



Hawkesbury City Council

general purpose committee business paper

date of meeting: 01 June 2004

location: council chambers

time: 9.00 a.m.

GENERAL PURPOSE COMMITTEE

Meeting Date: 1 June 2004

AGENDA

- **APOLOGIES.**
- **CONFIRMATION OF MINUTES.**
- **MAYORAL MINUTES.**
- **SECTION 1 - ENVIRONMENT.**
- **SECTION 2 - INFRASTRUCTURE.**
- **SECTION 3 - ORGANISATION AND RESOURCES**
- **NEXT MEETING.**

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section 1

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ENVIRONMENT

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SECTION 1 - ENVIRONMENT

Item: 27 **ENV A - Mixed Use Commercial and Multi-Unit Housing Development and the Demolition of Existing Dwelling on Lots 3, 4, 5 and 6 of DP 738003 and Lots 1 and 2 of DP258388, 8-14 Bosworth Street, Richmond**

Development Information

Applicant: Better Buildings Pty Ltd
Applicants Rep: N/A
Owner: Better Buildings Pty Ltd, Ale-Dantay and Acemen Pty Ltd
Stat. Provisions: State Environmental Planning Policy 65 - Design Quality of Residential Flat Buildings and Hawkesbury Local Environmental Plan 1989
Area: 2902 sqm
Zone: Business General 3(a) and Business Special 3(b)
Advertising: Initial Notification Period 04/09/2003 to 19/09/2003
 Second Notification Period 15/12/2003 to 29/12/2003
Date Received: 16 July 2003

Key Issues: ♦ Minor Variations to the Hawkesbury Development Control Plan
 ♦ Concerns Raised by Respondents

Action: Deferred Commencement Approval Subject to Conditions

REPORT:

Introduction

This application is presented to Council for determination as it represents the first major development in the Richmond Town Centre which has emerged from the recent Mainstreet Development Control Program. The final design has been achieved through negotiation with Council staff and the applicant. The efforts of the architect to achieve the best design for the site, rather than simply the maximising of the site are also worthy of note.

The proposed development has the potential to transform the western end of the town centre, both in terms of the building presence and by adding vitality. The development will essentially be a model for other development in Richmond. A review of the matters for consideration in the Environmental Planning and Assessment Act, 1979 shows that the development will have positive impacts. Accordingly approval is recommended.

Background

Two applications were lodged with Council in January 2003 for the development of 2 (two) mixed-use residential/commercial buildings on the site. The proposed developments were

considered to be inconsistent with the provisions of the applicable state and local policies. Following correspondence and discussion with the applicants regarding these matters, the applications were withdrawn.

The Proposal

The proposal seeks approval for the construction of a mixed-use residential and commercial building. Three storey development is proposed consisting of 29 (twenty nine) residential units and 10 (ten) commercial units, 6 (six) of which may be adapted for residential use. The design will result in a "U" shaped building footprint on the subject site, which is generally square.

It is proposed to locate all commercial/adaptable units along the southern portion of the site fronting the commercial car park and laneway. The residential component of the development consists of 2 (two) residential blocks. Proposed Block A is to be situated along the western portion of the site fronting Bosworth Street and proposed Block B is to be situated along the eastern portion of the site.

The central portion of the site (resulting from the "U" shaped building footprint), as well as an underdeveloped area on the north eastern portion of the property are to be landscaped and shall serve as common open space and recreation areas for residents.

Two levels of basement parking are proposed with access from Bosworth Street.

Statutory Situation

State Environmental Planning Policy 65 - Design Quality of Residential Flat Development State Environmental Planning Policy 65 (SEPP 65) has been developed in an effort to improve the design quality of residential flat buildings in New South Wales. The Policy applies to the subject development proposal.

The Policy establishes 10 (ten) design quality principles that should be achieved by each development affected by the Policy. The Policy also requires Council to consider the provisions of the *Residential Flat Design Code* publication, produced by the Department of Planning, in the assessment of applications affected by the Policy.

Comment

It is considered that the proposed design achieves the design quality principles established under SEPP 65. The principles relate to:

1. *Context*
2. *Scale*
3. *Built form*
4. *Density*
5. *Resource, energy and water efficiency*
6. *Landscape*
7. *Amenity*

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8. *Safety and security*
9. *Social dimensions*
10. *Aesthetics*

The proposed development is considered to be consistent with the provisions of the Residential Flat Design Code in terms of local context, site design and building design.

Hawkesbury Local Environmental Plan 1989 (HELP 1989)

The subject land is zoned 3(a) Business General and 3(b) Business Special. The proposed development is permissible with consent and is considered to be consistent with the objectives of the zone.

Draft Amendment 130 to the HELP 1989

The Draft Plan seeks to, inter alia, limit multi-unit housing development to within 1 km of a railway station or 500m of a commercial zone. The draft plan includes an enabling clause, which will ensure walk-up flat development will remain permissible within business zones. The proposal is consistent with the objectives of the draft plan.

Hawkesbury Development Control Plan

The proposed development is generally consistent with the objectives and requirements of the Hawkesbury Development Control Plan (DCP). Some minor variations have been proposed, which are identified in the table below:

Element	Rules	Provides	Complies
Height	New buildings are to be constructed within the <u>Building Height Plane</u> for the relevant residential use. The <u>Building Height Plan</u> is to be adjusted for sloping sites to follow the natural ground level.	The proposed development does not fall wholly within the building height plane affecting the site.	No. See comments below.
Setbacks	For sites fronting a local road buildings are to be set 7.5m back from the front boundary. In areas where there is prior development the established pattern is to be regarded as the standard setback.	Bosworth Street is a local road. A building setback of 4m has been proposed.	No. See comments below.
Private Open Space	a) The total of <u>private open space</u> at ground level must be a minimum of 20% of the site area, regardless of permeability of the surface. This space must: • Be capable of containing a rectangle 5 metres x 6 metres that has a slope less than 1:10; • Not be comprised of any	The total ground level private open space provided is approximately 130sqm, which represents 4.5% of the total site. The ground level POS area that are provided do not meet the spatial requirements outlined by the DCP.	No. See comments below.

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Element	Rules	Provides	Complies
	area with a dimension less than 4 metres; and Be exclusive of clothes drying areas, driveways, car parking and other utility areas.		
	b) Private open space shall not be located in the front boundary setback.	Private open space areas have been proposed within the 4m setback to Bosworth Street.	No. See comments below.
Access and Parking	a) On site manoeuvring shall be based on the Ausroads Standard 5.0m design vehicle. Templates for this standard are provided in the appendices. When using the templates a minimum of 150mm shall be provided between any fixed object and the extremities of the swept paths.	Basement manoeuvring is not based on Ausroads Standard 5.0m design vehicle.	No. See comments below.
	b) All on site car spaces shall comply with the minimum dimensions set out in Part C Chapter 2 (Car Parking and Access). Where a space adjoins a wall, fence or other fixed structure the width shall be increased as follows to allow adequate door opening: - On one side only to 3.2m - On both sides to 3.8m	The majority of the proposed car parking spaces comply with DCP width requirements. All parking spaces meet the Australian Standard requirements.	No. See comments below.

Comment

Height:

The proposed variation to the building height plane requirements is considered to be acceptable on the following grounds:

- The objectives of the DCP are met in terms of controlling bulk and scale with the provision of a flat roof and building design which is responsible to the site topography.*
- The subject site is commercially zoned and the building height plane does not apply to commercial development.*

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- *The impact of development on the adjoining properties is considered to be minimal as there will be no overshadowing of any adjacent dwellings.*

Setback:

The reduced setback proposed from Bosworth Street is considered to be acceptable as it is consistent with the existing pattern of commercial development within the locality. There is no setback requirement for commercial development.

Private Open Space:

The proposed variation to the DCP requirements for private open space are considered to be acceptable on the following grounds:

- *Each of the residential units proposed is provided with an area of useable private open space. The objectives of the DCP are therefore achieved.*
- *A large common open space area has been proposed on the site that will provide residents with further active and passive recreation opportunities.*

Access and Parking:

The proposed parking and manoeuvring areas do not meet the Ausroads requirements as outlined in the DCP. The parking and manoeuvring areas do however, meet the requirements of the Australian Standards for Off Street Car Parking. It is noted that the Parking and Access chapter of the DCP provides some flexibility in the provision of parking for residential developments within commercial zones. The design of the parking areas is acceptable.

Community Consultation

The proposal was notified on two separate occasions in accordance with the Notifications Chapter of the Hawkesbury Development Control Plan. A total of three submissions were received over the two notification periods. The concerns raised by respondents are addressed in the planning assessment below.

Planning Assessment

Full consideration has been given to S79C(1)(b) of the Environmental Planning and Assessment Act, 1979 as contained on file. Below are the relevant matters:

Community Consultation

The concerns raised by respondents were in relation to:

1. Property values
2. Traffic generation and safety
3. Impact on the heritage significance of the area
4. Oversupply of residential units
5. Overlooking and overshadowing
6. Safety
7. Scale of development is inappropriate
8. Noise generation
9. Proposed location of Bin Room

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Comments

The following comments are provided in relation to the above matters:

1. *Property values are not a matter for consideration under Section 79C of the Environmental Planning and Assessment Act 1979.*
2. *Adequate parking has been provided within 2 (two) levels of basement parking. Adequate site distances are also provided for vehicles entering and leaving the site to ensure vehicular and pedestrian safety.*
3. *The development will not obscure, overshadow or visually dominate any heritage items within the locality. The impact on the heritage significance of the area is considered to be negligible.*
4. *The proposed development will provide a greater supply and choice of residential units within close proximity to services and public transport.*
5. *The extent of overlooking resulting from the development has been minimised with the use of obscure glass windows on proposed residential block A and the provision of a large landscaped area separating the residential block B from the properties located to the north and north east of the site. Further, the development will not overshadow any adjoining residences. Shadows cast by the proposed buildings will be to the south of the site, which is a commercial car parking area.*
6. *Adequate safety measures have been incorporated into the design in accordance with the provisions of the Hawkesbury Development Control Plan and the Residential Flat Design Code.*
7. *Adequate parking, landscaping, private and common open space areas have been provided with the development, suggesting scale of the proposal is appropriate for the site. The development is also considered to be consistent with the pattern of development in Richmond, which is characterised by single, two and three storey commercial and residential buildings.*
8. *The noise generated by the development is expected to be typical of the noise levels generated by the residential and commercial use of land.*
9. *The location of the proposed bin room is considered to be acceptable. It is noted that further information has been required with regard to waste storage and disposal as a deferred commencement matter. Appropriate consideration will be given to any proposed solution submitted by the applicant in this matter.*

Conclusion

The proposed development is considered to be consistent with the objectives and requirements of State Environmental Planning Policy 65 and the Hawkesbury Local Environmental Plan 1989. The proposal is also generally consistent with the Hawkesbury Development Control Plan (DCP).

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The minor numerical variations proposed to the DCP are considered to be acceptable as the broader objectives of the plan have been satisfied.

The proposal will contribute positively to the amenity of the locality and encourage further business activity within a stagnant and under utilised component of commercial Richmond. The development will also provide a broader range of housing opportunities for a variety of household types in close proximity to services and public transport.

The concerns raised by respondents do not warrant refusal of the application.

RECOMMENDATION:

The application for a Mixed Use Commercial and Multi-Unit Housing Development be approved as a Deferred Commencement Consent subject to the following conditions:-

1. Upon compliance with the condition appearing in Schedule 1 and with the issue of confirmation to that effect in writing from Council, this "Deferred Commencement" consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
2. The "Deferred Commencement" consent will lapse in twelve months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

SCHEDULE 1

1. Submission of amended architectural plans to Council for approval showing:
 - Elevations which accurately reflect the room layouts, opening and accessways delineated in the approved floor plans. In particular, attention is drawn to the eastern elevation of proposed Block A.
 - An increase in the width of the proposed vehicular access ramp associated with the basement parking facilities. A minimum width of 6m is to be provided from the front of the property boundary to 6m inside the property in accordance with requirements of the Hawkesbury Development Control Plan.
2. Submission of details to Council for approval demonstrating that suitable arrangements have been made for waste disposal/garbage collection for the development. (This may involve the provision of a larger garbage collection area for the development. Should a larger area be required, the proposed changes should be delineated on the amended architectural plans referred to above).
3. Submission to Council for approval, of an amended noise and vibration assessment report. The report should specifically relate to the approved plans and should address/demonstrate compliance with the provisions of Australian Standard *AS2021 - 2000 Aircraft Noise Intrusion - Building, Siting and Construction*.

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4. In order to comply with the provisions of State Environmental Planning Policy 65 - *Design Quality of Residential Flat Buildings*, a design verification in the form of a written statement is to be submitted to Council confirming that:
 - The design of the development has been undertaken by a qualified designer, being a person registered as an Architect in accordance with the Architects Act 1921, and
 - That the design quality principles outlined in Part 2 of State Environmental Planning Policy 65 - *Design Quality of Residential Flat Buildings* are achieved for the residential flat development.
5. Submission to Council for approval of an Energy Performance Statement in accordance with the provisions of Part C, Chapter 6, Energy Efficiency of the Hawkesbury Development Control Plan.
6. Submission of a Signage Schedule to Council for approval. The schedule should nominate limited areas on the commercial building façade which may be used for the display of signage.

SCHEDULE 2

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by Zhinar Design Partnership Architects dated November 2003 numbered 3082 DA01-5, Issue E) submitted with development application DA0813/03 and any supportive documentation, except as otherwise provided by the conditions of this consent or as modified in accordance with the requirements of Schedule 1 of this consent.
2. The development shall be completed in accordance with the approved colours and finishes nominated in the colour schedule submitted with the development application DA0813/03 and shall not be altered.
3. This consent covers the removal of trees and other vegetation from the site of approved buildings, structures, permanent accessways and car parks.
4. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979 and the Building Code of Australia.
5. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
6. No excavation or site works shall be commenced prior to the issue of the Construction Certificate.
7. This consent includes approval for the occupation and use of the approved commercial and adaptable commercial units for commercial and retail purposes.

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Prior to Issue of Construction Certificate

8. A monetary contribution is to be paid to Council pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:
- | | | |
|----|---------------------------|-------------|
| a) | Open Space and Recreation | \$49,514.00 |
| b) | Community Facilities | \$71,147.00 |
| c) | Public Car Parking | \$20,356.00 |

The above contributions have been determined in accordance with Hawkesbury Section 94 Contribution Plan. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

Contributions are to be paid prior to issue of the Construction Certificate.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contribution Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index, as published by the Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.

9. Construction of civil works including road, drainage, access or sewer works are not to commence until 3 (three) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Environment and Development or an accredited certifier.
10. Payment of a design checking fee of \$327.50 and inspection fee of \$260.20 when submitting Engineering Plans for approval. This amount is valid until 30 June 2004. Fees required if an accredited certifier is used will be provided upon request.
11. Details of any fill material removed from or imported to the site to be submitted with the engineering plans. Details to include quantities, borrow sites or disposal sites. A contribution based on 3 (three) cents per tonne per kilometre shall be paid to Council prior to issue of the occupation Certificate.
12. The submission of Engineering designs and calculations covering all works required by this Consent.
13. The submission of a satisfactory Soil and Water Management Plan (SWMP) prepared in accordance with the State Government Guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
14. Submission of proof of the payment of the Building Industry Long Service Levy.
15. A Construction Management Plan is to be submitted prior to the issue of the Construction Certificate.

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16. Plans showing the extent of excavation, together with details of the method retaining, draining and stabilising the disturbed areas shall be submitted to and approved by Council prior to the issue of the Construction Certificate.
17. Retaining walls are to be designed by a suitably qualified and experienced Engineer.
18. Submission to Council for approval of an Amended Landscaping Plan indicating the location of illumination points proposed within the ground floor common landscaped and access areas.
19. Details of the species, type, planting and maintenance methods for the 6 (six) super advanced street trees (as shown on the approved photomontage submitted with Development Application DA0813/03) are to be submitted to Council for approval.

Prior to Commencement of Works

20. 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 commencement of works.
21. If the work involved in the erection or demolition of a building:
 - a) Is likely to be dangerous to a person in a public place or adjoining property;
 - b) Is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
 - c) Involves the enclosure of a public place.

A hoarding or protective barrier must be erected between the work site and the public place. Such hoarding or barrier must be designed and erected in accordance with Council's requirements and Work Cover requirements/guidelines.

If necessary, an awning is to be erected, sufficient to prevent any substance from or in connection with the work, falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

The applicant is to provide drawings and details to Council's Building Surveyor for approval **prior** to such installation/erection.

22. The applicant or person having the benefit of this development consent must give at least 2 (two) days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with Form 7 of the Environmental Planning and Assessment Regulations 1998.
23. The applicant shall advise Council of the name, address and contract number of the Principal Certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

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24. A waste management plan shall be submitted for consideration and approved by Council. Such plan shall address any builder's waste and waste generated during day to day operations and shall include types and quantities, recycling, reuse, storage and disposal.
25. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved ESCP or SWMP. In the absence of any approved plan the work is to be in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.
26. Adjoining owners are to be given 24 hours notice, in writing, prior to commencing demolition to enable them to take necessary action to prevent disturbance by dust to both inside and outside their dwelling.

During Construction

27. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) erosion controls, site works and site set out;
 - (b) piers;
 - (c) foundations;
 - (d) steel reinforcement;
 - (e) framework, after the installation of all plumbing, drainage and electrical fixtures and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (f) wet area flashing, after the installation of any bath and shower fixtures;
 - (g) internal drainage lines prior to covering;
 - (h) external drainage lines, prior to backfilling;
 - (i) fire protection to penetrations;
 - (j) on completion of the structure;
28. All necessary works being carried out to ensure that "any water" flow from adjoining properties is not impeded.
29. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
30. The site shall be secured to prevent the deposition of any unauthorised material.
31. 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.

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32. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or road surface.
33. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
34. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
35. No spoil, excavated or demolition material from the site being deposited on any public road, footpath, public place or Council owned property without approval.
36. The site shall be kept clean and tidy during the construction period and all rubbish shall be removed from the site upon completion of the project to the satisfaction of this office.
37. Should any Aboriginal site or relic or European relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service or the Heritage Office (European relic) consulted. Any person who knowingly disturbs an Aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974 and Heritage Act.
38. The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
39. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. Such work is to be guarded and protected to prevent it from being dangerous to life or property.
40. If any excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, including a public road or place, the person causing the excavation to be made:
 - a) Must preserve and protect the building from damage; and
 - b) If necessary, must underpin and support the building in an approved manner; and
 - c) Must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

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41. All work must be carried out in accordance with the provisions of Hawkesbury Development Control Plan, Appendix E Civil Works Specification, Part 1 Design Specification and Part 2 Construction Specification.
42. The provision of conduit/ducts under new driveways to the requirements of Integral Energy, in accordance with Integral Energy drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Integral Energy.
43. The demolition work is to be executed by a competent person, with due regard for safe working practices and in accordance with the requirements of the WorkCover Authority. At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
 - a) The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, guys, shoring or any combination of these, shall be added for stability where necessary.
 - b) Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained, particularly in the event of sudden and severe weather changes. Severe weather changes refer primarily to localised high winds. In these circumstances loose debris can become airborne, particularly if it is in sheet form.
 - c) The site shall be secured at all times against the unauthorised entry of persons or vehicles.
 - d) Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed off before any stripping or demolition commences.
 - e) Unless otherwise permitted by Council, structures shall be demolished in the reverse order to that of their construction. The order of demolition for buildings shall be progressive, having proper regard to the type of construction.
 - f) In consideration of the proximity of the site's adjoining buildings:
 - i) Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.
 - ii) No demolition activity is to cause damage to or adversely affect the structural integrity of adjoining buildings. Consideration should be given to the use of shoring and underpinning and to changes in the soil conditions as a result of demolition and appropriate action taken.
44. Removal of the existing redundant layback and footway crossing and replacement with concrete kerb and gutter and the restoration of the footway area.

