



# Hawkesbury City Council

## ordinary meeting business paper

date of meeting: 14 February 2017

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 may address Council on any items in the business paper other than the Confirmation of Minutes; Responses to Questions from Previous Meeting; Mayoral Elections; Deputy Mayoral Elections and Committee Elections.

To register, please 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 Branch or by contacting the Corporate Services and Governance Manager on (02) 4560 4444 or by email at [council@hawkesbury.nsw.gov.au](mailto:council@hawkesbury.nsw.gov.au)

The Chairperson will invite registered persons to address Council when the relevant item is being considered. Speakers have a maximum of five 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).

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 Chairperson 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 Secretary.

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.

## **Business Papers**

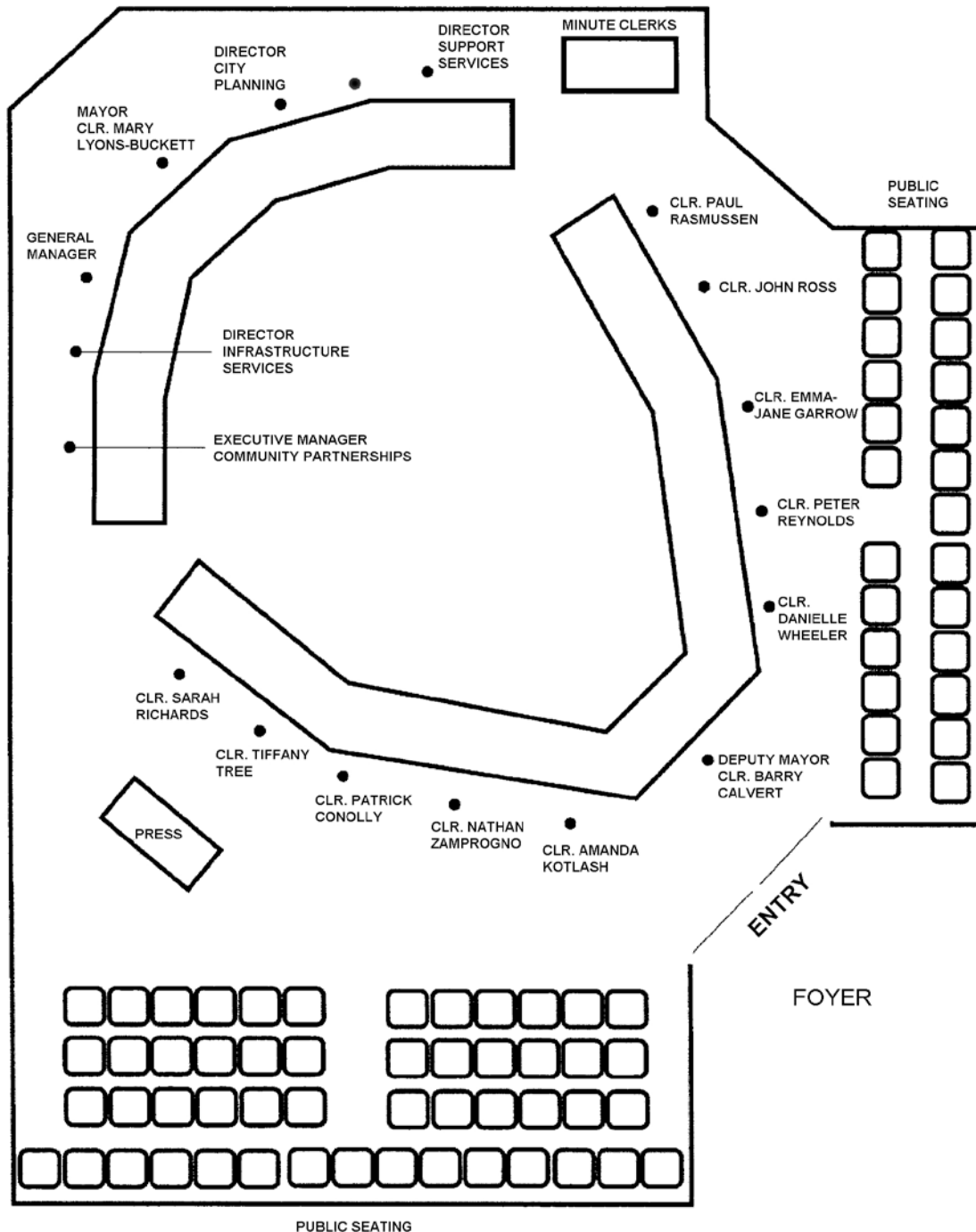
Business papers can be viewed online from 12pm on the Friday before the meeting on Council's website <http://www.hawkesbury.nsw.gov.au>

Hard copies of the business paper can be viewed at Council's Administration Building and Libraries after 12pm on the Friday before the meeting. 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 Corporate Services and Governance Manager on (02) 4560 4444.

# Hawkesbury City Council





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**ORDINARY MEETING**

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SECTION 2 - Mayoral Minutes

**MM**                      **Enhancing Arts in the Hawkesbury - (79351, 79353)**

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**REPORT:**

This Mayoral Minute explores avenues to facilitate the enhancement of Arts in the Hawkesbury.

The Hawkesbury is home to many talented individuals, including artists, painters, sculptors, musicians, filmmakers, as well as the associated performance and entertainment activities. Amongst our community are many passionate people with the skills and the desire to see an explosion in artistic prominence in the Hawkesbury.

There is great potential to capitalise on this wealth of talent combined with our geographical location, in particular the Hawkesbury River.

This is a great opportunity for Council to commence working towards its aspirations for the Hawkesbury as expressed in its draft Community Strategic Plan. Partnering with others and through advocacy, it is best placed to facilitate a coordinated approach towards the enhancement of the Arts in the Hawkesbury.

Council could explore options in regard to offering residencies for artists of all kinds set in our beautiful landscape, and ways to compliment the Hawkesbury Horizon River Precinct Project through the inclusion of art of various kinds. Raising the profile of Arts in the Hawkesbury would also build on the area's reputation to draw crowds to the area as a distinct touristic destination.

Whilst Council already undertakes some programs to encourage performance arts in the Hawkesbury, resources, expertise and funding limit the extent of these programs. The establishment of a central forum such as a Working Party, including relevant staff and industry participants, to work on generating opportunities, lobbying for grants and sponsorship with a view to creating a distinct artistic hub, would complement existing resources, in particular in regard to specific expertise such as music.

The Working Party could explore venues for performances such as orchestral, jazz, rock and dance performance, possibilities of small scale performances within the regional gallery, as well as the combination of events to expand opportunities both for performers and visitors. The suggested Working Group could assist Council in the coordination of performances and venues.

The Working Party would provide a coordinated approach towards seeking funding. Rather than different groups having to compete against each other for the ever diminishing public pool of funding for the Arts, a combined group would increase the chances of getting a better share which will advantage the area significantly. One of the tasks for this Working Party could be to develop a grant application to meet the criteria for the next round of *Western Sydney Live and Local Strategic Initiative* funds. Details can be found through the following link:

<http://www.arts.nsw.gov.au/index.php/news-and-publications/news/micro-music-festivals-to-showcase-western-sydneys-talent/>

Pursuing grant funding through the Western Sydney Live and Local Strategic Initiative would provide the best opportunity for Council to possibly access funds and the input of specialist expertise. With a wider pool of community expertise, through a Working Party, being involved in developing a proposal, Council would be in a good position to submit a strong application.

Access to additional external funding could enhance Council's capacity to sponsor additional Arts related events, same as it currently sponsors the Blues and Roots Festival.

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The Hawkesbury Local Government Area's natural settings, including the river could be promoted, potentially in conjunction with existing activities or events, as a location to accommodate art of various kinds. The proposed Working Group could possibly facilitate discussion with current event organisers.

Council, in partnership with industry professionals and participants through the establishment of a Working Party, would provide a robust framework to not only support the Hawkesbury's talented individuals, but also directly contribute to the aspirations in the Community Strategic Plan.

#### **RECOMMENDATION:**

That:

1. A report be provided to Council detailing the process involved in the establishment of a Working Group to explore avenues to enhance the Arts in the Hawkesbury.
2. The report to make a recommendation as to the objectives, structure and membership of the Working Group.

#### **ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF MAYORAL MINUTE Oooo**

ordinary

section

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reports  
for determination

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## ORDINARY MEETING

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### SECTION 3 - Reports for Determination

#### PLANNING DECISIONS

**Item: 23**                      **CP - LEP005/15 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 18 James Street, South Windsor - (95498, 124414)**

**Previous Item:**            197, Ordinary (24 November 2015)

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<b>Applicant Name:</b>	Urban City Consulting
<b>Planning Proposal No:</b>	LEP005/15
<b>Property Address:</b>	18 James Street, South Windsor
<b>Owner/(s):</b>	Tony Scopelliti
<b>Date Received:</b>	4 September 2015
<b>Public Exhibition:</b>	16 December 2016 - 23 January 2017
<b>Community Submissions:</b>	Nil
<b>Government Agency Responses:</b>	Two responses (with no objections)
<b>Current zone:</b>	SP2 Infrastructure (Community Facility)
<b>Proposed zone:</b>	R2 Low Density Residential
<b>Recommendation:</b>	Council proceed with the making of the LEP amendment.

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#### REPORT:

##### Executive Summary

On 24 November 2015 Council considered a report regarding a planning proposal submitted by Urban City Consulting (the applicant), seeking to amend the *Hawkesbury Local Environmental Plan 2012* (the LEP) to rezone Lot 4 DP 503048, 18 James Street, South Windsor from SP2 Infrastructure (Community Facility) to R3 Medium Density Residential under the LEP. Council resolved to support the preparation of a planning proposal for the subject site to amend the Land Zoning Map of the LEP to allow development of the subject site for residential purposes.

In December 2015, the planning proposal was forwarded to the Department of Planning and Environment (DP & E) in accordance with Council's resolution. In August 2016 Council received a "Gateway" determination from the DP & E advising to proceed with the planning proposal with an alternative R2 Low Density Residential zoning instead of the proposed R3 zoning for the subject site. This was, as stated by DP&E, to limit the development potential of the subject site to one primary dwelling and ensure that the inconsistencies of the planning proposal are minor.

The purpose of this report is to advise Council of the outcome of the public authority and community consultation on the planning proposal.

Based on the outcome of consultation and further consideration of the matter, it is recommended that Council proceed with the making of an LEP that gives effect to the planning proposal.

##### Consultation

The consultation with the relevant public authorities and the community on the planning proposal was completed in accordance with the relevant statutory and "Gateway" determination requirements. The outcome of the consultation is discussed in a subsequent section of this report.

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### Background

The subject site was previously owned by the Scout Association of New South Wales (Scout Association) and used as South Windsor Scout Hall for a number of years. In June 2014 the Scout Association sought Council's formal support in writing to change the current SP2 Infrastructure (Community Facility) zoning of the subject site to R3 Medium Density Residential. This was to enable the Scout Association to sell the subject site to fund the Scouting Movement in NSW and to relocate their Local Scout Group to a new location.

In July 2014 the Scout Association was advised that they needed to lodge a planning proposal seeking rezoning of the subject site to R3 Medium Density Residential for Council consideration. However, in February 2015 the subject site was sold to the current owner, Mr Scopelliti who has lodged this current planning proposal through consultants.

By way of background, the following timeline provides an outline:

- |                                       |   |
|---------------------------------------|---|
| 4 September 2015                      | Council received a planning proposal from the applicant seeking to amend the Land Zoning Map of the LEP in order to allow development of the subject site for residential purposes.   |
| 24 November 2015                      | Council considered a report regarding the planning proposal and resolved to support the preparation of a planning proposal for the subject site to amend the LEP to allow development of the subject site for residential purposes. |
| 7 December 2015                       | The planning proposal seeking a "Gateway" determination was forwarded to the DP&E.  |
| 24 August 2016                        | Council received a "Gateway" determination from the DP&E advising to proceed with the planning proposal with an alternative R2 Low Density Residential zoning instead of the proposed R3 zoning for the subject site.               |
| 7 September 2016                      | Council commenced consultation on the planning proposal with the Department of Industry and the NSW Rural Fire Service as identified in the "Gateway" determination.  |
| 16 December 2016 –<br>23 January 2017 | Public exhibition of the planning proposal.   |

The resolution of Council, (in part), at its Meeting on 24 November 2015 was:

*"That:*

1. *Council support the preparation of a planning proposal relating to Lot 4 DP 503048, 18 James Street, South Windsor to:*
  - a) *amend the Land Zoning Map of Hawkesbury Local Environmental Plan 2012 to change the current zoning of the site from SP2 Infrastructure to R3 Medium Density Residential as shown in Attachment 1 to this report*
  - b) *amend the Lot Size Map of the Hawkesbury Local Environmental Plan 2012 to specify 450m<sup>2</sup> minimum lot size for the site as shown in Attachment 2 to this report*
  - c) *amend the Height of Buildings Map of the Hawkesbury Local Environmental Plan 2012 to specify 10m maximum height of buildings for the site as shown in Attachment 3 to this report."*

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### Explanation of Proposed LEP Amendments

#### Amendment to Land Zoning Map

The planning proposal received from the applicant sought an amendment to the Land Zoning Map of the LEP to change the current SP2 Infrastructure (Community Facility) zoning of the subject site to R3 Medium Density Residential under the LEP as shown in Figures 1 and 2 below.

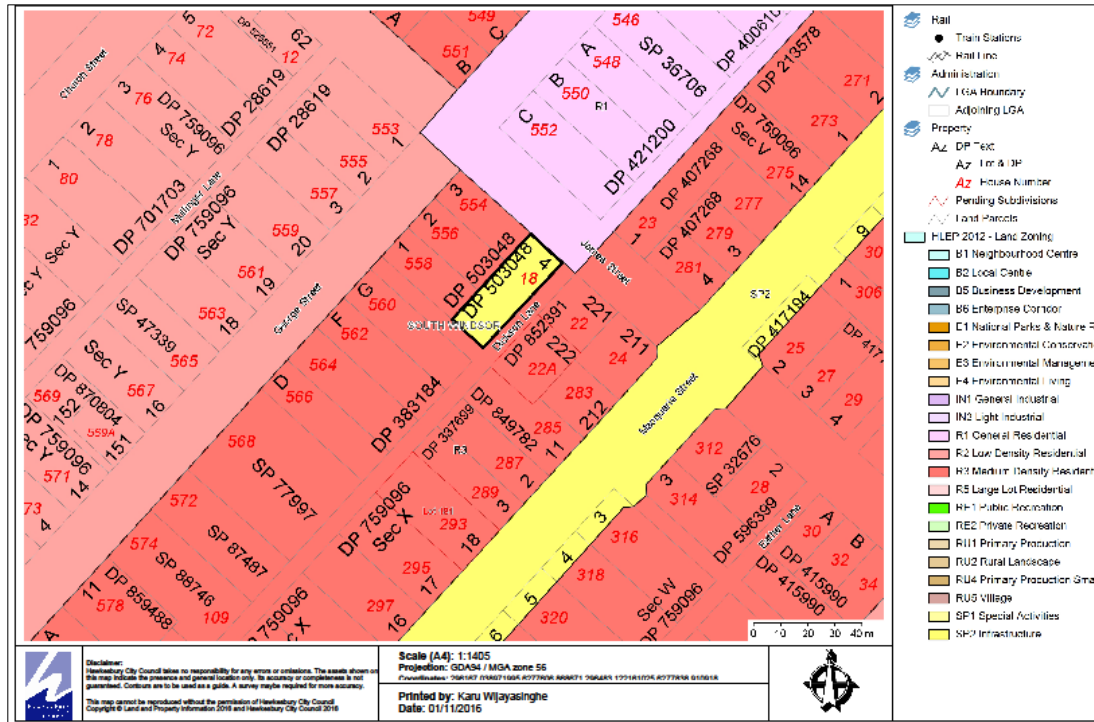


Figure 1: Extract of the Current Land Zoning Map

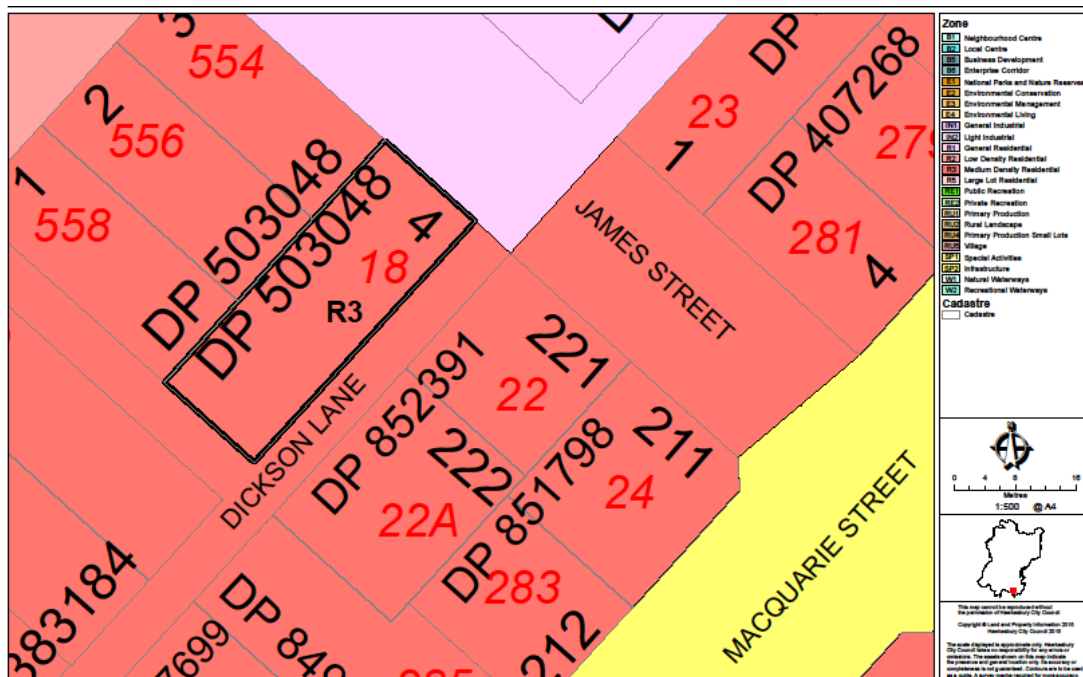


Figure 2: Applicant's Proposed Land Zoning Map

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In August 2016 Council received a "Gateway" determination from the DP&E advising to proceed with the planning proposal subject to a number of conditions, with Condition 1 being:

1. "Amendment of the planning proposal to rezone the site to R2 Low Density Residential rather than R3 Medium Density Residential prior to community consultation."

