\$3,128,980	\$219,300	\$115,760
Add contingency @10% of subtotal for construction to allow for site condition variation i.e. extra earthworks, service relocation etc.	\$312,898		
Total	\$3,441,878	\$219,300	\$115,760

Note: the above cost estimate does not include renewal expenditure, which generally is required at a 20-25 year depreciation interval.

Table 3 Estimate of Construction and Maintenance Costs of Water Quality Infrastructure

Conclusion

A revised stormwater strategy is necessary to facilitate development of the remaining Pitt Town Development area and the recommendations from the Worsley Parsons report are in keeping with contemporary Water Sensitive Design (WSUD) principles.

It is appropriate to adopt the revised strategy as a technical update to the existing DCP provisions and to signal Council's technical requirements to landowners so they can prepare development applications accordingly and to assist Council with the review/preparation of appropriate contributions plans. Discussions with landowners will be related to the implementation aspects of the strategy (development contributions and precise locations and design).

ORDINARY MEETING

Meeting Date: 03 February 2015

RECOMMENDATION:

That:

1. The information regarding the Review of the Stormwater Management Strategy for the Pitt Town Development Area be received.
2. Council adopt the *Pitt Town Development - Updated Stormwater Management Strategy - Final Draft*, prepared by Worley Parsons, dated 20 November 2014, as an update to the technical provisions referred to in the Hawkesbury Development Control Plan.

ATTACHMENTS:

- AT - 1** *Pitt Town Development - Updated Stormwater Management Strategy - Final Draft*, prepared by Worley Parsons, dated 20 November 2014 - *(Distributed Under Separate Cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 03 February 2015

INFRASTRUCTURE SERVICES

Item: 7 **IS - Exclusive Use of Governor Phillip Reserve - Bridge to Bridge Power Boat Race and Power Boat Spectacular - (95495, 79354, 78329)**

REPORT:

Executive Summary

Applications have been received from the Upper Hawkesbury Power Boat Club to hold "exclusive use" events at Governor Phillip Reserve. The Upper Hawkesbury Power Boat Club is seeking the dates of Saturday, 2 May and Sunday, 3 May 2015 for their Bridge to Bridge Power Boat Race and Saturday, 19 September and Sunday, 20 September 2015 for their Power Boat Spectacular.

As the events are held annually and create positive flow on benefits to the community, it is recommended that exclusive use of the reserve be granted for these events.

Consultation

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

Background

There are a number of exclusive use events that are held at Governor Phillip Reserve over the year. The Bridge to Bridge Power Boat Race and the Power Boat Spectacular are two of these events.

The Upper Hawkesbury Power Boat Club is seeking the dates of Saturday, 2 May and Sunday, 3 May 2015 for their Bridge to Bridge Power Boat Race and Saturday, 19 September and Sunday, 20 September 2015 for their Power Boat Spectacular.

Approval for Traffic Management is to be undertaken as part of the Special Event Application.

The Plan of Management for the Windsor Foreshore Parks allows for these types of activities to occur.

Both events raise the profile of the Hawkesbury region and increase visitation with benefits to the business community and it is recommended that exclusive use be granted to Upper Hawkesbury Power Boat Club for both events.

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

Financial Implications

Income will be generated through user charges for use of the Reserve in accordance with the Adopted Operational Plan.

ORDINARY MEETING

Meeting Date: 03 February 2015

RECOMMENDATION:

That:

1. Approval be granted to the Upper Hawkesbury Power Boat Club for “exclusive use” of Governor Phillip Reserve for the 2015 Bridge to Bridge Power Boat Race to be held on Saturday, 2 May and Sunday, 3 May 2015.
2. Approval be granted to the Upper Hawkesbury Power Boat Club for “exclusive use” of Governor Phillip Reserve for the 2015 Power Boat Spectacular to be held on Saturday, 19 September and Sunday, 20 September 2015.
3. The approvals be subject to the following conditions/documents:
 - a) Council's general park conditions.
 - b) Council's fees and charges.
 - c) The Windsor Foreshore Plan of Management.
 - d) The Governor Phillip Exclusive Use Policy.
 - e) The Governor Phillip Noise Policy.
 - f) A Traffic Management Plan which has been approved as part of the Special Event Application.
4. As the applicant has not advised alternative dates in the event of inclement weather, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 03 February 2015

Item: 8 **IS - Road Naming Proposal Associated with DA0466/14 Kurrajong - (95495, 79346)**

Previous Item: 229, Ordinary (25 November 2014)

REPORT:

Executive Summary

Council, at its meeting held on 25 November 2014, resolved that the name Lily Place and the naming of the extension of Robertson Street be publically advertised, seeking comments and submissions, with the matter to be reported back to Council following the public exhibition process.

The road names have been publically advertised and at the close of the public exhibition no comments or submissions were received.

This report therefore recommends that the name Lily Place and the naming of the extension of Robertson Street be adopted for use.

Consultation

Consultation has been undertaken in accordance with the relevant requirements through a publically advertised exhibition.

Background

Council at its meeting held on 25 November 2014, resolved the following:

"That:

- 1. In accordance with the requirements of the Roads Act, 1993, the name Lily Place and the naming extension of Robertson Street, be publically advertised for a period of 28 days, seeking comments and submissions.*
- 2. The matter be reported back to Council following the public exhibition process, with a view to adopting the street names for use."*

As per the resolution the road names have been publically advertised. This was sought by way of an advertisement in the local press, a notice on Council's web page under Community Consultation and a notice to the prescribed organisations under the New South Wales Road Act 1993. The public exhibition closed on 31 December 2014 and no comments or submissions were received.

As the road names conform to the guidelines and principles of the New South Wales Road Naming Policy and have been publically advertised with no objections made, it is recommended that the name Lily Place and the naming of the extension of Robertson Street be adopted for use.

ORDINARY MEETING

Meeting Date: 03 February 2015

Conformance to the Hawkesbury Community Strategic Plan

The proposal is consistent with the Looking After People and Place Direction Statement;

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

and is also consistent with the 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

Financial Implications

The advertising and administrative expenses associated with this matter have been paid by the applicant in accordance with Council's Operational Plan.

RECOMMENDATION:

That Council, as the road naming authority for local roads in accordance with the Roads Act 1993, adopt the name Lily Place and the naming of the extension of Robertson Street for use.

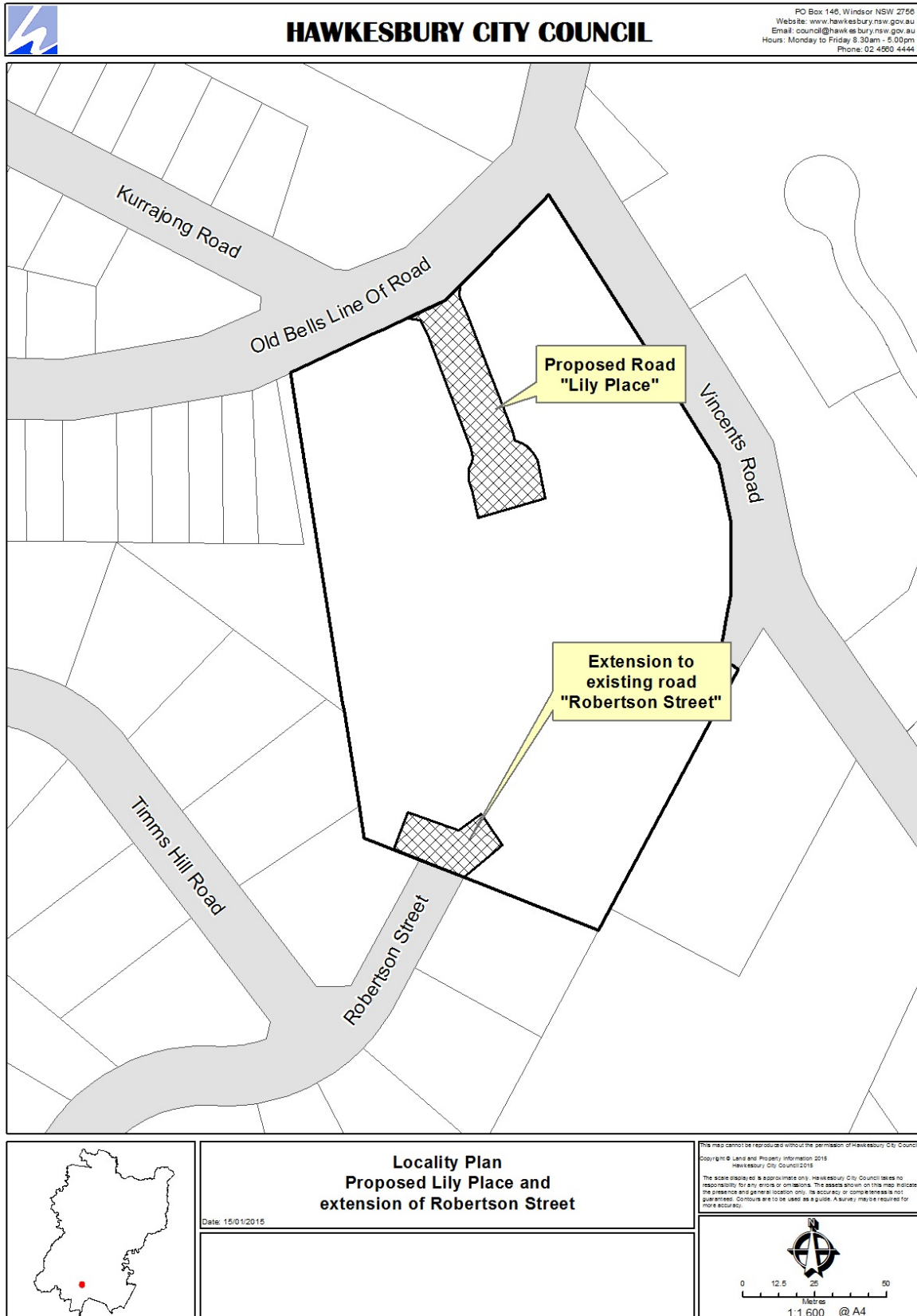
ATTACHMENTS:

AT - 1 Locality Plan

ORDINARY MEETING

Meeting Date: 03 February 2015

AT 1 – Locality Plan



oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 03 February 2015

SUPPORT SERVICES**Item: 9 SS - Monthly Investments Report - November 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 \$47.90 million in investments at 30 November 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 \$47.90 million in investments as at 30 November 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 \$
On Call								
ANZ	A1+	AA-			2.85%	5,500,000	11.48%	
CBA	A1+	AA-			2.25%	5,400,000	11.27%	
Total On-call Investments								10,900,000
Term Investments								
ANZ	A1+	AA-	20-Aug-14	04-Feb-15	3.69%	1,000,000	2.09%	
ANZ	A1+	AA-	29-Aug-14	08-Apr-15	3.69%	1,500,000	3.13%	
ANZ	A1+	AA-	29-Aug-14	22-Apr-15	3.69%	1,500,000	3.13%	
ANZ	A1+	AA-	28-May-14	27-May-15	3.70%	1,000,000	2.09%	
ANZ	A1+	AA-	11-Jun-14	10-Jun-15	3.70%	1,500,000	3.13%	
ANZ	A1+	AA-	11-Jun-14	10-Jun-15	3.70%	500,000	1.04%	
ANZ	A1+	AA-	18-Jun-14	17-Jun-15	3.70%	500,000	1.04%	
ANZ	A1+	AA-	23-Jul-14	22-Jul-15	3.70%	1,000,000	2.09%	
ANZ	A1+	AA-	06-Aug-14	06-Aug-15	3.70%	2,000,000	4.18%	
ANZ	A1+	AA-	20-Aug-14	19-Aug-15	3.71%	2,000,000	4.18%	
ANZ	A1+	AA-	03-Sep-14	02-Sep-15	3.73%	1,000,000	2.09%	
Bankwest	A1+	AA-	26-Nov-14	24-Feb-15	3.50%	1,000,000	2.09%	
NAB	A1+	AA-	19-Dec-13	17-Dec-14	3.83%	1,500,000	3.13%	
NAB	A1+	AA-	15-Jan-14	17-Dec-14	3.82%	1,000,000	2.09%	
NAB	A1+	AA-	05-Mar-14	04-Feb-15	3.73%	1,000,000	2.09%	

ORDINARY MEETING

Meeting Date: 03 February 2015

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
NAB	A1+	AA-	18-Jun-14	19-Mar-15	3.65%	1,000,000	2.09%	
NAB	A1+	AA-	03-Oct-14	06-May-15	3.55%	1,000,000	2.09%	
NAB	A1+	AA-	20-Aug-14	22-Jul-15	3.66%	1,000,000	2.09%	
NAB	A1+	AA-	21-Aug-13	19-Aug-15	4.25%	1,000,000	2.09%	
NAB	A1+	AA-	03-Sep-13	02-Sep-15	4.10%	2,000,000	4.18%	
NAB	A1+	AA-	03-Sep-14	02-Sep-15	3.65%	500,000	1.04%	
NAB	A1+	AA-	03-Oct-14	07-Oct-15	3.59%	1,000,000	2.09%	
NAB	A1+	AA-	15-Oct-14	07-Oct-15	3.60%	500,000	1.04%	
Westpac	A1+	AA-	23-Apr-14	17-Dec-14	3.75%	500,000	1.04%	
Westpac	A1+	AA-	15-May-14	17-Dec-14	3.75%	1,000,000	2.09%	
Westpac	A1+	AA-	15-Jan-14	15-Jan-15	3.80%	2,000,000	4.18%	
Westpac	A1+	AA-	28-May-14	15-Jan-15	3.75%	1,000,000	2.09%	
Westpac	A1+	AA-	23-Jul-14	15-Jan-15	3.75%	500,000	1.04%	
Westpac	A1+	AA-	29-Jan-14	29-Jan-15	3.65%	1,000,000	2.09%	
Westpac	A1+	AA-	06-Aug-14	29-Jan-15	3.80%	1,000,000	2.09%	
Westpac	A1+	AA-	19-Mar-14	19-Mar-15	3.70%	2,000,000	4.18%	
Westpac	A1+	AA-	19-Nov-14	08-Apr-15	3.49%	1,000,000	2.09%	
Westpac	A1+	AA-	25-Jun-14	25-Jun-15	3.75%	500,000	1.04%	
Westpac	A1+	AA-	04-Jul-14	08-Jul-15	3.75%	500,000	1.04%	
Total Term Investments								
TOTAL INVESTMENT AS AT 30 November 2014								37,000,000
								47,900,000

Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	10,900,000	2.55%	Reserve Bank Cash Reference Rate	2.50%	0.05%
Term Deposit	37,000,000	3.74%	UBS 90 Day Bank Bill Rate	2.75%	0.99%
Total	47,900,000	3.47%			

Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions -S94	12,240,495
External Restrictions - Other	3,902,652
Internal Restrictions	20,689,657
Unrestricted	11,067,196
Total	47,900,000

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.

ORDINARY MEETING

Meeting Date: 03 February 2015

In addition to funds being fully allocated to fund the Operational Plan activities, funds relating to closed self-funded programs, and 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 \$2.80 million for the month of November 2014. During November 2014, income was received totalling \$8.22 million, including rate payments amounting to \$4.04 million, while payments to suppliers and staff costs amounted to \$4.91 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 November 2014, Council's investment portfolio is all invested with major Australian trading banks or wholly owned subsidiaries of 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.