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45. All debris (including felled trees) resulting from the approved clearing of the site for construction is to be removed from the property unless alternative arrangements are agreed to, in writing, with this office.
46. A surcharge path sufficient to carry the 1 in 100 year storm flow to be provided across the site and a drainage easement of adequate width to be created over the surcharge path.
47. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m.
48. On-site detention shall be provided to maintain all stormwater discharges from the 1:1 year storm up to the 1:100 year storm at predevelopment levels.
49. Convex mirrors are to be provided in strategic locations within the basement parking and vehicular access areas to allow drivers of vehicles entering ramps to see approaching vehicles and pedestrians.
50. The construction of full width concrete path paving and all necessary drainage over the frontage of the site, together with any necessary works to make this construction effective.
51. A flood warning sign of durable material and permanently affixed shall be located in a prominent location. The sign shall advise occupants that the site may be subject to inundation during times of flood.
52. Disabled parking is to be provided in accordance with Australian Standard AS2890.1 - 1993 and the Building Code of Australia.
53. Access to the site is to be a minimum of 6 (six) metres wide for the first 6 (six) metres from the Bosworth Street road reserve.
54. A sump and pump stormwater drainage system is to be provided to drain the basement car park.
55. All security fencing proposed for the development should be of an open style decorative nature and should complement the approved building design.

Prior to Issue of Occupation Certificate

56. An Occupation Certificate is to be obtained on completion of all works and prior to commencement of the approved use. The Occupation Certificate will not be issued if any conditions of this consent are outstanding.
57. Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property. In this respect an Occupation Certificate will not be granted on the application until the landscaping is complete.
58. 6 (six) super advanced street trees are to be provided for the development as shown on the approved photomontage submitted with the Development Application DA0813/03.

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59. Submission of a S73 Compliance Certificate under the Sydney Water Act 1994.
60. Registration of a Plan of Survey consolidating the site into a single allotment. Documentary evidence to be submitted prior to occupation of the building.
61. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of underground electricity supply to each of the resultant units.
62. Submission of a Certificate from an approved telecommunications provider that satisfactory arrangements have been made for the provision of cables for telephones to each unit.
63. The applicant shall prepare a flood emergency evacuation and management plan for the proposed development. The plan should advise occupants of flood evacuation procedures and emergency contact telephone numbers. The Management Plan should avoid the letting of the premises during periods of flood emergency or when flood warnings are issued. The applicant should contact Council and the State Emergency Service for advice in the preparation of the Management Plan. The evacuation procedures should be permanently affixed to the building in a prominent location and kept up to date at all times.

Use of the Site

64. Any lighting on the site is to be directed in such a manner that no nuisance is caused to adjoining properties or to drivers on surrounding streets.
65. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
66. Any internal or external alterations being the subject of a separate development application.
67. All waste materials to be stored and disposed of at regular intervals.
68. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any authorised advertising structure will be removed at the expense of the advertiser.
69. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.

ATTACHMENTS:

There are no supporting documents for this report.

AT - 1 Location Map

AT - 2 Floor Plan

AT - 3 Elevation Plan

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Item: 28 **ENV A - 6 (six) Unit Development - DA0946/03, Lots 56 & 57 DP242486, 5 & 6 Yvonne Place, North Richmond NSW 2754 (24525)**

Development Information

Applicant: Mr GR Zerk
Applicants Rep: N/A
Owner: Mr JR Blackburn & Mrs CM Blackburn, Mrs SL Melton
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Hawkesbury Development Control Plan
Area: 2488m²
Zone: Residential 2 (a) under Hawkesbury Local Environmental Plan 1989
The proposed zone under Draft Local Environmental Plan 1/01 - Amendment 130 is Housing
Brief Description: 6 (six) unit development
Advertising: 27/08/2003 to 10/09/2003, re-advertised until 30/09/2003
Date Received: 13/08/2003

Key Issues: ♦ Non compliance with Draft Amendment 130 to HELP 1989
 ♦ Concerns raised by respondents

Action: Deferred Commencement Approval

REPORT:

Introduction

Council has received a development application for the erection of 4 (four) dwellings to create a 6 (six) unit development on Lots 56 & 57 DP 242486 (No's 5 & 6) Yvonne Place.

The application was received prior to the exhibition of draft LEP Amendment No. 130 and the land is outside the proposed multi unit housing zone. The application is, therefore, reported to Council.

This report provides a summary and an assessment of the key issues. A complete assessment is contained on file.

The Proposal

The application is seeking approval for a 6 (six) unit development. The proposal includes the consolidation of the 2 (two) lots and the retention and adaptation of the existing dwelling houses located on each lot. One dwelling is single storey brick, the other a double storey brick.

The 4 (four) new units (units 2 to 5) are single storey with 3 (three) bedrooms each. They will be constructed of brick and tile.

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The subject land is located at the end of a cul-de-sac and has a total area of 2488.8m² (two thousand, four hundred and eighty eight square metres).

Background

DA 1002/02 – application lodged for a multi-unit housing development comprising the demolition of one dwelling, the retention of one dwelling and the construction of 7 (seven) new 2 (two) storey dwellings. This application did not comply with the DCP in a number of areas including, setbacks, private open space, common open space, access/parking, and energy efficiency. This application was withdrawn.

Statutory Situation

Sydney Regional Environmental Plan No. 20 (Hawkesbury Nepean River)

The proposed development is consistent with the relevant provisions contained in SREP 20.

Hawkesbury Local Environmental Plan 1989 (HLEP 1989)

The subject land is zoned Residential 2(a) under Hawkesbury Local Environmental Plan 1989. The proposed development is permitted within the Residential 2(a) zone with development consent.

It is considered that the proposal is consistent with objectives of the zone.

Draft Amendment No. 130 to Hawkesbury Local Environmental Plan 1989

Draft Amendment 130 proposes to rezone the subject land to 'housing'. The provisions of the draft plan would therefore, upon gazettal have the effect of prohibiting the proposed development. The application was lodged prior to the exhibition of this draft plan.

Hawkesbury Development Control Plan

Residential Chapter

The proposal generally complies with the rules and objectives of the Residential Chapter of the DCP. A compliance table is contained within the file demonstrating compliance with the residential chapter.

Energy Efficiency Chapter

Sunlight is available to at least 50% (fifty per cent) of required private open space for at least 2 (two) hours between 9.00am and 3.00pm on 21 June. Sunlight is to be available to clothes drying areas for at least 4 (four) hours on 21 June, to a plane 1 (one) metre above the finished ground levels under the drying lines. The Development complies with these requirements.

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An energy performance statement is still outstanding, due to the number of changes to the original plans. An energy performance and an amended NatHERs assessment can be requested as part of a deferred commencement consent.

Community Consultation

Following notification of the application, 6 (six) submissions were received, which included 5 (five) objections from 6 (six) property owners in the vicinity and 1 (one) in support. The matters raised in these submissions are addressed below:

Planning Assessment

Full consideration has been given to s.79C (1)(b) of the EP & A Act and is contained on file. Below are the relevant matters:

Inconsistent with Draft Amendment No. 130 to HLEP 1989 (raised by respondents)

The subject land is proposed to be zoned Housing under the requirements of draft Amendment 130 to HLEP 1989. Multi residential development is prohibited within this proposed zone. The application was lodged prior to the exhibition of the draft plan.

Garbage collection (raised by respondents)

The collection of garbage and recycling can be achieved on site by the use of private contractors. This has been accepted by Council in other similar developments.

Increased traffic within a cul-de-sac (raised by respondents)

Increased traffic movements within the cul-de-sac as a result of the development will have no significant adverse impact on the locality. However, it is considered that problems may arise in respect to on street parking. Hawkesbury Development Control Plan requires 1 (one) off street parking space to be provided per lot created by subdivision within a cul-de-sac. This is in addition to parking spaces required for dwellings. It is considered reasonable to impose the same restriction on multi unit development. The applicant was requested to provide visitor spaces at the rate of 1 (one) space per dwelling. This has been provided.

Increased traffic in Grose Vale Road (raised by respondents)

Respondents have raised concern with increasing traffic on Grose Vale Road, which already experiences congestion at certain times of the day. This is a result of the existing limitations of the intersection of Grose Vale Road and Bells Line of Road. It is considered that this matter is not of sufficient weight to refuse the application.

Increased noise (raised by respondents)

It is considered that the development will not create offensive noise pollution.

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Out of character (raised by respondents)

While some multi unit development is in the vicinity, the area is comprised predominantly of single dwelling houses. The proposed new dwellings are single storey and the streetscape will essentially remain the same.

Privacy/Overlooking (raised by respondents)

All new dwellings are of single storey construction. It is considered that boundary fences will ensure visual privacy between the development and adjoining properties.

Overbearing unsightly development (raised by respondents)

As new dwellings will be located behind existing development and are single storey, it is considered that the proposal will not be overbearing or unsightly.

Drainage

There is a drainage easement over the property in the far northern corner. Concept drainage plans were submitted and considered acceptable for the development application, however, details of surcharge volumes from the easement is required. The provision of an overland flowpath is required capable of surcharge flows up to and including the 1% (one per cent) AEP storm event. These provisions can be required as part of a deferred commencement consent.

Conclusion

The proposed development is consistent with the requirements of Hawkesbury Local Environmental Plan 1989 and the Hawkesbury Development Control Plan.

While the subject site does not fall within the proposed multi unit housing zone as outlined under Draft Amendment 130, the proposed development is considered to be consistent with the objectives of the draft plan.

The proposed development is unlikely to impact adversely on the amenity of the locality or the surrounding area.

The issues raised by the respondents do not warrant refusal of the application.

The application is recommended for Deferred Commencement Approval

RECOMMENDATION:

That a Deferred Commencement consent be issued for a 6 (six) unit development.

Upon compliance with the conditions appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this “Deferred Commencement” consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.

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This “Deferred Commencement” consent will lapse in 6 (six) months from the date of this Notice unless all conditions appearing Schedule 1 have been complied with.

Schedule 1

Submission of a report from a qualified Hydraulic engineer showing that the finished floor level as shown on the approved plans for Units 1 and 2 have a minimum freeboard of 100mm above the level of the surcharge flowpath for the 1% (one per cent) AEP storm event.

Submission of a NatHERs assessment and Energy Performance Statement for the proposed dwellings. The NatHERs assessment and Energy Performance Statement shall comply with the Part C Chapter 6 Energy Efficiency Chapter of Hawkesbury Development Control Plan.

Details of the proposed garbage collection service for the development.

Schedule 2

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (Drawing 183A, 8 sheets revised February 2004) and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. The development shall be completed in accordance with the approved colours and finishes and shall not be altered.
3. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
4. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
5. All part 4 certificates issued under the Environmental Planning and Assessment Act 1979 are to be submitted to Council within 7 (seven) days of the date of issue. Fees apply.
6. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.

Prior to Issue of Construction Certificate

7. Construction of civil works including road, drainage, access works are not to commence until 3 (three) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Environment and Development or an accredited certifier.
8. Payment of a design checking fee of \$327.50 (three hundred and twenty seven dollars and fifty cents) and inspection fee of \$260.20 (two hundred and sixty dollars and twenty cents)

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when submitting Engineering plans for approval. This amount is valid until 30 June 2004. Fees required if an accredited certifier is used will be provided upon request.

9. The submission of engineering designs and calculations covering all works required by this consent.
10. The submission of a satisfactory Erosion and Sediment Control Plan (ESCP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
11. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.00 (twenty five thousand dollars).
12. An engineering construction certificate is required for onsite stormwater detention system, fee for Council to issue this certificate is \$200.00 (two hundred dollars), valid until June 2004.
13. A surcharge path sufficient to carry the 1 in 100 year storm flow to be provided across the site and a drainage easement of adequate width to be created over the surcharge path. Details to be submitted for approval concurrently with the construction certificate.
14. Details of the proposed hot water system demonstrating that the appliance has a minimum energy rating of 3.5 stars is to be submitted to the principal certifying authority for approval.
15. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to issue of a construction certificate.
16. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:
 - (a) Open Space and Recreation (\$8555.00)
 - (b) Community Facilities (\$12,097.00)

The above contributions have been determined in accordance with Hawkesbury Section 94 Contribution Plan. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

Contributions are to be paid prior to issue of the construction certificate.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.

Prior to Commencement of Works

17. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved ESCP or SWMP. In the absence of any

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approved plan the work is to be in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.

18. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
19. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.
20. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environmental Planning and Assessment Act.

During Construction

21. All work must be carried out in accordance with the provisions of Hawkesbury's Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification.
22. The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed development. Such utilities include, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.
23. The provision of conduit/ducts under new driveways to the requirements of Integral Energy, in accordance with Integral Energy drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Integral Energy.
24. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
25. The site shall be kept clean and tidy during the construction period and all rubbish shall be removed from the site upon completion of the project to the satisfaction of this office.
26. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) erosion controls, site works and site set out;
 - (b) piers;
 - (c) foundations;
 - (d) steel reinforcement;
 - (e) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;

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- (f) wet area flashing, after the installation of any bath and shower fixtures;
- (g) internal drainage lines prior to covering;
- (h) external drainage lines, prior to backfilling; and
- (i) on completion of the structure.

Prior to Issue of Occupation Certificate

- 27. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.
- 28. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant Units in the development.
- 29. Submission of a Certificate from an approved telecommunications provider that satisfactory arrangements have been made for the provision of cables for telephones through the development.
- 30. The construction of Council's standard layback and footway vehicular crossing to the development in accordance with Council's standard plan.
- 31. Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.
- 32. The submission of a Surveyor's Certificate stating that all buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks.
- 33. The completion of the development including all civil works in accordance with Council approval covered by this consent.
- 34. Design and construction of site drainage shall be carried out in accordance with Council's Hawkesbury Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification. Full details of works shall be submitted for approval with the building application. On-site detention shall be provided to maintain all stormwater discharges from the 1 : 1 year storm up to the 1 : 100 year storm at predevelopment levels.
- 35. The driveway shall be constructed of pavers/earth toned coloured concrete or the like.
- 36. The finished floor level shall be a minimum 225mm above the surrounding finished ground level and the ground around the perimeter of the building shall be graded and drained to the satisfaction of Council's Health and Building Surveyor to ensure the free flow of surface water away from the building.
- 37. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, and sealed. Full details of works shall be submitted for approval.

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38. A report by the Design Engineer and a works-as-executed (WAE) drawing by either a suitably qualified Engineer or Registered Surveyor of the stormwater detention basin(s) and stormwater drainage system are to be submitted to and approved by Council prior to the release of the occupation certificate. The report from the Design Engineer is to state the conformance or otherwise of the as constructed basins in relation to the approved design.

The WAE drawing shall indicate the following as applicable:

- (a) invert levels of tanks, pits, pipes and orifice plates;
 - (b) surface levels of pits and surrounding ground levels;
 - (c) levels of spillways and surrounding kerb;
 - (d) floor levels of buildings, including garages;
 - (e) top of kerb levels at the front of the lot;
 - (f) dimensions of stormwater basins and extent of inundation; and
 - (g) calculation of actual detention storage volume provided.
39. In order to enhance the amenity of the area, all fencing fronting the street shall be a feature fence incorporating masonry piers with decorative infill panels.

The Use of the Site

40. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.

ATTACHMENTS:

AT - 1 Locality Plan

AT - 2 Site Plan

AT - 3 Elevation Plan

Item: 29 ENV B - Proposed amendments to Hawkesbury Development Control Plan (79347)

REPORT:

Introduction

On 10 February 2004 Council resolved "that a report be provided on how the Development Control Plan could be modified to assist with vegetation clearing issues". As a separate matter, staff have been reviewing the Notification chapter of the Development Control Plan (DCP).

The purpose of this report is to provide information about the DCP as it currently stands and to recommend some changes.

Vegetation

Council's resolution of 10 February 2004 followed a Notice of Motion by Councillor Williams suggesting that applications to clear vegetation be notified to surrounding residents and that such applications be accompanied by a photographic record.

Current situation

Chapter 2 of Part A of the DCP sets out detailed requirements for the information which is to be supplied with a development application. The requirements for the site plan include "location of existing trees and trees to be removed". A condition is applied to most development consents which permits removal of trees and other vegetation for driveways and access and within a 6 metre radius from the building. Removal of any other trees or vegetation requires separate permission, unless shown on DA plans. The condition does not apply where significant trees are identified, where endangered species are involved or where vegetation is to remain as part of landscaping for the development.

Applications which potentially impact on threatened species must include an "eight part test" under the Threatened Species legislation, and where there is likely to be an impact, a detailed flora and fauna report is required to be prepared by a qualified person.

Council's Tree Preservation Order does not apply to residential zoned properties less than 1000m² (one thousand square metres) in area excluding the residential areas of Kurrajong and Kurrajong Heights. Clearing of native vegetation does not require consent in residential, commercial or industrial zones.

Proposed changes

The following changes are recommended:

Chapter 2 of Part A of the DCP be amended to require photographs to be submitted of any vegetation proposed to be removed which is outside a six metre radius from any proposed building.

Chapter 3 of Part A of the DCP be amended to require notification to adjoining owners and residents of applications which propose to remove native vegetation within 5m from the property boundary in rural and scenic protection zones.

Notification of Development Applications

The Notification Chapter of the DCP has been in place since March 2002. The suggested changes are based on observations in practice about the type of objections received and the type of development which generates little or no objection.

In summary, the changes proposed are:

- *Carnival*

Remove from rural, commercial, open space and environmental protection zones as requiring notification as consent is not required in these zones (refer to note 1 below).

- *Dwellings*

Change distance to boundary to closer than 5m to require notification in rural and environmental protection zones.

- *Rural Sheds*

Require notification only if closer than 5m to boundary.

- *Vegetation clearing*

Notification required in certain circumstances (refer to note 2 below).

- *Residential zones*

Remove notification for sheds and garages, boundary adjustments, pools, pergolas, awnings and decks.

- *Commercial zones*

Notify certain development only if adjoining residential land.

- *Industrial zones*

Remove notification for development adjoining residential.

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- *Special Uses zones*

Notification not required for purposes described on the Local Environmental Plan Map.

Note 1: Carnival is defined in Hawkesbury Local Environmental Plan 1989 as "a festival or community event involving parades, stalls, amusement devices and public entertainment (and includes fairs and fund raising events carried out by charitable and non-profit organisations) but only if carried out for not more than 14 days in any calendar year on land in public ownership"

Note 2: Clearing of Native Vegetation means "the removal of vegetation considered indigenous, native or belonging naturally to Australia for any purpose other than bushfire hazard reduction"

The following table is extracted from the DCP Notification chapter and the proposed changes are detailed in the right hand column.