The "Gateway" determination provides the following reasoning for the proposed alternative R2 Low Density Residential zoning for the subject site.

*"To ensure that the proposal's inconsistencies are minor, the Gateway condition requires that the planning proposal is amended to rezone the land R2 Low Density Residential rather than R3 Medium Density."*

*The intention is to limit the development potential of the site to one primary dwelling and ensure consistency with the zone objectives. This proposal has been supported to proceed due to the minor increase in residential development, the unusual circumstances of the current zoning and the site is located within an existing residential area".*

In line with Condition 1 of the "Gateway" determination, the planning proposal as exhibited sought an amendment to the Land Zoning Map of the LEP to specify a R2 Low Density Residential zoning for the subject site as shown in Figure 3 below.

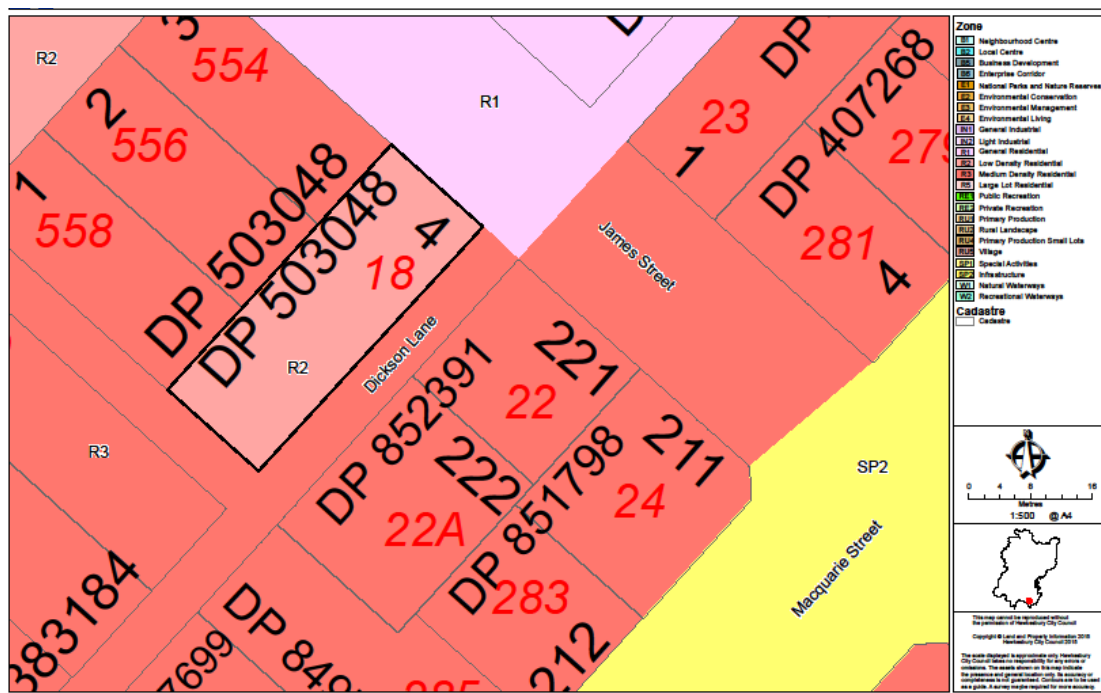


Figure 3: Amended Proposed Land Zoning Map

### Amendment to Lot Size Map

Currently, the minimum lot size provisions in the LEP do not apply to the subject site, but a 450m<sup>2</sup> minimum lot size provision applies to the residential properties within the immediate vicinity as shown in Figure 4 below. The subject property has a total area of approximately 670m<sup>2</sup>. In accordance with the Gateway determination condition a property of 670m<sup>2</sup> would not have any subdivision potential in a zone with a minimum lot size of 450m<sup>2</sup>.



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Therefore, the planning proposal as exhibited sought an amendment to the Lot Size Map of the LEP to specify a 450m<sup>2</sup> minimum lot size provision for the subject site to ensure consistency with residential zoned land within the Hawkesbury Local Government Area as shown in Figure 5 below.

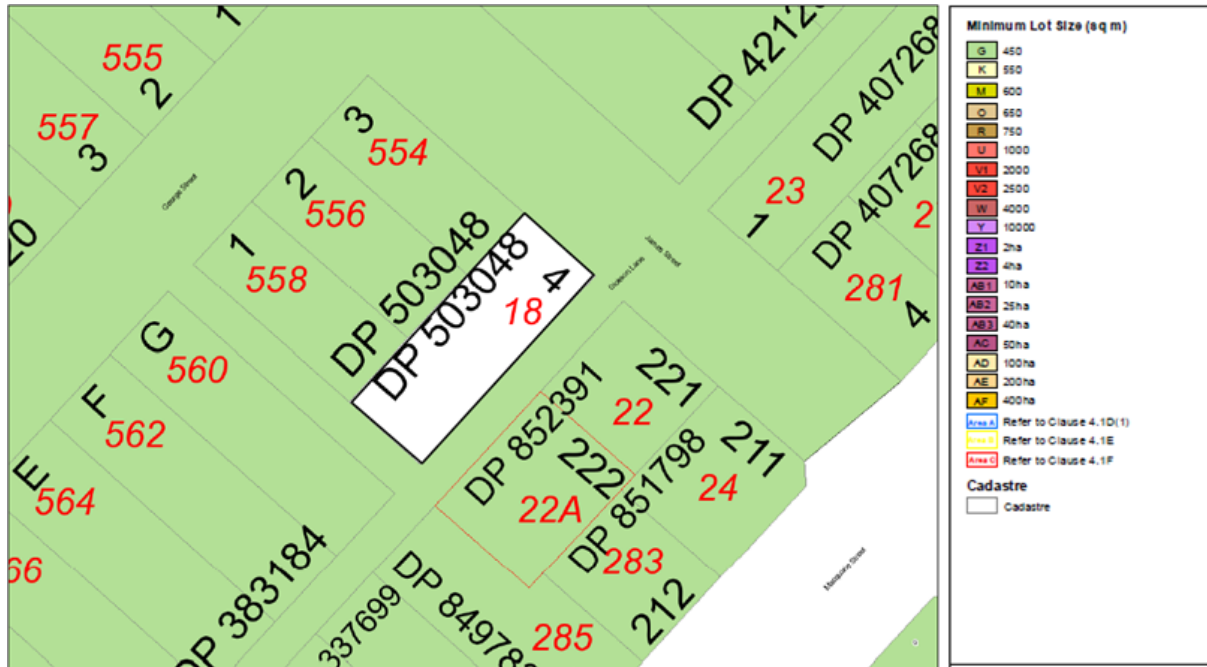


Figure 4: Current Lot Size Map Extract

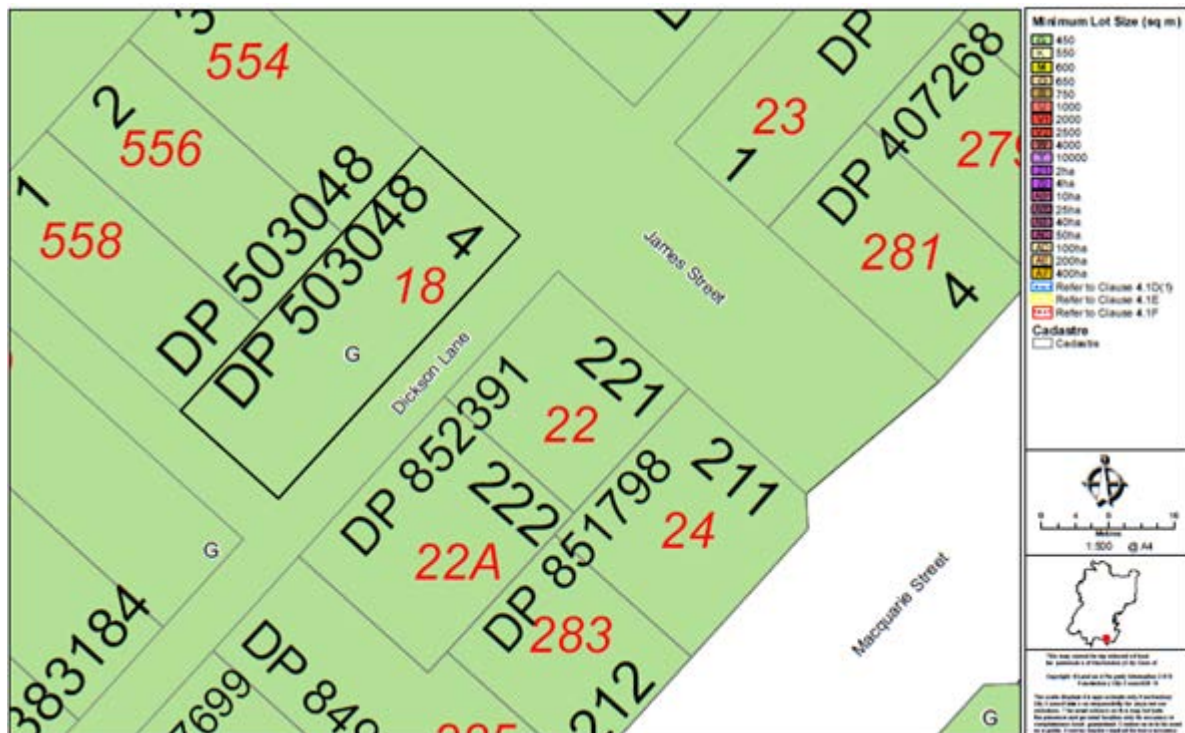
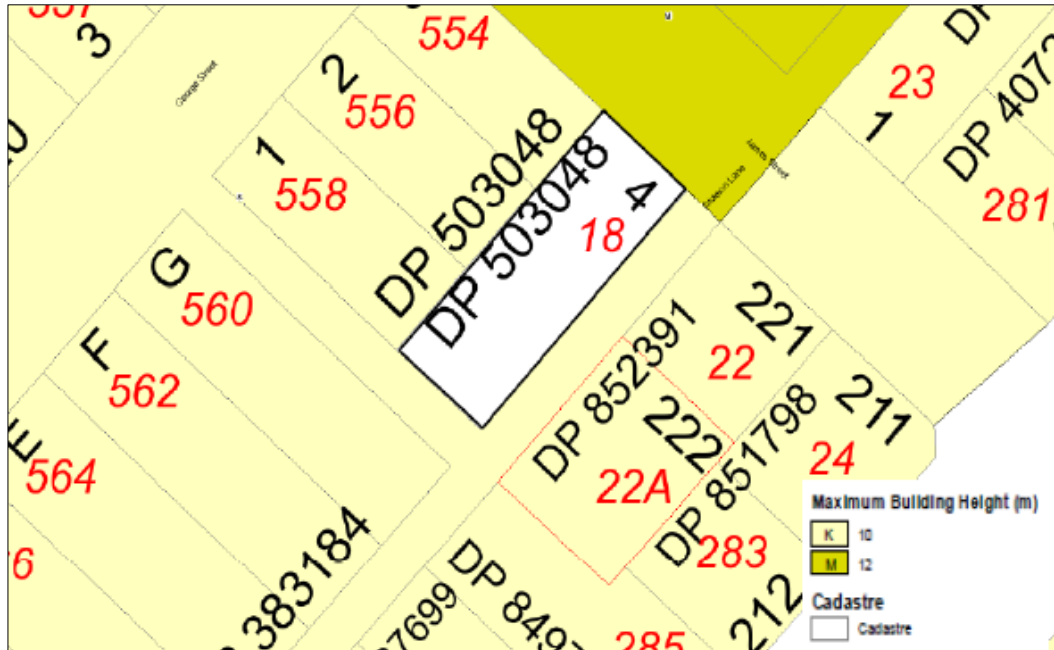


Figure 5: Proposed Lot Size Map Extract

*Amendment to Height of Buildings Map*

The maximum building heights provisions in the LEP does not currently apply to the subject site as shown in Figure 6 below.



**Figure 6: Current Height of Buildings Map Extract**

However, Height of Buildings provisions applying to the residential zoned land within the immediate vicinity is 10m as shown in Figure 6 above. Therefore, the planning proposal as exhibited sought an amendment to the Height of Buildings Map of the LEP to specify a 10m maximum permissible height provision for the subject site to ensure consistency with R2 Low Density Residential zoned land within the Hawkesbury Local Government Area as shown in Figure 7 below.



**Figure 7: Proposed Height of Buildings Map Extract**

### **Authorisation for Council to Exercise Delegation**

The "Gateway" determination included authorisation for Council to exercise delegation to make this plan. Should Council resolve to proceed with the making of the plan this authorisation will allow Council to make a direct request to the Parliamentary Counsel's Office (PCO) to prepare a draft Local Environmental Plan to give effect to the planning proposal. Following receipt of an opinion from the PCO that the plan can be legally made, Council may then make the plan. Council delegated this plan making function to the General Manager by resolution on 11 December 2012.

### **Consultation with Public Authorities**

In accordance with Section 56(2)(d) of the *Environmental Planning and Assessment Act, 1979* (the EP & A Act) consultation was undertaken with the following two public agencies identified in the "Gateway" determination:

- NSW Department of Industry
- NSW Rural Fire Service

Council received submissions from both agencies, neither of which objected to the making of the plan or raised any issues. NSW Department of Industry advised that NSW Department of Industry - Geological Survey of New South Wales (GSNSW) has not identified any significant resources of coal, other minerals, petroleum or extractive industries within the subject site.

### **Community Consultation**

The planning proposal and supporting documentation was publically exhibited for the period Friday, 16 December 2016 to Monday, 23 January 2017 in accordance with the relevant statutory and "Gateway" determination requirements. An exhibition notice was placed in the Hawkesbury Courier on 15 December 2016 and letters were sent to adjoining and nearby landowners and occupiers advising the public exhibition of the planning proposal. The planning proposal and supporting documentation was made available for public viewing during the exhibition period on Council's website and at Council's Administration Office.

Council received no submissions from the community during the exhibition period.

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

The proposal is consistent with the Looking after People and Place Directions statement.

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

### **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 consultation undertaken with the community and the relevant public authorities with respect to the planning proposal do not warrant any amendments to the exhibited planning proposal or the abandonment of the proposal.

It is recommended that Council proceed with the making of the LEP under the authorisation for Council to exercise delegation issued by the "Gateway" determination.

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### Planning Decision

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

### RECOMMENDATION:

That Council:

1. Proceed with the making of the plan to:
  - a) Amend the Land Zoning Map of the *Hawkesbury Local Environmental Plan 2012* to rezone the subject site from SP2 Infrastructure (Community Facility) to R2 Low Density Residential under the *Hawkesbury Local Environmental Plan 2012* to allow development of 18 James Street, South Windsor for residential purposes.
  - b) Amend the Height of Buildings Map of the *Hawkesbury Local Environmental Plan 2012* to identify 10m maximum permissible height provision for the subject site to ensure consistency with the R2 Low Density Residential zoned land within the Hawkesbury Local Government Area.
  - c) Amend the Lot Size Map of the *Hawkesbury Local Environmental Plan 2012* to identify a 450m<sup>2</sup> minimum lot size provision for the subject site to ensure consistency with the residential zoned land within the Hawkesbury Local Government Area.
2. Request that the Parliamentary Counsel's Office prepare a draft Local Environmental Plan to give effect to the planning proposal in accordance with Section 59(1) of the *Environmental Planning and Assessment Act, 1979*.
3. Adopt and make the draft Local Environmental Plan, under the authorisation for Council to exercise delegation issued by the "Gateway" determination, upon receipt of an opinion from Parliamentary Counsel's Office that the plan can be legally made.
4. Following the making of the plan advise the Department of Planning and Environment that the plan has been made and request to notify the plan on the NSW Legislation website.

### ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

## ORDINARY MEETING

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**Item: 24**                      **CP - DA0472/16 - 617 Bells Line of Road, Kurmond - Lot 1 DP 794338 - Boarding House - (95498, 138238, 135509)**

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### Development Information

**File Number:** DA0472/16  
**Property Address:** 617 Bells Line of Road, Kurmond  
**Applicant:** Christ Mission Possible and Teen Challenge NSW  
**Owner:** Kurmond One Pty Limited  
**Proposal Details:** Boarding House – Alterations and additions to the building and the operation of a boarding house  
**Estimated Cost:** \$300,000  
**Zone:** RU1 Primary Production  
**Date Received:** 1 July 2016  
**Advertising:** 8 to 22 August 2016

**Key Issues:**

- ◆ Categorisation and Permissibility
- ◆ Boarding House Management
- ◆ Effluent Disposal

**Recommendation:** Approval

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### REPORT:

#### Executive Summary

This application seeks the consent of Council to undertake alterations to and use the existing building at 617 Bells Line of Road, Kurmond, as a boarding house. The subject building was previously approved and operated as a motel.

The proposal involves alterations and additions to the building to allow it to operate as a boarding house accommodating a maximum of 18 boarders. The boarding house is to be operated by Christ Mission Possible and One80TC and is to provide accommodation for women who are in need due to homelessness, abuse, addiction and crisis.

An onsite manager and support staff will be available at all times to oversee and manage the operation of the facility.

A Plan of Management has been prepared for the operation and management of the facility and the proposal is permissible as a 'boarding house' under the Hawkesbury Local Environmental Plan 2012. Such a facility will service the needs of the community and with the successful implementation of the Plan of Management it is not expected to generate unreasonable amenity impacts for the locality. The proposal is acceptable and is recommended for conditional approval.

The application is being reported to Council for determination at the request of the Mayor, Councillor Lyons-Buckett. An inspection of the property was undertaken on 7 February 2017 and attended by the Mayor, Councillor Lyons-Buckett and Councillors Reynolds, Wheeler and Zamprogno and Council staff.

#### Development Description

Pursuant to Section 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's approval for the operation of a boarding house from the subject property. The building was previously approved as a motel but has also been used in the past to provide temporary accommodation.

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The proposal involves alterations and additions to allow the conversion of the building to a boarding house. The boarding house is to consist of one caretaker's room, 12 boarding rooms, a communal kitchen, communal dining room, community room, meeting room, communal laundries, office and staff facilities. An existing swimming pool and deck will service the facility.

Existing car parking areas are to provide eight spaces for the boarding house.

Documentation supplied in support of the application indicates that the boarding house is to be operated by Christ Mission Possible and One80TC, which are not-for-profit organisations. The boarding house will be used to provide accommodation for women aged 18 to 35 who are in need due to homelessness, abuse, addiction and crisis.

During the recent Councillor inspection the operators suggested that up to 18 lodgers may be accommodated onsite. However, the submitted Plan of Management indicates that one lodger may occupy each of the boarding rooms, resulting in a maximum of 12 lodgers onsite at any time. This assessment report has been prepared on the basis that 18 lodgers will be accommodated onsite.

A live-in caretaker and rotational support staff will be present onsite to manage and oversee the operation of the boarding house 24 hours a day seven days a week. Up to two additional support staff may also be present onsite during standard business hours to provide assistance and services at the boarding house. Such services may include psychologists, doctors and case workers.

One80TC operate a similar facility for men at Yarramundi.

### Site and Locality Description

The subject property is located on the southern side of Bells Line of Road and is legally known as Lot 1 in DP 794338. This rectangular parcel of land has an area of approximately 3,924m<sup>2</sup> and is currently occupied by a 13 room motel and car park. The motel is not currently operating.

Separate access and egress points are available to the site from Bells Line of Road.

Surrounding development generally comprises of rural residential development.

A bus stop (Route 682) providing services between Richmond and Kurrajong is available within 350m of the site.

### Legislation, Policies, Procedures and Codes to which the matter relates

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

### Section 79C Matters for Consideration

The development has been considered against the heads of consideration listed under Section 79C(1) of the EP&A Act.

#### (a)(i) Environmental Planning Instruments:

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

The subject property is zoned RU1 Primary Production under the Hawkesbury LEP 2012.

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The Hawkesbury LEP 2012's Dictionary provides the following definition that is relevant to the proposal:

boarding house means a building that:

- a) is wholly or partly let in lodgings, and
- b) provides lodgers with a principal place of residence for 3 months or more, and
- c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

The proposed facility is to be operated by a not-for-profit organisation and is to provide accommodation for women who are in need due to homelessness, abuse, addiction and crisis. Documentation supplied with the application indicates that the length of accommodation will generally range between three and 12 months. Boarders will have access to private bathrooms and common kitchen facilities. The proposal therefore satisfies the above definition of a boarding house.

Boarding houses are a permissible form of development within the RU1 Primary Production zone.

The Hawkesbury LEP 2012 primarily aims to encourage sustainable primary industry within the RU1 Primary Production zone. However, other objectives include conflict minimisation between land uses and the protection of the existing rural character. In this regard it is considered that the development satisfies the objectives of the zone in that the development utilises an existing commercial building and would not be viable for a rural activity. An onsite manager will be employed and a Plan of Management has also been developed to manage potential amenity impacts for neighbours.

The original submission proposed the construction of a solid 2.25m high fence within the road reserve of Bells Line of Road. Such structures are not permissible within the SP2 Infrastructure – Classified Road zone and the Applicant subsequently elected to withdraw the construction of the fence from the application. However, to provide some level of security for the site it is recommended that a condition is imposed requiring the installation of a front fence within the boundary of the subject property.

The proposal is therefore permissible and generally satisfies the provisions of the Hawkesbury LEP 2012.

### ***State Environmental Planning Policy (Affordable Rental Housing) 2007***

The proposal is permissible under the Hawkesbury LEP 2012 and does not rely upon the Affordable Rental Housing SEPP for permissibility.

The Affordable Rental Housing SEPP does not apply to rural zones such as the RU1 Primary Production zone. However as this Policy outlines the current controls for this type of development, a merit-based assessment has been undertaken.

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

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<b>Affordable Rental Housing SEPP</b>				
<b>Section 26 – Land to which Division applies</b>				
	<b>SEPP Control</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliance</b>
<b>Zoning</b>	Section 26	The land must be within specific zones (primarily residential or commercial).	The site is zoned RU1 Primary Production and under this Policy the development would not be permissible within this zone.	Not applicable as the proposal is permitted by the Hawkesbury LEP 2012.
<b>Section 27 – Development to which Division applies</b>				
	<b>SEPP Control</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliance</b>
	Clause 27(2)	The Policy does not apply to land zoned R2 Low Density Residential (or equivalent) unless the land is within an 'accessible area'.	The site is zoned RU1 Primary Production and the land is located within 400m of a bus stop. The land would not be within an accessible area on account of Sunday bus times.	Not applicable.
<b>Section 29 – Standards that cannot be used to refuse consent</b>				
	<b>SEPP Control</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliance</b>
<b>Density and scale (FSR)</b>	Clause 29(1)	The development is not to exceed the maximum floor space ratio (FSR) permitted for development within the zone.	Council does not have a maximum FSR for development within the zone.	Not applicable. The proposal involves the adaption and re-use of an existing building.
<b>Building height</b>	Clause 29(2)(a)	The building height is not to be more than the maximum permitted for any building on the land.	The existing building satisfies the 10m height control established by Clause 4.3 of the Hawkesbury LEP 2012.	Complies. The proposal involves the adaption and re-use of an existing building.



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Affordable Rental Housing SEPP				
<b>Minimum landscaped area</b>	Clause 29(2)(b)	The landscape treatment of the front setback must be compatible with the surrounding area.	The front yard and landscaping is consistent with surrounding properties.	Yes.
<b>Solar access</b>	Clause 29(2)(c)	A communal room shall receive a minimum of three hours direct sunlight between 9am and 3pm during midwinter.	The communal rooms such as the dining room and sunroom have north facing windows and will receive a minimum of three hours sunlight.	Yes.
<b>Private open space (Lodgers)</b>	Clause 29(2)(d)(i)	An area of at least 20m <sup>2</sup> , with minimum dimension of 3m, is to be provided.	The rear deck and verandah satisfy the relevant area and dimension controls of the Policy.	Yes.
<b>Private open space (Manager)</b>	Clause 29(2)(d)(ii)	An area of at least 8m <sup>2</sup> , with minimum dimension of 2.5m, is to be provided.	A balcony with an area of approximately 10m <sup>2</sup> is available for the manager's residence.	Yes.
<b>Parking</b>	Clauses 29(2)(e)(ii) and (iii)	Within a non-accessible area at least 0.4 parking spaces are to be provided for each boarding room, plus no more than one space for the onsite manager.	A total of six parking spaces are required under this Policy and eight spaces are to be provided.	Yes. These numerical parking requirements are satisfied whether there are 12 or 18 boarders.
<b>Accommodation size (Single room)</b>	Clause 29(2)(f)(i)	A single boarding room is to have a minimum area of 12m <sup>2</sup> , exclusive of kitchen or bathroom facilities.	The submitted Plan of Management indicates that the rooms will cater for single lodgers only.	Yes. All boarding rooms have a minimum area of 13.5m <sup>2</sup> exclusive of bathrooms.

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Affordable Rental Housing SEPP				
<b>Accommodation size (Double room)</b>	Clause 29(2)(f)(ii)	A double boarding room is to have a minimum area of 16m <sup>2</sup> , exclusive of kitchen or bathroom facilities.	The submitted Plan of Management indicates that the rooms will cater for single lodgers only. However, the Applicant has suggested that Boarding Rooms 1 to 6 may accommodate two boarders each.	Yes. Boarding Rooms 1 to 6 have minimum areas of 17.9m <sup>2</sup> exclusive of bathrooms and could accommodate two boarders.
<b>Kitchen and bathroom facilities</b>	Clause 29(3)	Boarding rooms may have private kitchen or bathroom facilities.	Each of the boarding rooms have private bathrooms.	Yes.
Section 30 – Standards for boarding houses				
	SEPP Control	Requirement	Proposal	Compliance
<b>Communal living room</b>	Clause 30(1)(a)	A communal living room shall be provided if there are five or more boarding rooms.	A communal living room is to be provided.	Yes.
<b>Maximum room size</b>	Clause 30(1)(b)	No boarding room is to have an area greater than 25m <sup>2</sup> , exclusive of kitchen or bathroom facilities.	None of the boarding rooms have an area exceeding 25m <sup>2</sup> , exclusive of kitchen and bathroom facilities.	Yes.
<b>Occupancy</b>	Clause 30(1)(c)	No more than two lodgers are to occupy a boarding room	The submitted Plan of Management and discussions with the Applicant indicate that the rooms will not cater for more than two lodgers.	Yes.

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<b>Affordable Rental Housing SEPP</b>				
<b>Bathroom and kitchen facilities</b>	Clause 30(1)(d)	Adequate bathroom and kitchen facilities are to be provided for each lodger.	As permitted by Clause 29(3) of the Policy, each of the boarding rooms are to be provided with their own bathroom. A communal kitchen facility will be provided.	Yes.
<b>Room for onsite manager</b>	Clause 30(1)(e)	A room is to be provided for an onsite manager if there are twenty or more lodgers onsite.	A room for an onsite manager is to be provided.	Yes.
<b>Commercial uses</b>	Clause 30(1)(g)	Where the site is zoned primarily for commercial purposes, no part of the ground floor of the boarding house is to be used for residential purposes.	The subject site is zoned for rural purposes and the provisions of this clause do not apply.	Not applicable.
<b>Bicycle and motorcycle parking</b>	Clause 30(1)(h)	One bicycle space is to be provided for every five rooms, plus one motorcycle space for every five rooms. Based on the number of rooms, three bicycle and motorcycle spaces must be provided.	Space for the parking of three bicycles and motorcycles is available.	Yes.

Although not strictly applicable, the proposed development satisfies the room size, facility, amenity, communal open space and parking controls of the Affordable Rental Housing SEPP. Boarding Rooms 1 to 6 have a sufficient area to accommodate two lodgers and accordingly the boarding house is capable of accommodating a maximum of 18 lodgers.

***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 property has previously been used as a motel and there is no evidence to suggest that the site is contaminated. The land is considered suitable for the development having regard to the provisions of SEPP No. 55.

***Sydney Regional Environmental Planning Policy 20 – Hawkesbury – Nepean River***

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

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

The property previously operated as a motel and is located within an established rural residential area. The proposal involves the adaption and re-use of an existing building and the development is not expected to significantly impact upon the environment of the Hawkesbury-Nepean River.

**(a)(ii) Draft Environmental Planning Instruments**

There are no draft environmental planning instruments that apply to the subject land.

**(a)(iii) Development Control Plans**

***Hawkesbury Development Control Plan 2002***

Part A Chapter 3 – Notification

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

Part C Chapter 2 – Car Parking and Access

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

- One space per five beds.

Based on the boarding house catering for a maximum of 18 lodgers, the provision of four parking spaces are required under Part C Chapter 2 of the Hawkesbury DCP 2002. The development satisfies this numerical requirement.

It is also anticipated that such facilities may generate a demand for bicycle and motorcycle parking. Conditions may be imposed requiring the provision of bicycle and motorcycle parking in accordance with the requirements of the Affordable Rental Housing SEPP.

**(a)(iia) Planning Agreements**

There are no planning agreements applicable to the proposed development.

**(a)(iv) Matters Prescribed by the Regulations**

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

The EP&A Regulation 2000 will require compliance with the Building Code of Australia (BCA).

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

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

The proposed facility is to be operated by a not-for-profit organisation and is to provide crisis accommodation for women in need. There is currently a shortage of such facilities within the Hawkesbury and the approval of this development would satisfy social and community needs.

A Plan of Management has been submitted in support of the boarding house and a live-in manager and support staff will be present onsite to manage and oversee the operation of the facility. The prepared Plan of Management includes 'house rules' and complaints handling.

The obtainment of a Design Compliance Certificate will be required. This will necessitate the preparation of drainage plan addressing stormwater leaving the pit located near the shared boundary with 615 Bells Line of Road. Existing overland flow issues will need to be addressed by directing water away from the property boundary via a swale before being dispersed. Conditions to this effect are proposed in the recommendation to this report.

In order to address any potential for adverse noise impacts from the development standard noise generation conditions are proposed in the recommendation to this report.

An existing septic system and absorption trench exists on the property.

Council's Sewerage Management Facility (SMF) Officer has reviewed the supplied Effluent Disposal Report and advises that a pump-out system is the only option available for the development. The onsite disposal of effluent is not supported.

Conditions requiring the obtainment of a licence and the installation of a pump-out system are proposed in the recommendation to this report.

The property is located on a main road and, provided the Plan of Management is implemented, the development is not expected to have a significant adverse impact upon the natural or built environments or negative social or economic impacts upon the locality.

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

These matters have been considered in the assessment of this development application. The adaption and re-use of the existing motel building as boarding house is considered suitable within the context of the locality.

**(d) Submissions**

The application was publicly exhibited in accordance with Part A Chapter 3 of the Hawkesbury DCP 2002 between 8 and 22 August 2017. A total of seven submissions were received in response to the notification of this application. The matters raised in these submissions are detailed below in italics, followed by a response by the assessing officer:

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*The boarding house is located in close proximity to dwelling houses and is likely to adversely impact upon the residential amenity of the area.*

Officer's comment: Boarding houses are permissible within the RU1 Primary Production zone and an onsite manager and support staff will be available at all times to oversee and manage the facility. In this regard, any impact is not expected to be significantly different to other residential uses in the locality.

*The development is incorrectly described as a boarding house and would more accurately be described as a drug and alcohol treatment facility.*

Officer's comment: The de-toxing of people is not to be undertaken at the subject property. Lodgers who have drug or alcohol dependencies are to be treated at other appropriate facilities such as St John of God in North Richmond prior to their accommodation onsite. In this regard, the categorisation of this use as a Boarding House is the appropriate planning definition to use in relation to the LEP 2012 definitions.

The use of support staff such psychologists, doctors and case workers to ensure the health of lodgers is permissible under a boarding house use.

*Boarding houses should not be located in rural residential areas and should instead be sited within areas that have access to public transport and services.*

Officer comment: Boarding houses are permissible by the LEP 2012 within the RU1 Primary Production zone and the applicant has advised that rural areas are more desirable than town centres on account of their isolation.

Support services such psychologists, doctors and case workers will visit the facility and a private bus service will also be used to transport lodgers.

*Boarders within the facility are likely to generate amenity impacts and participate in anti-social behaviour.*

Officer's comment: A Plan of Management has been provided for the boarding house establishing house rules and complaints handling procedures. The successful implementation of the Plan of Management will be undertaken by the onsite manager and support staff.

*Insufficient security is provided for the boarding house. There is a concern that abusive partners and drug suppliers may be attracted to the site.*

Officer comment: An onsite manager and support staff will be available at all times to manage the boarding house facility.

As discussed previously in this report it is recommended that the front fence should be re-located to the front property boundary to provide additional security from the street.

*Inadequate parking is to be provided onsite.*

Officer comment: The proposal satisfies the numerical parking controls of the Hawkesbury DCP 2002 and the Affordable Rental Housing SEPP.

Personal visitors to the site are not permitted.

**(e) The Public Interest**

The matter of public interest has been taken into consideration in the assessment of the application.

It is recognised that boarding houses play a key role in providing affordable accommodation and addressing social needs within a locality. The proposal is permissible under the Hawkesbury LEP 2012 and satisfies the design guidelines of the Affordable Rental Housing SEPP. On these grounds the proposal is seen to satisfy the public's interest.