ORDINARY MEETING

Meeting Date: 03 February 2015

RECOMMENDATION:

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

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING**Meeting Date:** 03 February 2015**Item: 10****SS - Monthly Investments Report - December 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 \$49.30 million in investments at 31 December 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 \$49.30 million in investments as at 31 December 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 \$
On Call								
ANZ	A1+	AA-			2.60%	3,500,000	7.10%	
CBA	A1+	AA-			2.25%	2,800,000	5.68%	
Total On-call Investments								6,300,000
Term Investments								
ANZ	A1+	AA-	20-Aug-14	04-Feb-15	3.69%	1,000,000	2.03%	
ANZ	A1+	AA-	29-Aug-14	08-Apr-15	3.69%	1,500,000	3.04%	
ANZ	A1+	AA-	29-Aug-14	22-Apr-15	3.69%	1,500,000	3.04%	
ANZ	A1+	AA-	28-May-14	27-May-15	3.70%	1,000,000	2.03%	
ANZ	A1+	AA-	11-Jun-14	10-Jun-15	3.70%	1,500,000	3.04%	
ANZ	A1+	AA-	11-Jun-14	10-Jun-15	3.70%	500,000	1.01%	
ANZ	A1+	AA-	18-Jun-14	17-Jun-15	3.70%	500,000	1.01%	
ANZ	A1+	AA-	17-Dec-14	17-Jun-15	3.64%	3,000,000	6.09%	
ANZ	A1+	AA-	23-Jul-14	22-Jul-15	3.70%	1,000,000	2.03%	
ANZ	A1+	AA-	06-Aug-14	06-Aug-15	3.70%	2,000,000	4.06%	
ANZ	A1+	AA-	20-Aug-14	19-Aug-15	3.71%	2,000,000	4.06%	
ANZ	A1+	AA-	03-Sep-14	02-Sep-15	3.73%	1,000,000	2.03%	
Bankwest	A1+	AA-	26-Nov-14	24-Feb-15	3.50%	1,000,000	2.03%	
Bankwest	A1+	AA-	03-Dec-14	04-Feb-15	3.45%	2,000,000	4.06%	
Bankwest	A1+	AA-	03-Dec-14	04-Mar-15	3.50%	1,000,000	2.03%	

ORDINARY MEETING

Meeting Date: 03 February 2015

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
Bankwest	A1+	AA-	17-Dec-14	16-Jan-15	3.40%	2,000,000	4.06%	
Bankwest	A1+	AA-	29-Dec-14	29-Jan-15	3.50%	1,000,000	2.03%	
Bankwest	A1+	AA-	29-Dec-14	27-Feb-15	3.50%	1,000,000	2.03%	
NAB	A1+	AA-	05-Mar-14	04-Feb-15	3.73%	1,000,000	2.03%	
NAB	A1+	AA-	18-Jun-14	19-Mar-15	3.65%	1,000,000	2.03%	
NAB	A1+	AA-	03-Oct-14	06-May-15	3.55%	1,000,000	2.03%	
NAB	A1+	AA-	20-Aug-14	22-Jul-15	3.66%	1,000,000	2.03%	
NAB	A1+	AA-	21-Aug-13	19-Aug-15	4.25%	1,000,000	2.03%	
NAB	A1+	AA-	03-Sep-13	02-Sep-15	4.10%	2,000,000	4.06%	
NAB	A1+	AA-	03-Sep-14	02-Sep-15	3.65%	500,000	1.01%	
NAB	A1+	AA-	03-Oct-14	07-Oct-15	3.59%	1,000,000	2.03%	
NAB	A1+	AA-	15-Oct-14	07-Oct-15	3.60%	500,000	1.01%	
Westpac	A1+	AA-	15-Jan-14	15-Jan-15	3.80%	2,000,000	4.06%	
Westpac	A1+	AA-	28-May-14	15-Jan-15	3.75%	1,000,000	2.03%	
Westpac	A1+	AA-	23-Jul-14	15-Jan-15	3.75%	500,000	1.01%	
Westpac	A1+	AA-	29-Jan-14	29-Jan-15	3.65%	1,000,000	2.03%	
Westpac	A1+	AA-	06-Aug-14	29-Jan-15	3.80%	1,000,000	2.03%	
Westpac	A1+	AA-	19-Mar-14	19-Mar-15	3.70%	2,000,000	4.06%	
Westpac	A1+	AA-	19-Nov-14	08-Apr-15	3.49%	1,000,000	2.03%	
Westpac	A1+	AA-	25-Jun-14	25-Jun-15	3.75%	500,000	1.01%	
Westpac	A1+	AA-	04-Jul-14	08-Jul-15	3.75%	500,000	1.01%	
Total Term Investments								43,000,000
TOTAL INVESTMENT AS AT 31 December 2014								49,300,000

Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	6,300,000	2.44%	Reserve Bank Cash Reference Rate	2.50%	- 0.06%
Term Deposit	43,000,000	3.68%	UBS 90 Day Bank Bill Rate	2.76%	0.92%
Total	49,300,000	3.52%			

Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions -S94	12,286,855
External Restrictions - Other	3,793,485
Internal Restrictions	20,979,955
Unrestricted	12,239,705
Total	49,300,000

ORDINARY MEETING

Meeting Date: 03 February 2015

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, and 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 \$1.40 million for the month of December 2014. During December 2014, income was received totalling \$7.32 million, including rate payments amounting to \$3.70 million, while payments to suppliers and staff costs amounted to \$6.00 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 31 December 2014, Council's investment portfolio is all invested with major Australian trading banks or wholly owned subsidiaries of 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

ORDINARY MEETING

Meeting Date: 03 February 2015

Financial Implications

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

RECOMMENDATION:

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

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 03 February 2015

Item: 11 **SS - Council Resolution Summary - July to December 2014 - (95496, 96333)**

Previous Item: NM2, Ordinary (24 June 2014)

REPORT:

Executive Summary

At the Ordinary meeting on 24 June 2014, Council resolved as follows:

"That Council prepare a six-monthly report summarising the resolutions passed by Council in the preceding six months, excluding resolutions not requiring action or procedural resolutions, and assigning a status to such resolutions to indicate if the action has commenced, has been completed, or a likely timeframe for completion."

This report and the attachment to the report summarises the resolutions passed by Council for the period from 1 July 2014 to 31 December 2014, excluding resolutions as outlined in the above resolution.

The report recommends the information 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

Council, at its meeting on 24 June 2014, gave consideration to a Notice of Motion regarding summarising Council resolutions. At that meeting, Council resolved, as follows:

"That Council prepare a six-monthly report summarising the resolutions passed by Council in the preceding six months, excluding resolutions not requiring action or procedural resolutions, and assigning a status to such resolutions to indicate if the action has commenced, has been completed, or a likely timeframe for completion."

Following the resolution of 24 June 2014, staff determined a means to capture the required information in line with the resolution. Accordingly, based on the excluded resolutions outlined in the above resolution, it was determined that the Council report would be prepared according to the following criteria for accuracy and consistency with the resolution:

A. Inclusions for the six-monthly report are:

1. Resolutions regarding Development Applications that:
 - a) are referred to a Councillor Briefing Session
 - b) are deferred to conduct a site visit
 - c) call for a further report to be submitted to Council.
2. Resolutions regarding Conference attendances that require a follow-up report.
3. Resolutions regarding Confidential items including:
 - a) all lease matters
 - b) all tender matters.
4. Resolutions not in the exclusions outlined in Part B, below.

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B. Exclusions for the six-monthly report are:

1. Items with receive and note resolutions.
2. Procedural resolutions, including the adoption of reporting publications such as, Council's Operational Plan and adoption of Council Policies.
3. Resolutions regarding Development Applications which have been approved with conditions or refused.
4. Resolutions regarding Conference attendance without a follow-up report.
5. Reports of Committees where they are received and/or adopted.
6. Resolutions regarding park usage which have been approved or refused.

Included, as Attachment 1 to this report, is a Resolution Tracking Summary for the period from 1 July 2014 to 31 December 2014, based on the Council resolutions outlined in Part A above. The Resolution Tracking Summary contains information regarding each resolution including the Council Meeting Date, Item Number, Item Description, Resolution Number, Summary of the Resolution, Responsible Officer, and the Status. The Status column of the Summary has a set of options, being "Completed / In Progress / Not Initiated" and a comments area to further expand on the progress or final actions of each resolution.

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;

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

- Achieve community respect through good corporate governance and community leadership and engagement;
- Make decisions in ways that are transparent, fair, balanced and equitable supported by appropriate resource allocations.

Financial Implications

No financial implications to this report.

RECOMMENDATION:

That the report regarding Council resolutions for the period of 1 July 2014 to 31 December 2014 be received and noted.

ATTACHMENTS:

AT - 1 Council Resolution Summary - July to December 2014 (*Distributed under separate cover*)

oooO END OF REPORT Oooo

Item: 12**SS - Revaluation of Properties within the Hawkesbury City Council Local Government Area - (95496, 99089, 79337)**

REPORT:**Executive Summary**

The Office of the New South Wales Valuer General (Valuer General) conducts a revaluation of each Local Government Area (LGA) approximately every three years. In accordance with the Valuer General Revaluation cycle, a revaluation of the Hawkesbury LGA took place in 2014.

The land values arising from the 2014 revaluation will be used for rating purposes, for the first time, in the 2015/2016 financial year onwards until the next revaluation.

The latest revaluation has impacted total rateable land valuations, and will consequently impact rates payable. The purpose of this report is to provide Council with details on the effects of the 2014 revaluation on properties within the Hawkesbury LGA, and the impact on general rates applicable for the 2015/2016 rating year.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. The rates to be levied by Council in 2015/2016 will be subject to community consultation, as part of the 2015/2016 Draft Operational Plan consultation process.

Background

The Valuer General conducts a revaluation of each Local Government Area approximately every three years. A revaluation of the Hawkesbury LGA was previously undertaken in 2011. The land values currently used for rating have a base date of July 2011, and have been used for rating purposes since the 2012/2013 rate levy.

In accordance with the Valuer General Revaluation cycle, a revaluation of the Hawkesbury LGA took place in 2014. The land values arising from the 2014 revaluation will be used for rating purposes, for the first time, in the 2015/2016 financial year onwards until the next revaluation.

The Valuer General bases its land valuations on a range of factors, including but not limited to, property sales data in the area and restrictions on the property. A media release relating to the Hawkesbury LGA 2014 Revaluations, dated the 22 January 2015, is attached to this report as Attachment 1. The release details the factors driving land values in the Hawkesbury, in particular the suburbs specifically referred to in the release.

The Valuer General has issued valuations to all ratepayers together with a Newsletter and a Fact Sheet detailing the process of land valuations and avenues for objecting to the results.

The Land Value for each property, as determined by the Valuer General, is used by Council to determine the general rates applicable to the property, in accordance with the rating structure applicable to the respective rating categories and sub-categories thereof. Rates payable by each property will, to varying extents, be impacted by the change in the property's land value.

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Rating Categories

Council's current rating structure provides for the following categories and sub-categories:

Farmland Category

This Category includes any parcel of rateable land valued as one assessment and the dominant use of the land is for farming. The farming activity must have a significant and substantial commercial purpose or character and must be engaged in for the purpose of profit on a continuous or repetitive basis (whether or not a profit is actually made). Properties which meet these criteria are categorised as "Farmland".

Residential Category

This Category includes any rateable parcel of land valued as one assessment and the dominant use is for residential accommodation; or if vacant land is zoned or otherwise designated for use for residential purposes under an environmental planning instrument; or is rural residential land.

Rural Residential Sub - Category

Council has established a Sub-Category within its Residential Category to incorporate land which can be classified as Rural Residential in accordance with the provisions of the Act. This Sub-Category includes land that:

- a) is the site of a dwelling, and
- b) is not less than 2 hectares and not more than 40 hectares in area, and
- c) is either:
 - (i) not zoned or otherwise designated for use under an environmental planning instrument, or
 - (ii) zoned or otherwise designated for use under such an instrument for non-urban purposes, and
- d) does not have a significant and substantial commercial purpose or character.

Residential land falling outside the definition of Rural Residential land is classified as Residential.

Business Category

This Category includes rateable land that cannot be classified as farmland, residential or mining. Council has three sub-categories established within the Business Category as follows:

- **Business Area 1** – Business rated properties within defined areas in Richmond, Windsor, Vineyard and Mulgrave.

The defined area for Richmond is the area is bounded by Lennox Street, Bourke Street, Windsor Street, Hobart Street, Pitt Street, Francis Street, March Street and Castlereagh Road.

The defined area for Windsor is the area bounded by the Railway Line, Rickaby's Creek, Hawkesbury River, Bridge Street and South Creek.

The defined area for Vineyard and Mulgrave is the area is bounded by Windsor Road, South Creek, Railway Road South and Bandon Road.

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- **Business Area 2** – Business rated properties within defined areas in North Richmond and South Windsor.

The defined area for North Richmond is the area is bounded by a Radius of 650m from the Centre Point of the intersection of Bells Line of Road, Beaumont Avenue and Grose Vale Road.

The defined area for South Windsor is the area bounded by Macquarie Street, Woods Road, South Creek and the Railway Line.

- **Business Area Other** – All other business rated properties not falling within any of the defined areas in Richmond, Windsor, Vineyard, Mulgrave, North Richmond and South Windsor.

Impact on Land Values

The land values currently used for rating have a base date of July 2011, and have been used for rating purposes since the 2012/2013 rate levy. The rateable land value based on the 2011 valuation was \$8.19 billion. As a result of the 2014 revaluation, the rateable land value, including adjustments resulting from subdivisions and objections, is \$8.43 billion. The change in rateable land value includes the impact of the number of properties increasing by 349 properties since the 2011 valuation.

The 2014 revaluation has resulted in the total rateable land valuations increasing from \$8.19 billion to \$8.43 billion, an average increase of 2.95% across all categories and sub-categories thereof.

The following table provides a summary of the overall effects of the revaluation on land values in each category and sub-category thereof, in the Hawkesbury LGA:

Table 1 – Land Values Summary

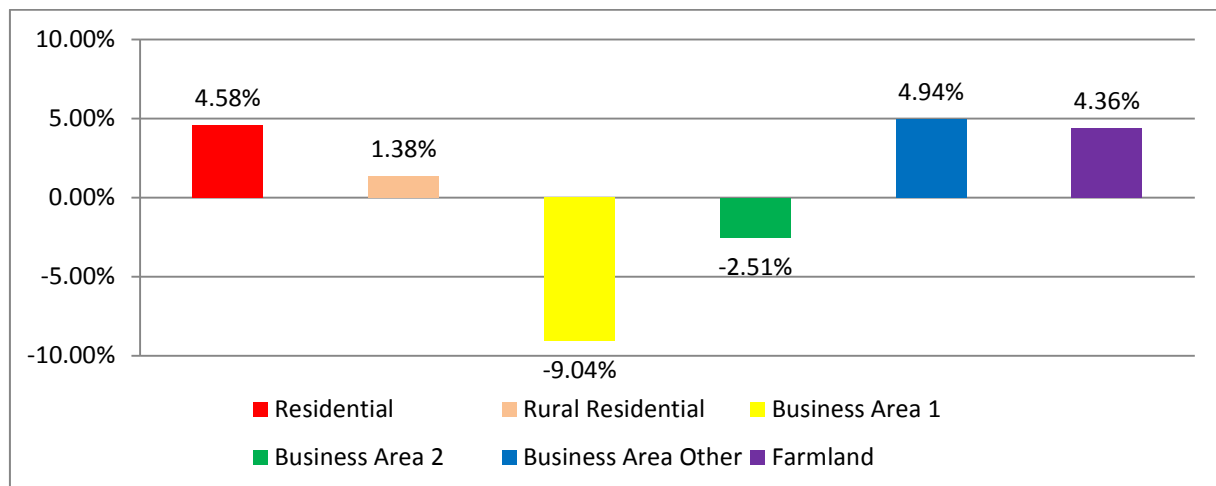
Category	Rateable Properties	2011 Total Land Value as at 2014	2011 Average Land Value	2014 Total Land Value	2014 Average Land Value
Residential	18,671	\$4,704,226,945	\$251,954	\$4,919,448,342	\$263,481
Rural Residential	4,289	\$2,285,412,000	\$532,854	\$2,316,894,700	\$540,195
Business Area 1	734	\$354,018,731	\$482,314	\$322,001,854	\$438,695
Business Area 2	330	\$161,714,401	\$490,044	\$157,654,978	\$477,742
Business Area Other	430	\$198,456,759	\$461,527	\$208,267,647	\$484,343
Farmland	605	\$482,658,700	\$797,783	\$503,698,800	\$832,560
Total	25,059	\$8,186,487,536	\$326,689	\$8,427,966,321	\$336,325

The following chart shows the changes in the total land value for each rating category and sub-category thereof:

Chart 1 – Valuation Changes by Category / Sub – Category between 2011 and 2014

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Impact on General Rates

The increase in land valuations for land within the Hawkesbury LGA, as a result of this revaluation, does not equate to a corresponding increase in the rate revenue available to Council. The 2015/2016 rate revenue available to be raised by Council is based upon revenue received in 2014/2015, increased by the rate-pegging for 2015/2016 and including the impact of sub-divisions.

Whilst there is no overall increase in rates revenue for Council, whenever a revaluation occurs, the rating distribution within the Council area changes. Although the total rating income generated for Council is restricted by the rate-pegging limit set for the relevant financial year, individual ratepayers will receive varying increases or decreases in their rates, dependent upon how their property has been affected by the revaluation. The extent of the impact of land revaluations depends on a council's rating structure.

In accordance with the Local Government Act, 1993 (the Act), a council is to raise at least 50% of its rates revenue from a rating category / sub-category through the ad valorem rate (rate in \$) applicable to the category / sub-category. This proportion of a council's rates revenue is calculated by applying the ad valorem rate to the land value as determined by the Valuer General. The higher the proportion of rates revenue a council collects through the ad valorem rate, the higher the impact of a land revaluation on rates payable.

Where a council has a rating structure based solely on an ad valorem rate, properties are impacted to the full extent with the applicable land revaluation changes. Where a rating structure has a reduced reliance on the ad valorem rate, such as structures including Base Amounts, the impact of a land revaluation is reduced to some extent. This applies to both increases and decreases in property land values.