		Existing	Proposed
Zone	Type of Notification or Advertisement	Type of Development	Type of Development
Rural Zones 1(a), 1(b), 1(c), 1(c1), 1(d)	• Letter to adjoining owners/ occupiers • Letter to affected owners/ occupiers • Site sign • Notice in local newspaper	• Airline Terminal • Carnival • Generating Works • Helipad • Heliport • Hospital • Institution • Mine • Extractive Industry • Waste Management Facility	• Airline Terminal • Generating Works • Helipad • Heliport • Hospital • Institution • Mine • Extractive Industry • Waste Management Facility
	• Letter to adjoining owners/ occupiers • Letter to affected owners/ occupiers • Site sign	• Child Care Centre • Club • Education Establishment • Sawmill • Tourist Facility • Units for Aged Persons	NO CHANGE
	• Letter to adjoining owners/ occupiers	Subdivision All other development except for: • dwellings and dwelling additions located more than 10m from the boundary • farm sheds • exempt and complying development • strata subdivision	Clearing of native vegetation within 5m from a boundary. Dwellings and dwelling additions located closer than 5m from a boundary. Rural sheds located closer than 5m from a boundary Subdivision All other development except for: • exempt and

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Zone	Type of Notification or Advertisement	Existing Type of Development	Proposed Type of Development
		• advertisements • development listed in Section 3.3 • swimming pools • demolition of non heritage item • garages • tennis courts (without lights and for private use) • boundary adjustments of no more than 2 lots and comply with Clause 13 of Hawkesbury LEP 1989	complying development • strata subdivision • advertisements • development listed in Section 3.3 • demolition of non heritage item • garages • tennis courts (without lights and for private use) • boundary adjustments
Residential 2(a), 2(a1), 2(c)	• Letter to adjoining owners/ occupiers • Letter to affected owners/ occupiers • Site sign • Notice in local newspaper	• Carnival • Helipad • Hospital	NO CHANGE
	• Letter to adjoining owners/ occupiers • Letter to affected owners/ occupiers • Site sign	• Child Care Centre • Club • Education Establishment • Motel • Place of Public Worship • Residential Flat Building Class B & C • Tourist Facility • Units for Aged Persons	NO CHANGE

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Zone	Type of Notification or Advertisement	Existing Type of Development	Proposed Type of Development
	Letter to adjoining owners/ occupiers	Subdivision All other development except for: - Single storey dwelling houses and additions; - sheds and garages less than 30m² in area 2.4m in height measured from ground level; - exempt and complying development; - strata subdivision; - advertisements; and - development listed in Section 3.3 - torrens title subdivision of approved Multi Unit Housing Development	Subdivision All other development except for: - Single storey dwelling houses and additions; - sheds and garages - exempt and complying development; - strata subdivision; - advertisements; and - development listed in Section 3.3 - torrens title subdivision of approved Multi Unit Housing Development - boundary adjustments - swimming pools - pergolas - awnings - decks
Commercial 3(a), 3(b)	- Letter to adjoining owners/ occupiers - Letter to affected owners/ occupiers - Site sign - Notice in local newspaper	- Airline Terminal - Brothel - Carnival - Generating Works - Helipad - Heliport - Hospital - Hotel	- Airline Terminal - Brothel - Generating Works - Helipad - Heliport - Hospital - Hotel
Commercial 3(a), 3(b)	- Letter to adjoining owners/ occupiers - Letter to affected owners/ occupiers - Site sign	- Bus Depot - Bus Station - Child Care Centre - Club - Education Establishment - Motel - Place of Assembly - Place of Public Worship - Service Station	NO CHANGE

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Zone	Type of Notification or Advertisement	Existing Type of Development	Proposed Type of Development
	Letter to adjoining owners/ occupiers	- Animal Establishment - Dual Occupancy - Residential Flats - Retail Plant Nursery - Tourist Facility - Units for Aged Persons	The following development only if adjoining a residential zone or existing residential development: - Animal Establishment - Dual Occupancy - Residential Flats - Retail Plant Nursery - Tourist Facility - Units for Aged Persons
Industrial 4(a), 4(b)	- Letter to adjoining owners/ occupiers - Letter to affected owners/ occupiers - Site sign - Notice in local newspaper	- Airline Terminal - Extractive Industry - Generating Works - Helipad - Heliport - Hotel - Institution - Liquid Fuel Depot - Mine - Offensive or Hazardous Industry	NO CHANGE
	- Letter to adjoining owners/ occupiers - Letter to affected owners/ occupiers - Site sign	- Place of Assembly - Place of Public Worship - Sawmill - Stock and Sale Yards - Development adjoining a residential zone (except occupation of existing building)	- Place of Assembly - Place of Public Worship - Sawmill - Stock and Sale Yards
Special Uses 5(a), 5(b)	- Letter to adjoining owners/ occupiers - Letter to affected owners/ occupiers - Site sign	All development except for: - advertisements - exempt and complying development	All development except for: - advertisements - exempt and complying development - development for the purpose specified on the Hawkesbury Local Environmental Plan 1989 Map
Open Space 6(a), 6(b),	Letter to adjoining owners/ occupiers	Carnival (except where exempt)	- Helipad - Hospital

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Zone	Type of Notification or Advertisement	Existing Type of Development	Proposed Type of Development
6(c)	- Letter to affected owners/ occupiers - Site sign - Notice in local newspaper	<i>development)</i> - Helipad - Hospital	
Open Space 6(a), 6(b), 6(c)	- Letter to adjoining owners/ occupiers - Letter to affected owners/ occupiers - Site sign	- Child Care Centre - Club	NO CHANGE
	Letter to adjoining owners/ occupiers	- Public Building - Recreation Area - Recreation Facility - Recreation Vehicle Area - Recreation Establishment - Refreshment Room	NO CHANGE
Environment Protection 7(a), 7(d), 7(d1), 7(e)	- Letter to adjoining owners/ occupiers - Letter to affected owners/ occupiers - Site sign - Notice in local newspaper	- Airline Terminal - Carnival (except where exempt development) - Helipad - Heliport - Hospital	- Airline Terminal - Helipad - Heliport - Hospital
	- Letter to adjoining owners/ occupiers - Letter to affected owners/ occupiers - Site sign	- Child Care Centre - Club - Education Establishment - Hotel - Sawmill - Tourist Facility	NO CHANGE

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Zone	Type of Notification or Advertisement	Existing Type of Development	Proposed Type of Development
	Letter to adjoining owners/occupiers	Subdivision All other development except for: - dwellings and additions located more than 10m from the boundary - farm sheds - exempt and complying development - strata subdivision - advertisements	Clearing of native vegetation within 5m from a boundary. Dwellings and <u>dwelling</u> additions located closer than 5m from a boundary. Rural sheds located closer than 5m from a boundary Subdivision All other development except for: - exempt and complying development - strata subdivision - advertisements
8(a), 9(b)	Letter to adjoining owners/occupiers	All development <i>except advertisements</i>	NO CHANGE

Following the review of the Notification chapter it is also suggested that all applications to review a determination under Section 82A be notified as per the original DA notification and to all who made submissions. At present, only those 82A requests which are to be determined by Council are required to be notified.

Conclusion

The changes proposed in this report will assist in reducing turnaround times for minor applications and will introduce changes discussed by Council at various times. It is considered that the DCP as modified represents an appropriate balance of community engagement and individual rights. Of course not every situation can be predicted and the Notification chapter specifically provides for a higher level of notification for a development if considered necessary.

The process to amend the DCP includes a public exhibition period of 28 (twenty eight) days, with an opportunity for public submissions.

RECOMMENDATION:

That:

- Council resolve to prepare a draft development control plan to amend the Hawkesbury Development Control Plan Chapters concerning General Information and Notification, as detailed in this report.

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2. Should no objections be received, the draft plan be put in force following the exhibition period.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 30 ENV B - Management of Salvinia Weed after Removal From the River System (79348)

REPORT:

An approach was made to Council by NSW Agriculture and the Hawkesbury Nepean Catchment Management Authority (H/N CMA) on 13 May 2004, during a meeting with Hawkesbury City Council's General Manager and Manager of Environment and Waste Services, requesting assistance with the management of the Salvinia weed that is being removed from the Hawkesbury River at present.

Concerns were also raised at this meeting that the cost to receive and process the material at the Hawkesbury Waste Management facility was unexpected and not sustainable in that it would consume too much of the budget allocated by State and Federal Government for the project.

The H/N CMA also raised concerns that more support was required to monitor and move the booms that are containing the weed in the river awaiting harvesting. In this respect it was suggested that Council may be able to provide staff to perform this function.

NSW Agriculture and H/N CMA also suggested that as an alternative to taking the weed to Council's waste facility, that other sites along the river, both public and private be sourced, for the depositing of the weed on these properties to allow it to dry, before it is either further processed on site or removed for further treatment. In this regard, the authorities were asking for Council's "in principle support" to allow this to happen and to assist in selecting suitable sites.

Issues raised by Council's representatives at the meeting included concerns for the handling of Salvinia Weed that may contain Alligator Weed, the possibility of a reoccurrence of the current weed infestation during the next summer period, and what measures would be put in place to reduce such risks.

The agreed outcomes of this meeting were:

1. That the General Manager of Hawkesbury City Council would arrange a meeting of Council to discuss these issues, and request a decision on the request to have "in principle support" for the proposals raised by NSW Agriculture and H/N CMA.
2. That Council would not be the responsible authority for disposal of the weed on public or private lands not owned by Council, and that the responsibility for monitoring and managing sites on public and private lands will be determined on a case-by-case basis dependant upon land ownership and methods of disposal.
3. That funding would be provided to Council for the primary processing of the Salvinia weed at the Hawkesbury Waste Management Facility up until 28 May 2004.

In considering the request for assistance from the previously mentioned authorities, a number of matters would need to be considered during this process. The main consideration could be that of

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Council's obligation to assist with what is a catchment problem and not just one for the Hawkesbury City.

With the twenty plus Sewage Treatment Plants, and other activities that add to the nutrient load placed on South Creek (which empties into the Hawkesbury River), it is considered that there should be some sharing of responsibility by those authorities and Local Government areas, that permit this to occur. These nutrients provide the optimum feeding medium for the Salvinia Weed to grow at rapid rates.

Other considerations would be the management of the weed to prevent the spread of Alligator weed, which may be collected along with the Salvinia Weed.

There are stringent controls to be observed when dealing with the removal and disposal of Alligator Weed, and these must be observed to prevent unacceptable infestations on land that is currently free of this weed.

In this regard, recent discussions with the Hawkesbury River County Council (HRCC) weeds controller have taken place, to examine what measures would need to be taken to prevent contamination of the sites chosen as suitable for receipt. They have suggested that any site should be easily accessible by road for vehicles to enter and spray the weed should alligator weed be detected.

HRCC has also requested that a representative from their organisation form part of the assessment team when sites are examined for possible use.

Other than this issue, the HRCC representative did not have any other major concerns with the proposal, as he felt that the Salvinia weed would dry out and break down adequately if left on sites awaiting further treatment, as long as there was adequate access for spray vehicles to access the material, if alligator weed was discovered amongst the Salvinia weed.

In relation to the requested assistance for management of the booms to contain the weed, advice has recently been received from NSW Agriculture that they have had to engage the services of a suitably experienced operator to perform this task, as the boom management is critical to the collection operation by the harvesters. Tenders are to be called for the continued operation of this function whilst the harvesting is taking place, and the costs associated with this function will be paid from the allocated budget.

Subsequently, the assistance requested at the meeting on 13 May 2004 for boom management will not be required, but assistance in some form to carry out this function by the chosen operator, may be requested at some future date.

As no budget has been allocated by Council to financially assist in this project, it is suggested that "in kind support" be given in the form of supplying Council staff to assist in the team who identify suitable sites for depositing the weed as outlined in this report, and to provide assistance in some form at a later date, with boom management if required.

In relation to the agreement to accept the weed for processing at the Hawkesbury Waste Management Facility up until 28 May 2004 by NSW Agriculture and H/N CMA, which will be funded from the budget allocated by State and Federal Government, there will be a period whilst

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alternate sites are sourced that will not be funded, if Council accepts the material into its waste facility past 28 May 2004.

It is suggested that Council fund the cost of receipt of this material from 29 May 2004, until 9 June 2004, which should give ample time to source and make arrangements with the relative property owners, to allow the alternate sites to be used.

The cost to Council will be approximately \$6,500 (six thousand and five hundred dollars) if it accepts the materials into its facility for this 9 (nine) receipt day period, and it is suggested that this amount be drawn from the waste budget working funds.

RECOMMENDATION:

That:

1. Council gives "in principle support" for the use of private and public land along the river, for the depositing of Salvinia weed awaiting further processing and/or removal, after negotiation with the relevant property owners.
2. Council provides "in kind support" in the form of Council staff, to be part of the team that identifies suitable sites along the river where Salvinia weed can be deposited awaiting further treatment.
3. Consideration will be given to "in kind support" in the form of Council staff assisting with boom management to contain the weed, on an as needed basis, and the General Manager has delegation to provide such assistance if considered necessary.
4. Representations be made to the Hawkesbury Nepean Catchment Management Authority (H/N CMA) and NSW Agriculture, that a representative of Hawkesbury River County Council (HRCC), should be part of the team assessing suitable sites for the placement of the weed along the river.
5. Council will absorb the cost of primary treatment for the Salvinia weed at its waste management facility from 29 May 2004 until 9 June 2004, to allow time for alternate sites to be identified and used.
6. An amount of \$6,500 (six thousand and five hundred dollars) be allocated from the waste budget to receive and give primary treatment to the Salvinia weed between 29 May 2004 and 9 June 2004.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

general
purpose
committee

section 2

infrastructure

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SECTION 2 - INFRASTRUCTURE

Item: 20 **INF B - Cultural Infrastructure (79338, 107)**

REPORT:

As there are now 5 (five) new Councillors and there have been considerable changes to the original status of the overall cultural infrastructure program it is felt appropriate that a brief history and an update on the project be provided.

Background

Summarised are the more significant resolutions relating to the Cultural Infrastructure Project:

On 11 April 1995, following concerns outlined by the Council's then Heritage Advisor, Robert Staas, concerning possible redevelopment of the hospital site and the fact that the site was not heritage listed, Council resolved to support representations to the Department of Health and Wentworth Area Health Service for a conservation plan over the original 1911 Hospital Building. Following subsequent negotiations Council resolved on 10 March 1998 to purchase the site for \$1,000,000 (one million dollars).

On 10 November 1998 Council was advised that no grants were available at that time, income was needed and repairs to the building were required. Council resolved to undertake necessary maintenance to enable commercial occupation of the building with \$300,000 (three hundred thousand dollars) being allocated from the Property Development Reserve.

On 2 February 1999 Council was advised of a Heritage Grant of \$300,000 (three hundred thousand dollars) to conserve and adapt the former hospital for a range of community uses. At this stage it was proposed that the old hospital building be utilised as a museum, the kitchen wing at the rear of that building be utilised as an art gallery with a new library and commercial space being built adjacent to these buildings. A model of the library and commercial space had been completed during April 1999 and was successfully exhibited at the Hawkesbury Show.

On 13 July 1999 it was resolved to demolish the administration building at the front of the old hospital building and the connection to the Johnson Wing. On 28 November 2000 estimated costs and sources of funding were reported to Council at a total of \$13 million (thirteen million dollars) based on the museum being located in the main hospital building and the gallery in the kitchen wing with the library and commercial space being built adjacent. Work on the restoration of the main building externally was continuing at this stage. On 13 March 2001 it was resolved to pay 4 (four) architects \$5,000 (five thousand dollars) each for work to date on proposals submitted for the redevelopment and restoration works on the site.

On 17 April 2001 an offer by Foundation Medical Centres to lease the main hospital building and kitchen wing (i.e. museum and gallery) for an extended hours medical centre and radiology service. Council was to undertake the refurbishment of the building including air conditioning,

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ceilings, lighting and service lifts being operational. This offer was accepted and Council resolved, in part, that provision be made by mid-2003 for separate art gallery facilities in the new building or other suitable Council-owned buildings comprising an exhibition space of not less than 350 (three hundred and fifty) square metres, meeting room, storage rooms, kitchen facilities and toilet facilities and that such facilities especially the exhibition space be fitted out to a regional art gallery standard. It was also resolved that the museum stay in its current location and the extensions as proposed in 1988 be completed by the end of 2002.

On 12 June 2001 it was resolved to lease the Johnston Wing to Foundation Medical Centres (as well as the old hospital). On 12 June 2001 in consideration of a report including cost implications of the four options that had been presented to Council ie, the original concept \$13m (thirteen million dollars), the design competition result \$14.63m (fourteen million six hundred and thirty thousand dollars), the museum additions and the separate gallery and library \$16.1m (sixteen million one hundred thousand dollars), and the museum additions with a combined gallery/library at \$15.56m (fifteen million five hundred and sixty thousand dollars). Council resolved to adopt the option consisting of the museum additions and a combined gallery and library at a cost of \$15.56m (fifteen million five hundred and sixty thousand dollars).

On 12 February 2002 in relation to the museum development and more specifically in relation to the availability of a \$1.15m (one million one hundred and fifty thousand dollars) grant for the construction of a contemporary museum building, Council resolved to accept the grant. On 11 June 2002 after the withdrawal of Foundation Medical Centres, it was resolved to lease the Johnston Wing to Mr Stack (AIB Insurance). On 10 September 2002 it was resolved to lease the old hospital building and kitchen wing to Coverdale Christian School. On 10 June 2003 after the withdrawal of Coverdale Christian School it was resolved to lease the old hospital and kitchen wing to Dr Ian Rafter (note Council's estimated costs to fit out the buildings were \$665,000 [six hundred and sixty five thousand dollars] with Dr Rafter to complete according to his needs at an estimated cost of \$1.4m (one million four hundred thousand dollars). On 9 September 2003 Council resolved to approve the museum design and also accept the tender of the library/gallery by Grant Constructions at a cost of \$10,852,847 (ten million eight hundred and fifty two thousand eight hundred and forty seven dollars) and adopt in principle a Council-owned cogeneration plant for the precinct. The cogeneration plant tenders at \$2,804,838.77 (two million eight hundred and four thousand eight hundred and thirty eight dollars and seventy seven cents) were accepted on 9 December 2003. It should be noted that the original cogeneration proposal was to be funded by a third party. However, it was considered that a business case existed for Council to provide the funding.

On 10 February 2004 it was resolved to not proceed with the lease of the old hospital building to Dr Rafter and to lease the old Hawkesbury Hospital building to Catholic Health Care Services Ltd.

Current Situation

1. Library/Gallery/Commercial Building Project - this project is currently proceeding both within timeframe and budget. Earthworks have been completed and the ground floor concrete slab and supporting columns have been poured. Work is currently underway to form the first floor slab and supporting columns and it is expected that this will be poured in mid June. The anticipated completion date, at this stage, is the end of December 2004.