**External Referrals**

Rural Fire Service – The property is mapped as bushfire prone and the proposed boarding house use is categorised as a 'special fire protection purpose'. As a result the application was referred to the Rural Fire Service (RFS) as 'integrated development'.

In response the RFS have advised that they are supportive of the development and have provided their General Terms of Approval. These will be included in any consent conditions should the application be approved.

Police – The proposal was referred to Hawkesbury Local Area Command for comment. The comments received from the Police are to be incorporated into the fitout of the development and the Plan of Management.

Roads and Maritime Services – Bells Line of Road is main road owned and controlled by the Roads and Maritime Services (RMS). The application was referred to the RMS on the basis that the proposed front fence was to be located within the road reserve.

In response the RMS advised that they raised no objection to the temporary installation of the structure within the road reserve. However, as the structure is not permissible within the SP2 Infrastructure – Classified Road zone a condition is recommended requiring the relocation of the fence within the property.

**Financial Implications**

The boarding house is to be operated by a not-for-profit organisation and 'affordable housing' developments are not subject to Section 94A Contributions under Clause 25J(3) of the EP&A Regulation. Under Section 2.7 of the Section 94A Contributions Plan 2015 Council may elect to not impose contributions on such developments.

**Conclusion**

The application has been assessed in accordance with the provisions of the EP&A Act with all matters specified under Section 79C(1) having been taken into consideration. The proposed development is permissible and will provide crisis and support accommodation that is needed within the Hawkesbury.

The development is acceptable and is therefore recommended for conditional approval.

**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.

**ORDINARY MEETING****Meeting Date:** 14 February 2017**RECOMMENDATION:**

That Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approve Development Application No. DA0472/16 for a Boarding House – Alterations and additions to the building and the operation of a boarding house on Lot 1 DP 794338, known as 617 Bells Line of Road, Kurmond, subject to the following conditions.

**General**

1. The development is to be carried out generally in compliance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent:

<b>Architectural Drawing Number</b>	<b>Prepared by</b>	<b>Dated</b>
Drawing No. 16.0128.12 A001 Rev 'D' 'Site Plan and Existing Conditions'	Thomson Adsett	6 June 2016
Drawing No. 16.0128.12 A002 Rev 'D' 'Site Plan and Existing Conditions'	Thomson Adsett	6 June 2016
Plan of Management	Stimson and Baker Planning	Undated
Response to Windsor Police Recommendations	One80TC	19 January 2017

2. The General Terms of Approval from the following Authorities, as referred to in Section 93 of the Environmental Planning and Assessment Act 1979 and referenced below, are attached and form part of the consent conditions for this approval:
  - a) NSW Rural Fire Service – The General Terms of Approval (Reference No. D16/2381 DA160722029887 MA) dated 9 August 2016 are attached and form part of this consent.
3. No excavation, site works or building works shall be commenced prior to the issue of a Design Compliance Certificate and Construction Certificate as appropriate.
4. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
5. The development shall comply with the Performance Provisions of the Building Code of Australia (BCA).
6. All civil construction works required by this consent shall be undertaken in accordance with Hawkesbury Development Control Plan 2002 – Appendix E – Civil Works Specification.
7. The accredited certifier shall provide copies of all Part 4A Certificates issued under the Environmental Planning and Assessment Act 1979 relevant to this development to Hawkesbury City Council within seven days of issuing the certificate. A registration fee applies.
8. The approved use shall not commence until all relevant conditions of this consent have been complied with.
9. Boarding rooms with an area of less than 16m<sup>2</sup>, exclusive of the kitchen and bathroom facilities, shall be occupied by a single lodger only.
10. This development falls within the Sewerage Scheme controlled by Hawkesbury City Council. Therefore Hawkesbury City Council is the approving authority for any sewer works.



***Prior to Issue of Design Compliance Certificate***

11. A Design Compliance Certificate is required to be obtained for the following aspects of the development:

- a) civil drainage
- b) overland swale.

Prior to the issue of a Design Compliance Certificate, plans showing finished levels, any associated drainage, any structural details, batter grades and finished surfaces must be submitted to the Certifying Authority.

The payment of a Construction Certificate Checking Fee and a Compliance Certificate Inspection Fee are required when submitting Civil Engineering Plans to Hawkesbury City Council for Approval. A fee quote will be provided by Hawkesbury City Council on request.

12. A drainage design plan covering stormwater leaving the pit located on the eastern boundary and how both overland and piped drainage shall be dealt with must be submitted and approved prior to the release of the Design Compliance Certificate. The plan must:
- a) clearly address overland flow issues by directing water away from the property boundary via a swale prior to being dispersed
  - b) clearly address how piped drainage is to be discharged in a manner that does not adversely affect neighbours nor create erosion issues
  - c) be to the satisfaction of the Certifying Authority
  - d) comply with the Hawkesbury Development Control Plan 2002 – Appendix E – Civil Works Specification (Part I and Chapter 8) and Australian Standard AS3500 'Plumbing and Drainage' unless a variation is specifically noted and approved on the Development Consent concept drainage plan.
13. The development shall not create adverse impacts to neighbouring properties in relation to overland flow and must meet the following requirements:
- a) water flowing from the property must not be redirected or concentrated to adjoining properties
  - b) water flowing into the property from adjoining lots shall not be impeded or diverted
  - c) water flow shall follow the natural flow directions without increasing velocity.

Details demonstrating compliance with the above requirements are to be provided to the Certifying Authority prior to the release of the Design Compliance Certificate.

***Prior to Issue of Construction Certificate***

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. The Construction Certificate shall be obtained prior to the commencement of any earth works or building works:

14. The building is required to be upgraded so as to comply with the Performance Provisions of the Building Code of Australia (BCA). In this regard, a report from a suitably qualified and experienced A1-Accredited Certifier or a Fire Safety Consultant is required to identify the extent of upgrading works necessary to ensure the building has adequate provision for fire safety and is safe and suitable for occupation.

These proposed upgrading works are then to be detailed in the documentation to the Certifying Authority for approval as part of the Construction Certificate.

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The following clauses of the Building Code of Australia will require particular attention, however the report should not be limited to these matters:

- a) C3.11 – Bounding Construction
- b) D1.10 – Discharge from exits
- c) D2.20 – Swinging Doors
- d) D2.21 – Operation of Latch
- e) D3 – Access for people with a Disability
- f) E1.3 – Fire Hydrants
- g) E1.6 – Portable Fire Extinguishers
- h) E2.3 – Automatic Smoke Detection and Alarm System complying with Specification E2.2a
- i) E4.2 – Emergency Lighting
- j) E4.5 – Exit Signage
- k) Part F4 – Light and ventilation
- l) F3.1 – Room heights (Laundry and access to laundry).

In addition to the above, the swimming pool barrier and gate are non-compliant with the requirements of the Swimming Pools Act 1992. Works required to bring the barrier into compliance are required to be identified, documented and carried out as part of the upgrade works.

15. The 'Plan of Management' prepared by Stimson and Baker Planning shall be updated to include the following:
- a) the boarding house shall accommodate a maximum of 18 lodgers;
  - b) any boarding rooms with an area of less than 16m<sup>2</sup>, exclusive of the bathroom facilities, shall be occupied by a single lodger only;
  - c) the recommendations detailed in the 'Response to Windsor Police Recommendations' prepared by One80TC and dated 19 January 2017.

The revised Plan of Management shall be submitted to Council for approval prior to the release of the Construction Certificate by the Certifying Authority.

16. Parking spaces for eight vehicles, three motorcycles and three bicycles shall be line-marked and maintained in accordance with AS2890.1 and AS2890.6. Details demonstrating compliance with this requirement shall be provided to the Certifying Authority prior to the release of the Construction Certificate.
17. A front fence and gates shall be constructed within the boundary of the subject property. The fence shall have a maximum height of 1.5m exclusive of any retaining wall element. Both the fence and gates shall be designed so that they do not intrude or extend within the road reserve of Bells Line of Road.
- Details demonstrating compliance with the above requirements are to be provided to the Certifying Authority prior to the release of the Construction Certificate.
18. A Detailed Landscaping Plan to soften and screen the development and fence from Bells Line of Road shall be provided to the Certifying Authority for approval prior to the release of the Construction Certificate.
19. The payment of a long service levy is required under Part 5 of the Building and Construction Industry Long Service Payments Act 1986 in respect to this building work. Proof that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. All building works in excess of \$25,000 are subject to the payment of a Long Service Levy at the rate of 0.35%. Payments can be made at Long Service Corporation offices or at most Councils.
20. A Section 73 'Notice of Requirements' under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

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Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to 'Water Servicing Coordinator' under 'Developing Your Land' or telephone 13 20 92 for assistance.

Following application a 'Notice of Requirements' will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

21. The kitchen is to comply with Australian Standard AS4674:2004 'Design, Construction and Fit-out of Food Premises'. A specification or detailed plans indicating compliance with the above shall be provided to the Certifying Authority prior to the issue of a Construction Certificate.
22. A Design Compliance Certificate is required to be obtained for the design of the stormwater drainage and overland swale. The Design Compliance Certificate is to be provided to the Certifying Authority prior to the issue of any Construction Certificate.
23. A Sewer Management Facility System application shall be submitted to Hawkesbury City Council for a new tanker pump-out system. This will need to be sized based on potential hydraulic load. Evidence of the approval of the application must be submitted to the Certifying Authority prior to the issue of a Construction Certificate.
24. The dilapidated western driveway crossing must be removed and re-constructed. The sealed crossing must be constructed so that it complies with the following requirements:
  - a) must as a minimum maintain the same dimensions as the existing crossing;
  - b) be constructed so as to have either a concrete or a bitumen sealed finish; and
  - c) be in accordance with Hawkesbury Council's 'Driveway Specifications' and Development Control Plan 2002 – Appendix E – Civil Works Specification.

Evidence confirming that a driveway application has been submitted shall be provided to the Certifying Authority prior to the issue of a Construction Certificate.

### ***Prior to Commencement of Works***

25. The applicant shall advise Council of the name, address and contact number of the principal certifier in accordance with Section 81A(2)(b) of the Environmental Planning and Assessment Act 1979.
26. At least two days prior to the commencement of works, notice is to be given to Hawkesbury City Council in accordance with the Environmental Planning and Assessment Regulation 2000.
27. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road:
  - a) unauthorised access to the site is prohibited
  - b) the owner of the site
  - c) the person/company carrying out the site works and telephone number (including 24 hour seven days' emergency numbers)
  - d) the name and contact number of the Principal Certifying Authority.

The sign is to be maintained for the duration of works.

28. Toilet facilities (to the satisfaction of Council) shall be provided for workers throughout the course of building operations. Such a facility shall be located wholly within the property boundary.
29. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the Principal Certifying Authority prior to the commencement of works.

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30. A Traffic Control Plan prepared in accordance with the Roads and Maritime (formerly Roads and Traffic Authority) publication 'Traffic Control at Worksites' is to be prepared by an appropriately qualified person and submitted to Council, prior to commencement of any works, for approval. The Plan must be approved by the RMS before its lodgement with Council.

### ***During Construction***

31. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am and 6pm and on Saturdays between 8am and 4pm.
32. The property entry and exit points shall be secured at all times to prevent the unauthorised entry of vehicles, and to ensure that the site manager can control and prevent dumping of waste and potentially contaminated material whilst fill material is being imported or managed on site.
33. Dust control measures (e.g. vegetative cover, mulches, irrigation, barriers and stone) shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
34. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
35. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site
  - b) building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site
  - c) builders waste must not be burnt or buried on site
  - d) all waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
36. The Traffic Management Plan must be implemented and all devices maintained for the duration of the works in compliance with the approved Traffic Management Plan.
37. The removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).
38. Landscaping works are to be undertaken in accordance with the approved Detailed Landscaping Plan.
39. Inspections for sanitary drainage works are to be carried out by Hawkesbury City Council. Inspections must be conducted on the exposed pipes prior to covering. In the case of internal and external (house service connection) drainage, the inspection must be conducted by Hawkesbury City Council's Regulatory Services Branch. Please phone (02) 4560 4444 to arrange inspections.
40. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan 2002 – Appendix E – Civil Works Specifications – Part II Table 1.1.

The work is required to be carried out in accordance with the approved Design Compliance Certificate.

### ***Prior to Issue of Construction Compliance Certificate***

41. Prior to the issue of a Construction Compliance Certificate all works must be completed in accordance with the approved Design Compliance Certificate Plans, approved supporting documentation and to the satisfaction of the Principal Certifying Authority.

## ORDINARY MEETING

Meeting Date: 14 February 2017

### ***Prior to Issue of Occupation Certificate***

42. A written clearance from Hawkesbury City Council (as the local sewer authority) that the development is suitably connected to the pump-out sewerage management system is required to be submitted to the Certifying Authority prior to the issue of an Interim or Final Occupation Certificate.
43. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.
44. A Construction Compliance Certificate for works approved under the Design Compliance Certificate is required prior to the issue of an Occupation Certificate.
45. The western driveway crossing construction required as part of this consent must be completed prior to the issue of any Occupation Certificate.
46. A Construction Compliance Certificate for all civil works carried out (driveway, car parking and drainage works) is required to be issued prior to the issue of an Occupation Certificate.
47. Evidence of compliance with the Rural Fire Service's General Terms of Approval (Reference No. D16/2381 DA160722029887 MA) dated 9 August 2016 is to be provide to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

### ***The Use of the Development***

48. A maximum of 18 lodgers may be accommodated within the boarding house.
49. Boarding rooms with an area of less than 16m<sup>2</sup>, exclusive of the bathroom facilities, shall be occupied by a single lodger only.
50. A live-in manager shall be present onsite to manage and oversee the operation of the boarding house.
51. The boarding house must be operated and managed in accordance with the approved Plan of Management.
52. All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that each of the fire safety measures specified in this statement has:
  - a) been assessed by a properly qualified person, and
  - b) found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.
53. Noise generated as a result of the development (from opening until 10pm) shall be managed so that the LAeq noise levels, measured at any point in accordance with the 'Industrial Noise Source Policy', does not exceed 5dB(A) (LAeq) above background levels (LA90) with respect to noise amenity at any residential dwelling.
54. Noise generated as a result of the development is not to generate offensive noise (after 10pm) with respect to the noise amenity of residential dwellings not associated with the development.
55. Any internal/external lighting shall be directed in such a manner so that there is no light spillage onto adjoining properties.

The reasons for the imposition of these conditions are those matters specified under Section 79C(1) of the Environmental Planning and Assessment Act 1979 as are relevant to the subject development.

## ORDINARY MEETING

Meeting Date: 14 February 2017

### **Advisory Notes**

- This consent operates from the determination date shown on the top of this notice and will lapse unless the development is commenced within five years from the date endorsed on this consent.
- If you are dissatisfied with this decision Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six months after the date on which you receive this notice.
- The swimming pool may be required to be registered with Council under the Public Health Act 2010 if the pool meets NSW Health's definition of a public swimming pool.
- Private Accredited Certifiers do not have any authority to issue Engineering Approvals or carry out inspections for works on Public Roads under the Roads Act 1993.
- The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.
- Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
- The applicant is advised to consult with the relevant:
  - (a) water supplier
  - (b) sewer provider
  - (c) electricity provider
  - (d) telecommunications carrier

... regarding their requirements for the provision of services to the development and the location of existing services that may be affected by the works, either onsite or on the adjacent public roads.