The current rating structure for the Residential, Rural Residential and Business Categories / Sub-Categories, includes a Base Amount. This essentially means that the proportion of the Notional Yield collected through the application of the relevant rate in the \$ is reduced by the proportion collected through the Base Amount. This results in a lower rate in the \$ being applied to a property's land value than would have been the case under a wholly ad valorem rating structure. The Base Amount reduces the impact of changes in land valuations, reducing the incidence of extreme movements.

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Table 2 below shows the approximate applicable rate in the \$, Base Amount and Minimum Amount that would be applicable to the 2015/2016 rating year based on the rating structure adopted for the 2014/2015 rating year and including the rate pegging increase for 2015/2016 of 2.4% as determined by the Independent Pricing and Regulatory Tribunal. The final rates in the \$ and the base amounts are subject to change when striking the final levy.

Table 2 – 2015/2016 Draft Rating Structure

Category / Sub-Category	Rate in \$	Base Amount	Minimum Amount	% of Notional Yield	Base %
Residential	0.196079	\$510.00	-	65.00%	49.68%
Rural Residential	0.127755	\$685.00	-	20.00%	49.81%
Business Area 1	0.222358	\$950.00	-	4.79%	49.34%
Business Area 2	0.222358	\$950.00	-	2.25%	47.21%
Business Area Other	0.222358	\$950.00	-	2.96%	46.87%
Farmland	0.285618		\$524.00	5.00%	
Total				100.00%	

Council's current rating structure also includes a specified distribution of the Notional Yield across the rating categories / sub-categories. This distribution and the land value distribution based on the 2014 valuations are shown in Table 3 below.

Table 3 – Notional Yield Distribution

Category / Sub-Category	Rateable Properties	% of Notional Yield under current Rating Structure	2014 Land Valuation	2014 Land Valuation %
Residential	18,671	65.00%	\$4,919,448,342	58.37%
Rural Residential	4,289	20.00%	\$2,316,894,700	27.49%
Business Area 1	734	4.79%	\$322,001,854	3.82%
Business Area 2	330	2.25%	\$157,654,978	1.87%
Business Area Other	430	2.96%	\$208,267,647	2.47%
Farmland	605	5.00%	\$503,698,800	5.98%
Total	25,059	100.00%	\$8,427,966,321	100.00%

Council will be considering the rating structure for 2015/2016, as part of the 2015/2016 Draft Operational Plan process.

It should be noted that the values quoted in this report are based on the revaluation figures received from the Valuer General. These values are subject to further change prior to use in the 2015/2016 rate levy, due to ongoing objections by owners and subsequent reviews by the Valuer General.

Details on all suburbs in regard to each rating category and each sub-category, are provided as Attachment 2 to this report.

Impact on Suburbs in each Rating Category and Sub-Category

A summary of the impact of the 2014 Revaluation on properties in the Hawkesbury LGA is provided below.

Tables 4 to 9 below show the changes in the average land valuation per property, the change in the average rates payable and the range of the changes across properties in the suburbs with the highest number of properties.

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The rates amounts shown in the Tables below include the 2015/2016 rate-pegging increase of 2.4% as determined by the Independent Pricing and Regulatory Tribunal.

Table 4 – Residential Category Selected Suburbs

Suburb	Rateable Properties	Total Land Valuation Change	2015/2016 Average Rates \$ Change	2015/2016 Average Rates % Change	2015 / 2016 % Change Range	2015 / 2016 \$ Change Range
Bligh Park	2,241	9.45%	\$33.11	3.78%	-1.00% to 10.09%	-\$8.79 to \$116.04
Glossodia	825	1.22%	\$0.77	0.19%	-13.81% to 5.37%	-\$458.25 to \$49.04
North Richmond	1,614	4.42%	\$16.79	1.72%	-11.51% to 46.63%	-\$244.79 to \$632.37
Richmond	2,123	10.82%	\$38.79	4.21%	-39.91% to 119.34%	-\$924.77 to \$1307.43
South Windsor	2,240	4.23%	\$14.82	1.68%	-8.55% to 15.22%	-\$117.00 to \$160.65
Wilberforce	797	5.52%	\$25.63	2.26%	-10.78% to 97.29%	-\$337.70 to \$1295.81

Table 5 – Rural Residential Category Selected Suburbs

Suburb	Rateable Properties	Total Land Valuation Change	2015/2016 Average Rates \$ Change	2015/2016 Average Rates % Change	2015 / 2016 % Change Range	2015 / 2016 \$ Change Range
East Kurrajong	446	-0.31%	\$17.95	1.47%	-6.90% to 7.26%	-\$94.33 to \$155.09
Grose Vale	211	2.59%	\$38.12	2.97%	-19.16% to 5.67%	-\$419.81 to \$72.29
Kurrajong	403	-0.60%	\$16.28	1.31%	-7.93% to 7.57%	-\$124.05 to \$94.73
Maraylya	221	1.70%	\$32.75	2.40%	1.97% to 6.92%	\$24.29 to \$90.43
Oakville	505	1.13%	\$29.95	2.14%	-13.05% to 33.68%	-\$580.37 to \$513.80
Pitt Town	199	2.34%	\$39.67	2.75%	0.72% to 14.57%	\$18.10 to \$273.94

Table 6 – Business Area 1 Sub- Category Selected Suburbs

Suburb	Rateable Properties	Total Land Valuation Change	2015/2016 Average Rates \$ Change	2015/2016 Average Rates % Change	2015 / 2016 % Change Range	2015 / 2016 \$ Change Range
McGraths Hill	3	30.68%	\$669.11	32.90%	4.88% to 64.67%	\$184.04 to \$1272.53
Mulgrave	222	-24.49%	-\$209.43	-8.77%	-34.55% to 8.60%	-\$1970.01 to \$585.66
Richmond	222	3.46%	\$107.94	5.40%	-1.22% to 68.90%	-\$22.69 to \$2756.99
Vineyard	49	-16.30%	-\$152.30	-4.64%	-37.51% to 9.78%	-\$3243.08 to \$776.25
Windsor	238	2.76%	\$106.54	5.41%	-16.60% to 56.59%	-\$773.36 to \$1669.31

Table 7 – Business Area 2 Sub – Category Selected Suburbs

Suburb	Rateable Properties	Total Land Valuation Change	2015/2016 Average Rates \$ Change	2015/2016 Average Rates % Change	2015 / 2016 % Change Range	2015 / 2016 \$ Change Range
North Richmond	92	-0.64%	\$78.05	3.73%	-1.88% to 61.94%	-\$64.19 to \$941.69
South Windsor	238	-3.10%	\$63.05	3.13%	-23.36% to 226.15%	-\$899.42 to \$4328.21

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Table 8 – Business Area Other Sub- Category Selected Suburbs

Suburb	Rateable Properties	Total Land Valuation Change	2015/2016 Average Rates \$ Change	2015/2016 Average Rates % Change	2015 / 2016 % Change Range	2015 / 2016 \$ Change Range
Kurrajong	30	-10.60%	-\$23.10	2.56%	-43.62% to 9.65%	-\$2781.67 to \$189.03
Kurrajong Heights	20	3.19%	\$111.09	6.32%	-4.31% to 56.76%	-\$57.22 to \$909.98
Richmond	41	15.82%	\$213.17	10.99%	-1.40% to 57.46%	-\$36.13 to \$1813.68
South Windsor	58	4.07%	\$106.59	8.32%	-23.36% to 243.70%	-\$797.97 to \$2455.18
Vineyard	24	6.43%	\$162.28	7.05%	-17.63% to 44.48%	-\$280.20 to \$874.35
Wilberforce	60	1.55%	\$83.80	5.24%	-30.76% to 48.39%	-\$747.97 to \$926.14

Table 9 – Farmland Category Selected Suburbs

Suburb	Rateable Properties	Total Land Valuation Change	2015/2016 Average Rates \$ Change	2015/2016 Average Rates % Change	2015 / 2016 % Change Range	2015 / 2016 \$ Change Range
Agnes Banks	26	18.83%	\$522.57	25.89%	2.34% to 28.33%	\$12.00 to \$1113.12
Bilpin	31	5.47%	\$180.84	13.26%	-4.09% to 15.05%	-\$157.13 to \$376.58
Freemans Reach	94	0.45%	\$140.42	7.76%	2.34% to 27.22%	\$12.00 to \$529.65
North Richmond	24	2.43%	\$536.36	11.51%	-2.49% to 38.52%	-\$52.22 to \$2814.67
Oakville	33	0.08%	\$114.82	7.12%	-15.15% to 7.92%	-\$436.64 to \$209.49
Wilberforce	57	5.12%	\$221.67	11.51%	2.34% to 27.25%	\$12.00 to \$675.23

Further details on all suburbs in the Hawkesbury LGA, are attached as Attachment 2 to this report.

It should also be noted that when considering the figures in the Tables above, and Attachment 2, it must be borne in mind that they are on the basis of the “**average**” movement for the area indicated, and that individual properties within an area may vary from the overall average. The range of the impact on rates for each suburb is also shown in Attachment 2.

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

The income resulting from the notional yield calculated, based on the 2014 valuations, and incorporating the permissible rate pegging increase for 2015/2016 of 2.4%, will be included in the 2015/2016 Draft Operational Plan.

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RECOMMENDATION:

That the information concerning the revaluation of properties within the Hawkesbury Council Local Government Area be received and noted.

ATTACHMENTS:

- AT - 1** Valuer General Media Release
- AT - 2** Revaluation Details per Suburb

Attachment 1: Valuer General Media Release

22 January 2015

Land Values Issued For Hawkesbury

NSW Valuer General Simon Gilkes today said 23,813 Notices of Valuation had been sent to landholders in the Hawkesbury local government area (LGA).

Mr Gilkes said Notices of Valuation show the land value of a property based on real estate market conditions as at 1 July 2014.

"The land value is the value of the land only and does not include the value of a home or other improvements on the land," Mr Gilkes said.

"Property sales are the most important factor considered when determining land values. For the 1 July 2014 land values in the Hawkesbury LGA, valuers analysed 558 property sales.

"Land values are one factor that councils use to calculate rates. The Notice of Valuation gives landholders the opportunity to consider their land value before it is used by council for rating purposes.

"Land values are issued every three to four years for rating. Landholders in Hawkesbury LGA were previously issued with a Notice of Valuation showing their property's land value as at 1 July 2011.

"The total land value of the Hawkesbury LGA was approximately \$8.85 billion as at 1 July 2014. This is an overall increase from the total land value of approximately \$8.56 billion determined as at 1 July 2011."

Changes in land value don't necessarily lead to similar changes in rates. Each council develops a revenue policy to use in the calculation of rates and charges to fund services to the community.

Visit www.valuergeneral.nsw.gov.au or call 1800 110 038 to:

- get a list of sales considered when valuing land in your area
- access typical land values in your area
- find other land values in NSW
- find out more about the valuation system.

The Valuer General is an independent statutory officer appointed by the Governor of NSW to oversee the valuation system. The Valuer General is responsible for providing fair and consistent land values for rating and taxing purposes.

Analysis: Land values in Hawkesbury LGA

In the three years since Notices of Valuation were last issued in the Hawkesbury LGA, values have been affected by two new urban release areas at North Richmond and Glossodia and the adoption of the Hawkesbury Floodplain Risk Management Study and Plan.

Residential land values generally increased slightly over the three year period. Low density residential land in McGraths Hill and Richmond showed a moderate increase in value, while

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land values in Kurrajong Heights and Pitt Town showed a slight decrease. The value of medium density residential land in Richmond and Bligh Park increased moderately.

The value of commercial land also increased slightly, due to recent upward market movement within the major retail centres of Richmond and Windsor. Land values in the business development centres experienced a moderate decrease, largely due to competition from recent developments in the Penrith City and The Hills Shire LGAs. However, the value of properties with good exposure along Windsor Road moved in line with the general trend, showing slight increases.

Industrial land values generally decreased slightly, with the exception of land in the Mulgrave general industrial area, which has shown a strong decrease.

Land values in flood affected areas generally showed moderate decreases.

Rural land values have increased slightly since 1 July 2011, with rural land in the Agnes Banks and Terrace to Putty Road area and non-farm land in Pitt Town Bottoms experiencing a moderate increase in value. Land values in the rural landscape area of North Richmond to Freemans Reach, however, decreased slightly.

Media enquiries: Office of Finance and Services Media Unit – 02 9937 2258 (24/7)

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Attachment 2: Revaluation Details per Suburb

Suburb	No Properties	2011 Total Land Value	2014 Total Land Value	% Increase / Decrease in Total Land Value	2014 / 2015 Average Rates	2015 / 2016 Average Rates Including Rate Peg of 2.4%	\$ Increase / Decrease in Average Rates	% Increase / Decrease in Average Rates	Range
Residential									
Agnes Banks	122	\$30,137,000	\$32,379,800	7.44%	\$998.75	\$1,030.41	\$31.66	3.12%	-6.45% to 12.99%
Berambing	20	\$4,701,000	\$5,257,000	11.83%	\$974.57	\$1,025.39	\$50.82	6.11%	3.00% to 60.28%
Bilpin	131	\$32,584,100	\$34,253,300	5.12%	\$1,002.20	\$1,022.70	\$20.50	2.93%	-14.14% to 6.85%
Blaxlands Ridge	76	\$330,000	\$26,412,200	-3.36%	\$1,226.05	\$1,191.43	-\$34.62	-2.78%	-5.62% to 4.47%
Bligh Park	2241	\$407,820,008	\$446,345,000	9.45%	\$867.43	\$900.53	\$33.11	3.78%	-1.00% to 10.09%
Bowen Mountain	566	\$121,039,000	\$123,359,000	1.92%	\$931.77	\$937.35	\$5.58	0.65%	-17.39% to 20.77%
Cattai	23	\$9,921,000	\$10,478,000	5.61%	\$1,370.90	\$1,403.27	\$32.36	2.80%	-0.67% to 24.89%
Central Colo	11	\$3,334,000	\$2,532,400	-24.04%	\$1,111.95	\$961.41	-\$150.54	-11.44%	-35.63% to 0.49%
Central Macdonald	10	\$3,583,500	\$3,418,200	-4.61%	\$1,223.52	\$1,180.24	-\$43.28	-3.21%	-10.98% to 0.48%
Clarendon	24	\$6,243,900	\$6,942,900	11.19%	\$1,025.28	\$1,077.23	\$51.96	5.53%	-4.17% to 13.58%
Colo	19	\$4,162,550	\$3,790,450	-8.94%	\$942.33	\$901.17	-\$41.16	-3.77%	-21.02% to 6.76%
Colo Heights	32	\$10,932,900	\$10,402,700	-4.85%	\$1,189.81	\$1,147.42	-\$42.39	-2.30%	-11.77% to 19.62%
Cornwallis	15	\$11,494,000	\$13,796,600	20.03%	\$2,047.12	\$2,313.48	\$266.37	11.68%	5.31% to 14.95%
Cumberland Reach	67	\$12,958,000	\$12,841,000	-0.90%	\$890.49	\$885.80	-\$4.69	-0.90%	-4.51% to 2.94%
East Kurrajong	209	\$77,018,000	\$76,823,800	-0.25%	\$1,244.03	\$1,230.74	-\$13.28	-1.00%	-29.19% to 8.67%
Ebenezer	203	\$74,601,900	\$74,573,000	-0.04%	\$1,241.99	\$1,230.31	-\$11.68	-0.91%	-24.31% to 7.62%
Fernances	15	\$2,100,590	\$2,063,190	-1.78%	\$782.74	\$779.70	-\$3.04	-0.17%	-2.40% to 1.87%
Freemans Reach	524	\$152,107,730	\$158,173,720	3.99%	\$1,086.09	\$1,101.88	\$15.79	1.51%	-11.59% to 33.00%
Glossodia	825	\$221,670,000	\$224,368,500	1.22%	\$1,042.50	\$1,043.26	\$0.77	0.19%	-13.81% to 5.37%
Grose Vale	202	\$77,783,000	\$78,411,600	0.81%	\$1,277.46	\$1,271.13	-\$6.32	-0.49%	-16.98% to 3.91%
Grose Wold	96	\$42,286,000	\$43,035,000	1.77%	\$1,389.34	\$1,388.99	-\$0.36	0.10%	-2.46% to 1.61%
Higher Macdonald	14	\$4,046,600	\$3,942,800	-2.57%	\$1,083.59	\$1,082.21	-\$1.37	-1.56%	-6.45% to 0.48%
Hobartville	1081	\$234,783,000	\$259,401,000	10.49%	\$938.51	\$980.52	\$42.00	4.47%	1.48% to 4.93%
Kurmond	187	\$59,330,000	\$58,556,000	-1.30%	\$1,140.58	\$1,123.99	-\$16.59	-1.36%	-13.05% to 14.59%
Kurrajong	688	\$239,952,270	\$242,166,430	0.92%	\$1,225.26	\$1,220.83	-\$4.42	-0.21%	-19.61% to 19.80%
Kurrajong Heights	485	\$118,352,500	\$108,137,450	-8.63%	\$1,013.89	\$965.99	-\$47.90	-4.53%	-19.56% to 32.96%