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2. Cogeneration Plant - the cogeneration plant room including the roof, which in turn is the floor slab of the café building has been completed and backfilling the external walls is underway. The required components of the cogeneration plant have been ordered and are currently awaiting delivery.
3. Regional Museum - final approval to proceed has been received from the Heritage Office, contract documentation and specifications have been completed and tenders have been called for the construction of the building. Tenders close on Tuesday 15 June 2004 and it is anticipated that the tenders will be reported to the July meeting of Council for determination.
4. Old Hospital Building - the lease for the occupation of the main building of the old hospital complex for an initial period of 5 (five) years has been signed by Catholic Health Care Services Ltd and the alterations required, fit out and provision of services to facilitate occupation by Catholic Health Care on 1 August 2004 is proceeding. There are cost implications with the demolition and restoration works of the old hospital complex which will be outlined further within the report.

Catholic Health Care Services Ltd has now advised that they would like to lease the additional space available, the old kitchen building, under the same terms and conditions as the original lease for use as staff amenities, training and storage rooms. The estimated cost to undertake the restoration and fit out of the old kitchen building for this purpose is \$250,000 (two hundred and fifty thousand dollars). This would provide an additional lettable area of approximately 141 (one hundred and forty one) square metres which will provide an additional income in the first year of \$31,725 (thirty one thousand seven hundred and twenty five dollars). As the capital investment could be returned in approximately 8 (eight) years it is considered that there is a reasonable business case to undertake the works and lease the extra area to Catholic Health Care Services Ltd, with a further bonus being that the overall restoration of the old hospital complex would be completed and be utilised.

Funding

The estimates for the Cultural Infrastructure Project as outlined to Council on 8 April 2003 and the proposed revised estimates along with the capital funding for the project as outlined to Council on 8 April 2003 and the proposed funding are tabulated below. The variations to both the capital expenditure and capital funding will be explained within the report.

Capital Expenditure

	Estimates 8 April 2003	Revised Estimates 1 June 2004
Archaeological/Heritage/BCA	145,600	145,600
Restoration	1,980,000	3,129,300
Roadworks	114,400	}
Paving/Landscaping	322,400	}
Library/Gallery/Commercial	9,911,200	}
Library/Fit out	561,600	561,600
Commercial Fit out	156,000	156,000
Professional Fees	980,000	1,305,000
Launch	100,000	100,000

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	Estimates 8 April 2003	Revised Estimates 1 June 2004
Contingency		
ESD/Cogeneration	478,400	3,437,900
Bill of Quantities	30,000	33,800
Museum Extensions	2,300,000	2,300,000
Gallery Fit out	114,400	114,400
Total	17,194,000	21,665,600

Capital Funding

Source	Estimates 8 April 2003	Revised Estimates 1 June 2004
Bligh Park Reserve	4,808,000	4,476,579
Section 94	1,983,000	1,983,000
Heritage Grant	300,000	300,000
Library Grant	200,000	Nil
Property Sales	3,120,000	3,050,000
Property Reserve	3,929,000	5,487,458
Loan	1,707,000	5,215,563
Grant	1,153,000	1,153,000
Total	17,200,000	21,665,600

It will be noted that the estimates from 8 April 2003 differ slightly to those in the Business Paper of that date. The reason for the variance is that the contingency has been removed and distributed throughout the majority of the other items listed. The reason for this action was that a \$175,000 (one hundred and seventy five thousand dollars) contingency amount was provided within the contract for the construction of the library/gallery/commercial space. The other variations are listed below.

- Restoration - the original estimate of \$1.98m was for the demolition of those portions of the building which were not in sympathy with the 1911 structure and the restoration of the fabric of the building to that era. Other works which had been included and were not anticipated are:
 - external stormwater drainage to the building required to alleviate water infiltration,
 - chemical damp proofing to inhibit rising damp,
 - reconstruction of the brick fence on the Christie and Macquarie Streets frontages including the provision of new footings where the original had failed,
 - repairs, alterations and fit out to the Johnston Wing building including electrical modifications and air conditioning and painting to allow it to be tenanted,
 - the demolition and disposal of the casualty/radiology building at the rear of the main building,
 - the demolition of the external garage and gas storage area and,
 - the removal of the pathology building which was adjacent to what is now Peppercorn Place.

Included in the revised estimates is the completion of the fit out of the main building of the old hospital including electrical, hydraulic, air conditioning, connection of the cogeneration plant, provision of temporary cogeneration plant until the main plant is completed, alterations

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to suit the proposed tenancy, refurbishment and fit out of the old kitchen wing.

It has also been necessary to upgrade the lift to current WorkCover requirement and provide new fire protected electrical cables to the building.

- Professional Fees - the variation in the Professional Fees reflects the additional work required beyond that originally estimated for the design documentation of the library/gallery/commercial space building and the restoration of the main building of the old hospital as outlined previously. It also reflects the additional work required with the change from the original design for climate control for the library/gallery building to that of the cogeneration unit. Due to the length of time since the consultants originally put forward their fee proposal (almost four years) they have requested a variation in their fee proposal for an additional \$12,000 (twelve thousand dollars) which has also been reflected in the revised estimates shown.
- ESD/Cogeneration - the variation in the ESD/Cogeneration estimate is due to the change from the original proposal for climate control of the library/gallery/commercial building to the cogeneration plant and the decision to fund that plant rather than having it funded by an external party.
- Since the Manager of Policy and Corporate Communications has been on maternity leave, it has been necessary to provide backup in servicing the various Committees involved with the project. This has been achieved by employing Sonia Porter on a contract basis. This cost has also been reflected in the revised budget.

RECOMMENDATION:

That:

1. The information regarding the Cultural Infrastructure Project including the current status and the revised estimates and funding implications be received.
2. The offer by Catholic Health Care Services Ltd to lease the old kitchen wing at the rear of the old hospital building on the same terms and conditions as that already agreed for the main building be accepted and the original lease varied accordingly.
3. The restoration and fit out of the old kitchen building be undertaken.
4. A further report be prepared in relation to Council's Property Development Strategy for consideration of future sales and revenue strategies.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 21 **INF B - North Street Drainage (79346, 73947, 79647)**

Previous Item: 17, GPC (3 June 2003)

REPORT:

An update on the North Street Drainage Project was provided at the General Purpose Committee dated 3 June 2003 outlining the history of the project and the archaeological assessment required. Based on advice received from Heritage NSW an archaeologist was commissioned to undertake an archaeological assessment of the site.

The archaeological assessment was undertaken by Cultural Resources Management. This report with respective Section 140 (excavation permit) and Section 60 Applications, in accordance with the NSW Heritage Act, has been undertaken for all properties and submitted to NSW Heritage. The recommendation from the Archaeological Report is that the project proceed under strict instruction from NSW Heritage. The project employ an Excavation Director and a First Field Assistant. A final report and artefact analysis to be completed at the finalisation of construction and submitted to NSW Heritage.

The legal acquisition and purchase of the easement within all properties except No 25 is required. Representations were made by the owners of No 25 North Street to reconsider the position of the easement within their property due to concerns with the status of existing trees. This change has been accommodated and the engineering design amended to suit. As a result a new plan of survey will be undertaken to facilitate the change in position of the easement within No 25 North Street.

A revised estimate of cost has been undertaken taking into consideration aspects of the project, related to the archaeological assessment, legal costs and the like.

1	Archaeological assessment, report, work during construction and documentation related to site inventory and final report and artefact analysis	\$20,000
2	Easement acquisition costs (refer to Table 1)	\$25,000
3	Legal fees related to easement acquisition, valuation, survey plan, registration and associated dealings	\$30,000
4	Construction cost for the drainage works	\$140,000
Total		\$215,000

The available budget in the 2003/04 Works Program is \$68,000 (sixty eight thousand dollars). This leaves a shortfall of \$147,000 (one hundred and forty seven thousand dollars).

Table 1

Valuation undertaken by K D Wood Valuations Pty Ltd of the drainage easement.

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House No	Property	Valuation
39	Lot 182, DP593791	\$2,500
35	Lot 181, DP593791	\$2,200
33	Lot 19, DP745851	\$3,000
29	Lot 200, DP593790	\$2,800
25	Lot 201, DP593790	Nil
23	Lot 22, DP742267	\$8,700
21	Lot 23, DP743781	\$2,600
19	Lot 1, DP197134	\$2,600
17	Lot 25, DP742749	\$600
Total		\$25,000

Note: \$9,500 (nine thousand and five hundred dollars) was paid to the previous owner of No 25 North Street in 1998 for the easement.

Determination of this project proceeding is based on approval being granted by NSW Heritage.

It is proposed to proceed with finalising easement acquisition and compensation for all properties except No 25 North Street.

RECOMMENDATION:

That:

1. Acquisition of easement and compensation be undertaken to properties as listed.

House No	Property	Valuation
39	Lot 182, DP593791	\$2,500
35	Lot 181, DP593791	\$2,200
33	Lot 19, DP745851	\$3,000
29	Lot 200, DP593790	\$2,800
23	Lot 22, DP742267	\$8,700
21	Lot 23, DP743781	\$2,600
19	Lot 1, DP197134	\$2,600
17	Lot 25, DP742749	\$600
Total		\$25,000

2. The funding shortfall of \$147,000 (one hundred and forty seven thousand dollars) for the completion of the drainage works in North Street, Windsor be provided from the Drainage Loan Reserve.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 22 INF B - Street Lighting Request, Kurmond (19566, 79346)

REPORT:

The need for street lighting within the residential catchment of Erica Street, Jacqueline Place and Elizabeth Avenue, Kurmond has been requested by 1 (one) of the residents in Jacqueline Place.

Primarily the concern is that there is a pathway linking Jacqueline Place to Bells Line of Road through the Public Reserve (No 15A, Lot 42, DP246252), and at night this thoroughfare poses a potential risk due to no lighting. This pathway provides pedestrian access to the shops in Kurmond as well as buses and the like.

There are 46 (forty six) properties that directly abut these 3 (three) streets, of which 2 (two) are Public Reserves, namely Nos 14 & 15A Jacqueline Place. A survey of the 44 (forty four) residential property owners, by way of a questionnaire, was undertaken to ascertain their views relating to the acceptance of streetlighting. 30 (thirty) questionnaires were returned with 20 (twenty) supporting lighting and 10 (ten) against lighting.

Comments from residents are provided in the two tables attached.

Table 1 - comments received to **support** streetlighting

Property Address	Street frontage	Comment
30 Longleat Road	Longleat Road & Erica Street	- none provided
32 Longleat Road	Longleat Road & Erica Street	- happy with existing light at the corner of Longleat Road & Erica Street adjacent to No 30 Longleat Road. - Erica Street has very fast drivers.
2 Elizabeth Avenue	Elizabeth Avenue & Erica Street	- late 2003 there was a party in Elizabeth Street where gate crashers arrived damaging 12 cars. Police interviewed people at the time whereby eyewitnesses had trouble describing the attackers because it was too dark.
6 Elizabeth Avenue	Elizabeth Avenue	- none provided
10 Elizabeth Avenue	Elizabeth Avenue	- none provided
11 Elizabeth Avenue	Elizabeth Avenue	- none provided
15 Elizabeth Avenue	Elizabeth Avenue	- resident since 1998 - wondering when lighting would come - road is dark and unsafe - driveways difficult to see at night
2 Erica Street	Erica Street	- none provided

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Property Address	Street frontage	Comment
6 Erica Street	Erica Street	- motor vehicle recently stolen from driveway
9 Erica Street	Erica Street	- seen as much needed improvement - increasing incidents of minor vandalism may be stopped
13 Erica Street	Erica Street & Elizabeth Avenue	- lives at the end of Erica Street which is dark at night - difficult to see people walking at night - party was gate-crashed in 2003 resulting in the offenders hiding in the shadows and darkness - sensor lights on property do not extend to light up the street
473 Bells Line of Road	Elizabeth Avenue	- none provided
1 Jacqueline Place	Jacqueline Place & Erica Street	- feel safer at night - extremely dark at night
6 Jacqueline Place	Jacqueline Place	- happy to have as long as residents don't have to pay for it
7 Jacqueline Place	Jacqueline Place	- excellent idea - area very dark at night
10 Jacqueline Place	Jacqueline Place	- none provided
11 Jacqueline Place	Jacqueline Place	- pedestrian safety an issue with pathway through the reserve
12 Jacqueline Place	Jacqueline Place	- needed streetlighting for 20 years especially from a security/safety perspective
17 Jacqueline Place	Jacqueline Place	- none provided
25 Jacqueline Place	Jacqueline Place	- reduce incidence of public liability on the footpath linking Jacqueline Place to Bells Line of Road - lower the incidence of robbery and vandalism - light for vehicular & pedestrian traffic

INFRASTRUCTURE**Meeting Date: 1 June 2004**Table 2 - comments received **against** streetlighting

Property Address	Street frontage	Comment
4 Elizabeth Avenue	Elizabeth Avenue	- resident for 12 years - dwelling elevated above street, pole centrally located outside property. Six windows at the front of the house (3 for bedroom) - sleep with windows open and with lighting would need to install heavy drapes, and thus unfair financial burden - road caters for immediate resident traffic, not a through road - no pedestrian traffic at night - no traffic incidents at night - moved to this street with the knowledge of no street lights
8 Elizabeth Avenue	Elizabeth Avenue	- none provided
12 Elizabeth Avenue	Elizabeth Avenue	- none provided
14 Elizabeth Avenue	Elizabeth Avenue	- none provided
16 Elizabeth Avenue	Elizabeth Avenue	- resident for 15 years - dwelling elevated above street, pole centrally located outside property - property is within the centre of the cul-de-sac - 3 bedrooms face the street and the husband is sensitive to light - given the street is a no through road, minimal traffic enter at night - if streetlights were installed, it would give the residential catchment a high profile visible at night that may see an increase in vandalism - streetlighting does not increase the security of a property, properties along Longleat Road were recently vandalised. There is existing streetlighting at these properties - does not want the street to look like suburbia

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5 Erica Street	Erica Street opposite Jacqueline Place	- resident for 12 years - property is at the intersection of Erica Street & Jacqueline Place - pole is directly outside property and would be an obvious location for lighting - has not experienced any problem to justify the installation of lighting - enjoys the night sky
7 Erica Street	Erica Street	- none provided
8 Jacqueline Place	Jacqueline Place	- live in semi-rural environment and enjoy the area - lighting will encourage young people to loiter in the street
9 Jacqueline Place	Jacqueline Place	- none provided
21 Jacqueline Place	Jacqueline Place	- none provided

Residents supporting and against lighting are widespread over the catchment.

The results of the survey do not provide a clear mandate. Whether street-lighting is provided or not, will result in a proportion of residents being dissatisfied.

The 20 (twenty) properties in support of lighting raise common points such as vandalism, theft, pedestrian and road safety. In relation to road safety, the RTA accident data base indicates no reported incident for the period from July 1996 to June 2003.

The 10 (ten) properties against lighting raise common issues such as intrusion of lighting into their homes, the semi-rural aspect they live in, only residential traffic use these roads.

Providing lighting to these 3 (three) streets will not be unique given that Longleat Road from Bells Line of Road to Erica Street has existing lighting.

Isolating the lighting specifically to those properties in favour is not possible. In accordance with AS1158, for residential roads having overhead power, the basic lighting category shall be P5, ie luminaires with an 80W HP Mercury lamp on every other pole. With underground power the space is approximately 55 (fifty five metres).

The attached Kurmond Streetlighting Survey Plan indicates the proposed locations for lighting. The plan further outlines the properties both in support and against the lighting.

Estimated cost (Schedule 1) for the 9 (nine) street lights on existing power poles is \$3,850 (three thousand eight hundred and fifty dollars) with an annual charge increase of \$726.57 (seven hundred and twenty six dollars and fifty seven cents) [all prices inclusive of GST]. Estimated cost (Schedule 1) for the 2 (two) lights within the pathway through the Public Reserve mounted on steel columns and connected by underground cable is \$6,050 (six thousand and fifty dollars) with an annual charge increase of \$457.32 (four hundred and fifty seven dollars and thirty two cents) [all prices inclusive of GST].

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RECOMMENDATION:

That:

1. Street lighting not be provided in Erica Street, Jacqueline Place and Elizabeth Avenue, Kurmond.
2. Lighting along the pathway within the Public Reserve (15A Jacqueline Place) be installed.
3. Funding for lighting be provided from the street lighting budget.

ATTACHMENTS:

AT - 1 Sketch Plan of survey area

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Item: 23 **INF B - Laneway at 20 Harradine Crescent, Bligh Park (5489, 5490, 12290, 12291, 12292, 80096)**

REPORT:

Residents from 6 and 7 Walter Close and 20 Harradine Crescent, Bligh Park have requested that the pedestrian laneway between their properties be closed. The laneway provides a link between Harradine Crescent and Youl Place Reserve. A plan showing the laneway will be on display at the meeting.

The residents advise that during the last few years a number of incidents have occurred resulting in missiles such as drink bottles, broken glass, sticks, rocks and food litter have been thrown over the fences as well as onto their roofs. This has resulted in minor damage to property and potential serious injury to these residents. Furthermore, fencing panels have had graffiti painted on them and have been vandalised.

The laneway is 5.0 (five) metres wide with a 1.2 (one point two) metre wide concrete footpath, 450mm (four hundred and fifty millimetres) diameter stormwater pipe and associated drainage pits. The laneway is similar to other laneways in Bligh Park in that it serves as a dual purpose in providing both pedestrian access as well as a corridor for the drainage network - both street and interallotment.

Youl Place Reserve is part of a pathway and drainage network whereby this laneway is 1 (one) of the main links and is an integral part of the network. This network in conjunction with the reserve provides the amenity for people to participate in recreational activities. In relation to pedestrian access, the laneway provides a link for residents extending to the south past Colonial Drive to link up with areas to the north towards Rifle Range Road. This linking can be undertaken without traversing the full length of the adjoining streets.

Given the current infrastructure within the laneway and its use for pedestrian access, it is considered that this laneway should remain open to the public.

RECOMMENDATION:

That the laneway between lots 359, 360 and 361 DP735023 (house numbers 6 and 7 Walter Close and 20 Harradine Crescent, Bligh Park) remain open to the public.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 24 **INF B - Electricity Tender Purchase - State Contract, Energy Australia (79557)**

REPORT:

The State Contracts Control Board has reselected Energy Australia as its electricity retailer from 1 July 2004 to 30 June 2006 (2005 for small sites). Council's current contract with Energy Australia, for the retail supply of electricity to our large sites, expires on 30 June 2004. It will be necessary to renew the contract for large sites and if desired roll in additional sites.

The large sites are:

- Oasis Centre, Church Street, South Windsor
- Sewage Treatment Plant, Fairey Road, South Windsor
- Indoor Stadium, Stewart Street, South Windsor
- Council Administration Buildings, George Street, South Windsor
- Windsor Function Centre, Dight Street, Windsor.

As the Old Hospital precinct is a cogeneration site, energy usage will be separately negotiated with suppliers. Council's 133 (one hundred and thirty three) small sites are currently supplied by Integral Energy under a standard agreement. Integral recently made an offer of 5.9068c/Kwh to supply electricity to these sites under a negotiated supply agreement. Energy Australia has offered (under the State Contract) the price of 4.5159c/Kwh. Full costs are shown in the table below.

Description	Total incl GST	% Savings
Current annual Energy Cost (133 sites - Integral Energy)	\$140,218.02	-
Estimated annual cost on Negotiated Supply with Integral Energy	\$131,257.82	6.40
Estimated annual cost on State Contract 777 - Energy Australia	\$121,431	13.40
Estimated annual savings on 777 over Integral's contract	\$9,826.82	7.49

Purchasing electricity from Energy Australia under the State Contract 777 will provide a 13.4% (thirteen point four per cent) saving per annum over the existing agreement and 7.49% (seven point four nine per cent) saving per annum over Integral Energy's recent offer.