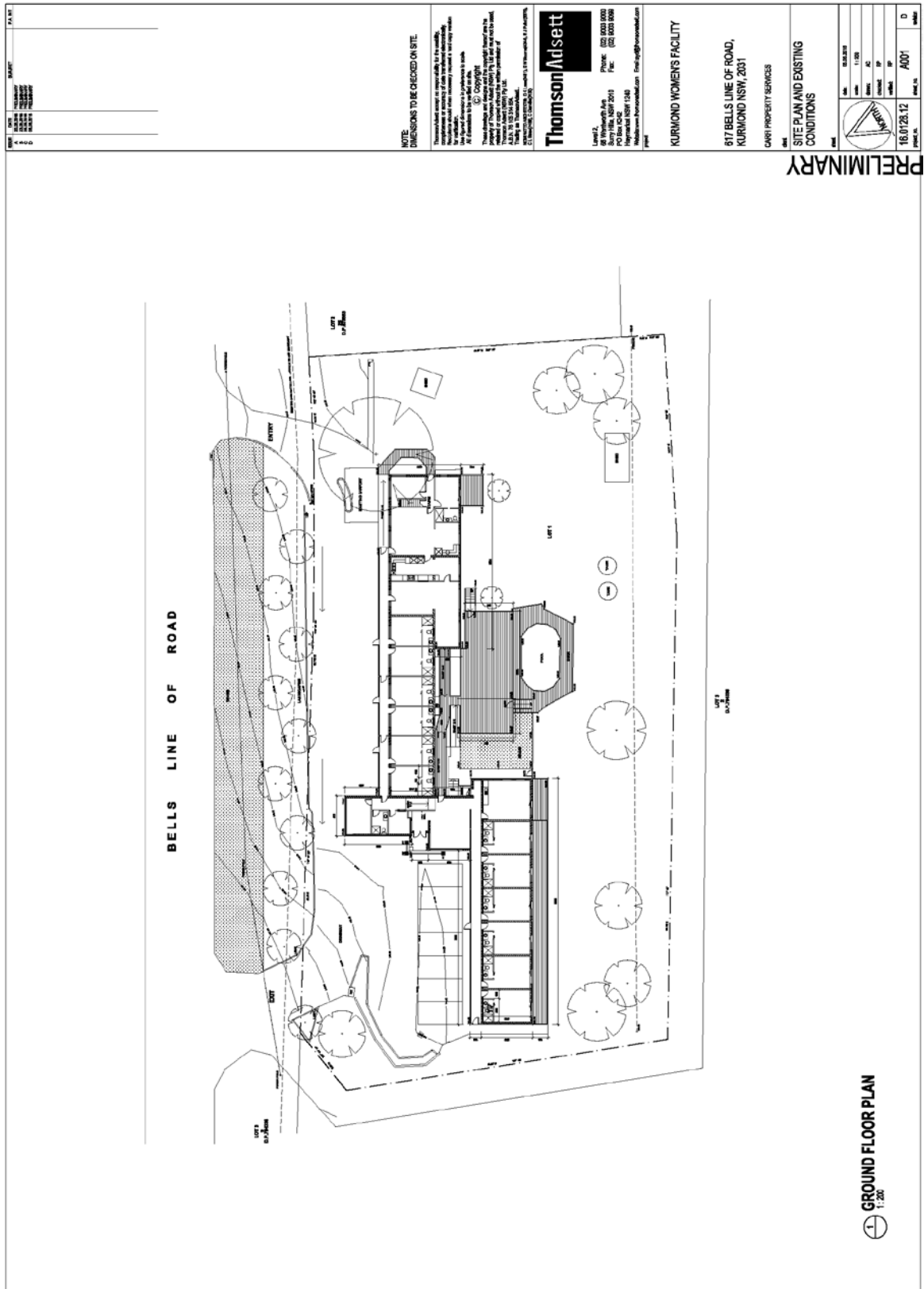
### **ATTACHMENTS:**

**AT - 1** Site Plan

# ORDINARY MEETING

Meeting Date: 14 February 2017

## AT - 1 Site Plan



oooO END OF REPORT Oooo

## ORDINARY MEETING

Meeting Date: 14 February 2017

### GENERAL MANAGER

Item: 25

GM - One Giant Leap Australia - National STEM Centre - (79351)

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#### REPORT:

##### Executive Summary

This report has been prepared to provide Council with information on two business proposals put forward by One Giant Leap Australia Pty Ltd (OGLA). The first proposal seeks to establish a National Science, Technology, Engineering, Mathematics (STEM) Education Centre of Excellence in the Hawkesbury. The second proposal aims to set up a Hawkesbury Regional Science Hub. Appended to the report is the edited PowerPoint presentation made by OGLA at the Councillor Briefing Session held on 5 December 2016 which outlines the objectives and background to the STEM proposal and details about the proponent. Also attached is additional correspondence received from the proponent in relation to the Regional Science Hub proposal.

The proponent is seeking Council endorsement of the proposals and has also requested that Council give consideration to providing financial assistance for a student sponsorship activity. The report proposes that Council endorse both proposals and provide letters of advice to this effect. The report also suggests that Council invite OGLA to lodge an application under Council's Community Sponsorship Program to seek financial assistance for the proposed student sponsorship.

##### Consultation

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

##### Background

One Giant Leap Australia presented its proposal for the development of a STEM Centre in the Hawkesbury at the Councillor Briefing Session on 5 December 2016. A brief summary of the proposal is outlined below.

##### Proponent

The business entity - OGLA Pty Ltd (OGLA) was formed in 2015 and is based in the Hawkesbury. A not-for-profit sister company, Space Camp Australia, has also been established to support the STEM proposal and to operate the 'space camp' concept in Australia under exclusive licence. A brief curriculum vitae of persons involved with OGLA is outlined in Attachment 1.

##### Business Proposal – STEM Centre

The proposal involves the establishment of a STEM Centre learning place which students and teachers would attend through a 'space camp' format or residential program to improve their STEM skills and learning.

OGLA has identified a possible site in the Hawkesbury Local Government Area and is currently in discussion with the property owner.

Progressing the STEM Centre proposal will require the preparation of a more detailed business case to establish capital funding requirements, project timelines, regulatory and planning approvals, and any conditions for the use of the potential site as well as the development of STEM learning programs. The objectives and other details relating to the proposed STEM Centre are also outlined in Attachment 1.



Business Proposal – Hawkesbury Regional Science Hub

OGLA has approached Council to partner in the establishment of a Hawkesbury Regional Science Hub, under the NSW Regional Science Hub Strategy. The Strategy seeks to create a network of organisations that will collaborate to deliver community science engagement programs. Details of the Regional Science Hub Strategy are appended to this report as Attachment 2.

OGLA will apply for funding under the Hub Strategy to set up and lead a Hawkesbury Regional Science Hub and has approached the Civil Aviation Safety Authority and a local aero-modelling club to be partners in this initiative. The proposed Hub would promote STEM education with a focus on safe aero-modelling (flying of drones) and developing awareness in the community.

OGLA will apply for funding under the Hub Strategy and is seeking Council's interest in being a Hub partner prior to lodging a funding application. Council's involvement would be non-financial, involving attendance at Hub meetings and hub activities including the possible hosting of some activities.

Request for Community Sponsorship

OGLA has also requested that Council give consideration to funding the participation of a Hawkesbury student at Space Camp USA in 2017 at a cost of \$6,500 to cover the cost of Space Camp tuition, transfers, tips, transport, plane fares, entry fees, taxes, and visits to Disneyland, Universal Studio, and the California Science Centre.

**Consideration of STEM Proposals and Request for Sponsorship**

At this time, OGLA is seeking Council endorsement of the STEM Centre concept and has asked Council to partner with it in seeking funding under the NSW Regional Science Hub strategy. Council's positive response to these requests will provide further impetus for OGLA to progress these proposals. The proposals are consistent with the directions of the Hawkesbury Community Strategic Plan and on this basis it is recommended that Council endorse the proposals and provide letters of advice and support to this effect.

Council allocates financial assistance for student sponsorship requests through applications lodged under its Community Sponsorship Program. As funds within these programs have been fully expended for the 2016/2017 financial year, it is proposed that Council invite OGLA to apply under the Community Sponsorship Program and that this application be considered together with other requests for financial assistance to be determined in the July 2017 round of the Community Sponsorship Program following the adoption of the 2017/2018 Operational Plan.

**Conformance to the Hawkesbury Community Strategic Plan**

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

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

and is also consistent with the nominated strategy in the CSP being:

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

**Financial Implications**

There are no financial implications arising from this report. The request for sponsorship can be considered by Council following the adoption of the 2017/2018 Operational Plan.

## ORDINARY MEETING

Meeting Date: 14 February 2017

### RECOMMENDATION:

That Council:

1. Endorse the proposal to establish a National STEM (Science, Technology, Engineering, Mathematics) Education Centre of Excellence in the Hawkesbury by One Giant Leap Australia Pty Ltd. as outlined in this report, and provide a letter of endorsement.
2. Agree to be a partner organisation for the proposed Hawkesbury Regional Science Hub to be set up by One Giant Leap Australia Pty Ltd under the NSW Regional Science Hub Strategy and provide a letter of advice to this effect.
3. Invite One Giant Leap Australia Pty Ltd to apply for financial assistance under the Community Sponsorship Program for the purpose of sponsoring a student to participate in the Space Camp USA 2017 Event.

### ATTACHMENTS:

- AT - 1** National STEM Education Centre of Excellence (incorporating Space Camp Australia) edited presentation to Councillor Briefing Session on 5 December, 2016
- AT - 2** NSW Regional Science Hub Strategy - Terms of Reference, Inspiring Australia (NSW) and NSW Office of Science and Research

AT - 1 - National STEM Education Centre of Excellence (incorporating Space Camp Australia

edited presentation to Councillor Briefing Session on 5 December 2016

## Driving STEM education excellence

Proposal for the development of a National S.T.E.M Education Centre  
of Excellence (incorporating Space Camp Australia)

October 2016

*'We will ensure that all Australians understand that their government recognises the opportunities of the future and that their government is putting in place the policies and the plans to enable them to take advantage of it.'*

Malcolm Turnbull – Prime Minister of Australia



Jackie Slaviero  
One Giant Leap Australia Pty Ltd  
+61 412 326 509 (mob)  
onegiantleap@bigpond.com

## Driving excellence in STEM education

*Is there a need?*

"I welcome an age in which entrepreneurship flourishes, educational opportunities expand, and nations collaborate scientifically to drive progress."

**Alan Finkel**  
Australia's Chief Scientist

"We can choose to do more of the same and slip even further behind, or we can make major differences in how we teach science and maths."

**PwC Making STEM a Primary Priority**

"We need a concerted, national effort to overcome the cultural and organisational factors that discourage girls and women from studying and working in STEM."

**Karen Andrews**  
Federal Assistant Minister for Science

**"Three-quarters of the fastest-growing occupations in Australia required science, technology, engineering and mathematics (STEM) knowledge and skills."**

**Mike Baird, Premier, NSW**

"We know that by enhancing the skills of teachers today, we will have more capable students tomorrow, who are more likely to come to great institutions... to study technology or science or engineering, and to build the more innovative and capable nation we aspire to in the future."

**Simon Birmingham**  
Federal Minister for Education and Training

"Either we prepare the next generation to thrive in an increasingly technologically complex and competitive global economy or we acquiesce to lower productivity, slower growth, and declining standards of living."

**PwC Making STEM a Primary Priority**

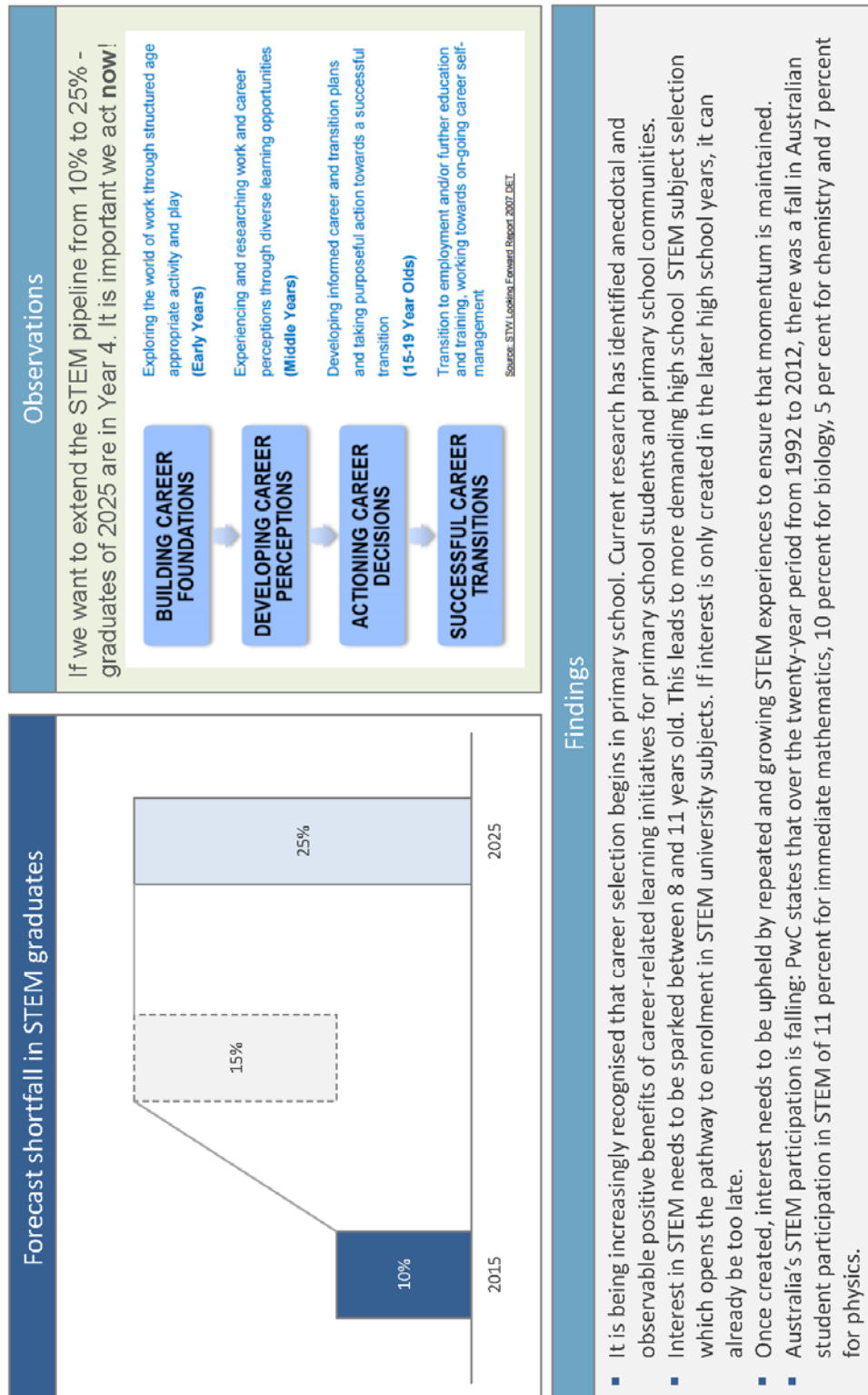
"...prepare young Australians for the opportunities of the future, making sure they have the skills they need to create new ideas; turn those ideas into reality and reap the rewards of taking risks, learning from failure and embracing opportunity."

**Christopher Pyne**  
Federal Minister for Industry, Innovation and Science

"As a nation we have to do what we can to make sure there will be new jobs, and the way you do that is by constantly innovating – taking the new ideas that have been generated and turning them into opportunities"

**Alan Finkel**  
Australia's Chief Scientist

## Why is early stage STEM important? *The market need...*



## Background – One Giant Leap Australia and Space Camp Australia

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One Giant Leap Australia Pty Ltd – established in May 2015 to create and sustain a National STEM Centre of Excellence in Australia (The Centre).

The Centre's objectives:

1. To increase student STEM ability, engagement, participation and aspiration.
2. To increase teacher capability and STEM teaching quality.
3. To support STEM education opportunities within school systems.
4. To facilitate effective partnerships with business, industry and tertiary education providers
5. To provide a strong evidence base and thought leadership on the importance, relevance and evaluation of outcomes of the Centre
6. To produce effective strategies for improving access and equity to participation in STEM education, research and development

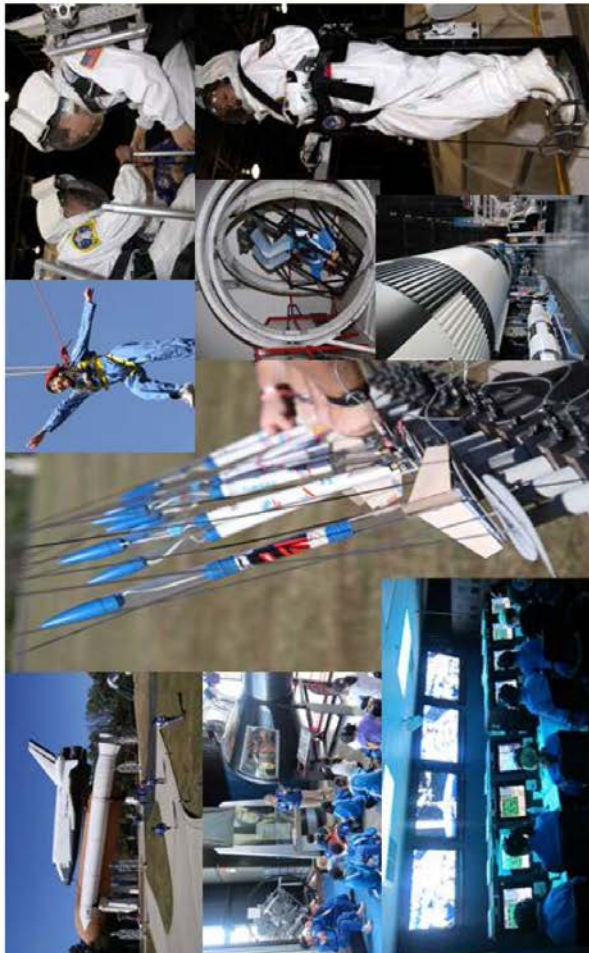
Sister company 'Space Camp Australia' – a NFP organisation - established to support the STEM Centre and will operate Space Camp in Australia under exclusive license.