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Kurrajong Hills	150	\$66,899,000	\$63,948,000	-4.41%	\$1,400.47	\$1,345.92	-\$54.55	-3.74%	-16.17% to 1.22%
Leets Vale	25	\$8,258,000	\$7,161,000	-13.28%	\$1,166.93	\$1,071.65	-\$95.28	-7.92%	-14.16% to -0.59%
Lower Macdonald	220	\$39,002,700	\$37,765,000	-3.17%	\$857.94	\$846.59	-\$11.36	-1.26%	-8.92% to 3.91%
Lower Portland	82	\$26,782,000	\$26,394,800	-1.45%	\$1,159.43	\$1,141.15	-\$18.28	-1.39%	-19.79% to 22.03%
Maraylya	20	\$10,875,000	\$11,004,000	1.19%	\$1,597.85	\$1,588.83	-\$9.02	-0.62%	-9.70% to 6.50%
Mcgraths Hill	876	\$195,340,000	\$216,149,700	10.65%	\$950.23	\$993.82	\$43.59	4.66%	-33.17% to 36.91%
Mellong	8	\$3,969,000	\$3,771,000	-4.99%	\$1,501.69	\$1,434.27	-\$67.42	-4.41%	-5.48% to -3.90%
Mogo Creek	6	\$865,000	\$849,000	-1.85%	\$791.08	\$787.45	-\$3.63	-0.42%	-1.11% to -0.01%
Mountain Lagoon	15	\$4,379,000	\$3,942,000	-9.98%	\$1,089.42	\$1,025.30	-\$64.13	-5.58%	-8.33% to -4.14%
Mulgrave	15	\$6,061,000	\$5,897,000	-2.71%	\$1,315.82	\$1,280.85	-\$34.97	-1.14%	-19.83% to 1.73%
North Richmond	1614	\$385,979,004	\$403,031,999	4.42%	\$982.84	\$999.63	\$16.79	1.72%	-11.51% to 46.63%
Oakville	40	\$19,962,000	\$20,199,020	1.19%	\$1,507.60	\$1,500.15	-\$7.45	-0.42%	-0.79% to 1.97%
Perrys Crossing	8	\$1,390,000	\$1,304,000	-6.19%	\$850.81	\$829.61	-\$21.20	-2.52%	-6.50% to -0.63%
Pitt Town	709	\$293,367,700	\$298,179,000	1.64%	\$1,335.43	\$1,334.64	-\$0.79	0.20%	-38.05% to 20.10%
Pitt Town Bottoms	20	\$8,420,200	\$9,659,900	14.72%	\$1,350.03	\$1,457.05	\$107.02	9.53%	-19.61% to 51.23%
Putty	7	\$2,313,000	\$1,933,700	-16.40%	\$1,167.15	\$1,051.65	-\$115.49	-6.48%	-32.55% to -1.41%
Richmond	2123	\$397,004,894	\$439,970,039	10.82%	\$877.56	\$916.35	\$38.79	4.21%	-39.91% to 119.34%
Richmond Lowlands	14	\$12,298,100	\$14,754,400	19.97%	\$2,273.59	\$2,576.45	\$302.86	11.61%	3.41% to 15.73%
Sackville	55	\$11,228,000	\$11,932,000	6.27%	\$912.18	\$935.38	\$23.21	2.75%	-4.19% to 4.07%
South Windsor	2240	\$437,812,005	\$456,323,612	4.23%	\$894.62	\$909.44	\$14.82	1.66%	-8.55% to 15.22%
St Albans	82	\$14,628,400	\$14,329,600	-2.04%	\$860.19	\$852.65	-\$7.53	-0.57%	-3.96% to 0.97%
Tennyson	44	\$17,661,000	\$17,473,000	-1.06%	\$1,310.41	\$1,288.66	-\$21.75	-1.76%	-2.81% to 1.98%
The Slopes	76	\$27,582,000	\$27,004,000	-2.10%	\$1,232.75	\$1,206.70	-\$26.05	-2.10%	-5.74% to 2.12%
Upper Colo	24	\$7,855,000	\$7,104,000	-9.56%	\$1,160.81	\$1,090.39	-\$70.42	-5.00%	-31.99% to 3.58%
Upper Macdonald	17	\$3,656,100	\$3,582,400	-2.02%	\$934.22	\$923.20	-\$11.03	-0.99%	-2.20% to 0.85%
Vineyard	225	\$52,607,515	\$54,278,540	3.18%	\$972.07	\$983.02	\$10.95	2.00%	-20.75% to 36.38%
Webbs Creek	31	\$8,018,600	\$8,011,700	-0.09%	\$1,022.25	\$1,016.75	-\$5.50	0.14%	-3.92% to 9.78%

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Wheeny Creek	14	\$3,945,000	\$3,789,000	-3.95%	\$1,068.93	\$1,040.67	-\$28.26	-2.43%	-4.68% to 6.18%
Wilberforce	797	\$249,130,490	\$262,884,630	5.52%	\$1,131.12	\$1,166.75	\$25.63	2.26%	-10.78% to 97.29%
Windsor	701	\$177,301,589	\$190,888,672	7.66%	\$1,010.67	\$1,043.94	\$33.27	3.24%	-20.68% to 26.27%
Windsor Downs	334	\$142,881,000	\$154,194,000	7.92%	\$1,363.72	\$1,415.22	\$51.50	3.67%	-1.61% to 16.88%
Wisemans Ferry	36	\$5,962,500	\$5,839,490	-2.06%	\$834.40	\$828.06	-\$6.35	-0.55%	-2.83% to 1.99%
Wrights Creek	11	\$4,795,600	\$4,703,100	-1.93%	\$1,380.22	\$1,348.34	-\$31.88	-1.67%	-3.79% to 0.40%
Yarramundi	186	\$65,724,000	\$69,336,000	5.50%	\$1,213.43	\$1,240.93	\$27.50	1.95%	-5.39% to 61.08%
Total for Residential	18671	\$4,704,226,945	\$4,919,448,342	4.58%					
Rural Residential									
Agnes Banks	12	\$7,045,000	\$7,034,000	-0.16%	\$1,413.99	\$1,433.86	\$19.86	1.41%	1.15% to 2.48%
Berambing	18	\$6,951,000	\$7,685,000	10.56%	\$1,159.38	\$1,230.44	\$71.07	6.81%	4.41% to 37.79%
Bilpin	143	\$61,136,000	\$65,386,000	6.95%	\$1,211.79	\$1,269.15	\$57.36	4.70%	-2.98% to 9.55%
Blaxlands Ridge	119	\$47,278,000	\$46,653,000	-1.32%	\$1,173.48	\$1,185.85	\$12.37	1.07%	-1.45% to 4.76%
Bowen Mountain	20	\$8,906,000	\$8,503,000	-4.53%	\$1,234.32	\$1,228.15	-\$6.16	-0.50%	-1.25% to 3.01%
Cattai	132	\$75,168,000	\$76,735,000	2.08%	\$1,391.65	\$1,427.67	\$36.02	2.58%	1.93% to 12.57%
Central Colo	10	\$3,216,000	\$2,888,000	-10.20%	\$1,077.55	\$1,053.96	-\$23.60	-1.94%	-6.52% to 0.34%
Central Macdonald	21	\$7,077,000	\$6,912,000	-2.33%	\$1,097.07	\$1,105.50	\$8.43	0.78%	-0.70% to 1.46%
Clarendon	16	\$11,929,000	\$11,712,000	-1.82%	\$1,614.83	\$1,620.17	\$5.34	0.23%	-1.86% to 2.93%
Colo	16	\$4,814,000	\$4,471,000	-7.13%	\$1,051.29	\$1,042.00	-\$9.29	-0.76%	-8.72% to 6.14%
Colo Heights	82	\$24,088,000	\$22,546,000	-6.40%	\$1,042.27	\$1,036.26	-\$6.00	-0.54%	-4.27% to 1.04%
Cornwallis	1	\$834,000	\$1,000,000	19.90%	\$1,726.90	\$1,962.55	\$235.65	13.65%	13.65% to 13.65%
Cumberland Reach	8	\$5,582,000	\$5,984,000	6.84%	\$1,554.24	\$1,637.41	\$83.18	5.37%	4.81% to 6.16%
East Kurrajong	446	\$207,121,000	\$206,483,000	-0.31%	\$1,258.52	\$1,276.46	\$17.95	1.47%	-6.90% to 7.26%
Ebenezer	123	\$68,842,000	\$72,456,000	5.25%	\$1,379.28	\$1,437.57	\$58.29	4.29%	-7.74% to 14.81%
Fernances	3	\$440,700	\$431,800	-2.02%	\$856.16	\$868.88	\$12.72	1.50%	1.29% to 1.71%
Freemans Reach	110	\$63,038,000	\$65,407,000	3.76%	\$1,396.24	\$1,444.64	\$48.40	3.60%	-1.06% to 11.6%

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Glossodia	124	\$70,669,000	\$70,381,000	-0.41%	\$1,392.23	\$1,410.12	\$17.89	1.48%	-8.35% to 8.62%
Grose Vale	211	\$112,454,000	\$115,368,000	2.59%	\$1,345.40	\$1,383.52	\$38.12	2.97%	-19.16% to 5.67%
Grose Wold	100	\$56,732,000	\$58,857,000	3.75%	\$1,388.95	\$1,436.93	\$47.98	3.46%	-1.81% to 6.52%
Higher Macdonald	4	\$484,600	\$475,100	-1.96%	\$823.53	\$836.74	\$13.21	1.61%	1.48% to 1.81%
Kurmond	103	\$59,427,000	\$60,422,000	1.67%	\$1,401.17	\$1,434.44	\$33.27	2.58%	-2.51% to 6.16%
Kurrajong	403	\$201,366,000	\$200,149,000	-0.60%	\$1,303.21	\$1,319.49	\$16.28	1.31%	-7.93% to 7.57%
Kurrajong Heights	62	\$30,772,000	\$30,255,000	-1.68%	\$1,298.97	\$1,308.42	\$9.45	1.07%	-10.60% to 5.48%
Kurrajong Hills	94	\$49,642,000	\$47,880,000	-3.55%	\$1,339.25	\$1,335.74	-\$3.52	-0.20%	-10.02% to 3.75%
Leets Vale	5	\$2,966,000	\$2,907,000	-1.99%	\$1,421.74	\$1,427.77	\$6.02	0.46%	0.21% to 0.87%
Lower Macdonald	15	\$4,671,000	\$4,575,000	-2.06%	\$1,064.63	\$1,074.65	\$10.02	0.97%	0.48% to 1.46%
Lower Portland	75	\$32,981,000	\$31,602,000	-4.18%	\$1,227.28	\$1,223.31	-\$3.97	-0.06%	-15.94% to 5.72%
Maraylya	221	\$122,650,000	\$124,734,000	1.70%	\$1,373.31	\$1,406.06	\$32.75	2.40%	1.97% to 6.92%
Mcgraths Hill	17	\$10,570,000	\$10,990,000	3.97%	\$1,457.94	\$1,510.90	\$52.95	3.69%	2.06% to 14.25%
Mogo Creek	3	\$411,000	\$403,000	-1.95%	\$843.62	\$856.62	\$13.00	1.55%	1.30% to 1.68%
Mountain Lagoon	29	\$12,989,000	\$11,675,000	-10.12%	\$1,237.61	\$1,199.32	-\$38.28	-3.04%	-6.89% to 0.09%
Mulgrave	9	\$5,407,000	\$5,298,000	-2.02%	\$1,431.35	\$1,437.05	\$5.70	0.43%	-1.37% to 3.31%
North Richmond	125	\$76,356,000	\$76,244,000	-0.15%	\$1,444.11	\$1,464.24	\$20.13	1.70%	-23.69% to 6.78%
Oakville	505	\$305,749,000	\$309,198,000	1.13%	\$1,437.26	\$1,467.21	\$29.95	2.14%	-13.05% to 33.68%
Perrys Crossing	2	\$349,000	\$299,000	-14.33%	\$891.14	\$875.99	-\$15.14	-1.70%	-1.73% to -1.67%
Pitt Town	199	\$122,182,000	\$125,041,000	2.34%	\$1,448.08	\$1,487.74	\$39.67	2.75%	0.72% to 14.57%
Pitt Town Bottoms	5	\$2,399,000	\$2,854,000	18.97%	\$1,278.04	\$1,414.23	\$136.19	10.12%	7.11% to 13.65%
Richmond	8	\$7,005,000	\$8,021,000	14.50%	\$1,779.65	\$1,965.90	\$186.25	9.92%	1.24% to 15.97%
Richmond Lowlands	7	\$9,702,000	\$11,576,000	19.32%	\$2,426.44	\$2,797.70	\$371.27	14.76%	9.77% to 17.36%
Sackville	28	\$15,775,000	\$16,221,000	2.83%	\$1,383.97	\$1,425.11	\$41.14	3.16%	-3.98% to 6.10%
Schewille	1	\$625,000	\$632,000	1.12%	\$1,462.04	\$1,492.41	\$30.37	2.08%	2.08% to 2.08%
South Windsor	46	\$28,426,000	\$28,575,000	0.52%	\$1,453.12	\$1,478.61	\$25.49	1.90%	-4.81% to 11.39%
St Albans	36	\$10,652,700	\$10,440,800	-1.99%	\$1,045.00	\$1,055.52	\$10.52	1.06%	0.23% to 1.71%

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Tennyson	86	\$55,877,000	\$55,356,000	-0.93%	\$1,493.39	\$1,507.33	\$13.94	1.19%	-2.19% to 3.87%
The Slopes	27	\$14,591,000	\$14,395,000	-1.34%	\$1,354.84	\$1,366.12	\$11.28	0.95%	-2.15% to 3.38%
Upper Colo	12	\$4,329,000	\$3,963,000	-8.45%	\$1,127.17	\$1,106.91	-\$20.26	-1.54%	-15.69% to 0.46%
Upper Macdonald	23	\$6,281,000	\$6,158,000	-1.96%	\$1,016.07	\$1,027.05	\$10.98	1.13%	0.28% to 1.97%
Vineyard	135	\$79,264,000	\$81,966,000	3.41%	\$1,414.07	\$1,460.67	\$46.61	3.22%	-20.01% to 26.49%
Webbs Creek	13	\$3,197,000	\$3,216,000	0.59%	\$981.65	\$1,001.05	\$19.40	2.17%	0.35% to 7.53%
Wheeny Creek	12	\$4,037,000	\$3,780,000	-6.37%	\$1,096.33	\$1,087.43	-\$8.90	-0.63%	-6.52% to 0.47%
Wilberforce	166	\$106,485,000	\$111,211,000	4.44%	\$1,482.92	\$1,540.89	\$57.97	4.11%	-16.81% to 11.79%
Windsor	6	\$3,522,000	\$3,199,000	-9.17%	\$1,413.89	\$1,366.15	-\$47.74	-2.81%	-11.78% to 6.18%
Windsor Downs	25	\$14,639,000	\$16,278,000	11.20%	\$1,412.06	\$1,516.84	\$104.78	7.60%	1.45% to 14.16%
Wisemans Ferry	7	\$1,999,000	\$1,957,000	-2.10%	\$1,031.90	\$1,042.17	\$10.27	1.02%	0.75% to 1.30%
Wrights Creek	7	\$2,321,000	\$2,274,000	-2.02%	\$1,090.19	\$1,100.02	\$9.83	0.92%	0.75% to 1.46%
Yarramundi	53	\$31,992,000	\$35,802,000	11.91%	\$1,434.95	\$1,548.00	\$113.04	8.19%	-8.51% to 59.96%
Total Rural Residential	4289	\$2,285,412,000	\$2,316,894,700	1.38%					
Business Area 1									
Mcgraths Hill	3	\$2,334,000	\$3,050,000	30.68%	\$2,541.53	\$3,210.64	\$669.11	32.90%	4.88% to 64.67%
Mulgrave	222	\$129,832,402	\$98,039,251	-24.49%	\$2,141.41	\$1,931.97	-\$209.43	-8.77%	-34.55% to 8.60%
Richmond	222	\$85,208,659	\$88,156,071	3.46%	\$1,725.04	\$1,832.98	\$107.94	5.40%	-1.22% to 68.90%
Vineyard	49	\$40,160,220	\$33,614,330	-16.30%	\$2,627.70	\$2,475.39	-\$152.30	-4.64%	-37.51% to 9.78%
Windsor	238	\$96,483,450	\$99,142,202	2.76%	\$1,769.72	\$1,876.26	\$106.54	5.41%	-16.60% to 56.59%
Total Business Area 1	734	\$354,018,731	\$322,001,854	-9.04%					
Business Area 2									
North Richmond	92	\$38,710,629	\$38,462,893	-0.64%	\$1,801.57	\$1,879.62	\$78.05	3.73%	-1.88% to 61.94%
South Windsor	238	\$123,003,772	\$119,192,085	-3.10%	\$2,000.54	\$2,063.58	\$63.05	3.13%	-23.36% to 226.15%
Total Business Area 2	330	\$161,714,401	\$157,654,978	-2.51%					