INFRASTRUCTURE

Meeting Date: 1 June 2004

RECOMMENDATION:

That:

1. The State Contract 777 agreement with Energy Australia for supply of electricity to Council's 5 (five) large sites be renewed from 1 July 2004 to 30 June 2006.
2. A new agreement to supply electricity to Council's 133 (one hundred and thirty three) small sites be entered into with State Contract 777, Energy Australia from 1 July 2004 to 30 June 2005.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

INFRASTRUCTURE

Meeting Date: 1 June 2004

Item: 25 **INF B - Unauthorised clearing 38 Stewarts Lane, Wilberforce (87011, 107)**

Previous Item: 72, Ordinary (4 November 2003)

REPORT:

Following the unauthorised clearing of trees and vegetation from the land at 38 Stewarts Lane Wilberforce, Council resolved to at the Ordinary Meeting of 4 November 2003

A *That:*

1. *"The report be received.*
2. *The landowner be requested to enter into a written undertaking to carry out the following:*
 - a. *rehabilitate the property by planting native species of trees throughout the cleared area and to the satisfaction of the Manager, Parks and Recreation;*
 - b. *that the felled trees be retained on the land, mulched and the mulch material used in the rehabilitation process as ground cover to assist in the control of erosion;*
 - c. *that no further land clearing works of native vegetation will be undertaken on the land without written approval having first been obtained from Hawkesbury City Council.*
3. *That the rehabilitation works be carried out and completed within 6 (six) months of the date provided in the undertaking.*
4. *Should the landowner not agree then the matter should be referred to Council's solicitor.*
5. *Professional advice be sought relating to a Plan of Management to restore the property back to its original state with similar or, at least threatened species of trees to be replanted.*
6. *A bond be entered into with the property owner to ensure the restoration is carried out.*
- B. *A further report be provided to an appropriate Council meeting regarding the clearing of land along property fence lines to allow new fencing to be erected.*
- C. *That the additional information be received.*

INFRASTRUCTURE

Meeting Date: 1 June 2004

Mr MacDonald entered into the undertaking to revegetate the site on 20 November 2003 and provided a bond of \$50,000 (fifty thousand dollars). The 6 (six) month period agreed expired on the 20 May 2004. Mr MacDonald has employed consultants Treehaven Environscapes to undertake the work and prepare the plan of management for this site.

Following phone calls in December and a site meeting in February it was raised with the consultant that the plan of management was a high priority. The plan of management is the instrument that should guide the rehabilitation process. The initial draft of the plan of management, received in March, was very brief and did not address issues such as methodology and ongoing maintenance. A meeting was held with both the Consultant and the owner, Mr Bruce MacDonald, indicating that the plan was not adequate and advice was given on how to improve it. A copy of the Department of Infrastructure, Planning and Natural Resources guidelines on how to prepare a Vegetation Plan of Management was also provided.

The Consultant raised the issue that up until that meeting that Council staff had given no advice on how to prepare the plan of management. It is felt, however, that a professional employed to undertake this work should have the knowledge to prepare such a plan. The consultant is now undertaking a fourth draft.

Due to time running out to complete the project within the 6 (six) month period, the consultant has proceeded to revegetate the site prior to the plans of management being accepted. Whilst revegetation is a positive result it may contradict the plan of management once it is completed.

While the property owner has attempted to undertake the works required within the allocated time frame, the plan of management has not been completed and the plantings, only recently undertaken could well be detrimentally affected by the current weather conditions and winter frosts. It would be appropriate for a 2 (two) month extension of time to be granted for the completion of the plan of management with the bond being retained for a further 6 (six) months to ensure the works are in accordance with the plan and have been maintained appropriately.

RECOMMENDATION:

That:

1. An extension be granted for the completion of the plan of management for a further 2 (two) month period.
2. The bond be retained for a further 6 (six) month period after the completion and acceptance of the plan of management.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

INFRASTRUCTURE

Meeting Date: 1 June 2004

Item: 26 INF B - Road Naming Proposal - Forest Place, South Windsor (3560, 79346)

REPORT:

Incorporated within a 12 (twelve) lot residential subdivision of Lot 1, DP847804, Woods Road, South Windsor undertaken by Landcom is a public road running in a generally north-east direction from Woods Road.

The plan of subdivision, including the designated name of "Forest Place" was registered by the Land Titles Office as DP1065214 on 6 May 2004.

Whilst this method of road name allocation is contrary to Council's road naming procedure which incorporates guidelines laid down by the Geographical Names Board of New South Wales, having regard to the fact that the deposited plan has been registered at the Land Titles Office, it is felt that this matter is too far advanced for Council to alter the road name.

Accordingly, it is recommended that Council might adopt the road name "Forest Place".

RECOMMENDATION:

That the public road created in DP1065214 and designated as "Forest Place" be named "Forest Place".

ATTACHMENTS:

AT - 1 Sketch plan

INFRASTRUCTURE

Meeting Date: 1 June 2004

Item: 27 INF B - Un-named Road, Mulgrave - Naming Proposal (79338)

REPORT:

Incorporated within a 16 (sixteen) lot industrial sub-division of Lots 4, 6 & 7 DP235303 and Lot 209 DP752061, Park Road and Railway Road North, Mulgrave is provision of a public road running in a generally north-west direction from Park Road. The road is constructed for its full length of approximately 230 (two hundred and thirty) metres.

At present, Stage 1 of that sub-division has been registered at the Land Titles Office, with approximately Chainage 0-95, measured from Park Road, dedicated as public road; the balance, being approximately Chainage 95-230, is to be dedicated as public road upon registration of Stage 2 with the Land Titles Office.

With regard to that section dedicated as public road the developer has installed a road name sign "Precision Place" unaware of guidelines issued by the Geographical Names Board of New South Wales and the requirements of the Roads Act, 1993. Under the latter, public comment is to be sought with Council resolving to adopt the use of a name, and that adopted name being advertised in the Government Gazette.

The developer has advised that use of the name "Precision" is predicated on a condition of sale by a vendor selling lots for development. That name was carried forward into sales/promotional material as it suited an industrial locality. It is understood that some of those lots may have been sold with the road name appearing in property details at finance facilities, etc.

Whilst Council in the past has placed emphasis on names having a local historical background, it is felt that on this occasion Council may wish to proceed with the name "Precision Place" given the extent to which the name has been used.

In addition, this road naming application arises from a Development Application which attracts any number of costs to be borne by a developer. It is felt reasonable that advertising/administrative costs should be borne by the developer in respect of this application and this is reflected in the recommendation below.

RECOMMENDATION:

That subject to the developer paying to Council a sum of \$750.00 (seven hundred and fifty dollars) to cover advertising/administrative costs, that public comment be sought regarding naming of the proposed public road commencing at Park Road, Mulgrave between Lots 108 and 110, DP1066062 and extending in a north-westerly direction for a distance of approximately 230 (two hundred and thirty) metres, as "Precision Place".

INFRASTRUCTURE

Meeting Date: 1 June 2004

Item: 28 **INF B - Un-named Laneway, Richmond - Proposed Naming (79346)**

Previous Item: 14, Ordinary 10 June 2003

REPORT:

Council, at its meeting held on 10 June 2003 resolved that public comment be sought regarding naming of the presently un-named public road bounded by Faithfull, Bowman, Pitt and Hobart Streets, Richmond as "Gavin Lane".

Public comment was sought by way of advertisement in the Hawkesbury Gazette and correspondence addressed to residents/owners in the vicinity of the laneway as well as various authorities.

At the time of closure of public comment the Department of Lands had advised no objection to the proposed name; no other comment had been received.

By correspondence dated 26 May 2003 the Hawkesbury Historical Society had suggested the use of the proposed name.

RECOMMENDATION:

That the presently un-named public road bounded by Faithfull, Bowman, Pitt and Hobart Streets, Richmond, be named "Gavin Lane".

ATTACHMENTS:

AT - 1 Sketch Plan

INFRASTRUCTURE

Meeting Date: 1 June 2004

Item: 29 **INF B - Un-named Laneway, South Windsor - Naming Proposal (7233, 79346)**

Previous Item: 41, Ordinary 4 November 2003

REPORT:

Council, at its meeting held on 4 November 2003 resolved that public comment be sought regarding naming of the presently un-named lane bounded by Bell, Ham, Mileham and Macquarie Streets, South Windsor as "Eather Lane".

Public comment was sought by way of advertisement in the Hawkesbury Gazette and correspondence addressed to various authorities and owners of property affected by the proposal.

At the time of expiration of the public comment period 6 (six) representations had been received, as follows:

- a. support - 4
- b. no objection - 1
- c. objection - 1

Objection to the proposal is by a resident having frontage to the laneway between Argyle and Campbell Streets, with the objection based on cost and inconvenience in alteration of address in relation to title deeds, insurance, mail, telephone, etc.

Whilst appreciating those concerns, regard must be given to the following issues:

1. the subject laneway has potential to be more intensively developed with an increasing number of properties having frontage to the laneway; and,
2. an over-riding principle of road naming is to provide certitude of location, particularly in relation to emergency services; delay in response times may have critical impact in this latter situation.

On balance, it is felt that this lane should be named "Eather Lane".

RECOMMENDATION:

That the presently un-named lane bounded by Bell, Ham, Mileham and Macquarie Streets, South Windsor be named "Eather Lane".

general
purpose
committee

section 3

organisation
and resources

ORGANISATION AND RESOURCES

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SECTION 3 - ORGANISATION AND RESOURCES

Item: 21 ORG A - Monthly Financial Report - April 2004 (79349)

REPORT:

Summarised below, are particulars of both the income received and the expenditure incurred by Council for April 2004. This information has been reconciled between the cashbook and the bank statement balance as at the end of April 2004. All expenditure is fully supported by vouchers and invoices which have been duly certified.

April 2004

Cash Book (General Ledger) Reconciliation - April 2004

Opening Balance as at 1 April 2004	-743,514.85
Add Receipts for the Month	5,786,184.06
Less Payments for the Month	-4,953,865.29
Closing Balance as at end of April 2004	88,803.92

Bank Statement Balance - April 2004

Statement Balance as at end of April 2004	\$155,539.57
Less Unpresented Cheques	-\$139,703.39
Add Outstanding Deposits	\$74,916.47
	\$90,752.65
Adjustment: Statement entries not yet posted to GL	-\$1,948.73
Equals balance as per Cash Book	\$88,803.92

Commentary

The above reconciliations reflect the cashflow for April 2004. Receipts include rate payments, fees and charges, grant payments and matured investments. Expenditure for the month typically consists of payments to contractors, employee salaries, purchase of stores and materials and lease/loan repayments.

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The bank account balance may vary significantly from the cashbook balance. The difference is made up of unpresented cheques, outstanding deposits and bank statement entries that have not yet been recorded in the general ledger.

Cash management procedures are in place that ensure adequate funds are available to meet daily expenditure obligations. Active cash management minimises the risk of Council's bank account going into an overdraft situation.

Any surplus funds are invested so as to maximise interest earnings.

Investments - April 2004

The Local Government (Financial Management) Regulation requires that each month, details of all money that has been invested under section 625 of the Local Government Act, 1993 be reported to a meeting of Council.

The following table outlines the investment portfolio held by Council as at the end of April 2004. All investments have been made in accordance with the Act, Regulations and Council's Investment Policy.

March 2004

Investment Type	Balance Brought Forward	Deposits	Withdrawals	Accrued Interest	Balance End of Month
Managed Funds	\$17,618,831.29			\$81,356.52	\$17,700,187.81
On Call Funds	\$4,750,000.00	\$400,000.00	-\$2,850,000.00		\$2,300,000.00
Term Investments	\$1,235,000.00		-\$415,000.00		\$820,000.00
Rolling Investments	\$8,845,221.65			\$20,382.84	\$8,865,604.49
TOTAL	\$32,449,052.94	\$400,000.00	-\$3,265,000.00	\$101,739.36	\$29,685,792.30

Investment Commentary

As can be seen from the above table, the investment portfolio decreased by approx \$2.75 million in April 2004. This can be attributed to the contract payments associated with the construction of the new library building and old hospital site.

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

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

Managed Fund performance exceeded the benchmark index in April 2004. Official cash interest rates have remained unchanged since the last increase of 0.25% in early December 2003 to 5.25%.

Geoff Banting
Responsible Accounting Officer

RECOMMENDATION:

That the information be received

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORGANISATION AND RESOURCES

Meeting Date: 1 June 2004

Item: 22 ORG A - Application for Exemption from Rating (79349)

REPORT:

An application has been received from Carroll and O'Dea, Solicitors on behalf of Boystown requesting exemption from rating for the property known as 884 Kurmond Road, North Richmond. (Lot 1 DP 595209, - Property Number 15708).

The property in question is the San Miguel Centre and is used for various purposes including refuge accommodation, crisis centre and education facility.

Boystown is a not for profit Company limited by guarantee incorporated under Corporations Law. The previous registered proprietor, Trustees of the De La Salle Brothers received a rate exemption on the property as it was used for charitable purposes. The Trustees of the De La Salle Brothers caused the incorporation of Boystown to take over the charitable works formerly carried on by the Brothers.

On 26 March 2004, the Trustees of the De La Salle Brothers transferred the property to Boystown. Application has now been made for the same rate exemption that applied to the Trustees of the De La Salle Brothers be now granted to Boystown.

The application for rate exemption satisfies the criteria under the section 556 provisions of the *Local Government Act, 1993*:

"S.556 (1) The following land is exempt from all rates;

(h) land that belongs to a public or benevolent institution or public charity and is used or occupied by the institution or charity for the purposes of the institution or charity;

It is recommended that Boystown be granted rate exemption from the transfer date of 26 March 2004.

RECOMMENDATION:

That the application for rate exemption on the properties known as 884 Kurmond Road, North Richmond. (Lot 1 DP 595209, - Property Number 15708) be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORGANISATION AND RESOURCES

Meeting Date: 1 June 2004

Item: 23 **ORG A - Association of Independent Retirees (AIR) Limited (89834)**

Previous Item: Mayoral Minute, Ordinary (11 May 2004)

REPORT:

At the Ordinary Meeting of Council held on 11 May 2004, a Mayoral Minute was presented on representations made by the Hawkesbury Branch of the Association of Independent Retirees (AIR) Limited.

At that meeting, it was requested that additional information be provided on the financial impact of extending pensioner rating concessions to eligible independent retirees. The following information details the current cost of providing pensioner concessions and provides an estimate of the cost of extending the concessions to eligible independent retirees.

2003/2004 Rate Levy Statistics

Number of Pensioners	Approx: 2970
Proportion on Sewer	Approx: 830 (27.95%)
Proportion on Sullage	Approx: 185 (6.23%)

Ordinary Rates and Domestic Waste Management Charge

The Local Government Act provides for pension rebates of up to 50% (fifty per cent) of the aggregated ordinary rates and domestic waste management service charges, to a maximum of \$250.00 (two hundred and fifty dollars).

Under the State's mandatory Pensioner Concession Scheme, the State Government reimburses Council 55% (up to \$137.50 per property) of the rates and charges written off under the provisions of the Act. Council funds the remaining 45% (up to \$112.50).

Total Rebates processed	\$631,000.00
Value of Subsidy	\$347,050.00
Cost to Council	\$283,950.00

Environmental Stormwater Management Special Rate

Applies to all rateable properties \$37.85 (2003/2004)
No pensioner concession available

Sewerage Services

A concession is available to eligible pensioners who are subject to the residential connected charge under the Windsor Sewerage Scheme. The rebate granted represents 50% (fifty per cent) of the annual charge for a connected residential service.

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The rebate for the 2003/2004 rating year has been \$179.40 (one hundred and seventy nine dollars and forty cents) per annum. The mandatory concession in respect to Sewer Charges is \$87.50 (eighty seven dollars and fifty cents) of which the State Government provides a reimbursement to Council of 55% (fifty five per cent) (\$48.13). This amount has remained unchanged since 1989. Council funds the difference which for 2003/2004 has been \$131.27 (one hundred and thirty one dollars and twenty seven cents) per property.

Total Rebates processed	\$122,200.00
Value of Subsidy	\$32,800.00
Cost to Council	\$89,400.00
Cost to Council above mandatory	\$62,500.00

Sullage Services

Council provides eligible pensioners receiving a sullage pump-out service with a pensioner subsidy additional to that received for rates and garbage. This subsidy is not available to pensioners who have non-eligible adult residents living at their property. This rebate is fully funded by Council. The State Government provides no assistance towards pensioners on the sullage service.

The amount of the rebate provided is determined each year in line with the increase of the annual charge. For 2003/2004, the annual charge was \$1,205.00 (one thousand, two hundred and five dollars). To maintain the previous pensioner concession level of 45% (forty five per cent), the pensioner concession amount for 2003/2004 was increased to \$542.00 (five hundred and forty two dollars).

Total Rebates processed	\$100,370.00
Value of Subsidy	Nil
Cost to Council	\$100,370.00

Summary

Cost of Mandatory Rebates	\$310,850.00
Additional Cost above Mandatory	\$162,870.00
Total Cost	\$473,720.00

Extension of Pensioner Concessions to eligible Self Funded Retirees

To calculate the financial cost of extending the current pensioner concessions to eligible self funded retirees, it is necessary to know how many eligible self funded retirees exist within the Hawkesbury area. This information is not readily available, however estimates by the Hawkesbury Branch of the Association of Independent Retirees (AIR) Limited put the percentage ratio of self funded retirees to eligible pensioners at approximately ten percent.

It is noted that the Federal Government offer to fund 60% (sixty per cent) of the cost of extending pensioner concessions to self funded retirees was only made to the States and not to Local Government. Consequently, the extension of any pensioner concessions would currently need to be fully met by Council. The following table provides an estimate of the cost:

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Number of Rebates	Rates / Garbage	Sewer	Sullage	Total Cost
100	\$25,000	\$5,014	\$3,377	\$33,391
300	\$75,000	\$15,043	\$10,130	\$100,173
500	\$125,000	\$25,071	\$16,883	\$166,954

As stated in the Mayoral Minute of 11 May 2004, it is considered more appropriate that any extension of pensioner concessions be made via the State Government. Accordingly it is recommended that the Mayor's offer to write to both the Local State Members of Parliament in support of the State Government accepting the Federal Government offer of funding 60% (sixty per cent) and extending the State legislated pensioner concessions provided against council rates and charges be supported. It is further recommended that the matter be raised with the Local Government Association (LgovNSW), seeking support from the Association to lobby the State Government to accept the Federal Government offer.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORGANISATION AND RESOURCES

Meeting Date: 1 June 2004

Item: 24 **ORG B - Future Operation of the Hawkesbury Cultural Precinct - (80228)**

Previous Item: 56, Ordinary (11 May 2004)

REPORT:

At its Ordinary Meeting held on 11 May 2004, Council resolved to defer its consideration of recommendations regarding the future operation and management of the Hawkesbury Cultural Precinct. Council adopted the following resolutions:

"That;

- 1. This matter be deferred to the next General Purpose Committee Meeting*
- 2. All appropriate persons be notified of this resolution."*

Notices were placed in the Hawkesbury Gazette on 19 and 26 May advising residents of Council's resolution and inviting interested persons to attend the GPC meeting. In addition Council staff met with the Friends of the Hawkesbury Art Collection and Regional Gallery Inc. on Wednesday, 26 May 2004 and with the Hawkesbury Historical Society Inc. on Thursday, 27 May 2004 to advise these organisations of Council's resolution and to provide an opportunity to consider the matters raised in the Council Report.