## Space Camp Activities

*An innovative way to engage the 'hearts & minds' of our young Australians*



### Effect

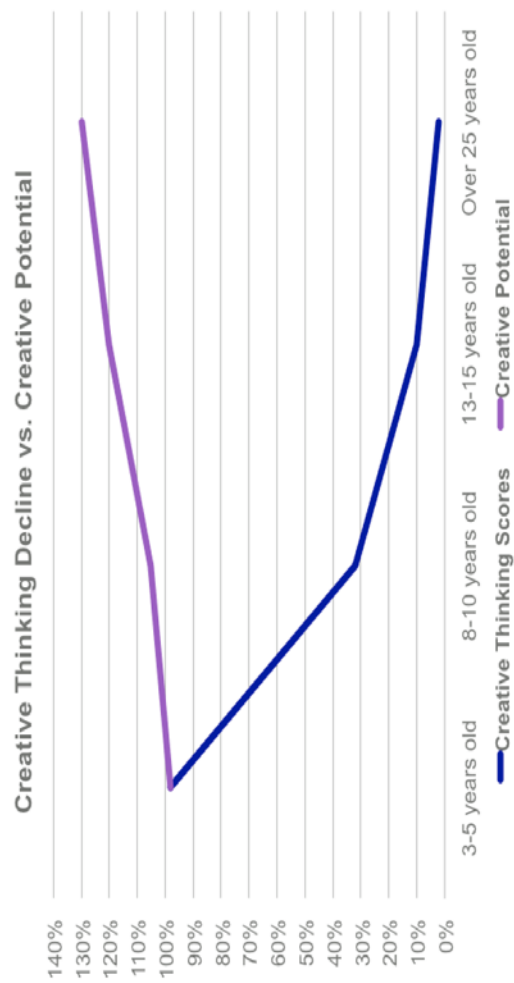
- **Student:** *I felt good because I did my best for the first time.*
- **Student:** *The thing that I gained was my confidence. When I was in Space Camp I did things that I would never had even dreamt of in my life. It was like it was a whole new me.*
- **Teacher:** *Space Camp a unique experience. Our school community coming together in a partnership of shared experience. An opportunity to learn and share, forging bonds, that strengthen our ability to prepare our children for the future. You cannot measure the privilege of sharing the dreams of children.*

### Affect

- After doing Space Camp for Educators, it has made me turn 180° and instead of thinking how I can make the student better in my subject, I now think "What can I do to make you a better student." **South African teacher - Honeywell Alumni 2011**
- I could write a novel about the different ways of how Space Camp has changed my life and made me believe that anything is possible (however cheesy that may sound). That as long as I believe it possible, it is 100% achievable. I would never trade my Space Camp experience for anything. I look upon that part of my life as a turning point and although I said it did not shape my career path, it built up my confidence to believe in myself and determination to achieve my dreams. **Space Camp 2008/HSC Candidate 2015.**

## Background – Destination Imagination

One Giant Leap Australia has the exclusive license to operate Destination Imagination in Australia and New Zealand. This 21<sup>st</sup> Century educational program provides opportunities to exponentially increase creative thinking potential and bridge the recognised gap between creative thinking decline versus creative potential increase. A pilot program will run in 2017 for Australian schools – potentially a small group of finalists will travel to the USA in May 2017 to compete at an international level in the Global Finals, Knoxville, Tennessee.



Tennessee Test of Creative Thinking, Revisited from  
<http://www.crea.usa.net/index.php/creative-center>

**Continuous Creative Skills Development = Maximize Creative Potential = Future Success**





## The One Giant Leap team

### *A high performance team across STEM education, aviation & commercial sectors*

<b>Jackie Slaviero</b>		<ul style="list-style-type: none"> <li>Jackie is the founder of One Giant Leap Australia. Her vision is to create a unique and dynamic organisation that collaborates with Government, Industry and Education sectors to transform Science, Technology, Engineering and Mathematics education.</li> <li>Jackie is a key member of the NSW Science Advisory Group to the Inspector of Science, BOSTES. She is also the STEM education consultant on the Advisory Boards of Cuberider, Launchbox, Chatty Kids, ELA App and Pallas Advanced Learning Systems.</li> <li>As well as being the International Ambassador for Honeywell Educators @ Space Academy, she is also Australia's representative for the Global Friendship through Space Education organisation, Ambassador for both Space Camp USA and Turkey.</li> </ul>
<b>Bob Carpenter (OAM)</b>		<ul style="list-style-type: none"> <li>Bob has been employed in the Military and Aviation fields since 1967. Bob joined the Royal Australian Air Force as an Avionics Technician in 1967. Over his 25 years of service, he progressed to become Flight Engineer Leader on C-130H Hercules aircraft, until his Honourable Discharge in 1991.</li> <li>Bob has continued in the Military Aviation field, providing training in relation to the flight, maintenance and aircrew operations of Hercules Aircraft for international military customers and private companies in 14 countries, primarily in SE Asia.</li> </ul>
<b>Professor Gregory Chamitoff</b>		<ul style="list-style-type: none"> <li>NASA Engineer and Astronaut Dr. Chamitoff served on a long duration mission to the International Space Station in 2008, completing a tour that lasted six months.</li> <li>Dr Chamitoff is currently the Lawrence Hargrave Professor of Aeronautical Engineering at the University of Sydney, Australia. He is also Professor of Engineering Practice in Aerospace Engineering at Texas A&amp;M University. He has swapped his spacesuit for an academic role, where he will try to expand Australia's presence in the global aerospace sector.</li> </ul>
<b>Graham Constable</b>		<ul style="list-style-type: none"> <li>Graham's career to date has involved commissioned service in the Royal Air Force, Communications engineering office in special projects; satellite Ops Officer and operations Director airfield navigation aids and Comms Centres.</li> <li>He has spent over 20 years in operations and consultancy, including infrastructure services and modelling, organisational development, business modelling, operational readiness, value profiling, teambuilding, change management and leadership coaching / mentoring.</li> <li>He was co-founder of and head of operations for a \$100m infrastructure services company</li> </ul>
<b>David Cullen</b>		<ul style="list-style-type: none"> <li>Owner Fiction Architects.</li> <li>10 years of proven experience in all phases of design process: conceptual, detail and design development, construction documents, construction administration, site supervision.</li> <li>Emphasis on sustainability concepts in all areas of design.</li> </ul>
<b>Fiona Ciliberto</b>		<ul style="list-style-type: none"> <li>Fiona is a Melbourne based primary school educator who has a passion for engaging and empowering students. Her successful career has spanned across two states. She has worked extensively with academically gifted students, focusing on extending their learning by helping them investigate and explore their own interests in depth rather than accelerating them.</li> <li>Fiona has been appointed Regional Director for Destination Imagination Australia and will continue her passion promoting STEM learning and teaching in Australian schools.</li> </ul>
<b>Gemma Dalton</b>		<ul style="list-style-type: none"> <li>Gemma is an energetic educator who encourages students to achieve their best. She gained the STEM Inspirational Educator Scholarship 2016 for her work in STEM education.</li> <li>A highly successful career in education, Gemma certainly understands setting goals and achieving them. Her volunteer work with the homeless and also as a support counsellor to teenagers.</li> <li>Gemma brings both youth and mentoring with today's students to the team.</li> </ul>

**AT - 2 - NSW Regional Science Hub Strategy - Terms of Reference, Inspiring Australia (NSW)**  
**and NSW Office of Science and Research**



**Inspiring Australia (NSW) and NSW Office of Science and Research**  
**NSW Regional Science Hub Strategy – Terms of Reference**

**1. Terms of reference**

**1.1 Purpose**

The NSW Regional Science Hub Strategy seeks to create a network of organisations that will collaborate to deliver ongoing community science engagement programs, including during National Science Week.

NSW Regional Science Hubs bring together multidisciplinary teams to develop and deliver high-profile science events in regional NSW. With a broad membership base, each Science Hub serves to formalise disparate and informal science communication networks in regional areas and further the science communication goals of Inspiring Australia, the Australian Government's national strategy for engagement with the sciences.

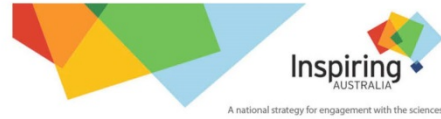
The NSW Regional Science Hub Strategy fits within the framework of the NSW Premier's [Priorities](#) that outline immediate actions to improve state outcomes including in the areas of jobs, education and services. The Strategy also aligns with the [Australian Government's Innovation and Science Agenda](#) by promoting the value of science, technology, engineering and maths (STEM) and fostering communities driven by curiosity and innovation.

With links to multiple community groups through regional NSW, NSW Regional Science Hubs create a dynamic network that can plan strategically for ongoing programs of events and activities to promote the value of STEM to Australians from all walks of life.

**1.2 Regional Participation**

The annual NSW Regional Science Grants program has established and supported Science Hubs in the following regions:

- |                                    |   |
|------------------------------------|---|
| • Central West–Dubbo               | • Central Tablelands–Bathurst           |
| • Murrumbidgee–Caroothal Shire     | • Cowra Cabonne – Cowra                 |
| • Riverina–Wagga Wagga             | • Far West – Broken Hill                |
| • Far South Coast–Bega Valley      | • Shoalhaven – Nowra                    |
| • New England North West–Armidale  | • Dungog – Dungog                       |
| • Murray–Albury–Wodonga            | • North West Slopes – Gunnedah          |
| • Snowy Region–Jindabyne           | • Macarthur – Camden                    |
| • Northern Rivers–Lismore          | • Eastern Sydney - Centennial Parklands |
| • Mid-North Coast – Port Macquarie | • Inner Sydney – Sydney CBD             |
| • Hunter–Newcastle                 | • Western Sydney – Penrith              |



- Illawarra–Wollongong
- Blue Mountains – Winmalee
- Southern Sydney – Sutherland

Based on strong regional enthusiasm for the concept, and the willingness of organisations to participate, there is potential to develop additional NSW Regional Science Hubs in other local government regions.

### 1.3 Strategic Framework

The development of the NSW Regional Science Hub Strategy is consistent with priorities established by Inspiring Australia and the NSW Government's Premier's Priorities, particularly through promoting collaboration and partnership development in regional areas.

### 1.4 Engaging Australians with science

The central theme of the NSW Regional Science Hub Strategy is to improve scientific literacy for Australians with the following goals:

- More young people are motivated to pursue careers in science, technology, engineering and maths (STEM);
- People across NSW understand the relevance of STEM to everyday life and feel more confident in their decision-making relating to scientific issues;
- Communities work together to deliver events that suit the interests of those in their region; and
- An appreciation of the value of STEM to Australia's future economic and social wellbeing and the important work undertaken by NSW scientists and engineers.

New South Wales is home to many of Australia's leading engineering firms, universities and research bodies. It is important that inspiring stories about these STEM achievers are shared with the broader community.

### 1.5 Developing community programs

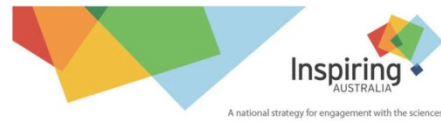
Each Science Hub agrees to deliver a series of initiatives that showcase STEM disciplines, build cooperation between community, government, research bodies and industry and engage people in activities that are both educational and entertaining.

Using a 'national-framework-local action' approach, Science Hubs determine what kinds of activities suit the needs and interests of their local communities. As initiatives are identified and planned by the Science Hubs, the Inspiring Australia Manager (NSW) is available to offer support and high-level strategic advice.

Participating organisations volunteer to contribute staff resources to initiatives, with support of other relevant agencies and industry sponsors secured on a case-by-case basis.

## ORDINARY MEETING

Meeting Date: 14 February 2017



### 1.6 Funding

The NSW Inspiring Australia vision is to build enduring partnerships that in time will be able to be self-sustaining. While the NSW Regional Science Grants program is able to offer limited funds to support each Science Hub to present a community event, participants are encouraged to seek additional funding from project partners and local sponsors.

### 1.7 Governance and Reporting

Each Science Hub is coordinated by a lead organisation that takes responsibility for receiving and acquitting grant monies, disseminating information and coordinating events.

The Inspiring Australia Manager (NSW) provides Science Hubs partners with information, media and communications support and strategic advice, while also ensuring that each Science Hub aligns its activities to state and national STEM engagement priorities.

NSW Regional Science Hubs that receive grant funding report to the Inspiring Australia Manager (NSW), using processes established for reporting according to contracts established between the University of Sydney and the NSW Department of Industry and the University of Sydney and the Commonwealth Department of Industry, Innovation and Science.

Members of each Science Hub are responsible for developing their own strategies and reporting to their own organisations.

## **2. Co – Chairs**

The NSW Regional Science Hubs network is co-chaired by Inspiring Australia (NSW) and representatives from the NSW Office of Science and Research.

## **3. Membership**

### 3.1 NSW Regional Science Hub members

NSW Regional Science Hubs can be comprised of science experts, professional organisations, educational institutions, research bodies, industry and community groups. In order to promote all the STEM disciplines, strong efforts should be made to engage universities, technology entrepreneurs, engineers and local government departments. As Science Hubs seek to formalise disparate and informal STEM networks, membership is anticipated to grow over time.

For more information about the NSW Regional Science Hubs Strategy, please contact

Jackie Randles  
Manager, Inspiring Australia (NSW)  
Faculty of Science, The University of Sydney | NSW | 2006 | Australia  
T +61 2 9 351 5198 | F +61 2 9355 7707 | M +61 (0) 481 006 158 E [jackie.randles@sydney.edu.au](mailto:jackie.randles@sydney.edu.au)

oooO END OF REPORT Oooo

**INFRASTRUCTURE SERVICES**

**Item: 26**                      **IS - Draft Redbank Precinct Community Land Plan of Management - (95495, 79354)**

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**REPORT:**

**Executive Summary**

A Draft Plan of Management has been prepared for the future community land within the North Richmond land release area (Redbank) and the adjoining existing community land at Peel Park and Pecks Road Reserve.

The report recommends that Council declare the future community land as culturally significant and place the Draft Redbank Precinct Community Land Plan of Management and draft Master Plan included as Attachment 1 to this report, on public exhibition, and that consultation be undertaken with the community on a suitable name for the future reserve along Redbank Creek.

**Consultation**

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. It is proposed that Council undertake the following community engagement process in compliance with Council's policy:

- Advertise the availability of the Draft Redbank Precinct Community Land Plan of Management for public comment in the Hawkesbury Gazette. Plans are to be exhibited for a minimum of 28 days, with submissions to be received within 42 days of advertising (as required under the Local Government Act 1993).
- Place hard copies of the Plans at Council Offices, Windsor and Richmond Libraries for public perusal.
- Place electronic copies of the Plans on Council's website for public comment.

**Background**

In accordance with the Voluntary Planning Agreement for the Redbank Development, a Plan of Management and a Master Plan are required for Peel Park.

As part of the development of the North Richmond Land Release Area (Redbank), a number of open space areas are to be dedicated to Council in the form of parkland (including dams and stormwater treatments), bushland and riparian areas. This land is intended to be classified as community land under the Local Government Act 1993, and as such, Council is required to prepare a plan of management for this land.

To ensure uniformity for all open space, a single plan has been developed for all community land within the Redbank Precinct as well as Peel Park. Whilst this has been done in advance of development and dedication, the developer (land owner) has formally agreed to this approach.

Accordingly, the land covered under the Draft Redbank Precinct Community Land Plan of Management includes all future community land within the Redbank precinct, currently owned by BD NSW (MR) Project 007 Pty Ltd, as well as the adjoining existing community land owned by Council at Peel Park and Pecks Road Reserve. The draft plan meets the requirements of the Local Government Act 1993 and is consistent with the Planning and Design Guidelines developed as part of the Hawkesbury Regional Open Space Strategy (2013).



Due to the staged nature of the development, not all of the future community land will be transferred to Council at once. It is intended that as each parcel is dedicated to Council, the Plan of Management will be updated with the relevant land title details of the parcel and put to Council for readoption. Other than updating the land titles schedule in Appendix A and land conditions table in Section 2, significant changes to this plan of management are not anticipated.

### **Categorisation of land**

The Plan of Management for community land must identify the Category of the land. Under Section 36 of the Local Government Act 1993, the land is to be categorised as one (or more) of the following:

- a natural area
- a sportsground
- a park
- an area of cultural significance
- general community use.

Land that is categorised as a natural area is to be further categorised as one or more of the following:

- bushland
- wetland
- escarpment
- watercourse
- foreshore
- a category prescribed by the regulations.

Additionally, due to the State Heritage Listing of the future community land and its role in the interpretation of Yeoman's Keyline system, as well as the presence of Aboriginal artefacts, it is proposed to categorise all of the future community land as being of Cultural Significance. Under the Local Government Act (1993), this formal declaration is at the discretion of Council.

The implication of categorising a parcel or part of a parcel as being of cultural significance is that a site specific plan of management is then required for the land that includes:

- stating that the land is an area of cultural significance, and
- categorising the land or relevant part as an area of cultural significance, and
- identifying objectives, performance targets and other matters that:
  - are designed to protect the area, and
  - take account of the existence of the features of the site identified by the council's resolution (regarding the cultural significance of the area)
  - incorporate the core objectives prescribed under section 36 in respect of community land categorised as an area of cultural significance.

The Redbank Precinct Community Land Plan of Management would be considered a site specific plan of management and no further obligations are foreseen as a result of declaring this land as an area of cultural significance.

### **Sub-categorisation of land**

Due to the significant nature of the natural areas and considering the required core objectives for natural areas categorised under the Local Government Act 1993, the Plan of Management proposes to apply sub-categories to the various land areas to guide management of these areas, consistent with Council's other parkland. These sub-categories include:

- Natural area – bushland
- Natural area – watercourse
- Parkland

## ORDINARY MEETING

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- General Community Use.

### **Public Hearing and Community Engagement**

As the Plan of Management has the effect of categorising community land, a Public Hearing was required under the Local Government Act 1993.

A Public Hearing to discuss the proposed categories was held at North Richmond Community Centre on Wednesday, 23 November 2016. At the Hearing, only the proposed categories were presented, not the sub-categories. The opportunity was also taken to present a concept Masterplan of Peel Park for comment.

Other than questions of clarification, the following comments were made on the draft community land categorisation presented (where all future land is categorised as culturally significant):

- concern that riparian values would not be catered for.
- the Pansy Line should have a higher level of significance.

In response to the comments, sub-categories for all culturally significant land have been identified and core objectives for their management are now included within the Plan.