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Business Area Other									
Agnes Banks	3	\$1,195,000	\$1,233,000	3.18%	\$1,755.10	\$1,863.89	\$108.79	6.26%	4.80% to 8.27%
Berambing	1	\$536,000	\$577,000	7.65%	\$2,040.26	\$2,233.01	\$192.75	9.45%	9.45% to 9.45%
Bilpin	8	\$1,597,000	\$1,868,000	16.97%	\$1,343.50	\$1,469.21	\$125.71	9.47%	4.69% to 32.04%
Blaxlands Ridge	2	\$720,000	\$744,000	3.33%	\$1,675.70	\$1,777.17	\$101.47	5.65%	2.01% to 9.29%
Bligh Park	7	\$3,341,900	\$3,510,700	5.05%	\$1,918.91	\$2,065.19	\$146.28	7.51%	3.52% to 13.15%
Bowen Mountain	3	\$953,000	\$920,000	-3.46%	\$1,588.01	\$1,631.90	\$43.89	2.90%	2.07% to 4.53%
Cattai	2	\$1,218,000	\$1,233,000	1.23%	\$2,191.47	\$2,320.84	\$129.37	5.87%	5.57% to 6.18%
Clarendon	14	\$7,547,300	\$8,170,600	8.26%	\$2,046.67	\$2,247.71	\$201.05	6.09%	-1.23% to 44.73%
Colo	3	\$1,710,000	\$1,624,000	-5.03%	\$2,110.69	\$2,153.70	\$43.01	2.04%	2.02% to 2.06%
Colo Heights	7	\$940,800	\$973,900	3.52%	\$1,208.39	\$1,259.36	\$50.97	3.74%	-1.12% to 16.73%
Cornwallis	1	\$1,140,000	\$1,360,000	19.30%	\$3,291.37	\$3,974.07	\$682.70	20.74%	20.74% to 20.74%
East Kurrajong	3	\$1,525,000	\$1,647,500	8.03%	\$1,982.95	\$2,171.12	\$188.16	8.06%	2.13% to 11.32%
Ebenezer	10	\$5,318,060	\$5,684,540	6.89%	\$2,031.57	\$2,214.00	\$182.43	11.01%	-2.41% to 70.19%
Freemans Reach	11	\$4,952,000	\$5,167,000	4.34%	\$1,862.50	\$1,994.48	\$131.98	7.18%	1.09% to 15.99%
Glossodia	6	\$3,716,000	\$3,677,000	-1.05%	\$2,212.87	\$2,312.68	\$99.81	5.02%	2.76% to 8.49%
Grose Vale	7	\$4,724,000	\$4,733,000	0.19%	\$2,327.89	\$2,453.46	\$125.57	5.23%	2.04% to 10.51%
Grose Wold	5	\$12,370,000	\$12,875,000	4.08%	\$6,054.59	\$6,675.72	\$621.12	8.82%	7.14% to 11.19%
Hobartville	3	\$897,000	\$920,600	2.63%	\$1,549.34	\$1,632.34	\$83.00	4.93%	3.36% to 6.18%
Kurmond	11	\$4,702,000	\$6,158,000	30.97%	\$1,815.42	\$2,194.80	\$379.38	21.17%	2.98% to 81.02%
Kurrajong	30	\$15,486,000	\$13,844,500	-10.60%	\$1,999.25	\$1,976.15	-\$23.10	2.56%	-43.62% to 9.65%
Kurrajong Heights	20	\$8,162,000	\$8,422,600	3.19%	\$1,775.33	\$1,886.42	\$111.09	6.32%	-4.31% to 56.76%
Kurrajong Hills	4	\$1,770,000	\$1,717,000	-2.99%	\$1,846.59	\$1,904.47	\$57.89	3.12%	2.01% to 4.45%
Lower Portland	5	\$4,000,000	\$3,610,000	-9.75%	\$2,587.10	\$2,555.42	-\$31.68	1.98%	-14.12% to 9.66%
Maraylya	6	\$1,771,000	\$1,791,300	1.15%	\$1,541.40	\$1,613.85	\$72.45	4.51%	2.49% to 5.57%
Mcgraths Hill	8	\$4,290,000	\$4,426,000	3.17%	\$2,040.78	\$2,180.20	\$139.42	6.68%	3.29% to 11.03%
Mellong	1	\$567,000	\$539,000	-4.94%	\$2,104.47	\$2,148.51	\$44.04	2.09%	2.09% to 2.09%

ORDINARY MEETING

Meeting Date: 03 February 2015

Suburb	No Properties	2011 Total Land Value	2014 Total Land Value	% Increase / Decrease in Total Land Value	2014 / 2015 Average Rates	2015 / 2016 Average Rates Including Rate Peg of 2.4%	\$ Increase / Decrease in Average Rates	% Increase / Decrease in Average Rates	Range
Mogo Creek	1	\$960	\$940	-2.08%	\$931.99	\$952.09	\$20.10	2.16%	2.16% to 2.16%
Mulgrave	3	\$1,019,000	\$1,058,000	3.83%	\$1,633.58	\$1,734.18	\$100.60	6.06%	4.59% to 7.01%
North Richmond	10	\$5,009,821	\$7,071,607	41.15%	\$1,967.72	\$2,522.43	\$554.70	17.66%	1.78% to 75.70%
Oakville	8	\$4,310,000	\$4,360,100	1.16%	\$2,045.96	\$2,161.88	\$115.92	5.42%	2.29% to 6.06%
Pitt Town	14	\$10,375,000	\$10,600,000	2.17%	\$2,465.04	\$2,633.57	\$168.53	5.85%	2.61% to 20.13%
Pitt Town Bottoms	1	\$574,000	\$600,000	4.53%	\$2,118.97	\$2,284.15	\$165.18	7.80%	7.80% to 7.80%
Richmond	41	\$15,712,210	\$18,198,480	15.82%	\$1,723.80	\$1,936.97	\$213.17	10.99%	-1.40% to 57.46%
Richmond Lowlands	3	\$2,136,000	\$2,484,000	16.29%	\$2,404.82	\$2,791.12	\$386.30	15.48%	11.80% to 19.26%
Sackville	2	\$1,090,000	\$1,139,000	4.50%	\$2,058.90	\$2,216.33	\$157.43	7.78%	7.00% to 8.55%
South Windsor	58	\$20,691,628	\$21,533,920	4.07%	\$1,668.97	\$1,775.56	\$106.59	8.32%	-23.36% to 243.70%
St Albans	9	\$1,840,800	\$1,844,570	0.20%	\$1,353.67	\$1,405.73	\$52.06	3.58%	2.15% to 9.51%
Vineyard	24	\$11,567,780	\$12,311,670	6.43%	\$1,928.39	\$2,090.67	\$162.28	7.05%	-17.63% to 44.48%
Webbs Creek	4	\$4,387,000	\$4,304,000	-1.89%	\$3,201.79	\$3,342.57	\$140.79	3.63%	3.02% to 4.98%
Wheeny Creek	1	\$9,000	\$8,550	-5.00%	\$948.64	\$969.01	\$20.37	2.15%	2.15% to 2.15%
Wilberforce	60	\$20,516,500	\$20,833,600	1.55%	\$1,638.29	\$1,722.09	\$83.80	5.24%	-30.76% to 48.39%
Windsor	7	\$2,357,000	\$2,495,970	5.90%	\$1,627.46	\$1,742.86	\$115.39	6.48%	2.26% to 14.94%
Wisemans Ferry	1	\$540,000	\$529,000	-2.04%	\$2,048.55	\$2,126.27	\$77.73	3.79%	3.79% to 3.79%
Yarramundi	2	\$1,171,000	\$1,467,000	25.28%	\$2,142.79	\$2,581.00	\$438.20	20.66%	9.92% to 31.41%
Total Business Area	430	\$198,456,759	\$208,267,647	4.94%					
Other									
Farmland									
Agnes Banks	26	\$18,615,000	\$22,121,000	18.83%	\$1,979.89	\$2,502.46	\$522.57	25.89%	2.34% to 28.33%
Berambing	3	\$1,457,000	\$1,570,000	7.76%	\$1,332.91	\$1,530.61	\$197.70	14.84%	14.72% to 14.90%
Blipin	31	\$16,483,000	\$17,384,000	5.47%	\$1,459.27	\$1,640.11	\$180.84	13.26%	-4.09% to 15.05%
Blaxlands Ridge	5	\$5,078,000	\$5,191,000	2.23%	\$2,787.30	\$3,036.45	\$249.15	5.84%	1.24% to 15.52%
Cattai	1	\$670,000	\$678,000	1.19%	\$1,838.81	\$1,982.97	\$144.16	7.84%	7.84% to 7.84%
Central Macdonald	2	\$862,000	\$844,000	-2.09%	\$1,182.88	\$1,234.24	\$51.36	4.34%	4.34% to 4.34%

ORDINARY MEETING

Meeting Date: 03 February 2015

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Clarendon	3	\$3,717,000	\$3,999,000	7.59%	\$3,400.42	\$3,898.67	\$498.24	15.65%	9.43% to 28.09%
Colo Heights	1	\$441,000	\$419,000	-4.99%	\$1,210.32	\$1,225.46	\$15.14	1.25%	1.25% to 1.25%
Cornwallis	21	\$19,368,000	\$23,239,000	19.99%	\$2,531.20	\$3,236.56	\$705.36	27.85%	27.19% to 28.33%
Cumberland Reach	3	\$2,117,000	\$2,270,000	7.23%	\$1,936.70	\$2,213.05	\$276.35	14.96%	13.58% to 17.50%
East Kurrajong	13	\$11,425,000	\$11,022,000	-3.53%	\$2,411.98	\$2,479.72	\$67.74	4.41%	-2.14% to 22.36%
Ebenezer	18	\$13,497,000	\$13,878,000	2.82%	\$2,057.91	\$2,254.97	\$197.06	9.67%	-14.75% to 15.65%
Fernances	1	\$144,000	\$141,000	-2.08%	\$512.00	\$524.00	\$12.00	2.34%	2.34% to 2.34%
Freemans Reach	94	\$68,347,000	\$68,654,000	0.45%	\$1,996.14	\$2,136.55	\$140.42	7.76%	2.34% to 27.22%
Glossodia	16	\$12,692,000	\$12,388,000	-2.40%	\$2,177.07	\$2,264.47	\$87.41	4.33%	-11.58% to 7.88%
Grose Vale	11	\$8,680,000	\$8,420,000	-3.00%	\$2,165.65	\$2,238.75	\$73.10	6.76%	-13.06% to 11.20%
Grose Wold	7	\$4,926,000	\$5,046,000	2.44%	\$1,931.34	\$2,108.31	\$176.98	9.81%	6.57% to 11.20%
Higher Macdonald	9	\$2,335,000	\$2,289,000	-1.97%	\$752.67	\$781.44	\$28.77	3.52%	2.34% to 4.55%
Kurmond	11	\$10,068,000	\$10,045,000	-0.23%	\$2,511.96	\$2,670.81	\$158.85	6.34%	1.31% to 11.24%
Kurrajong	11	\$8,423,000	\$7,978,000	-5.28%	\$2,101.53	\$2,121.23	\$19.70	3.74%	-15.69% to 15.71%
Kurrajong Heights	7	\$5,954,000	\$6,079,000	2.10%	\$2,334.38	\$2,539.92	\$205.53	12.97%	1.42% to 14.90%
Kurrajong Hills	7	\$6,417,000	\$6,186,000	-3.60%	\$2,515.91	\$2,584.63	\$68.71	3.91%	1.01% to 6.57%
Lower Macdonald	4	\$2,076,000	\$2,034,000	-2.02%	\$1,424.39	\$1,487.23	\$62.83	4.40%	4.34% to 4.52%
Lower Portland	6	\$5,240,000	\$5,208,000	-0.61%	\$2,396.85	\$2,538.67	\$141.81	5.34%	1.20% to 13.62%
Maraylya	6	\$6,098,000	\$6,167,000	1.13%	\$2,789.32	\$3,006.13	\$216.82	7.82%	7.63% to 7.92%
Mcgraths Hill	4	\$3,775,000	\$3,996,000	5.85%	\$2,590.11	\$2,921.81	\$331.69	10.17%	7.79% to 17.22%
Mountain Lagoon	4	\$2,038,000	\$1,835,000	-9.96%	\$1,398.32	\$1,341.72	-\$56.60	-4.05%	-4.09% to -4.00%
Mulgrave	5	\$5,586,000	\$5,296,000	-5.19%	\$3,066.14	\$3,097.87	\$31.73	1.45%	-2.85% to 6.19%
North Richmond	24	\$51,217,000	\$52,462,000	2.43%	\$5,856.86	\$6,393.22	\$536.36	11.51%	-2.49% to 38.52%
Oakville	33	\$20,762,000	\$20,778,000	0.08%	\$1,726.70	\$1,841.52	\$114.82	7.12%	-15.15% to 7.92%
Pitt Town	9	\$11,714,000	\$11,699,000	-0.13%	\$3,572.11	\$3,801.82	\$229.72	6.80%	5.88% to 7.85%
Pitt Town Bottoms	42	\$17,193,000	\$20,469,000	19.05%	\$1,131.72	\$1,427.42	\$295.69	25.32%	2.34% to 28.33%
Richmond	17	\$26,604,000	\$31,555,000	18.61%	\$4,294.97	\$5,428.82	\$1,133.85	23.42%	6.25% to 49.90%

ORDINARY MEETING

Meeting Date: 03 February 2015

Suburb	No Properties	2011 Total Land Value	2014 Total Land Value	% Increase / Decrease in Total Land Value	2014 / 2015 Average Rates	2015 / 2016 Average Rates Including Rate Peg of 2.4%	\$ Increase / Decrease in Average Rates	% Increase / Decrease in Average Rates	Range
Richmond Lowlands	5	\$6,495,000	\$7,791,000	19.95%	\$3,565.09	\$4,557.31	\$992.22	27.84%	27.28% to 28.69%
Sackville	6	\$5,930,000	\$6,290,000	6.07%	\$2,712.47	\$3,066.09	\$353.62	12.40%	8.29% to 15.65%
South Windsor	3	\$2,480,000	\$2,395,000	-3.43%	\$2,268.78	\$2,334.91	\$66.13	2.38%	-0.24% to 6.57%
St Albans	9	\$4,064,000	\$3,983,000	-1.99%	\$1,239.29	\$1,294.36	\$55.07	4.44%	4.34% to 4.54%
Tennyson	11	\$10,780,000	\$10,529,000	-2.33%	\$2,689.60	\$2,799.50	\$109.90	4.51%	3.15% to 7.74%
The Slopes	2	\$4,833,000	\$4,599,000	-4.84%	\$6,632.06	\$6,725.42	\$93.36	3.29%	1.00% to 5.58%
Upper Colo	9	\$4,716,000	\$4,479,000	-5.03%	\$1,438.11	\$1,455.54	\$17.43	1.21%	1.09% to 1.31%
Upper Macdonald	9	\$3,053,700	\$2,991,800	-2.03%	\$970.06	\$1,010.44	\$40.38	3.95%	2.34% to 4.52%
Vineyard	24	\$18,637,000	\$18,917,000	1.50%	\$2,131.21	\$2,305.30	\$174.09	9.74%	0.34% to 54.52%
Webbs Creek	4	\$1,807,000	\$1,772,000	-1.94%	\$1,239.82	\$1,295.66	\$55.83	4.41%	4.34% to 4.61%
Wilberforce	57	\$38,327,000	\$40,291,000	5.12%	\$1,845.82	\$2,067.48	\$221.67	11.51%	2.34% to 27.25%
Windsor	4	\$1,958,000	\$2,348,000	19.92%	\$1,343.43	\$1,716.82	\$373.39	27.78%	27.68% to 27.95%
Windsor Downs	1	\$793,000	\$791,000	-0.25%	\$2,176.38	\$2,313.46	\$137.08	6.30%	6.30% to 6.30%
Wisemans Ferry	1	\$1,050,000	\$1,030,000	-1.90%	\$2,881.71	\$3,012.47	\$130.76	4.54%	4.54% to 4.54%
Yarramundi	5	\$3,716,000	\$4,152,000	11.73%	\$2,039.70	\$2,428.70	\$388.99	18.82%	9.07% to 28.45%
Total Farmland	605	\$482,658,700	\$503,698,800	4.36%					

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 03 February 2015

ordinary

section 4

reports
of committees

ORDINARY MEETING
Reports of Committees

ORDINARY MEETING
Reports of Committees

SECTION 4 - Reports of Committees

ROC **Heritage Advisory Committee - 27 November 2014 - (80242)**

The meeting commenced at 5:31pm in Council Chambers.