The Council Report which was included in the Business Papers for the Ordinary meeting held on 11 May 2004 is reproduced below.

This report has been prepared to provide Councillors with information regarding the proposed arrangements and framework for the future management and operation of the Hawkesbury Cultural Precinct.

Councillors will be aware that the construction of the new Library/Gallery building is currently underway and is expected to be completed by the end of 2004. Construction of the Hawkesbury Regional Museum is yet to commence but will proceed following the receipt of approval from the Heritage Council. The expected completion date for the Museum is anticipated to be March 2005 (subject to the acceptance of a tender).

Following consultation with the Museum and Galleries Foundation of NSW, a proposed framework for the future management and operation of the Hawkesbury Cultural Precinct has been developed. The development of the proposed framework has also taken into consideration the findings and recommendations of the *Hawkesbury Gallery Operations and Management Strategic Plan* prepared by John Kirkman (Director Penrith Regional Gallery and The Lewers Bequest), the draft Memorandum of Understanding prepared by the Hawkesbury Historical Society Inc. and Council's recent decision to adopt a 'pro-forma' constitution for the operation of Council Advisory Committees.

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Attachment 1 outlines a draft Memorandum of Understanding (MoU) to establish the partnership agreement that would be required to guide the future management and operation of the Hawkesbury Cultural Precinct. The MoU includes a draft constitution for the proposed Hawkesbury Cultural Precinct Advisory Committee. Members of the Hawkesbury Historical Society Inc. and the Friends of the Hawkesbury Art Collection and Regional Gallery Inc. have expressed considerable interest in the content of these documents.

Outlined below is a summary of the principles and components of the proposed framework.

Principles for the future management and operation of the Hawkesbury Cultural Precinct

The framework for the future management and operation of the Hawkesbury Cultural Precinct has taken into consideration the following matters;

- a. the need to establish a formal partnership between Hawkesbury City Council, the Hawkesbury Historical Society Inc. and the Friends of the Hawkesbury Art Collection and Regional Gallery Inc. (FOHAC&RG) to negotiate agreed arrangements for the transfer, management, conservation and exhibition of the museum and gallery collections which are currently owned or held in trust by the Historical Society and FOHAC&RG;
- b. the need to identify operational procedures that will enable the Historical Society and FOHAC&RG to support the operation of the Hawkesbury Cultural Precinct through the provision of expertise and advice to ensure high interpretive and collection management standards, and through their continued involvement in assisting in the day-to-day operation of these facilities in a volunteer capacity;
- c. the need to co-ordinate the operation of the Museum, Gallery and Library to optimise opportunities for planned, integrated and thematic displays and public programs across all these facilities and to achieve operating efficiencies with regard to both financial and human resources;
- d. the need to optimise the commercial opportunities to be created by the Cultural Precinct by ensuring that the Precinct can become a sophisticated tourism destination for visitors seeking to explore the Hawkesbury and surrounds;
- e. the need to ensure that the Cultural Precinct will be managed in a way that will maximise community access to the cultural facilities within the Precinct through the creation of opportunities for shared cultural expression and participation for the wider community;
- f. a recognition that Hawkesbury City Council has a responsibility to foster community cultural development within the City of Hawkesbury.

Components of the proposed framework for the future management and operation of the Hawkesbury Cultural Precinct

The framework for the future management and operation of the Hawkesbury Cultural Precinct incorporates the following components;

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- a. the Cultural Precinct will be managed as an integrated functional area of Council and will include the Library (both Windsor and Richmond), Gallery and Museum;
- b. Council will assume responsibility for the day-to-day management of the Museum and Gallery retaining accountability for all regulatory, funding, legal, financial, industrial, operational and administrative functions (for an initial minimum period of three years).
- c. an Advisory Committee (*The Hawkesbury Cultural Precinct Advisory Committee*) will be established to provide advice and recommendations to Council (through Council's professional staff) regarding the development of policies and procedures for the operation of the Museum, Gallery and Library. The role and authority of the Advisory Committee will be governed by a constitution drafted in accordance with Council's adopted pro-forma constitution for Council Advisory Committees.
- d. the Advisory Committee will have the capacity to establish up to three sub-committees (Museum, Gallery and Library) to assist professional staff in the drafting of collection management policies and exhibition programs, and to facilitate the continued involvement of volunteers in the day-to-day running of each facility. These sub-committees will have no formal status as Council Committees but will nevertheless be required due to particular circumstances regarding the ownership of the collections to be displayed within the Museum and Gallery. [The establishment of the proposed Advisory Committee and sub-committees will ensure that the Historical Society and FOHAC&RG will continue to play a critical a role in the management of the Museum and Gallery collections, its exhibitions and public programs].

Hawkesbury Gallery: Operations and Management Strategic Plan

In 2002, Hawkesbury City Council engaged Mr John Kirkman, the Director of the Penrith Regional Gallery and Lewers Bequest, to prepare a Operations and Management Strategic Plan for the proposed Hawkesbury Gallery. In April 2004, Council received the Final Report from Mr. Kirkman. The Final Report has been provided to Councillors as a separate attachment. In broad terms, the findings of Mr Kirkman's report are as follows;

- a. Council should adopt a policy of community cultural development in the management of the Hawkesbury Gallery (the gallery should be a focus for community access and cultural development that can engage the wider community and attract diverse audiences rather than a static venue for traditional forms of visual arts);
- b. the Gallery should ideally fit within an integrated cultural precinct;
- c. the operations of the Gallery may be compromised by its location;
- d. due to resource constraints and likely community expectations, the Gallery should have a district wide brief and not be considered a 'regional' gallery;
- e. the operations, programming and staffing of the Gallery should be based on 'Community Access and Outreach Exhibitions Gallery' model;

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- f. conflict between competing sectoral interests has contributed to a diminished outcome for the Gallery and Council will need to develop a clear and distinct identity for the new gallery if it is to achieve its potential;
- g. existing art collections should be integrated into a single collection entity and be formally accessioned by Council and a collection management policy be developed to guide future acquisitions and the de-accessioning of non-significant artworks;
- h. Council should design and fund a public art strategy for the Cultural Precinct;
- i. a mentorship program (between the Gallery and the Penrith Regional Gallery and Lewers Bequest) be implemented.

The recommendations contained in Mr. Kirkman's report have been carefully considered and have been incorporated within the proposed operating framework for the Cultural Precinct (where available resources allow).

Council Representation on the Board of the Penrith Regional Gallery and The Lewers Bequest

Council has recently received the Annual Report of the Penrith Regional Gallery and The Lewers Bequest. An invitation has been extended to Council to appoint a Councillor representative to sit on the Board of the Penrith Regional Gallery and The Lewers Bequest. The Mayor, has previously been nominated as Council's representative on the Board.

RECOMMENDATION:

That:

1. The Draft Memorandum of Understanding for the Hawkesbury Cultural Precinct be received.
2. The Draft Memorandum of Understanding for the Hawkesbury Cultural Precinct be released for public comment and consultation for a period of 28 days.
3. A further report be prepared for Council summarising the outcome of submissions and consultations for consideration by Council prior to a decision to formally adopt and execute the Memorandum of Understanding. This report to be prepared for the General Purpose Committee Meeting of Council to be held on 22 June, 2004.
4. Council receive and release the *Hawkesbury Gallery Operations and Management Strategic Plan*.
5. Council to consider the request of the Penrith Regional Gallery and The Lewers Bequest for a Councillor representative to sit on its Board of Management.

ORGANISATION AND RESOURCES

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ATTACHMENTS:

AT - 1 Memorandum of Understanding: Hawkesbury Cultural Precinct

AT - 2 Hawkesbury Gallery Operations and Management Strategic Plan (Distributed under separate cover)

MEMORANDUM of UNDERSTANDING

HAWKESBURY CULTURAL PRECINCT

A partnership agreement to provide a framework for the management and operation of the Hawkesbury Cultural Precinct.

Part 1. Preliminary**1. Definitions**

- 1.1 *'Hawkesbury Cultural'* refers to Council owned- buildings including (but not limited *Precinct'* to) the new Hawkesbury Regional Museum to be located on Baker St., Windsor; the old Hawkesbury Museum located in Howe's House, Thompson Sq. Windsor; the new Gallery/Library Building located on the Old Hospital Site, George St. Windsor and the Richmond Branch Library located in West Market St. Richmond. For the purpose of this Memorandum of Understanding, these buildings, though not physically located on the one site, are to be considered as a Cultural Precinct.
- 1.2 *'Hawkesbury Regional Museum'* refers to non-profit public facilities located at Howe's House in Thompson Sq. Windsor, and the new Museum extension to be located on Baker St, Windsor. These facilities will provide visitors with ready access to information concerning the natural and cultural heritage of the City of Hawkesbury and surrounds. These facilities will also provide effective care and protection of items of significance, conduct public programs, participate in research projects and house permanent, temporary and travelling exhibitions. These facilities will be responsive to the aspirations and expectations of the wider community, and will operate in a manner which complements the cultural, arts, community and commercial goals of the City of Hawkesbury.
- 1.3 *'Hawkesbury Gallery'* refers to a non-profit public facility to be located within the new Library/Gallery building on George St. Windsor. This facility will provide a community focal point for a program of centre-based and outreach community cultural development that seeks to engage the community in the interpretation and celebration of their diverse cultures, heritage and life experiences. This facility will also provide effective care and protection of the City of Hawkesbury art collection, conduct public art programs, act as a venue for local promotions and house permanent, temporary and travelling exhibitions which have a thematic resonance with the Hawkesbury environment and communities. This facility will be responsive to the aspirations and expectations of the wider community, and will operate in a manner which complements the cultural, arts, community and commercial goals of the City of Hawkesbury.
- 1.4 *'Hawkesbury City Council Library Service'* refers not-for- profit public facilities which include the Richmond Branch Library located on West Market St. Richmond and the new Windsor Central Library to be located within the new Library/Gallery building on George St. Windsor. These facilities will provide a free and accessible

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- public library service to people in the City of Hawkesbury. These facilities will also provide effective care and protection of both general and specialist library collections conduct a range of public library programs and activities, and provide access to information and recreational resources. These facilities will be responsive to the aspirations and expectations of the wider community, and will operate in a manner which complements the cultural, arts, community and commercial goals of the City of Hawkesbury.
- 1.5 *'Hawkesbury Cultural Precinct Advisory Committee'* refers to an advisory committee to be established by Hawkesbury City Council (as an advisory committee delegated under Sec. 377 of the Local Government Act 1993) to provide advice and recommendations to Hawkesbury City Council on matters pertaining to the operation of the Hawkesbury Cultural Precinct and such other matters as Council may from time-to-time seek advice (hereinafter referred to as the 'Advisory Committee'). The objectives, roles, membership and procedures of this committee will be in accordance with the provisions of the constitution adopted by Council for the Hawkesbury Cultural Precinct Advisory Committee (see **Attachment 2**).
- 1.6 *'Committee Members'* refers to those persons who have been appointed by Council to the Advisory Committee according to the procedures outlined **Paragraphs 5 and 6** of the constitution of the Advisory Committee.
- 1.7 *'Responsible Agency'* refers to Hawkesbury City Council who will be responsible for the day-to-day management and operation of the Hawkesbury Museum, the Hawkesbury Gallery and the Hawkesbury City Council Library Service. As the *responsible agency*, Hawkesbury City Council will be responsible for the regulatory, funding, legal, financial, industrial, staffing, accreditation, operational and administrative requirements associated with the operation of the Cultural Precinct.
- 1.8 *'Museum Advisory sub-committee'* refers to a committee which may be established by the Advisory Committee (pursuant to the provisions of Paragraph 7 (m) of the constitution of the Advisory Committee) to provide advice and recommendations for consideration by the Advisory Committee in relation to the operation of the Hawkesbury Regional Museum (and the Hawkesbury Cultural Precinct in general). The Museum Advisory sub-committee to be made up of members of the Hawkesbury Historical Society Inc., with provision made for the Museum Curator and Cultural Services Co-ordinator to attend meetings of the Advisory Committee.
- 1.9 *'Gallery Advisory sub-Committee'* refers to a committee which may be established by the Advisory Committee (pursuant to the provisions of paragraph 7 (m) of the constitution of the Advisory Committee) to provide advice and recommendations for consideration by the

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- Advisory Committee in relation to the operation of the Hawkesbury Gallery (and the Hawkesbury Cultural Precinct in general). The Gallery Advisory sub-committee to include representation from the Friends of the Hawkesbury Art Collection and Regional Gallery, the Macquarie Towns Arts Society, the Hawkesbury Community Arts Workshop, the Hawkesbury Creative Arts Centre and private gallery operators.
- 1.10 *'Library Advisory sub-Committee'* refers to a committee which may be established by the Advisory Committee (pursuant to the provisions of paragraph 7 (m) of the constitution of the Advisory Committee) to provide advice and recommendations for consideration by the Advisory Committee in relation to the operation of the Hawkesbury City Council Library Services (and the Hawkesbury Cultural Precinct in general). The Library Advisory sub-Committee to include representation from the Friends of the Hawkesbury Library, delegated staff of the Hawkesbury City Council Library Service, and private individuals.
- 1.11 *'Cultural Precinct Development Plan'* refers to a planning document approved by a resolution of a majority of Councillors at a duly convened Council Meeting which sets out objectives, strategies, key actions, time frames and performance measures for the operation of the Hawkesbury Cultural Precinct. The Draft of the *Cultural Precinct Development Plan* will be developed in conjunction with the Advisory Committee, its sub-committees and in consultation with the community.
- 1.12 *'Hawkesbury Cultural Plan'* refers to a planning document to be prepared by Hawkesbury City Council, in consultation with the community. The *Hawkesbury Cultural Plan* will provide a detailed inventory and description of local cultural assets, resources and infrastructure and outline a strategy for how these assets can be best used to create opportunities for shared cultural expression and participation. It will also include procedures for determining priorities and reconciling competing demands and identifies indicators to measure progress against agreed objectives.

Part 2. Introduction

- 2.1 This document is the Memorandum of Understanding (MoU) between Hawkesbury City Council; cultural organisations operating within the City of Hawkesbury (including - but not limited to - the Hawkesbury Historical Society Inc., the Friends of the Hawkesbury Art Collection and Regional Art Gallery Inc., and the Friends of the Hawkesbury Library); and other associations including Hawkesbury Tourism Inc. and the Hawkesbury Chamber of Commerce.
- 2.2 This MoU acknowledges the commitment made by the Hawkesbury Historical Society Inc. towards the operation of the Hawkesbury Regional Museum, as well as the work of

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the Friends of the Hawkesbury Art Collection and Regional Gallery, and the Friends of the Hawkesbury Library and other cultural organisations in seeking to expand cultural facilities and resources within the City of Hawkesbury.

- 2.3 This MoU acknowledges that Hawkesbury City Council has a responsibility to foster cultural development within the City of Hawkesbury in a way that will create opportunities for shared cultural expression and participation. The MoU also recognises the role of Council in co-ordinating the development and funding of cultural assets and acknowledges the worth of Council's capital investment of approximately \$17m to expand cultural assets within the City of Hawkesbury, and the \$2.3M in annual funding to be provided to support the activities of the Hawkesbury Cultural Precinct.
- 2.4 This MoU acknowledges that the development of cultural assets can contribute to achieving broader objectives. It recognises that cultural planning can help the community not only tackle social exclusion and encourage healthier lifestyles, but also contribute to urban regeneration and create employment and economic opportunities. To optimise the commercial opportunities to be created by Hawkesbury Cultural Precinct, this MoU seeks to establish a partnership with the Hawkesbury Chamber of Commerce and Hawkesbury Tourism Inc.
- 2.5 This MoU seeks to achieve a sustainable working partnership between Council, representatives of cultural organisations and the business community for the benefit of all parties and the community. The parties to this agreement have resolved to form a partnership to develop the Hawkesbury Cultural Precinct based on the sites, collections, archives, artefacts, photographs and research material held by each party to build on the cultural resources which have been established to date.
- 2.6 The purpose of the MoU is to provide a framework and detail the conditions of these partnerships. It outlines a management and operational structure for the Museum, Library and Gallery, which ensures the continued involvement of the Hawkesbury Historical Society Inc., the Friends of the Hawkesbury Art Collection and Regional Art Gallery and the Friends of the Hawkesbury Library in the operation of the Hawkesbury Cultural Precinct.
- 2.7 It is agreed that the formation of the Advisory Committee (and its sub-Committees) is the best way to ensure the sustainable development of cultural facilities and their collections. The implementation of this MoU will ensure that these facilities and collections receive the expertise, support and investment required by positioning the new Library/Gallery/Museum as an integral part of Council's cultural infrastructure. The formation of the Advisory Committee will also provide a vehicle for accessing Ministry for the Arts funding for capital works, employment of professional staff, exhibition development and public programs.

Part 3. Aims

- 3.1 The parties to this MoU agree to the following aims for the operation of the Hawkesbury Cultural Precinct;

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- 3.1.1 The Hawkesbury Cultural Precinct operated by Hawkesbury City Council in conjunction with the Hawkesbury Cultural Precinct Committee, will contain cultural facilities committed to communicating the rich cultural, human and natural history of the City of Hawkesbury through innovative displays, dynamic public programs and a commitment to preserving both material evidence of the past and contemporary cultural artefacts. These facilities will be a key destination for those seeking to explore the Hawkesbury and surrounds.
- 3.1.2 The Hawkesbury Cultural Precinct will be managed in a way that will maximise community access to the cultural facilities within the Precinct and in a way that will actively seek partnerships with organisations involved in community education, the provision of information and recreational resources and the promotion of the City of Hawkesbury as a sophisticated tourism destination and commercial centre.
- 3.1.3 The Hawkesbury Cultural Precinct will be a centre of excellence through high interpretive and collection management standards and through the development and maintenance of both generic and specialist collections in a variety of media and formats.
- 3.1.4 The Hawkesbury Cultural Precinct will be managed in a way that will optimise opportunities for planned, integrated and thematic displays and exhibitions that can be staged in any or each of the cultural facilities located within the Precinct.
- 3.2 The parties to this MoU also agree to work together to achieve the objectives of the constitution of the Advisory Committee as defined in paragraph 2 of the constitution.