Feedback on the Peel Park Masterplan concept included:

- support for the hard court spaces as they give options for young people to use the park
- there were various comments in the location of the playground. One person wanted it located at the eastern side of the park near the toilets and others preferred the western location near the dam.
- the electricity easement is generally a good place for parking.
- there was concern over introducing more traffic into O'Dea Street.

Additional comments provided by the community in response to the survey handed out at the meeting and on the Council website include:

- need to open the toilets more often
- support for the netball and basketball courts
- greater interpretation of the Pansey rail track desired
- greater interpretation of Aboriginal values desired
- add a skate park and BBQ area
- locate an off road carpark near sub-station
- no vehicle access via O'Dea Street
- no street parking
- more shaded area
- lights for nigh-time use of sports facilities
- protection of wetland area and linkages with the riparian area and dam
- future sports facilities should remain low key, without lights or additional buildings.

Consultation with the Hawkesbury Sports Council revealed a rise in participation numbers for cricket and rugby league – the two sports currently using Peel Park. In addition, the Sports Council reports the netball facilities at nearby Turnbull Oval are at capacity.

The Sports Council would prefer that Peel Park has lights for night training of rugby league teams to the 'preferred standard' proposed by the National Rugby League which is 150lux.

The Sports Council also noted that only one of the two current cricket ovals is sufficiently level to accommodate matches, which in recent years has been U10 and U11 matches.

**Other Issues**

The following issues and matters are of direct relevant to the planning and ultimate use of these lands, and consultation/exhibition will occur in conjunction with the classification and categorisation process.

***Prescribed Dams***

Two of the dams within the future Redbank Precinct Parkland have been 'prescribed' by the NSW Dam Safety Committee in 2016. These dams are located in the proposed Yobarnie Park (near the future retail centre) and Yeomans Park (adjacent Peel Park).

The Dam Safety Committee oversees the safety of prescribed dams under the NSW Dams Safety Act, 1978. The Dams Safety Committee determines the surveillance frequency and reporting for prescribed dams and can require the owners of dams to undertake actions to ensure safety of their dams. Owners of prescribed dams with 'extreme', 'high' or 'significant' categories must have an effective Operations and Maintenance Manual. Both Dams 13 and 15 fall into these categories. In addition, the other dams also require maintenance and observation.

A Dam Management Plan will be commissioned by the developer. It is proposed that once the Dam Management Plan is completed, it be appended to the Redbank Precinct Community Land Plan of Management.

***Increased Sporting Use of Peel Park***

Peel Park is a district level recreation facility bordering Redbank Creek and immediately adjacent to the future Yeomans Park. It currently consists of two playing fields used for cricket and rugby league, one BMX circuit, associated minor buildings, open passive parkland and some riparian vegetation along Redbank Creek.

Included in the Voluntary Planning Agreement for the Redbank development is the upgrade of facilities at Peel Park. A Masterplan has been developed for Peel Park and is included as Appendix C of the Draft Redbank Precinct Community Land Plan of Management. Suggested improvements include:

- upgrade and relocation of the playground
- extension of the pathway network
- provision of cricket practice nets
- provision of a level playing surface that accommodates two football fields and one full size cricket oval
- lighting to the playing fields, with lighting designed to minimise spill to adjoining residents, ie the majority of lights face away from residential areas.
- provision of three multipurpose netball courts
- proposed sports facilities building adjacent to the existing amenities building
- 47 formal car parking spaces and 66 unformed overflow parking spaces
- general landscape improvements including tree planting and entry signage

The major management issues associated with the increased sporting use of Peel Park include:

- impact of light spill on nearby residents
- provision of parking areas that minimises impact on local residents
- increased noise particularly at the end of evening training sessions when users leave the area by cars.

As indicated the master plan will be put on exhibition in conjunction with the Plan of Management.



***Naming of Parks***

The future parkland within the Redbank Precinct has not yet been formally created and so do not have individual land parcel identifiers eg Lot and DP. For the purpose of identifying the future parkland within the Plan of Management, the larger parks have been assigned a park name. These park names reflect the heritage of the site and it is intended that these parks will eventually be formally named.

The park which includes the riparian corridor uses a descriptive name - Redbank Creek Reserve, for the purpose of this Plan of Management. Due to the Aboriginal significance of this area, it is proposed to consult with the community and in particular the Aboriginal community regarding a suitable name for this reserve.

The other park names used within the Draft Redbank Precinct Community Land Plan of Management are:

- **Belmont Park** - located within the Belmont subdivision precinct and named after the residence of Mr Bell whom the land was originally granted to.
- **Bell Park** – named after Archibald Bell whom the land was originally granted to
- **Yobarnie Park** – located within the Yobarnie subdivision precinct and is the name of the farm where the Keyline system was developed.
- **Yeomans Park** – located within the Yeomans subdivision precinct and named after Percival Alfred Yeomans who developed the Keyline System
- **Charley Park** – named after Major Philip Charley who developed one of the most famous horse and cattle stations in Australia, which included this land and cleared it for grazing.
- **Keyline Park** – located on an original keyline and will provide views of signature trees planted along the keyline as a way of interpreting the keyline within the landscape.
- **Redbank Creek Reserve** – located along Redbank Creek. It is proposed to consult with the Aboriginal community regarding a more suitable name.
- **Peel Park** – existing name
- **Pecks Road Reserve** – refers to the location name informally assigned to this park for operational purposes only.

**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
- 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
- Have an effective system of flood mitigation, fire and natural disaster management and community safety which protects life, property and infrastructure

and is also consistent with the nominated strategies in the CSP being:

- Recognise, protect and promote the values of indigenous, natural and built heritage through conservation and active use
- Upgrade the necessary physical infrastructure and human services to meet contemporary needs and expectations
- Provide for a safer community through planning, mitigation and response.

**Financial Implications**

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There are no financial implications arising from this report other than advertising costs which are provided for in the current Operational Plan.

### RECOMMENDATION:

That

1. The Redbank Precinct (Open Spaces) be declared a place of Cultural Significance for the purpose of the Local Government Act 1993 Part 2, Section 36D (Community Plans of Management).
2. The Draft Redbank Precinct Community Land Plan of Management attached to the report as Attachment 1 be placed on Public Exhibition, in accordance to the Local Government Act 1993, and re-reported to Council with any changes for adoption.
3. Community consultation is to be undertaken in relation to the naming of the reserve along Redbank Creek.

### ATTACHMENTS:

- AT - 1** Draft Redbank Precinct Community Land Plan of Management - *Distributed Under Separate Cover*

**oooO END OF REPORT Oooo**

## ORDINARY MEETING

Meeting Date: 14 February 2017

**Item: 27**                      **IS - Recognising and Protecting the Values of St Albans Common - (95495, 79354)**

**Previous Item:**            NM1, Ordinary (8 November 2016)

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### REPORT:

#### Executive Summary

The NSW Government through the Department of Industry and Lands had previously proposed changes to the Crown Lands legislation which would have seen the St Albans Common brought under the same regime as other Crown Lands. The legislation was opposed by the Commoners and Hawkesbury Council supported this position which retained the status quo given the historic nature and successful management of the Common. The amending legislation was subsequently altered to withdraw the various commons from the Bill.

The NSW Government has subsequently commenced further consultation on the issue and is seeking comment on their updated legislative proposal for commons. The outcome of these changes will affect St Albans Common.

It is recommended that Council not support the new changes and make a submission seeking the St Albans Common to remain under the Commons Management Act.

#### Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. It should be noted that the St Albans Common did conduct a public meeting at short notice seeking community input. It is noted that the State consultation period ends on Tuesday, 21 February 2017.

#### Background

In 2016, the NSW Government undertook a comprehensive review of NSW Crown Land Management. The White Paper had proposed that the Commons Management Act 1989 be repealed and consolidated into the new Act. The St Albans Common expressed concerns regarding this proposal and on 8 November 2016 it was resolved as follows:

*"That Council:*

- 1. Acknowledge the unique agricultural, heritage, community and environmental asset that St Alban's Common represents.*
- 2. Acknowledge the efficient and effective ongoing management of the Common by the St Alban's community and the Trustees.*
- 3. Support the community of St Albans' request that the Common remains in Fee Simple title, managed in trust by the local community ("the Commoners") under the Commons Management Act.*
- 4. Write to the NSW Government requesting that the Common is not converted to a Crown Reserve under changes to the Crown Lands Bill, and that the Common remain in the ownership and management of the Trustees".*

When the NSW Government passed the Crown Land management Act 2016 on 9 November 2016, they excluded the commons from the new legislation.

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The NSW Government has since re-examined the legislative proposal for commons in response to concerns expressed by common trusts and are now seeking feedback on the updated proposal.

In summary the NSW Government has proposed that:

- The proposed legislative framework maintains a number of the key characteristics of the current regime under the Commons Management Act, with some changes to recognise the multiple uses of commons and their value to all the people of NSW.
- The proposed legislation will ensure that current managers of commons trusts (including existing commons trust boards) continue to be responsible for the care, control and management of the common. This will be done by providing that the commons trust becomes the Crown land manager of the common. Crown land managers have the same responsibilities for land that they manage as trusts do under the Commons Act.
- The appointment of the commons trust as Crown land manager will allow for the retention of the name of the common – commons will be able to continue to be known as “[ABC] common” and the commons trust will be known as the “[ABC] common land manager.”
- Existing trust board members appointed under the Commons Act will continue as board members of the new Crown land manager entity. This will ensure that the expertise of existing commons managers continues to be available to guide the management of the common.
- The common will be Crown land that is reserved for three purposes – a common, community use, and protection of cultural and environmental values. This recognises the multiple values that commons now have and bring to the communities that have grown up around them. The Crown land manager will be responsible for ensuring all uses of the land and dealings with the land are consistent with these purposes.
- The Minister will have the power to put a notation on the certificate of title to all commons that the land has historically been used as a common [and continues to be reserved for use as a common, in addition to other reserve purposes], to ensure that the traditional use is recognised.
- Crown land commons will be able to access grants and funding under the Public Reserves Management Fund that is established under the new legislation. All Crown land managers are able to apply to the Public Reserves Management Fund for funds to invest in the maintenance and improvement of reserves.

The St Albans Common Trust is aware of these changes and has had a number of meetings with Department of Industry and Lands regarding the updated proposal. Their thoughts are that whilst some of the points have merit, the new proposal is too similar to what has been offered previously, and for this reason they have indicated their preference to remain a Common under the Commons Management Act.

Further detail may be provided by the Trust following their community meeting, however this was not available at the time of writing this report and any advice will be distributed separately.

Having regard for the views of the Trust and the lack of detail relevant to the unique value of the St Albans Common it is recommended that Council not support the new changes and seek further community engagement with the NSW Government to assess the impacts of the proposal.

## ORDINARY MEETING

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### Conformance to the Hawkesbury Community Strategic Plan

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

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

and is also consistent with the nominated strategy in the CSP being:

- Effective management of our rivers, waterways, riparian land, surface and groundwaters, and natural eco-systems through local action and regional partnerships
- Engage with the community and work together to care for our environment.

### Financial Implications

There are no financial implications applicable to this report.

### RECOMMENDATION:

That Council:

1. Support the St Albans' community's request that the Common remains in Fee Simple title, managed in trust by the local community ("the Commoners") under the Commons Management Act.
2. Write to the NSW Government requesting that the Common is not converted to a Crown Reserve but remain under the Commons Management Act and seeking specific engagement with the St Albans and broader Hawkesbury community on any current or future legislative proposals.

### ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

**ORDINARY MEETING**

**Meeting Date:** 14 February 2017

ordinary

section 4

reports  
of committees

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



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

**SECTION 4 - Reports of Committees**

**ROC**                      **Hawkesbury Civic and Citizenship Committee - 12 December 2016 - (96972, 79356, 79351)**

The meeting commenced at 4:12pm.

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**Present:**                      Councillor Mary-Lyons Buckett  
                                     Councillor Sarah Richards  
                                     Councillor Nathan Zamprogno  
                                     Barry Adams (Community Representative)  
                                     David Bertenshaw (Hawkesbury Sports Council Representative)  
                                     Ted Brill (Hawkesbury Historical Society Representative)  
                                     Elizabeth Hitches (Community Representative)  
                                     Tony Jeffcott (Windsor RSL Representative)

**Apologies:**                      Greg Thompson (The Richmond Club Representative)

**In Attendance:**                Sonia Porter - Corporate Communications Manager  
                                     Sophie Hill - Events and Community Engagement Coordinator

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**REPORT:**

No apologies for absence were received.

**Attendance Register of Hawkesbury Civic and Citizenship Committee**

Member	DD/MM/YY	DD/MM/YY	DD/MM/YY	DD/MM/YY	DD/MM/YY
Councillor Mary-Lyons Buckett (Chair)	✓				
Councillor Sarah Richards	✓				
Councillor Nathan Zamprogno	✓				
Mr David Bertenshaw	✓				
Mr Greg Thompson	x				
Mr Barry Adams	✓				
Miss Elizabeth Hitches	✓				
Mr Ian Jack	NA				
Mr Ted Brill	✓				
Mr Tony Jeffcott	✓				

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

There were no declarations of interest declared in determining the recipients of the 2017 Hawkesbury Australia Day Awards, however Mr Barry Adams left the meeting during the deliberations for the Volunteer of the Year Award as he was a nominee.

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

**SECTION 1 - Confirmation of Minutes**

Minutes of last meeting.

RESOLVED on the motion of Barry Adams, seconded by Elizabeth Hitches.

That the minutes of the Hawkesbury Civic and Citizenship Committee Meeting held on 6 April 2016, be accepted.

**SECTION 2 - Reports for Determination**

**Item: 1 Selection of the 2017 Hawkesbury Australia Day Award Recipients**

**MOTION: Young Citizen of the Year.**

**RESOLUTION:**

RESOLVED on the motion of Councillor Nathan Zamprogno, seconded by Councillor Sarah Richards.

That Rhiannon Williams be awarded Young Citizen of the Year.

**MOTION: Environmental Award**

**RESOLUTION:**

RESOLVED on the motion of David Bertenshaw, seconded by Tony Jeffcott.

That Les Dollin be awarded the Environmental Award.

**MOTION: Community Arts Award**

**RESOLUTION:**

RESOLVED on the motion of David Bertenshaw, seconded by Elizabeth Hitches.

That Peta Gray be awarded the Community Arts Award.

**MOTION: Cultural Heritage Award**

**RESOLUTION:**

RESOLVED on the motion of David Bertenshaw, seconded by Ted Brill.

That Carolynne Cooper be awarded the Cultural Heritage Award.

*Barry Adams left the room at 4:49pm as he was nominated for this award.*

**MOTION: Volunteer of the Year**

**RESOLUTION:**

RESOLVED on the motion of David Bertenshaw, seconded by Elizabeth Hitches.

That Barry Adams and Vicki Case be awarded Volunteer of the Year (two winners).

*Barry Adams entered the room at 4:53pm.*

**MOTION: Community Organisation of the Year**

**RESOLUTION:**

RESOLVED on the motion of Councillor Sarah Richards, seconded by David Bertenshaw.

That Hawkesbury's Helping Hands be awarded Community Organisation of the Year.

**MOTION: Local Hero Award**

**RESOLUTION:**

RESOLVED on the motion of Councillor Mary Lyons-Buckett, seconded by Elizabeth Hitches.

That John Breadon and Stephen Richards be awarded Local Hero Award.

**MOTION: Citizen of the Year**

**RESOLUTION:**

RESOLVED on the motion of David Bertenshaw, seconded by Councillor Sarah Richards.

That Yvonne Tuckerman be awarded Citizen of the Year.

**MOTION: Commemorative Plaque**

**RESOLUTION:**

RESOLVED on the motion of Mary Lyons-Buckett, seconded by Nathan Zamprogno.

That Rex Stubbs be awarded the Commemorative Plaque.

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

**SECTION 3 - Reports for Information**

**Item: 2** Annual Report Hawkesbury Civic and Citizenship Committee

**MOTION:**

RESOLVED on the motion of David Bertenshaw, seconded by Councillor Sarah Richards.

**RESOLUTION:**

RESOLVED on the motion of David Bertenshaw, seconded by Councillor Sarah Richards.

That the Annual Report Hawkesbury Civic and Citizenship Committee be noted.

**Item: 3 Sponsorship of Awards**

**MOTION:**

RESOLVED on the motion of David Bertenshaw, seconded by Councillor Mary Lyons-Buckett.

***Refer to RESOLUTION***

**RESOLUTION:**

RESOLVED on the motion of David Bertenshaw, seconded by Councillor Mary Lyons-Buckett.

That the Report on the Sponsorship of Awards be noted.

**GENERAL BUSINESS**

2017 Hawkesbury Australia Day Awards

There was general discussion regarding the holding of the 2017 and 2018 Australia Day Awards.

**Next Meeting**

To be advised.

The meeting closed at 5:36pm.

**oooO END OF REPORT Oooo**

ordinary

section 5

notices of motion

**ORDINARY MEETING**

Notices of Motion

## ORDINARY MEETING

### Notices of Motion

#### SECTION 5 - Notices of Motion

**RM1**                      **DA0642/15 - 1029 St Albans Road, Lower Macdonald - (105109, 125610, 138879, 138884)**

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**Submitted by:** Councillor Conolly  
Councillor Richards  
Councillor Zamprogno

#### **RESCISSION MOTION:**

That the resolution from the Ordinary Meeting of 31 January 2017 in relation to Item 2 concerning DA0642/15 - 1029 St Albans Road, Lower Macdonald, be rescinded.