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

REPORT:

RESOLVED on the motion of Mr Jonathan Auld and seconded by Ms Janice Hart that the apologies be accepted.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Mr Jonathan Auld and seconded by Ms Janice Hart that the Minutes of the Heritage Advisory Committee held on the 28 August 2014, be confirmed.

Attendance Register of Heritage Advisory Committee

Member	27/11/14				
Councillor Patrick Conolly	✓				
Mr Glenn Falson	✓				
Ms Janice Hart	✓				
Mr John Miller	✓				
Professor Ian Jack	✓				
Ms Carol Roberts	A (Belated apology)				
Mr Jonathan Auld	✓				
Ms Michelle Nichols	A				
Ms Judith Newland	✓				

Key: A = Formal Apology

✓ = Present

X = Absent - no apology

ORDINARY MEETING
Reports of Committees

SECTION 3 - Reports for Determination

Item 1: Election of Chairperson and Deputy Chairperson

Mrs Hussein proceeded to conduct the election of Chairperson and Deputy Chairperson.

Mrs Hussein called for nominations for the position of Chairperson. One nomination was received, being:

Professor Ian Jack Nominated by Mr John Miller

In the absence of other nominations Mrs Hussein declared Professor Jack Chairperson of the Heritage Advisory Committee for the 2014/2015 term of the Committee.

Mrs Hussein called for nominations for the position of Deputy Chairperson. One nomination was received, being:

Mr Jonathan Auld Nominated by Ms Judith Newland

In the absence of other nominations Mrs Hussein declared Mr Auld Deputy Chairperson of the Heritage Advisory Committee for the 2014/2015 term of the Committee.

RECOMMENDATION TO COMMITTEE:

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

MOTION:

RESOLVED on the motion of Mr John Miller, seconded by Ms Judith Newland.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. Professor Jack assume the position of Chairperson for the 2014/2015 term of the Heritage Advisory Committee.
2. Mr Auld assume the position of Deputy Chairperson for the 2014/2015 term of the Heritage Advisory Committee.

Item 2: Heritage Priority Actions and Key Events for 2015/16

DISCUSSION:

- Mrs Hussein sought input from the Committee in relation to items for the National Heritage Trust Festival to be held on 11 April - 26 May 2015.
- Mr Miller noted the Festival theme was entitled "*Conflict and Compassion*" and recommended the Committee consider registering an event in recognition of nurses for their contributions during wartime. Mr Miller cited Hawkesbury-born Sister Julia Bligh Johnston (known as Hawkesbury's Angel of Mercy), and her distinguished nursing career in the Boer and Great Wars, advising her story would be very pertinent to the theme.

ORDINARY MEETING
Reports of Committees

- Mr Miller referred to Priority A - *Promote Awareness of Cemeteries in Hawkesbury* (under Priority Actions for 2015/16) and advised he believed the promotion of Green Hills Burial Grounds (behind the Jolly Frog at Windsor), should be supported in recognition of the first fleeters, settlers and convicts. Mr Miller added the site was also believed to be the first graveyard where an Aboriginal child was interred under Christian rites.

MOTION:

RESOLVED on the motion of Mr John Miller, seconded by Ms Judith Newland.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. Cemeteries be given priority as an item for discussion at the first Heritage Advisory Committee meeting of 2015.
 2. A report be brought back to the next Heritage Advisory Committee meeting outlining the specific areas targeted for promotional awareness of cemeteries.
- The Chair enquired if Mrs Hussein could provide a list of Hawkesbury cemeteries, noting there were several cemeteries in the Hawkesbury LGA under Council's control, and also a significant number of private cemeteries (not under Council's control).
 - Mr Auld responded he would provide Mrs Hussein with a compilation of cemeteries in the Hawkesbury.

5:40pm - Councillor Conolly arrived at the meeting.

- Councillor Conolly referred to Priority C - *Develop audio material for self-guide walks of heritage areas* and suggested the Committee consider bringing that item forward to Priority A.
- Mrs Hussein responded that particular item was advancing, with the Cultural Services Manager investigating the application of digital material (text, images, video, audio) and on-line information through the use of Quick Response codes to support interpretive trails.
- Councillor Conolly enquired as to the status of the proposal to approach the University of Western Sydney (UWS) to invite students to assist Council with heritage data research.
- Mrs Hussein responded a broad invitation had been put to the UWS, however, the terms of research arrangements had not been discussed as yet.
- The Chair suggested an informal meeting be arranged with the UWS, relevant staff and members of the Committee to discuss and further progress the proposal to seek assistance from students.

ORDINARY MEETING

Reports of Committees

- Mr Miller referred to Priority B - *Seek funding for Aboriginal heritage* and asked if the proposed funding was aimed towards specific aspects of Aboriginal heritage. Mr Miller made reference to a site at Pitt Town Bottoms Road where a memorial stone and plaque was situated to mark the place where Governor Phillip had met in friendship with Darug Aboriginal leader, Yarramundi, and his father Gombeeree, in 1791. Mr Miller asked if Council assistance could be sought in maintaining the grounds as presently the Historical Society were funding the maintenance of the grounds and he believed the site should come under Council's control. *(This matter further discussed in General Business).*
- Councillor Conolly referred to Priority C - *Review Sustainability website*, and discussion arose regarding the status of information displayed on that website. It was subsequently determined that item be placed on the agenda for the next meeting.

RECOMMENDATION TO COMMITTEE:

That the:

1. Priority actions for 2015/16 be endorsed by the Heritage Advisory Committee.
2. Suggested education and awareness actions for promotion of cemeteries be endorsed by the Heritage Advisory Committee
3. Information about Heritage Week be received.

COMMITTEE RECOMMENDATION:

That the:

1. Priority actions for 2015/16 be endorsed by the Heritage Advisory Committee, with the exception the first dot-point item under Priority C - *"Develop audio material for self-guide walks of heritage areas"*, be moved to Priority A.
2. Suggested education and awareness actions for promotion of cemeteries be endorsed by the Heritage Advisory Committee.
3. Information about Heritage Week be received.
4. Details of plans for Heritage Week be ascertained from the Manager, Cultural Services, and those details be forwarded to the Committee prior to the next meeting.

SECTION 4 - Reports for Information

Item 3: Local Heritage Assistance Fund 2014-15

DISCUSSION:

- Mrs Hussein reported all barn owners identified in the Barn Study were invited to apply for funding and the 12 owners who made applications were successful in grant funding.
- Mrs Hussein added it was hopeful some owners may be agreeable to photographing and documenting the progress of their respective works which would be beneficial for Council to utilise as a resource.
- The Chair commended staff and the Committee on the success of the project and suggested members consider further (comparable) projects for discussion at the next meeting.

ORDINARY MEETING
Reports of Committees

- Mr Miller referred to the slab barn which was located at the Sewerage Treatment Plant site at McGraths Hill and was demolished by Council more than 20 years ago. Mr Miller advised at the time of demolition, it was advised the barn (material) would be stored. Mr Miller sought investigation into the possibility of the barn being re-erected.
- Mrs Hussein responded she would investigate to ascertain if the material from the barn was still in storage.

MOTION:

RESOLVED on the motion of Mr John Miller, seconded by Ms Janice Hart.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That staff investigate if the barn which was demolished by Council at the McGraths Hill Sewerage Treatment Plant was still in storage.

- The Chair suggested the Heritage Festival would be an opportune venue for slab barn owners to present information relating to their works and suggested owners be approached to ascertain their interest in participating in the event.

RECOMMENDATION TO COMMITTEE:

That the information about the Local Heritage Assistance Fund 2014 - 15 provided in this report be noted.

MOTION:

RESOLVED on the motion of Councillor Conolly, seconded by Ms Judith Newland.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. The information about the Local Heritage Assistance Fund 2014 - 15 provided in this report be noted.
2. Staff approach slab barn owners who were successful in obtaining grant funding, to ascertain if they would like to participate in Heritage Week.

SECTION 5 - General Business

- Mr Miller raised concern regarding the maintenance of the historical site between Bathurst Road and Pitt Town Bottoms Road (adjacent to Friendship Bridge) and advised the Historical Society had previously maintained the site, however as funding received from the Darug Land Council was now exhausted, Mr Miller asked if Council would take over the maintenance of the site.

MOTION:

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

Refer to COMMITTEE RECOMMENDATION

ORDINARY MEETING
Reports of Committees

COMMITTEE RECOMMENDATION:

That a report:

1. Be brought back to the next meeting of the Committee regarding the feasibility of Council maintaining the site at Pitt Town Bottoms Rd (adjacent to Friendship Bridge) where Governor Phillip met in friendship with Darug Aboriginal leader Yarramundi and his father/tribesman Gombeereee.
 2. Be prepared outlining details of other historically significant heritage sites Council currently maintains.
- Discussion arose regarding future meeting dates for 2015.
 - Ms Kozjak advised dates for meetings in 2015 would be emailed to members, once settled.

The meeting closed at 6:44pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC Local Traffic Committee - 12 January 2015 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Monday, 12 January 2015 commencing at 3pm.

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

The Chairman tendered an apology on behalf of Mr James Suprain, Roads and Maritime Services, advising that Mr James Suprain, Roads and Maritime Services, concurred with the recommendations as contained in the formal agenda and had granted proxy to himself to cast vote(s) on his behalf.

RESOLVED on the motion of Snr Constable Debbie Byrnes, seconded by Councillor Kim Ford, that the apologies be accepted.

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Snr Constable Debbie Byrnes, seconded by Councillor Kim Ford, that the minutes from the previous meeting held on Monday, 10 November 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 - 12 January 2015 - Item 2.1 - Zone One Q60 Endurance Horse Ride - May 2015 - Upper Colo (Hawkesbury) - (80245, 85005)

REPORT:

Introduction

An application has been received from Zone One of The NSW Endurance Riders' Association seeking approval (in traffic management terms) to conduct the Zone One Q60 Endurance Horse Ride on Sunday, 03 May 2015, in and around the Central Colo, Mountain Lagoon, Upper Colo and Wheeny Creek area.

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The event organiser has advised:

- The event has been held in previous years.
- The Endurance Horse Ride is a timed event and not a race.
- The event will be undertaken between 3am and 3pm.
- The Ride Base will be at the Ararat Lodge located at No. 1055 Upper Colo Road, Upper Colo.
- The course is generally similar to previous years.
- Approximately 75 Participants and 100 spectators are expected for the event.
- The Endurance Horse Ride is 100 kilometres over three legs (Leg 1 = 40 kilometres, Leg 2 = 40 kilometres and Leg 3 = 20 kilometres),
- Route for the Endurance Ride:

Leg 1 - 40 Kilometres:

- Commence from the Ride Base located at the Ararat Lodge at No. 1055 Upper Colo Road and enter the course by turning right onto Upper Colo Road,
- Travel for a distance of approximately 15.5 kilometres along Upper Colo Road, crossing Wheeny Creek Bridge, Under Putty Road and into Lower Colo Road to the turn-around point,
- Turn around and return for a distance of approximately 6 kilometres along Lower Colo Road and Upper Colo Road, crossing Wheeny Creek Bridge,
- Turn left and travel through private property (Atkinson property), and into the Wollemi National Park (Gees Arm Trail) and turn right into Comleroy Road,
- Travel along Comleroy Road down to the Upper Colo Road junction and turn right into Upper Colo Road,
- Travel back along Upper Colo Road, to the Ride Base.

Leg 2 - 40 Kilometres:

- Commence from the Ride Base located at the Ararat Lodge at No. 1055 Upper Colo Road and enter the course by turning left onto Upper Colo Road,
- Travel for a distance of approximately 5.5 kilometres along Upper Colo Road to the turn-around point,
- Turn around and return for a distance of approximately 3.5 kilometres to the start of the Wards Track,
- Turn right and travel along the Wards Track, left into the Gaspers Fire Trail and left into Sams Way,
- Travel along Sams Way and turn left into Mountain Lagoon Road,
- Travel along Mountain Lagoon Road and turn left into Comleroy Road,
- Travel along Comleroy Road down to the Upper Colo Road junction and turn right into Upper Colo Road,
- Travel back along Upper Colo Road, to the Ride Base.

Leg 3 – 20 Kilometres:

- Commence from the Ride Base located at the Ararat Lodge at No. 1055 Upper Colo Road and enter the course by turning left onto Upper Colo Road,
- Travel for a distance of approximately 10 kilometres along Upper Colo Road to the end of Upper Colo Road,
- Turn around and return along Upper Colo Road, to the Ride Base.

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- Where the course covers trafficable roads, as with previous years, the following will be in place:
 - A Marshall is to be in place to stop horses crossing whilst vehicles pass,
 - At any junction where horses cross or access roads that are main access gates, the Marshall is to notify Traffic of the conditions ahead,
 - Signage shall be in place stating the following: Horses on Road, Horses crossing. In areas where the road narrows or is windy; Drive Slowly Horses on Road is to be provided.
- Road Inventory
 - Comleroy Road – Unsealed,
 - Lower Colo Road – Sealed/Unsealed,
 - Mountain Lagoon Road – Sealed/Unsealed,
 - Sams Way – Unsealed,
 - Upper Colo Road – Sealed/Unsealed,
 - Roads on private property and within the National Park,
 - The Colo River will not be crossed as part of the route.

Refer to Attached 1: "Event Route Plan - Zone One Q60 Endurance Horse Ride 2015".

Discussion

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

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document No: 5036356):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Event Route Plan,
5. Copy of the application to the NSW Police Force,
6. Copies of correspondence forwarded to the NSW Ambulance Service, NSW Rural Fire Service, SES and National Parks and Wildlife Service (Office of Environment and Heritage).

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package.

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2. The Zone One Q60 Endurance Horse Ride event in and around the Central Colo, Mountain Lagoon, Upper Colo and Wheeny Creek area, planned for Sunday, 03 May 2015 be classified as a **"Class 2"** special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**
- 4d. the event organiser is to **submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of the relevant Work Cover legislation;
- 4e. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than **\$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities;**
- 4f. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;

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- 4h. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use of the Wollemi National Park; **a copy of this approval to be submitted to Council;**
- 4i. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4j. the event organiser is to obtain approval from the NSW Department of Primary Industries for the use of any Crown Road or Crown Land; **a copy of this approval to be submitted to Council;**
- 4k. the event organiser is to obtain approval from the respective Land Owners for the use of their land as part of the route for the event; **a copy of this approval to be submitted to Council;**
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium to be advised);
- 4m. the event organiser is to notify the details of the event to Fire and Rescue NSW at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4n. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4o. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**
- 4p. the event organiser is to **submit** the completed "Traffic and Transport Management for Special Events – **Final Approval Application Form (Form C)**" to Council;

During the event:

- 4q. access is to be maintained for businesses, residents and their visitors;
- 4r. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4s. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4t. the riders are to be made aware of and are to follow all the general road user rules whilst riding on public roads;
- 4u. in accordance with the submitted TMP and associated TCP, appropriate advisory and traffic control devices are to be placed along the route, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4v. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;

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- 4w. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4x. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