Part 4. Management of the Hawkesbury Cultural Precinct

- 4.1 Hawkesbury City Council will be the managing agent for the Hawkesbury Cultural Precinct and will undertake all the duties and functions required of the managing agent.
- 4.2 An advisory committee - to be called the Hawkesbury Cultural Precinct Advisory Committee - will be established in accordance with the constitution (attached herein) to provide advice and recommendations regarding the development and operation of the cultural facilities within the Precinct.
- 4.3 Provision may be made for up to three sub-committees: the Museum Advisory sub-committee, the Gallery Advisory sub-committee and the Library Advisory sub-committee, to provide advice and recommendations to the Advisory Committee on matters pertaining to the operation of the cultural facilities within the Precinct.
- 4.4 The parties to this MoU agree to develop and operate the Hawkesbury Cultural Precinct in accordance with the structure outlined in **Attachment 1**.
- 4.5 Within the management structure as outlined in Attachment 1, the role and responsibilities of Hawkesbury City Council will be:

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- 4.5.1 to act as the employing body for all paid staff employed to operate the Hawkesbury Library, Hawkesbury Gallery and Hawkesbury Regional Museum. Council will ensure that staff are employed under appropriate industrial awards and that all relevant requirements pertaining to EEO, Workplace Safety, Anti-Discrimination and Child Protection Legislation are met in full. Council will also ensure that the recruitment, employment, professional development and supervision of all staff will be undertaken in accordance with the personnel policies of Hawkesbury City Council.
- 4.5.2 to co-ordinate, direct and supervise the work of volunteers in accordance with the provisions of relevant EEO, Workplace Safety, Anti-Discrimination and Child Protection legislation.
- 4.5.3 to prepare a *Cultural Precinct Development Plan* (in conjunction with the Advisory Committee) and to co-ordinate its implementation.
- 4.5.4 to prepare a Cultural Plan which is consistent with the provisions of the *Cultural Planning Handbook* as developed by the NSW Ministry of Arts to enable Hawkesbury City Council to seek funding for cultural facilities, programs and activities.
- 4.5.5 to manage all aspects of the day-to-day running of the Hawkesbury Library, the Hawkesbury Gallery and the Hawkesbury Regional Museum including exhibitions, public programs, collection management, collection development, conservation and storage.
- 4.5.6 to provide capital and recurrent funding (as approved by Council in the Hawkesbury City Council Management Plan Budget Estimates).
- 4.5.7 to liaise with sub-committees (as defined in paragraphs 1.8, 1.9 & 1.10) on the provision of research services, use of the Cultural Precinct facilities, volunteer recruitment and training, and joint publications and public programs.
- 4.5.8 to prepare policies and planning papers, in conjunction with advisory committees, for discussion by the Advisory Committee.
- 4.6 Within the management structure outlined in **Attachment 1**, the responsibilities and role of the Advisory Committee will be as prescribed in Paragraph 3 of the attached constitution:
- 4.7 Within the management structure outlined in Attachment 1, the responsibilities and role of the Museum, Gallery and Library sub- Committees will be:
 - 4.7.1 to provide access and use of the collections and resources owned or administered by the Hawkesbury Historical Society, the Friends of the Hawkesbury Gallery and the Friends of the Hawkesbury Library;
 - 4.7.2 to provide advice and guidance to Advisory Committee in the drafting of a *Cultural Precinct Development Plan* to identify the objectives, strategies, key

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actions, time frames and performance measures for the operation of the Hawkesbury Cultural Precinct.

- 4.7.3 to provide advice and guidance to the Advisory Committee in the development of policies and programs to co-ordinate the display, interpretation, documentation and conservation of collections in accordance with best practice standards.
- 4.7.4 to support the operation of the Hawkesbury Regional Museum, the Hawkesbury Gallery and the Hawkesbury City Council Library Service by means of volunteer roster to be developed in conjunction with the Cultural Services Manager and/or Library Manager.
- 4.8 The Hawkesbury Historical Society Inc., the Friends of the Hawkesbury Art Collection and Regional Gallery Inc, the Friends of the Hawkesbury Library will continue to operate under their own constitutions and continue to research, publish and hold public programs. The constitutions of these organisations will be amended to reflect the new role of the Advisory Committee as the principal collecting organisation for the cultural facilities within Hawkesbury Cultural Precinct (having regard to the relevant collection policies) as well as the participation of these organisation on the Advisory Committee and support for the aims of the Hawkesbury Cultural Precinct and the objectives of the Advisory Committee.

Part 5. Membership of the Hawkesbury Cultural Precinct Advisory Committee

- 5.1 The structure and membership of the Advisory Committee will be as prescribed in paragraph 5 of the attached constitution.
- 5.2 Appointment of members to the Advisory Committee will be as prescribed in paragraph 6 of the attached constitution.

Part 6. Powers of the Hawkesbury Cultural Precinct Advisory Committee

- 6.1 The role and authorities of the Advisory Committee will be as prescribed in paragraph 3 of the attached constitution.

Part 7. Operation of the Hawkesbury Cultural Precinct Board

- 7.1 The procedures for the operation of the Advisory Committee will be as prescribed in paragraph 7 of the attached constitution.

Part 8. Collections

8.1 The Museum Collection

- 8.1.1 The museum collection currently displayed and stored at the Hawkesbury Museum (Howe's House) is the property of the Hawkesbury Historical Society. The records relating to this collection, such as registers, catalogue sheets,

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documentation and correspondence are also the property of the Society. As part of this partnership agreement, this collection inclusive of artefacts, photographs, maps, pictures, research materials, archives and other items collected by the Hawkesbury Historical Society, will be transferred to the Hawkesbury Regional Museum.

- 8.1.2 The Regional Museum will take on responsibility for all aspects of collection management including acquisitions, exhibitions, storage, conservation, research, and collection documentation. The Regional Museum will carry out all collection related activities to best practice standards. To facilitate the best practice management of the collection, a *Collection Development and Management Policy* for the Regional Museum will be developed by professional staff in conjunction with the Hawkesbury Historical Society. This new collection policy will build on the strengths and themes of the Society's collection and on the new exhibits for the museum as prepared by Andrew Rankine Design Associates. The draft *Collection Development and Management Policy* will be submitted to the Advisory Committee for endorsement and forwarded to Hawkesbury City Council for public gazettal and approval. When adopted the *Collection Development and Management Policy* will direct all future collection acquisitions, collection development, exhibitions and deaccessioning.
- 8.1.3 The collection assembled by the Hawkesbury Historical Society will continue to be known and acknowledged as the Hawkesbury Historical Society's in labels and other museum information. Items acquired after agreement to the MoU, and under the auspices of the Regional Museum, will be the property of the Regional Museum, owned by Council and held in trust for the benefit of the community. The Hawkesbury Historical Society will cease to collect from the time this agreement is signed. All collecting activity will be the responsibility of the Regional Museum.
- 8.1.4 The Advisory Committee will formally recommend the acquisition and deaccessioning of items from the collection on the recommendation of the Museum Curator bearing in mind that such recommendations will be made in accordance with the adopted *Collection Development and Management Policy*.

8.2 The Gallery Collection

- 8.2.1 There are four art collections - Alfred T. Clint Collection, Henry Edgecombe Collection, Friends of the Hawkesbury Art Collection and the Hawkesbury City Art Collection - currently owned or held in trust on behalf of the people of Hawkesbury by Hawkesbury City Council and the Friends of the Hawkesbury Art Gallery and Regional Art Gallery (FOHACRAG). As per the recommendations of the *Hawkesbury Gallery Draft Operations and Management Strategic Plan*, these four collections will be integrated into a single Collection entity to be known as the 'The Hawkesbury City Art Collection'. As part of this partnership agreement, the art collections owned or held in trust by the (FOHACRAG) will be transferred to the Hawkesbury Gallery and negotiations will commence with (FOHACRAG) to enable the collections owned or held in trust by (FOHACRAG) to be accessioned formally by Hawkesbury City Council via Deeds of Donation and Ownership (as

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per the recommendations of the *Hawkesbury Gallery Draft Operations and Management Strategic Plan*).

- 8.2.2 The Hawkesbury Gallery will take on responsibility for all aspects of collection management including acquisitions, exhibitions, storage, conservation, research, and collection documentation. The Hawkesbury Gallery will carry out all collection related activities to best practice standards. To facilitate the best practice management of the collection, a *Collection Development and Management Policy* for the Hawkesbury Gallery will be developed by professional staff in conjunction with the Friends of the Hawkesbury Gallery. This new collection policy will build on the strengths and themes of the current collection and have regard to the recommendations of the *Hawkesbury Gallery Draft Operations and Management Strategic Plan*. The draft *Collection Development and Management Policy* will be submitted to the Advisory Committee for endorsement and forwarded to Hawkesbury City Council for public gazettal and approval. When adopted the *Collection Development and Management Policy* will direct all future collection acquisitions, collection development, exhibitions and deaccessioning.
- 8.2.3 The collection assembled by the Friends of the Hawkesbury Art Collection and Regional Art Gallery will be acknowledged as deriving from FOHACRAG in labels and other gallery information. Items acquired after agreement to the MoU, and under the auspices of the Hawkesbury Gallery, will be the property of the Hawkesbury Gallery, owned by Council and held in trust for the benefit of the community. FOHACRAG will cease to collect from the time this agreement is signed. All collecting activity will be the responsibility of the Hawkesbury Gallery.
- 8.2.4 The Advisory Committee will formally recommend the acquisition and deaccessioning of items from the collection on the recommendation of the Cultural Services Co-ordinator bearing in mind that such recommendations will be made in accordance with the adopted *Collection Development and Management Policy*.

8.3 The Library Collection

- 8.3.1 The collections maintained by the Hawkesbury City Council Library Service will remain under the ownership of Hawkesbury City Council.
- 8.3.2 The Hawkesbury City Council Library Service will retain responsibility for all aspects of collection management including acquisitions, exhibitions, storage, conservation, research, and collection documentation. The Hawkesbury City Council Library Service will carry out all collection related activities to best practice standards. To facilitate the best practice management of the collection, the *Collection Development Policy* of the Hawkesbury City Council Library Service will be reviewed by professional staff in conjunction with the Friends of the Hawkesbury Library. The reviewed policy will build on the strengths and themes of the current collection and have regard to the service benchmarks and performance targets as identified in the *Library Development Plan 2005-2020*. The revised *Collection Development Policy* will be submitted to the Advisory Committee for endorsement and forwarded to Hawkesbury City Council for public gazettal and approval. When adopted the *Collection Development Policy* will direct

all future collection acquisitions, collection development, exhibitions and deaccessioning.

8.4 Facility Ownership

- 8.4.1 Hawkesbury City Council will retain ownership of the buildings and property within the Hawkesbury Cultural Precinct. Hawkesbury City Council will remain responsible for the maintenance of these cultural facilities.

Part 9. The Operation of the Hawkesbury Cultural Precinct

- 9.1 The Advisory Committee accepts that the Hawkesbury Cultural Precinct will be made available to all people regardless of race, gender, disability, sexual preference, religion, philosophy, cultural background, or HIV status for purposes which are consistent with the adopted plans and policies governing the operation of the Precinct.
- 9.2 Expenditures on the operation of the Hawkesbury Cultural Precinct will be at the level stated in the approved budget for the Precinct as set out in Hawkesbury City Council's yearly Management Plan and Financial Estimates. In the event of a recommendation to vary the agreed budget, the Advisory Committee will draft a recommendation to this effect for consideration by Hawkesbury City Council.
- 9.3 Hawkesbury City Council will remain responsible for the acquittal of any external funds provided to supplement the operation of the Precinct.
- 9.4 It is acknowledged that Hawkesbury City Council, as a public authority, is bound by the provisions of The Privacy and Personal Information Protection Act 1998, which provides for the protection of personal information and for the protection of the privacy of individuals.

Part 10. Evaluation and Project Monitoring

- 10.1 As provided for in paragraph 4.5.1, the Advisory Committee will assist professional staff in the drafting of a *Cultural Precinct Development Plan* which will specify the service benchmarks and performance targets to be achieved by the cultural facilities within the Hawkesbury Cultural Precinct. Hawkesbury City Council, as the responsible managing agent, will prepare regular status reports for discussion by the Advisory Committee summarising the performance outputs of the Precinct as measured against the specified performance criteria.
- 10.2 As provided for in paragraph 7 (n) professional staff will prepare an annual appraisal of the Precinct to assess the extent to which the Precinct is meeting its specified objectives. This annual report detailing the achievements of the Precinct (as measured against the expected outcomes) will be tabled at a meeting of Hawkesbury City Council.

Part 11. Dispute Resolution

- 11.1 In the event of a complaint in relation to the operation of the Precinct made by a member of the public, it will be the responsibility of the professional staff employed by

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Hawkesbury City Council to implement the complaints procedures as outlined in *Hawkesbury City Council's Complaints Handling Procedures*.

- 11.2 In the event of a complaint in relation to the management of the Precinct by staff of the Hawkesbury City Council, Hawkesbury City Council will implement its internal complaints and/or grievance provisions.
- 11.3 In the event of a dispute or disagreement between members of the Advisory Committee as to the conduct or operation of the Precinct, the aggrieved party shall submit a written statement to the Advisory Committee outlining the details of the dispute or disagreement. If required the Advisory Committee shall request a written response from such other parties as may be identified in the dispute or disagreement. The Advisory Committee shall meet to consider the information in relation to the dispute and will seek to negotiate an agreed resolution to the dispute between the relevant parties.
- 11.4 Where it is not possible to achieve a resolution under the provisions of paragraph 11.3., the Advisory Committee will seek the involvement of an independent mediator (acceptable to both parties) to arbitrate in any dispute. The parties involved in the dispute shall agree to accept the outcomes of such mediation.

Part 12. Review

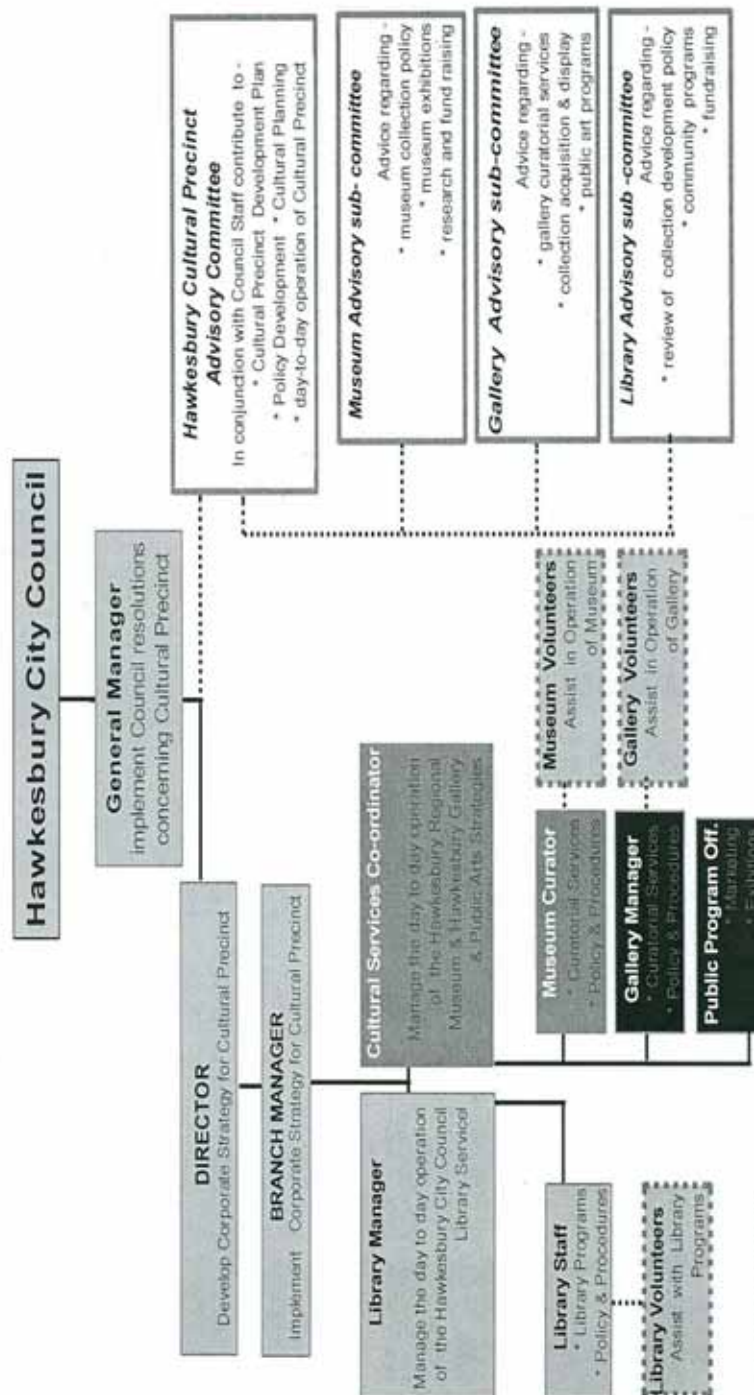
- 12.1. The details of the MoU may be reviewed after three years.

Part 13. Execution

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ATTACHMENT 1. Management Structure: Hawkesbury Cultural Precinct.



Explanatory Notes

Boxes in white represent advisory structure

Boxes in light grey represent existing positions

Boxes in dark grey (with white font) represent future positions (to be created in 2004/2005)

Boxes in black (with white font) represent future positions (to be created subject to performance and funding availability)

ATTACHMENT 2

**Hawkesbury City Council
Hawkesbury Cultural Precinct Advisory Committee**

Constitution

1. Name

The Advisory Committee, as appointed under the provisions of section 377 of the Local Government Act 1993, shall be known as the Hawkesbury Cultural Precinct Advisory Committee, and is hereinafter referred to as the 'Advisory Committee'.

2. Objectives

- (a) to provide advice and guidance to Hawkesbury City Council staff in the drafting of a *Cultural Precinct Development Plan* which will identify the objectives, strategies, key actions, time frames and performance measures for the operation of the Hawkesbury Cultural Precinct.
- (b) to provide advice and guidance to Hawkesbury City Council staff in the development of policies and programs to co-ordinate the display, interpretation, documentation and conservation of collections in accordance with best practice standards.
- (c) to work with professional staff and volunteers to seek funds for the operation, development and activities of the Hawkesbury Cultural Precinct.
- (d) to provide advice and guidance to Hawkesbury City Council staff in the drafting and implementation of a *Cultural Plan* for the Hawkesbury Local Government Area which is consistent with the provisions of the *Cultural Planning Handbook* as developed by the NSW Ministry of Arts.

3. Role and Authorities

- (a) Whereas the Advisory Committee is appointed by the Hawkesbury City Council under the terms of the Local Government Act 1993, the Advisory Committee is to abide at all times with the terms of reference of this clause, and with the authorities delegated under this clause whilst remaining in force (unless otherwise cancelled or varied by resolution of Council).
- (b) The Advisory Committee shall have the following authorities delegated to it in accordance with the provisions of section 377 of the Local Government Act 1993:
 - (i) to recommend to Council policies drawn up by professional staff for:
 - the display, interpretation, documentation and conservation of museum, gallery and library collections in accordance with best practice standards;
 - the acquisition and de-accessioning of cultural artefacts, artworks, documents, photographs, pictures, and printed and electronic resources;

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the researching, development and housing of permanent, temporary and travelling exhibitions which have a thematic resonance with the Hawkesbury environment;

the design and delivery of centre-based and outreach public programs to provide visitors with ready access to information concerning the natural and cultural heritage of the City of Hawkesbury and surrounds, which engages the community in the interpretation and celebration of their diverse cultures, heritage and life experiences, and provides access to information and recreational resources;

disaster management;

procedures for the accessing and loan of items from within the collection.