#### **NOTE BY MANAGEMENT:**

Council's resolution of 31 January 2017 regarding Development Application No. DA0642/15 in respect of 1029 St Albans Road, Lower Macdonald was as follows:

- "A.    *That Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approve Development Application No. DA0642/15 for tourist and visitor accommodation on Lot 1 in DP 605179, known as 1029 St Albans Road, Lower Macdonald, subject to the attached conditions; and*
- B.    *That Council not support the function centre component of the development. An Order under Section 121B of the Environmental Planning and Assessment Act 1979 (as amended) is to be issued requiring the cessation of the unauthorised function centre use by 22 May 2017. That Order is to only permit existing event bookings (as at 31 January 2017) and include operational restrictions on noise, parking, operating hours, etc., so as to have minimal impacts on adjoining properties.*

#### **Conditions**

**Development Description:** *Tourist and Visitor Accommodation – Use of the premises as tourist and visitor accommodation*

#### **General**

1.    *The development shall take place generally in accordance with the following stamped approved plans and documentation:*

<b>Document Number</b>	<b>Prepared By</b>	<b>Dated</b>
<i>Drawing No. DA-01 '1029 St Albans Road'</i>	<i>John Potts Architect</i>	<i>October 2015</i>
<i>Drawing No. DA-01 'Figure 1'</i>	<i>Blue Mountains Geological and Environmental Services Pty Ltd</i>	<i>13 November 2015</i>

*... except as modified by the conditions of this consent.*

2.    *The building shall not be used or occupied prior to the issue of an Occupation Certificate.*

## ORDINARY MEETING

### Notices of Motion

3. *The development shall comply with the provisions of the Building Code of Australia (BCA)/National Construction Code.*
4. *The development shall comply with the Disability (Access to Premises – Buildings) Standards 2010.*
5. *The accredited certifier shall provide copies of all Part 4A Certificates issued under the Environmental Planning and Assessment Act 1979 relevant to this development to Hawkesbury City Council within seven days of issuing the certificate. A registration fee applies.*
6. *This development falls within the Sewerage Scheme controlled by Hawkesbury City Council. Therefore Hawkesbury City Council is the approving authority for all sewer works.*

*An 'Application to Amend a Sewage Management Facility' Form must be submitted to Council's Environment and Regulatory Services/Environmental Health Department for the alterations to the existing Aerated Wastewater Treatment System (AWTS) and associated land application area prior to any works being commenced in relation to the sewage management facility (Septic Licence No. S0050/10).*

*The land application area shall be a minimum of 900m<sup>2</sup>. A reserve area of 900m<sup>2</sup> shall be made available for expansion; for resting of the land application system or for duplication of the land application system if unforeseen circumstances require this at some future time.*

*The onsite sewage management facility shall be installed and commissioned in accordance with the 'Investigation and Assessment for On-site Effluent Management at St Josephs Guesthouse – Lot 1, DP 605179, No. 1029 St Albans Road, Central MacDonald' Report (Reference No. 151201) prepared by Blue Mountains Geological and Environmental Services Pty Ltd and dated December 2015 or as amended by the approval of the above application.*

#### **Integrated Development – General Terms of Approval**

*The General Terms of Approval from the following authority, as referred to under Section 93 of the Environmental Planning and Assessment Act 1979 and referenced below, are attached and form part of the consent conditions for this approval:*

7. *NSW Rural Fire Service – The General Terms of Approval (Reference No. D16/1007 DA16040401357 MA) prepared by the Rural Fire Service and dated 24 May 2016 are attached and form part of this consent.*

#### **During Construction**

8. *Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am and 6pm and on Saturdays between 8am and 4pm.*
9. *The site shall be secured to prevent unauthorised access and the depositing of unauthorised material.*
10. *Dust control measures (e.g. vegetative cover, mulches, irrigation, barriers and stone) shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.*
11. *Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road. Any damage to the road surface or public infrastructure caused by construction works are the responsibility of the applicant.*



## ORDINARY MEETING

### Notices of Motion

12. *A Traffic Management Plan must be implemented and all devices maintained for the duration of the proposed works in compliance with the approved Traffic Management Plan.*
13. *The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:*
  - a) *stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site*
  - b) *building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site*
  - c) *builders waste must not be burnt or buried on site*
  - d) *all waste (including felled trees) must be contained and removed to a Waste Disposal Depot.*

#### **Prior to Issue of an Occupation Certificate**

14. *A Plan of Management shall be prepared for the tourist and visitor accommodation. This Plan of Management must be provided to Council for approval prior to the release of an Interim or Final Occupation Certificate.*

*The Plan of Management must be prepared to address but not be limited to the following:*

- a) *a maximum of 10 guests may be accommodated within the tourist and visitor accommodation building at any one time;*
  - b) *no tents, caravans or campervans are to be installed or used onsite in association with the tourist and visitor accommodation use;*
  - c) *flood evacuation procedures (including vehicular routes along public roads to the nearest place of refuge) and emergency telephone numbers are to be incorporated into the Plan of Management;*
  - d) *the Plan of Management is to include details of any 'house rules' and complaints handling procedures.*
15. *A Flood Emergency Evacuation and Management Plan is to be prepared for the development. The plan shall advise occupants of flood evacuation procedures (including vehicular routes along public roads to the nearest place of refuge) and emergency telephone numbers. The evacuation procedures shall be permanently fixed to the building in a prominent location and maintained at all times.*

*The plan must outline that any functions, bookings and/or events are to be cancelled upon the issue by any appropriate Authority of a flood warning for the locality.*

*A copy of this plan shall be provided to Council prior to the release of the Occupation Certificate.*

*The plan shall also be incorporated in the Plan of Management for the tourist and visitor accommodation development.*
  16. *An approval to operate the onsite septic system is required to be obtained from Council. The approval to operate is required to be submitted to the Principal Certifying Authority prior to the issue of an Interim or Final Occupation Certificate. Any required inspections may be organised by calling (02) 4560 4444.*

## ORDINARY MEETING

### Notices of Motion

17. *A qualified Structural Engineer shall inspect and certify the mezzanine floor level as being capable of withstanding the loads likely to be imposed upon it. The certificate shall be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.*
18. *A Building Code of Australia (BCA) report from a suitably qualified and experienced person (e.g. a Building Regulation consultant or a Fire Safety Engineer) shall be provided to the Principal Certifying Authority demonstrating adequate provision has been made for fire safety and egress from the building in the event of fire.*

*Should the report make recommendations for additional works to be carried out in order to address the Performance Provisions of the BCA, those works are to be carried out. Where it is intended not to carry out any such work, the owner is to obtain the written agreement of either Council or the author of the report. Suitable evidence (where necessary) shall be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.*

19. *A Final Fire Safety Certificate is required to be submitted for the new Fire Safety Measures listed in the Fire Safety Schedule attached to this consent.*
20. *The following certificate is to be provided to the Principal Certifying Authority prior to the issue of an Interim or Final Occupation Certificate. The certificate shall state the name of person or company carrying out the installation and the relevant Australian Standard to which installed:*
  - a) *A system of lighting must be installed to assist evacuation of occupants in the event of fire. The lighting system must be activated by a smoke alarm in accordance with Clause 3.7.2.5 of the Building Code of Australia. A Certificate of Compliance from an electrician is required to be provided.*
21. *The swimming pool shall be surrounded by a suitable swimming pool barrier that is compliant with the Swimming Pools Act and AS1926. A warning notice (incorporating resuscitation techniques) complying with the requirements of Section 17(1) and Regulation 8 of the Swimming Pools Act 1992 shall also be provided and maintained in a prominent position in the immediate vicinity of the pool.*

*These requirements shall be satisfied prior to the release of an Interim or Final Occupation Certificate.*

22. *Potable water shall be provided to the tourist and visitor accommodation building in accordance with the NSW Health Private Water Supply Guidelines. A Water Supply Management Plan is to be developed and implemented in accordance with this Guideline.*

*A copy of the Water Supply Management Plan shall be submitted to Council prior to the release of the Occupation Certificate.*

*The development must be registered with Council as a private water supplier.*

23. *Prior to the release of an Occupation Certificate, suitable evidence shall be provided to the Principal Certifying Authority to demonstrate that the General Terms of Approval (Reference No. D16/1007 DA16040401357 MA) issued by the Rural Fire Service and dated 24 May 2016 have been satisfied.*
24. *A flood warning sign is to be provided advising occupants that public roads used to access the site may be subject to inundation during times of flood. The sign shall be constructed of durable material and installed in a prominent location within the site.*

## ORDINARY MEETING

### Notices of Motion

#### The Use of the Development

25. *A maximum of 10 guests shall be accommodated within the tourist and visitor accommodation component of the development at any time.*
26. *The tourist and visitor accommodation building shall not be used for permanent occupation as a residence and shall only be used for short term tourist accommodation. The building shall not be made available for long term accommodation. In this regard any continuous length of stay is to be restricted to no more than four consecutive weeks in any six month period.*
27. *A copy of the guest register for the tourist and visitor accommodation is to be kept from the date of the issue of an occupation certificate. This register is to be kept onsite and shall be made available at the request of Council Officers at any time and a copy is to be forwarded to Council at six monthly periods.*
28. *The operation of the tourist and visitor accommodation must be undertaken in accordance with the approved Plan of Management, except where modified by the conditions of this consent.*

*A copy of the Plan of Management must be kept and maintained in a register and made available for inspection by the Council or other relevant authorities upon request.*
29. *No tents, caravans or campervans shall be installed or used onsite unless otherwise allowed under Section 77 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*
30. *Bookings shall not occur during flood warning periods or when access roads are inundated by water after rain events. Staff and guests shall be given advanced warning to not access the site during these periods.*
31. *All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that each of the fire safety measures specified in this statement has:*
  - a) *been assessed by a properly qualified person, and*
  - b) *found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.*

*The reasons for the imposition of these conditions are those matters specified under Section 79C(1) of the Environmental Planning and Assessment Act 1979 as are relevant to the subject development.*

#### Advisory Notes

- *This consent operates from the consent date shown on the top of this notice and will lapse unless the development is commenced within five years from the date endorsed on this consent.*
- *Any activity carried out in accordance with this approval shall not give rise to offensive noise, air pollution (including odour) or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.*

## ORDINARY MEETING

### Notices of Motion

- *Building work in close proximity to the boundary may be a sensitive matter for each property owner and can often end in an unsatisfactory relationship between neighbours. You are advised that the consent given to build in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary.*

*Your attention is directed to the provisions of the Dividing Fences Act 1991 that gives certain rights to adjoining owners, including use of the common boundary. In the absence of any structure standing well clear of the common boundary you need to make yourself aware of your legal position, which may involve a survey to identify allotment boundaries.*

*Note: This consent does not override your obligations under the Dividing Fences Act 1991.*

- *The sewage management facility must be operated in accordance with the relevant operating specifications and procedures for the component facilities, and so as to allow disposal of treated sewage in an environmentally safe and sanitary manner (Local Government [General] Regulation 2005).*
- *The installed system will be the subject of an approval to operate a system of sewage management in accordance with the provisions of Subdivision 6 and 7 of Division 4 of Part 2 of the Local Government (General) Regulation 2005 and for this purpose will be subject to inspection at annual frequency by Council's Environmental Health Officer or at such other frequency as may be determined according to the future operation or risk of the system.*
- *The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.*
- *Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.*
- *The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.*
- *The applicant is advised to consult with the relevant:*
  - a) *sewer provider;*
  - b) *electricity provider; and*
  - c) *telecommunications carrier*

*... regarding their requirements for the provision of services to the development and the location of existing services that may be affected by the works, either onsite or on the adjacent public roads."*

**oooO END OF NOTICE OF MOTION Oooo**

## ORDINARY MEETING

### Notices of Motion

RM2

**Planning Proposal to Amend the Hawkesbury Local Environment Plan 2012 - 42 Bells Lane, Kurmond - (105109, 138881, 138879, 138884)**

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**Submitted by:** Councillor Kotlash  
Councillor Richards  
Councillor Zamprogno

#### **RESCISSION MOTION:**

That the resolution from the Council Ordinary Meeting of 31 January 2017 in relation to Item 5 concerning CP - Planning Proposal to Amend the Hawkesbury Local Environment Plan 2012 - 42 Bells Lane, Kurmond - (95498, 124414) be rescinded.

#### **NOTE BY MANAGEMENT:**

Council's resolution of 31 January 2017 regarding a Planning Proposal in respect of 42 Bells Lane, Kurmond, was as follows:

*"That Council refuse the preparation of the planning proposal for Lot 40 DP 7565, 42 Bells Lane, Kurmond as:*

- 1. There is insufficient infrastructure to support this proposal.*
- 2. The proposal is inconsistent with SREP 20 as development should not reduce the viability of agricultural land or contribute to suburban sprawl."*

**oooO END OF NOTICE OF MOTION Oooo**

## ORDINARY MEETING

### Notices of Motion

RM3

**Planning Proposal to Amend the Hawkesbury Local Environment Plan 2012 - 98 Bells Lane, Kurmond - (105109, 138881, 138879, 138884)**

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**Submitted by:** Councillor Kotlash  
Councillor Richards  
Councillor Zamprogno

#### **RESCISSION MOTION:**

That the resolution from the Council Ordinary Meeting of 31 January 2017 in relation to Item 6 concerning CP - Planning Proposal to Amend the Hawkesbury Local Environment Plan 2012 - 98 Bells Lane, Kurmond - (95498, 124414) be rescinded.

#### **NOTE BY MANAGEMENT:**

Council's resolution of 31 January 2017 regarding a Planning Proposal in respect of 98 Bells Lane, Kurmond was as follows:

*"That Council refuse the preparation of the planning proposal for Lot 49 DP 7565, 98 Bells Lane, Kurmond as:*

- 1. There is insufficient infrastructure to support this proposal.*
- 2. The proposal is inconsistent with SREP 20 as development should not reduce the viability of agricultural land or contribute to suburban sprawl."*

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**  
Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

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

**REPORT:**

**Questions - 31 January 2017**

#	Councillor	Question	Response
1	Garrow	Requested an investigation into the number of registered brothels in the Hawkesbury LGA and also into the illegally operating brothels in the area, mainly in Windsor.	The Director City Planning advised that the requested investigations will require sometime and will be reported to Council in due course.
2	Reynolds	Enquired as to what would need to occur for the compulsory acquisition of part of Thompson Square, Windsor by the RMS as detailed at the Ordinary meeting of 23 February 2016 to be finalised.	The Director Infrastructure Services advised that RMS have yet to complete the compulsory acquisition process, and that finalisation of the acquisition will occur on publication of a gazettal notice.
3	Wheeler	Requested that Packer Road, Blaxlands Ridge and Roberts Creek Road, East Kurrajong be inspected and maintenance undertaken.	The Director Infrastructure Services advised that necessary maintenance would be undertaken.
4	Wheeler	Advised that King Road, Wilberforce is in poor condition, and requested maintenance.	The Director Infrastructure Services advised that the road would be inspected and repairs arranged as required.
5	Kotlash	Requested an indication of when the report regarding the solar farm would be provided to Council, and whether a preliminary report would be available to correspond with the first meeting of the Sustainability Committee.	The Director Infrastructure Services advised that a presentation will be made to the Sustainability Committee meeting.
6	Conolly	Enquired if the CWA Richmond could be provided with a loading zone near the CWA store on Windsor Street, Richmond.	The Director Infrastructure Services advised that the matter would be investigated and reported back to Councillors.
7	Richards	Requested an indication of when the repairs to Freemans Reach Road would be completed.	The Director Infrastructure Services advised that the transitions to the new work, along with repairs in other areas is to be completed in mid-February.

**ORDINARY MEETING****Questions for Next Meeting**

#	Councillor	Question	Response
8	Lyons-Buckett	Enquired if the proposed changes to the Voluntary Planning Agreement for Pitt Town affects the delivery of infrastructure and the local contributions collected by Local Government as opposed to State Government.	The Director City Planning advised that the Planning Agreement recently exhibited by the Department of Planning and Environment is between the Minister for Planning and Central Pitt Town Pty Ltd and involves land at 25 Wells Street, 80 Hall Street and 94 Hall Street, Pitt Town associated with a 29 residential lot subdivision. The objective of the Planning Agreement is to facilitate the delivery of the Developers contributions towards the provision of designated State public infrastructure. As such the exhibited Planning Agreement relates to State infrastructure only and not the local contributions that are collected by Hawkesbury City Council through its Section 94 Contributions Plan.
9	Kotlash	Requested an enquiry into the condition of Tennyson Road, Tennyson near the duck processing facility.	The Director Infrastructure Services advised that any necessary repairs will be undertaken.

**oooO END OF REPORT Oooo**



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

**CONFIDENTIAL REPORTS**

**Item: 28**                      **SS - Property Matter - Lease to Kirsty Robertson trading as KL's Cut Above Hairdressing - Shop 1a, McGraths Hill Shopping Centre - (95496, 112106, 139229, 7032)    CONFIDENTIAL**

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**Reason for Confidentiality**

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

*Specifically, the matter this 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: 29**                      **SS- Property Matter - Lease to Monaghan and Monaghan-Perez trading as Wilberforce Cellars - Shop 3, Wilberforce Shopping Centre - (130243, 127231, 34779, 95496)    CONFIDENTIAL**

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**Reason for Confidentiality**

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meeting

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