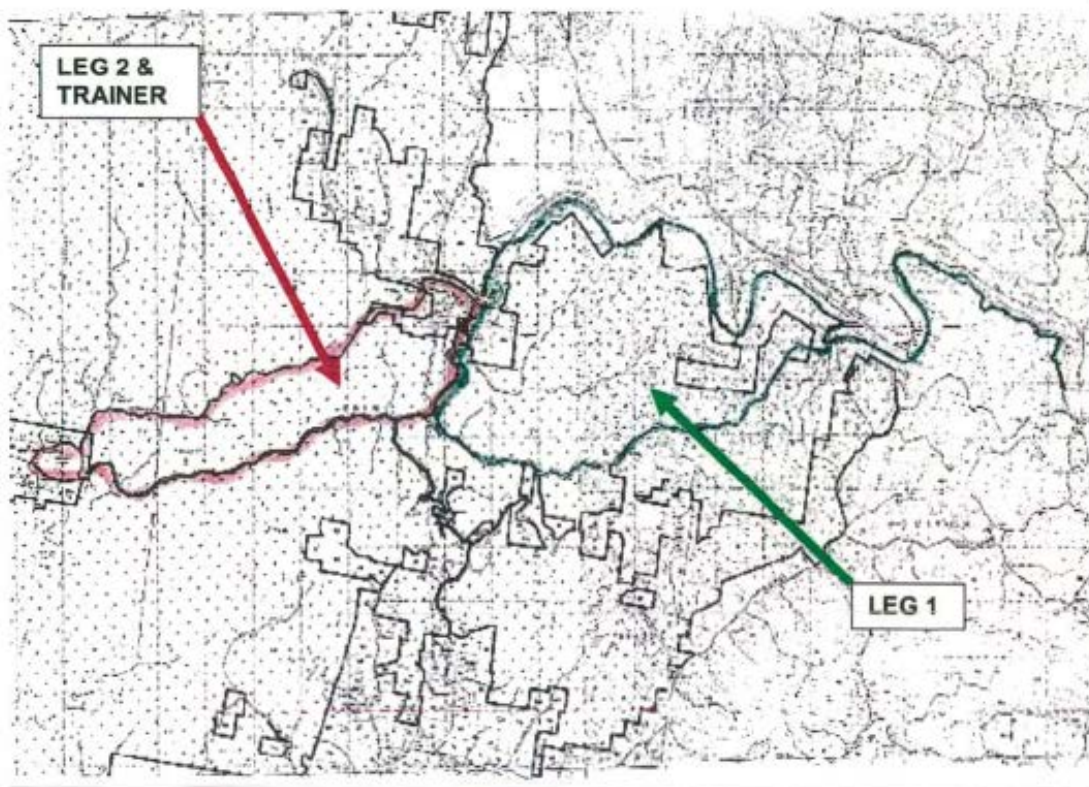
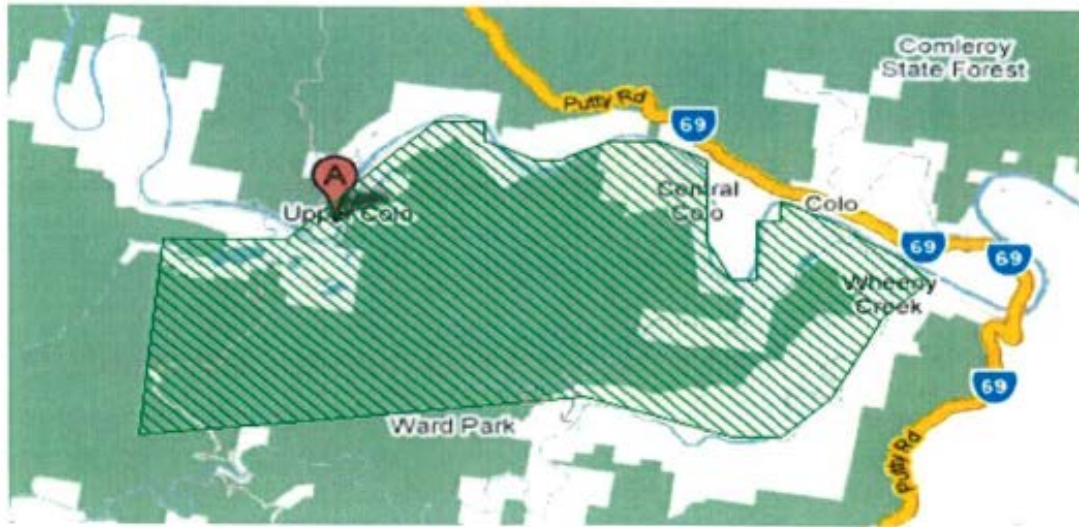
APPENDICES:

AT - 1 Event Route Plan - Zone One Q60 Endurance Horse Ride 2015.

AT - 2 Special Event Application - (ECM Document No. 5036356) - *see attached*.

AT - 1 Event Route Plan - Zone One Q60 Endurance Horse Ride 2015

AREA COVERD IN ENDURANCE RIDE



COMMITTEE RECOMMENDATION:

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

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Zone One Q60 Endurance Horse Ride event in and around the Central Colo, Mountain Lagoon, Upper Colo and Wheeny Creek area, planned for Sunday, 03 May 2015 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc. during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**

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- 4d. the event organiser is to **submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of the relevant Work Cover legislation;
- 4e. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than **\$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities**;
- 4f. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4h. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use of the Wollemi National Park; **a copy of this approval to be submitted to Council**;
- 4i. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4j. the event organiser is to obtain approval from the NSW Department of Primary Industries for the use of any Crown Road or Crown Land; **a copy of this approval to be submitted to Council**;
- 4k. the event organiser is to obtain approval from the respective Land Owners for the use of their land as part of the route for the event; **a copy of this approval to be submitted to Council**;
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium to be advised);
- 4m. the event organiser is to notify the details of the event to Fire and Rescue NSW at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**;
- 4n. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**;
- 4o. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council**;
- 4p. the event organiser is to **submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council**;

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During the event:

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

Item: 2.2 LTC - 12 January 2015 - Item 2.2 - Zone One Training Horse Ride - February/March 2015 - Upper Colo (Hawkesbury) - (80245, 85005)

REPORT:

Introduction:

An application has been received from Zone One of The NSW Endurance Riders' Association seeking approval (in traffic management terms) to conduct the Zone One Training Horse Ride on Saturday, 28 February and Sunday, 01 March 2015, in and around the Mountain Lagoon and Upper Colo area.

The event organiser has advised:

- The event has been held in previous years.
- The Training Horse Ride is non-competitive and is a time trial.
- Each day is a standalone event between 7am and 3pm.
- The Ride Base will be at the Ararat Lodge located at No. 1055 Upper Colo Road, Upper Colo.
- The course is generally similar to previous years.
- Approximately 75 Participants are expected for the event.
- The Training Horse Ride is over two separate lengths of 20 kilometres and 40 kilometres.

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- Route for the Training Rides:

Training Ride – 20 Kilometres:

- Commence from the Ride Base located at the Ararat Lodge at No. 1055 Upper Colo Road and enter the course by turning left onto Upper Colo Road,
- Travel for a distance of approximately 10 kilometres along Upper Colo Road to the end of Upper Colo Road,
- Turn around and return along Upper Colo Road, to the Ride Base.

Training Ride - 40 Kilometres:

- Commence from the Ride Base located at the Ararat Lodge at No. 1055 Upper Colo Road and enter the course by turning left onto Upper Colo Road,
- Travel for a distance of approximately 5.5 kilometres along Upper Colo Road to the turn-around point,
- Turn around and return for a distance of approximately 3.5 kilometres to the start of the Wards Track,
- Turn right and travel along the Wards Track, left into the Gaspers Fire Trail and left into Sams Way,
- Travel along Sams Way and turn left into Mountain Lagoon Road,
- Travel along Mountain Lagoon Road and turn left into Comleroy Road,
- Travel along Comleroy Road down to the Upper Colo Road junction and turn right into Upper Colo Road,
- Travel back along Upper Colo Road, to the Ride Base.

- Where the course covers trafficable roads, as with previous years, the following will be in place:

- A Marshall is to be in place to stop horses crossing whilst vehicles pass,
- At any junction where horses cross or access roads that are main access gates, the Marshall is to notify Traffic of the conditions ahead,
- Signage shall be in place stating the following: Horses on Road, Horses crossing. In areas where the road narrows or is windy; Drive Slowly Horses on Road is to be provided.

- Road Inventory

- Comleroy Road – Unsealed,
- Mountain Lagoon Road – Sealed/Unsealed,
- Sams Way – Unsealed,
- Upper Colo Road – Sealed/Unsealed,
- Roads on private property and within the National Park,
- The Colo River will not be crossed as part of the route.

Refer to Attachments 1 to 4: "Event Route Plan - Zone One - 20 and 40 Kilometre Training Horse Ride 2015".

Discussion

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

The event organiser has submitted the following items in relation to the event: Attachment 5 (ECM Document No: 5036085):

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

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2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Event Route Plan,
5. Copy of the application to the NSW Police Force,
6. Copies of correspondence forwarded to the NSW Ambulance Service, NSW Rural Fire Service, SES and National Parks and Wildlife Service (Office of Environment and Heritage).

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Zone One Training Horse Ride event in and around the Mountain Lagoon and Upper Colo area, planned for Saturday, 28 February and Sunday, 01 March 2015, be classified as a "**Class 2**" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc. during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;

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- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**
- 4d. the event organiser is to **submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of the relevant Work Cover legislation;
- 4e. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than **\$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities;**
- 4f. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4h. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use of the Wollemi National Park; **a copy of this approval to be submitted to Council;**
- 4i. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4j. the event organiser is to obtain approval from the NSW Department of Primary Industries for the use of any Crown Road or Crown Land; **a copy of this approval to be submitted to Council;**
- 4k. the event organiser is to obtain approval from the respective Land Owners for the use of their land as part of the route for the event; **a copy of this approval to be submitted to Council;**
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium to be advised);
- 4m. the event organiser is to notify the details of the event to Fire and Rescue NSW at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4n. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4o. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**

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- 4p. the event organiser is to **submit** the completed "Traffic and Transport Management for Special Events – **Final Approval Application Form (Form C)**" to Council;

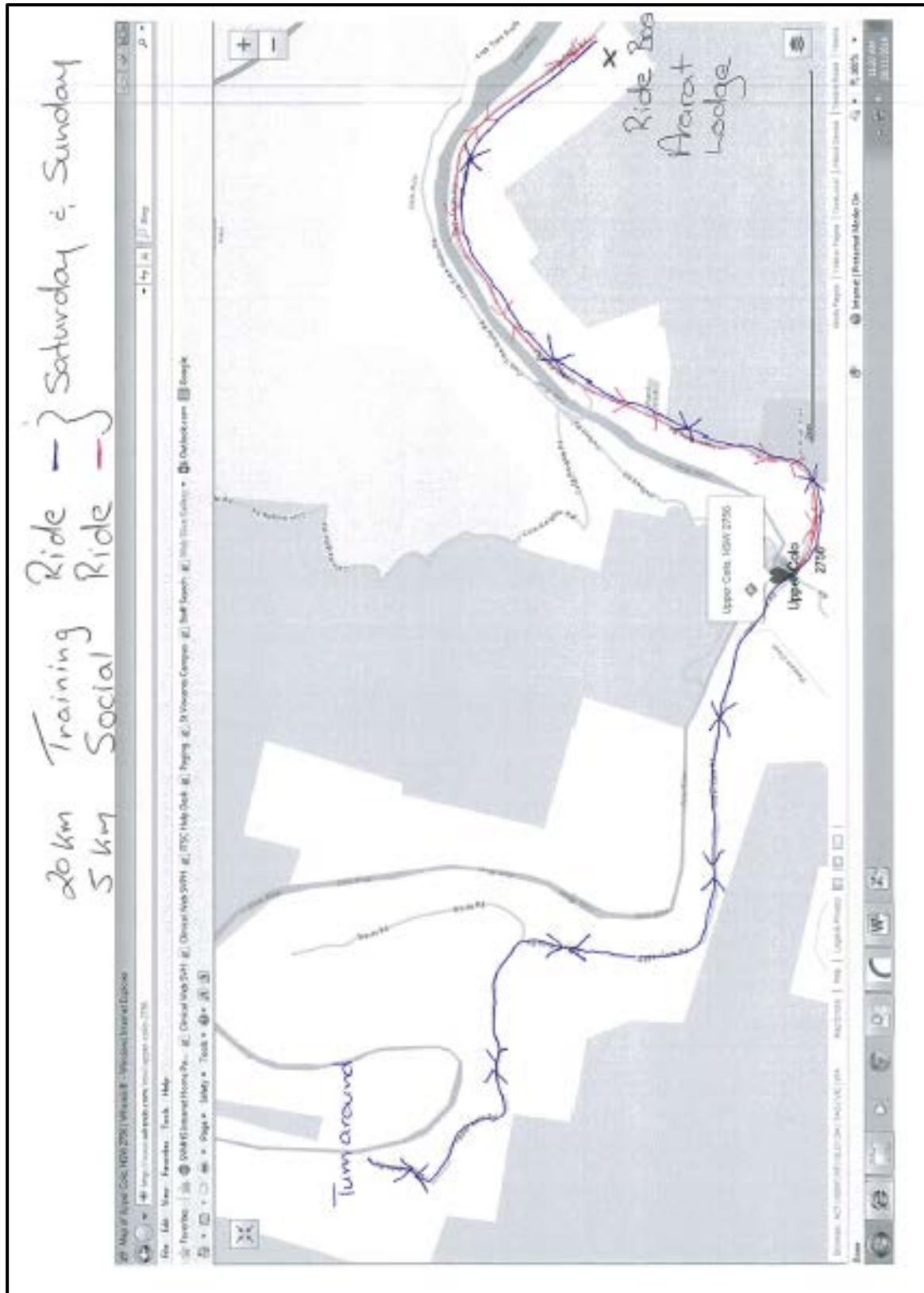
During the event:

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

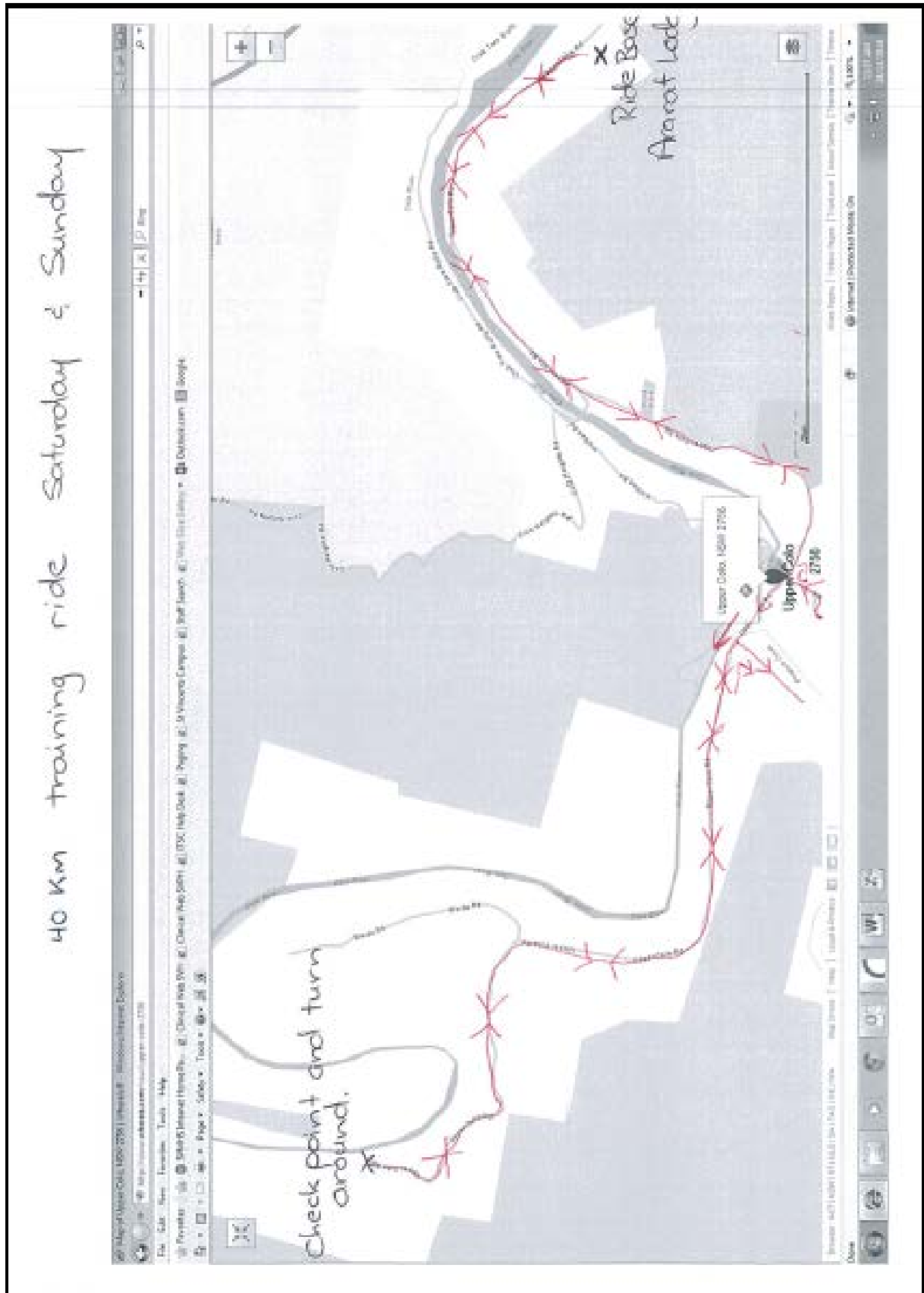
APPENDICES:

- AT - 1** Event Route Plan - Zone One - 20 Kilometre Training Horse Ride 2015.
- AT - 2** Event Route Plan - Zone One - 40 Kilometre Training Horse Ride 2015 (Plan 1-3)
- AT - 3** Event Route Plan - Zone One - 40 Kilometre Training Horse Ride 2015 (Plan 2-3)
- AT - 4** Event Route Plan - Zone One - 40 Kilometre Training Horse Ride 2015 (Plan 3-3)
- AT - 5** Special Event Application - (ECM Document No. 5036085) - *see attached*.

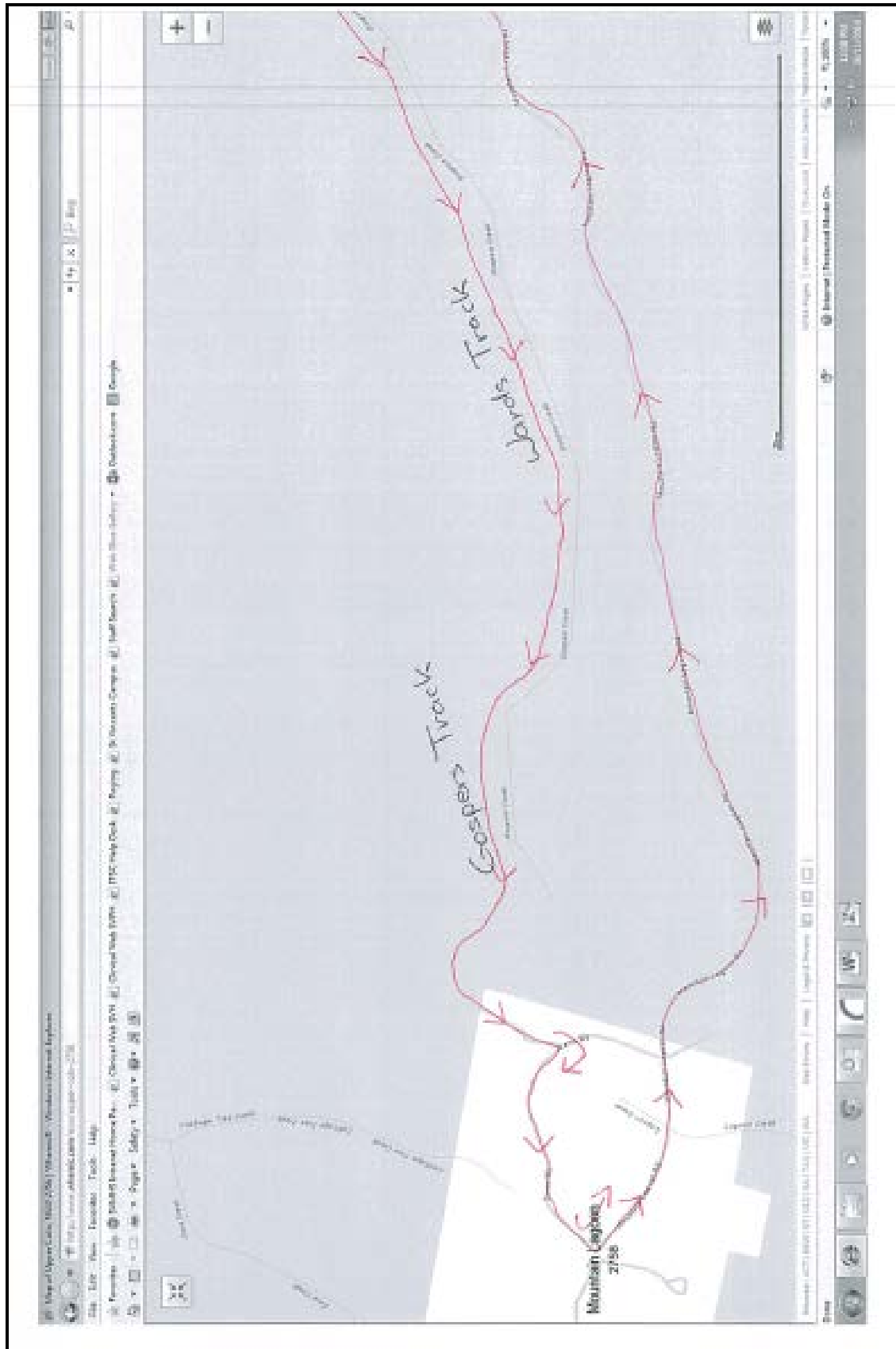
AT - 1 Event Route Plan - Zone One - 20 Kilometre Training Horse Ride 2015



AT - 2 Event Route Plan - Zone One - 40 Kilometre Training Horse Ride 2015 (Plan 1-3)

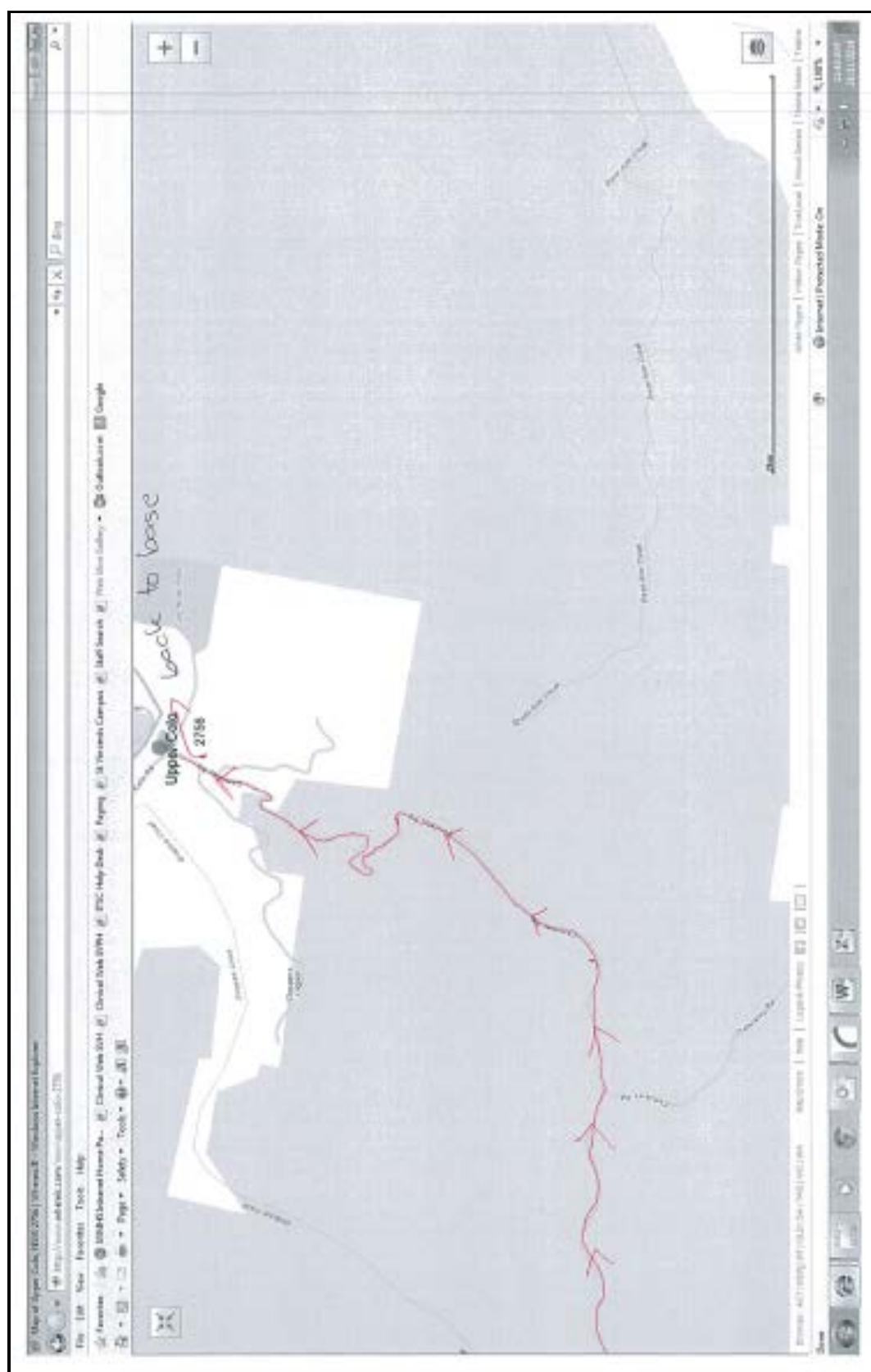


AT - 3 Event Route Plan - Zone One - 40 Kilometre Training Horse Ride 2015 (Plan 2-3)



ORDINARY MEETING Reports of Committees

AT - 4 Event Route Plan - Zone One - 40 Kilometre Training Horse Ride 2015 (Plan 3-3)



COMMITTEE RECOMMENDATION:

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

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Zone One Training Horse Ride event in and around the Mountain Lagoon and Upper Colo area, planned for Saturday, 28 February and Sunday, 01 March 2015, be classified as a "**Class 2**" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc. during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**

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Reports of Committees

- 4d. the event organiser is to **submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of the relevant Work Cover legislation;
- 4e. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than **\$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities**;
- 4f. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4h. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use of the Wollemi National Park; **a copy of this approval to be submitted to Council**;
- 4i. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4j. the event organiser is to obtain approval from the NSW Department of Primary Industries for the use of any Crown Road or Crown Land; **a copy of this approval to be submitted to Council**;
- 4k. the event organiser is to obtain approval from the respective Land Owners for the use of their land as part of the route for the event; **a copy of this approval to be submitted to Council**;
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium to be advised);
- 4m. the event organiser is to notify the details of the event to Fire and Rescue NSW at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**;
- 4n. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**;
- 4o. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council**;
- 4p. the event organiser is to **submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council**;

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

During the event:

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

SECTION 3 - Reports for Information

There were no reports for information.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Monday, 9 February 2015 at 3pm in the Large Committee Room.

The meeting terminated at 4:30pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ordinary

section 5

notices of motion

ORDINARY MEETING

Notices of Motion

ORDINARY MEETING

Notices of Motion

SECTION 5 - Notices of Motion

RM **Planning Proposal for 431 and 431A Greggs Road, Kurrajong - (79351, 105109, 125612, 80106, 80105)**

Submitted by: Councillors Lyons-Buckett, Rasmussen and Williams

RESCISSION MOTION:

That Council's resolution of 9 December 2014 in respect of Item 238 concerning Planning Proposal for 431 and 431A Greggs Road, Kurrajong be rescinded.

oooO END OF RESCISSION MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM1 **Treatment and disposal of coal seam gas flow back water - (79351, 105109, 125612)**

Submitted by: Councillor Lyons-Buckett

NOTICE OF MOTION:

That Council resolve in relation to the treatment and disposal of coal seam gas flow back water in the Hawkesbury LGA to:

1. Request the following information (from either the licensed company or the EPA) be publicly accessible on a regular (weekly) basis:
 - a) number of truck movements per week;
 - b) volume of water being treated per week;
 - c) composition of flow back water;
 - d) regular test results of levels of contaminants found;
 - e) use and location of recycled water;
 - f) disposal method of any solids and contaminants removed during treatment; and
2. Keep the community advised of any changes related to the source or volume of CSG waste water coming into the Hawkesbury LGA.

BACKGROUND:

It has been confirmed that flow back water from AGL's Gloucester Gas project is being transported to Worth Recycling at South Windsor for treatment and disposal. Worth Recycling is appropriately licensed by the EPA to carry out this function.

However, there are risks associated with the CSG industry and waste water produced from the wells. It is essential therefore, that measures are in place to ensure Hawkesbury residents and our environment are protected from any impacts arising from this activity. Mid Coast Water and Hunter Water have both refused to accept the waste water into their facilities.

Such impacts could include the risk of contamination to waterways and subsequent health impacts; increased truck movements on local roads and subsequent risks of accidents/spillage, as well as wear and tear on roads; broad environmental impacts from the source coal seam gas operations.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM2 **Richmond Lowlands - Polo Fields and associated activities - (79351, 105109, 80106)**

Previous Item: NM4, Ordinary (11 November 2014)

Submitted by: Councillor Rasmussen

NOTICE OF MOTION:

That Council reaffirm its continued support of the emerging polo and related support industries in the Richmond Lowlands and indicate to all stakeholders and the community its unambiguous willingness to work closely and cooperatively with all relevant property owners to resolve quickly and expeditiously current planning provisions and conflict issues relating to permissible land use activities associated with the industry.

BACKGROUND:

Council considered a Notice of Motion at its meeting on 11 November 2014 and resolved:

“That in view of complaints being received in respect of noise issues associated with unauthorised functions in the Richmond Lowlands area that Council commence or continue and vigorously pursue appropriate action with regard to unauthorised activities on properties in that location.”

The emerging and developing polo and related support industries cluster in the Richmond Lowlands area significantly benefits the Hawkesbury community and local economy and has the potential to develop further into the future. In fact the emerging polo industry cluster could easily be a candidate for the ‘Big Idea’ concepts Council is currently fostering and working on with its strategic consultants.

While extant planning provisions have resulted in a number of land use conflicts it would be appropriate for Council to indicate to all stakeholders and the wider community that it supports the emerging polo industry and associated commercial and professional activities which support it.

Whilst Council must respond to complaints relating to unauthorised activities it is appropriate that Council should reaffirm its position of being prepared to work cooperatively and supportively with all relevant property owners in the location with a view to resolving the current conflicts to allow these industries to continue to operate, prosper and further develop.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM3

Mt Wilson - Mt Irvine Road - Emergency access route - (79351, 105109, 80106)

Submitted by: Councillor Rasmussen

NOTICE OF MOTION:

That Council work with Blue Mountains City Council, State and Federal Governments to have Mt Irvine Road established as an emergency access route.

BACKGROUND:

The Mt Wilson/Mt Irvine community has been actively seeking to have the Mt Irvine Road established as an emergency access route. An emergency access road is urgently needed for safety of life reasons. Repairs to this road are required in order for that to be possible.

The cost of this project is beyond either council and will need financial support from both State and Federal governments to be achieved.

A joint bid for funds for this project by both councils would have a greater chance of success.

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)****REPORT:****Questions - 9 December 2014**

#	Councillor	Question	Response
1	Lyons-Buckett	Requested an update on the shipping containers and sheds at 64 Grandview Lane, Bowen Mountain.	The Director City Planning advised that the site was inspected on 23 December 2014. As some construction works are yet to be completed the container may remain in the short term. This issue will continue to be monitored.
2	Reardon	Noted concerns regarding the increases in animal numbers at the Hawkesbury Community Animal Shelter (HCAS), due to the collection of animals from neighbouring council's and the recent storms resulting in an increase in lost dogs. Councillor Reardon enquired if HCAS has sufficient resources for the increased numbers of animals in its care and if this could be an initiative in the budget.	<p>The Director City Planning advised that at any one time, whether it be due to surrendering or picked up as strays, Council's Companion Animal Shelter (CAS) experiences fluctuations in animal numbers from time to time. This is infrequent, with the largest influx of animals coming in during the Christmas holiday period. This is consistent with other surrounding LGAs from whom Council accepts animals.</p> <p>However, due to the involvement of animal rescue groups and general adoption / re-homing, coupled with owners collecting their dogs from the CAS, the CAS has maintained a re-home rate of 94% during the calendar years of both 2013 and 2014.</p> <p>Infrastructure at the Companion Animal Shelter is being monitored and will be considered in Council budgets accordingly.</p>
3	Reardon	Enquired on behalf of the Principal of Grose View Public School if traffic from the proposed Navua Bridge could be kept away from the School for safety reasons and if this request could be presented to the Local Traffic Committee for consideration.	The Director Infrastructure Services advised that this issue has been noted, and would be assessed as part of the planning approval process for the proposed road works and bridge.

oooO END OF REPORT Oooo

ORDINARY MEETING

Questions for Next Meeting

ORDINARY MEETING
CONFIDENTIAL REPORTS

CONFIDENTIAL REPORTS

Item: 13 **GM - Council's Membership of Westpool/United Independent Pools and offer from Statewide Mutual - (79351, 79426, 106190) CONFIDENTIAL**

Reason for Confidentiality

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

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(d) of the Act as it relates to matters concerning Council's insurances and premiums paid in this regard and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret 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
CONFIDENTIAL REPORTS

Item: 14 **IS - Tender No. 00950 - Rehabilitation of Former East Kurrajong Waste Depot, East Kurrajong - (95495, 79344) CONFIDENTIAL**

Previous Item: 253, Ordinary (9 December 2014)

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)(d) of the Act as it relates to details concerning tenders for the supply of goods and/or services to Council and it is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret 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
CONFIDENTIAL REPORTS

Item: 15 **SS - Property Matter - Lease to Alison, Danielle and Clifford Griffiths - Shop 5, Wilberforce Shopping Centre - (95496, 112106, 103841) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 16 **SS - Property Matter - Lease to B & C Munro Investments Pty Limited - Shops 1 and 2, Wilberforce Shopping Centre - (95496, 112106, 123129)**
CONFIDENTIAL

Reason for Confidentiality

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

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

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

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 17 **SS - Property Matter - Lease to Kevin Rix and Jeanette Haviland - Road Reserve adjoining Lots 54 and 55 DP 829116 (119 St Albans Road, Wisemans Ferry) - (95496, 112106, 84377, 84376, 27488, 27390) CONFIDENTIAL**

Reason for Confidentiality

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

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

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



ordinary
meeting

end of
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