- (ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377;
- (c) The Council retains the responsibility for all budgetary considerations;
- (d) The General Manager (or his/her delegate) retains, and shall be entirely responsible for the appointment and dismissal of staff (either permanent or temporary) within the Cultural Precinct in accordance with the Local Government Act 1993;
- (e) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member, including any disciplinary action, be it for permanent, temporary or part time staff. The Advisory Committee will, however, have the right to bring to the attention of the Director of the Department within Council responsible for the Cultural Precinct any issues which, in its opinion, require disciplinary action; and
- (f) Any authorities conferred upon the Advisory Committee under this Constitution may be varied by Council.

4. Term

The Advisory Committee members' term shall be for four years to coincide with Council's term of office. Advisory Committee members shall cease to hold office at the expiration of three months after the Ordinary election of the Council, but be eligible for re-appointment, subject to the condition that the Advisory Committee may be dissolved by Council at any time.

5. Structure and Membership

- (a) The structure and membership of the Advisory Committee shall be as follows, and all the undermentioned appointments will have voting rights:
 - (i) 1 Councillor of the Hawkesbury City Council; and
 - (ii) 1 Council staff member appointed by the General Manager of Hawkesbury City Council.
 - (iii) 1 Representative from Hawkesbury Tourism Inc.
 - (iv) 1 Representative from the Hawkesbury Chamber of Commerce.

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- (v) 1 Representative from the education sector.
 - (vi) 6 community appointments, with expertise in the operation and/or management of cultural facilities or collections, appointed by Council following the calling of applications as detailed in clause 6(b) of this Constitution;
- (b) Whereas the appointments detailed in clause 5(a) will form the Advisory Committee, the Cultural Services Co-ordinator and the Library Manager will be required to attend meetings of the Advisory Committee;
- (c) The Director of the Department charged with the responsibility for the Cultural Precinct within the Hawkesbury City Council shall attend meetings and may delegate the Manager of Community and Cultural Services as his/her delegate when deemed necessary;
- (d) The Advisory Committee shall, at its first meeting following appointment, and each twelve (12) month period thereafter, elect one of its members from those appointed under clause 5 to be the Chairperson of the Advisory Committee, and one of its members appointed under the same clause to be Deputy Chairperson, who shall act in the absence of the Chairperson;
- (e) The position of Chairperson shall not be held by the same person for any longer than three (3) consecutive years;
- (f) The position of Deputy-Chairperson shall not be held by the same person for any longer than three (3) consecutive years;
- (g) No staff member of Hawkesbury City Council shall be elected as Chairperson or Deputy Chairperson of the Advisory Committee;
- (h) Each member of the Advisory Committee entitled to vote shall only have one vote except that of the casting vote of the Chairperson in the case of equality of votes;
- (i) The Advisory Committee may co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance, but such co-opted members shall only serve on the Advisory Committee for the period of time required, and will not, whilst serving in the position of co-opted member, have any voting rights; and
 - (ii) The Advisory Committee may invite as observers citizens or other representatives for the purpose of clarifying certain matters as decided by the Advisory Committee. Such observers will not be permitted to vote.

6. Appointment and Election of Members

- (a) 1 Councillor will be appointed to the Advisory Committee in accordance with practices and procedures of the Council;
- (b) The Council shall, in the month of October following the quadrennial election place advertisements in appropriate newspapers inviting nominations from members of the community for membership to the Advisory Committee;

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- (c) The Council shall select and appoint the community representatives to the Advisory Committee;
- (d) The Advisory Committee shall have the power to fill casual vacancies at its discretion;
- (e) Members of the Advisory Committee shall cease to hold office:
 - (i) if the Advisory Committee is dissolved by Council;
 - (ii) upon written resignation or death;
 - (iii) if absent without prior approval of the Advisory Committee for three consecutive meetings; or
 - (iv) if the Council by resolution determines that the member has breached Hawkesbury City Council's Code of Conduct (as it is in force from time to time).
- (f) For the purposes of sub-clause 6(e)(iv), the Code of Conduct is to be taken to apply to community and representative members as referred to in clause 5(a) in the same way as the Code of Conduct applies to Councillors.

7. Procedures and General

- (a) Ordinary meetings of the Advisory Committee shall be held no less than six times per year. Special meetings may be convened at the discretion of the Chairperson, or, in his/her absence, the Deputy Chairperson;
- (b) The Manager Community and Cultural Services shall be the Executive Officer to the Advisory Committee, and will be responsible for preparation of specialist reports, and any and all correspondence associated with the Advisory Committee;
- (c) The Council will provide a Minute Clerk for the purpose of recording the Minutes of the Advisory Committee meetings and for the distribution of Minutes followings meetings of the Advisory Committee;
- (d) No meeting of the Advisory Committee shall be held unless three (3) clear days notice thereof has been given to all members;
- (e) The Minute Clerk shall forward a copy of the Minutes of each Advisory Committee meeting to all Advisory Committee members, as well as to Council, for submission to the appropriate Standing Committee, as soon as possible following such Advisory Committee meeting;
- (f) At any meeting of the Advisory Committee, the Chairperson, or the person acting in the position of Chairperson, shall, in addition to his or her ordinary vote, have a casting vote where such a situation occurs where there is an equality of votes;
- (g) The rules governing meetings and the procedures of the Advisory Committee shall, so far as they apply, be those covered by the Hawkesbury City Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council;
- (h) A quorum of the Advisory Committee shall be constituted by 6 members being present at meetings;

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- (i) Any members having a pecuniary interest in any matters being discussed by the Advisory Committee shall declare such interest at the meeting of the Advisory Committee and refrain from voting or discussion thereon.
- (j) The requirements applying to pecuniary interests for members as detailed in clause 7(i) above shall apply equally to any other appointed or invited observers or co-opted members, and also to the Executive Officer/Secretary;
- (k) Any recommendations of the Advisory Committee shall, as far as adopted by the Council, be resolutions of the Council, provided that recommendations or reports of the Advisory Committee shall not have effect unless adopted by the Council;
- (l) It shall be competent for the Advisory Committee to appoint a sub-committee or specific work groups comprised of members or non-members to exercise and carry out specific investigations for the Advisory Committee, and then to report back to the Advisory Committee. These appointed sub-committees or work groups may be dissolved by the Advisory Committee at any time;
- (m) Any appointed sub-committees or work groups have no power to make any decisions whatsoever on behalf of the Advisory Committee, and any recommendations of any sub-committee or work group will only have effect once adopted by the Advisory Committee, or by the Council, as the case may be;
- (n) The Manager Community & Cultural Services shall prepare an Annual Report of the Cultural Precinct's activities for submission to the Advisory Committee, who will, in turn, present such report to the Council.

oooO END OF REPORT Oooo

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Item: 25 **ORG B - Policy for Payment of Expenses and Provision of Facilities to Councillors (79341)**

Previous Item: 57, Ordinary (13 September 1994)

REPORT:

Section 252 of the Local Government Act 1993 requires Councils to adopt a policy for the payment of expenses and provision of facilities to Councillors.

On 13 September 1994, Council adopted a policy in accordance with this legislation. This policy was subsequently reviewed by Council in November 1998 and the revised policy adopted in February 1999.

In response to advances in communication technology and changes to some of the terminology used in policy, the policy has been updated. A copy of the revised policy has been attached to this report. To assist Councillors in noting the proposed changes that have been made to the policy, the additions have been highlighted while the deletions have been struckthrough.

The provision of the Local Government Act requires that before the revised policy can be adopted by Council, it must be placed on public exhibition for a period of at least 28 (twenty eight) days.

RECOMMENDATION:

That the revised Policy for Payment of Expenses and Provision of Facilities to the Councillors be placed on public exhibition for a period of 28 (twenty eight) days.

ATTACHMENTS:

AT - 1 Policy Regarding Payment of Expenses and Provision of Facilities

**policy regarding payment of
expenses and provision of
facilities**

section 252 local government act 1993

**Policy regarding payment of expenses
and provision of facilities
section 252 local government act 1993**

OBJECTIVES

1. *To provide reasonable reimbursement of expenses for Councillors traveling on official duties.*
2. *Provide facilities to assist the Mayor and Councillors effectively discharging their function of civic office.*
3. *To fulfill the statutory responsibilities of Section 252 of the Local Government Act 1993.*

POLICY STATEMENT

1. PROVISION OF PERSONAL EQUIPMENT

Each Councillor will be provided with the following upon election to office:-

- a. various stationery for their elected member/civic office duties;
- b. a copy of Council's Code of Meeting Practice and Code of Conduct; and
- c. a copy of all relevant publications produced to assist Councillors in the performance of their duties of office, including the Estimates document, Management Plan, current Annual Report and Local Government Handbook if available.

The above equipment will be located at the Councillor's place of residence or place of business and remains the property of Council being returnable upon the Councillor ceasing to hold office with Council.

2. PROVISION OF PUBLIC FACILITIES

a. Mayor

The Mayor of Hawkesbury City Council will be provided with the following items which remain the property of Council and must be returned to Council upon the Mayor ceasing to hold office:-

- i. an office suitably furnished and including a telephone and computer outlet;
- ii. an allotted parking space;
- iii. Mayoral Chain of Office for official/civic/ceremonial use;
- iv. a personal notebook computer with internal modem, CD Rom, floppy disc drive and carry case for accessing Council Business Papers, reports and electronic mediums such as the Internet and email for which the Council will maintain and upgrade as appropriate. The notebook will be secured with no access to the control panel;
- v. Surge protection and anti virus software will be provided.
- vi. mobile car-telephone and car kit for which Council will pay the rent and all Council related call charges;

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- vi. a suitable name badge;
- viii. a refreshments cabinet located in the Mayoral Office which will be maintained and stocked by Council;
- viii. Council will provide tea, coffee and refreshments to the Mayor when fulfilling his/her Mayoral duties as required; ~~and~~
- ix. multi function printer/fax/copier facsimile machine at the Mayor's residence or place of business for which Council will pay rent and call charges and provide sufficient fax paper to operate the machine and its installation and relocation costs; ~~and~~
- xi. additional phone line independent of the fax line if required.

The following items are for use as required by the Mayor in the performance of his/her role:-

- x. Christmas cards for forwarding in his/her role as an elected member of Hawkesbury City Council;
- xi. ~~the Mayor will be supplied initially with~~ business cards ~~and thereafter appropriate replacements~~ for his/her role as Mayor of Hawkesbury City; and
- xii. corporate attire and presentation gifts, eg. ties, scarves, books, etc., for own use and presentations as appropriate.

b. Deputy Mayor

The Deputy Mayor will be provided with the same facilities as those provided to Councillors.

In addition, when the Deputy Mayor is acting in the position of Mayor due to the absence of the Mayor, the Deputy Mayor will have use of the following facilities provided for the Mayor:-

- i. Mayoral Office;
- ii. a refreshments cabinet located in the Mayoral office which will be maintained and stocked by Council;
- iii. a suitable name badge;
- iv. Council will provide tea, coffee and refreshments to the Deputy Mayor when fulfilling his/her duties as required; and
- ~~v. access to the Mayoral allotted parking space.~~

c. Councillors

Councillors will be provided with the following items which remain the property of the Council and must be returned upon the Councillor ceasing to hold office.

- i. a room suitably furnished for use by all Councillors and including a telephone and telephone desk, computer outlet and printer, and mailbox;
- ii. a refreshments cabinet located in the Councillors' Room maintained and stocked by Council; and

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- iii. car parking spaces will be provided for Councillors in the Council car park adjacent to the Council Offices ~~on when attending~~ Council Meetings ~~nights and General Purpose Committee days~~.

iv. Mobile telephone for which Council will pay the rent and all Council related charges.

The following items are for use as required by Councillors in the performance of their role:-

- ~~iv.~~ Christmas cards for forwarding in their role as an elected member of Hawkesbury City Council;
- ~~vi.~~ ~~each Councillor will be supplied with~~ business cards ~~and thereafter appropriate replacements~~ for his/her role as an elected member of Hawkesbury City Council in particular;
- ~~vii.~~ corporate attire and presentation gifts for use in connection with civic duties, eg. tie, scarf, books, etc., and presentations as appropriate;
- ~~viii.~~ Council will provide tea, coffee and refreshments to Councillors when carrying out their civic duties in the Council Chambers as required;
- ~~ix.~~ ~~facsimile~~ multi function printer/fax/copier machine and facsimile paper suitable for use in Councillors facsimile machine for Council business, as required; ~~and~~
- x. Additional phone line independent of fax line if required; and
- ~~xi.~~ a ~~notebook personal~~ computer with internal modem, CD Rom, Floppy disc drive and carry case for accessing Council Business Papers, reports and electronic mediums such as the Internet and email for which the Council will maintain and upgrade as appropriate. The notebook will be secured with no access to the "control panel".
- xii. Surge protection and anti virus software will be provided.

3. EXECUTIVE SUPPORT

a. Mayor

- i. The Mayor will be provided with the services of a suitably qualified and experienced Executive Assistant~~secretary~~.
- ii. The Mayor will be provided with a fully maintained and fuelled motor vehicle being to the standard of a Ford ~~Fairmont Ghia~~Fairlane or Holden ~~Calais~~Statesman for all official and personal use. The cost of acquisition and replacement of the Mayoral vehicle will be provided from Council's Plant Reserve. Such motor vehicle and/or mobile telephone shall not be used for purposes of electioneering.

b. Deputy Mayor

The Deputy Mayor will be provided the same Executive support as Councillors, however, in the absence of the Mayor, the Deputy Mayor will have the use of the following:-

- i. access to the secretarial services; and
- ii. subject to availability, access to the Mayoral vehicle for Council business use or a similar vehicle to be provided for any civic or ceremonial function only.

c. Councillors

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- i. Councillors will be provided with access to secretarial services by a suitably qualified and experienced secretary.

4. COUNCIL MEETINGS

At ~~the~~ Council/Committee meetings the Mayor, Deputy Mayor and Councillors will be provided with suitable meals, including refreshments. The standard of the meals provided will be determined by the General Manager in consultation with the Mayor and Councillors.

5. ACCESS TO COUNCIL OFFICES

a. Mayor, Deputy Mayor and Councillors

Will be provided with an access card which enables entry to the Council Chambers area ~~and/or the Mayor or his/her office (as appropriate).~~ The Mayor will be provided with access to his/her office.

The ~~access~~^{above} cards remain the property of Council and must be returned to Council upon the person ceasing to hold office.

6. INSURANCE

Council will provide for the insurance of a Councillor against personal injury, whether fatal or not, arising out of or in the course of carrying out duties or the performance by such Councillor in functions in his/her capacity as a member of Council together with such insurance to cover any loss or damage to Council property in their possession or control.

7. POSTAGE

Council will meet the cost of reasonable postage of correspondence issued by the Mayor, Deputy Mayor and Councillors, provided such correspondence is directly related to the role of the elected member.

8. LETTERHEAD

a. Mayor

Council will provide standard Mayoral letterhead for use by the Mayor for official correspondence.

b. Councillors

Council will provide the appropriate letterhead for use by Councillors in replying to correspondence ~~electors~~ and in undertaking their civic duties.

9. CORRESPONDENCE

Correspondence to Councillors will be placed in the relevant Councillor's mail box ~~adjacent to~~ⁱⁿ the Councillors' Room.

(Note: Correspondence by Councillors, relative to the elected member role, is NOT official correspondence of Hawkesbury City Council. It is only regarded as correspondence between the Councillor and the correspondent.)

10. EXPENSES

- a. "Expenses" includes travelling allowances, accommodation and sustenance allowances, entertainment, taxi charges, seminar and conference fees.

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- b. Such expenses paid to Councillors are for attendance at meetings of the Council, other meetings duly authorised by the Council, inspections [within the area](#) in compliance with a Council resolution or where a Councillor is representing Council as a delegate or participant at a conference or seminar.
- c. The travelling allowances paid to Councillors shall be the same rate as that applied in the Local Government State Award, and payable on the following basis:-
 - i. to and from the meetings of the Council, or the meeting of any committee of the Council, provided that the allowance is payable only from the Councillors residence to the Council offices or designated meeting place. Should a Councillor be attending a meeting not departing from their residence, any claim is limited to the place of departure or the Council boundary, whichever is the closer;
 - ii. upon inspections [within the area](#), provided such inspections are undertaken in compliance with resolutions of the Council;
 - iii. upon business of the Council outside the area in compliance with a resolution of the Council;
 - iv. to and from the conferences attended by a Councillor, provided such attendance is authorised by Council, or the Mayor or the General Manager; and
 - v. distances claimed shall be the shortest practicable route.
- d. Policy for Interstate and overseas travel is outlined in Attachment A. Notwithstanding the Policy, Council is to meet all direct expenses in association with attendance by members including registration fees, transport and accommodation. In the case of members using their own private motor vehicle transport, a kilometre allowance is to be paid in accordance with Clause 10(c) of Council's Policy. Travel arrangements are to be made through the General Manager's office.
- e. Members are to be paid an allowance commensurate with other out-of-pocket expenses such as sustenance and travel.
- f. The allowance paid pursuant to Clause (e) above is prescribed as \$75 per day; such allowance to be reviewed annually based upon CPI adjustment.
- g. Pursuant to Section 355 of the Local Government Act the General Manager has authority to approve the payment of allowances in accordance with these guidelines.
- h. Councillors and their spouses are entitled to attend conferences that relate to Local Government with the Council meeting all reasonable expenses in accordance with its policy in relation to the Councillor with travel for the Councillor's partner being the responsibility of the Councillor. Approval for such attendance [to](#) be given by the Mayor, alternatively the matter requiring the approval of the Council. That a list of attendances and expenses being provided to each Councillor at the end of each six (6) months and twelve (12) months.

11. ANNUAL FEES

a. Mayor

In accordance with Section 249(1) of the Local Government Act 1993, Council will pay the Mayor an annual fee monthly in arrears, with the fee to be determined annually. This fee will be paid in addition to the fee paid to the Mayor as a Councillor.

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Such amount is to be determined by Council in accordance with the Remuneration Tribunal's Guidelines.

b. Deputy Mayor

In accordance with Section 249(5) of the Local Government Act 1993, Council may pay the Deputy Mayor an allowance for such time as the Deputy Mayor acts in the office of the Mayor. The amount of the fee paid to the Deputy Mayor would be deducted from the Mayor's annual fee. Such amount to be determined by Council in conjunction with the decision in respect of 11(a) above (Mayor).

c. Councillors

In accordance with Section 248(1) of the Local Government Act 1993, Council will pay all Councillors an annual fee paid in 12 equal installments, monthly in arrears.

The amount of the fee shall be determined by Council in accordance with the Remuneration Tribunal's Guidelines.

EXPLANATORY NOTE

This Policy is formulated under the authority of Section 252 of the Local Government Act 1993. Before adopting a policy for expenses and facilities, it is mandatory that Council advertise the proposal for at least 28 (twenty eight) days.

oooO END OF REPORT Oooo

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Item: 26 **ORG C - Public Artwork Proposal - Hawkesbury Cultural Precinct (79341)**

REPORT:

This report has been prepared to provide Councillors with further information regarding the public art work which has been proposed for the Hawkesbury Cultural Precinct (to be located on the redeveloped old hospital site).

Background:

Public art installations serve a number of purposes. They can provide a focal point for surrounding offices, buildings and communities, and can make significant cultural references to key aspects of the community's past and future. At a more everyday level, public art can also attract patrons and tourists to cultural facilities, provide a passive but stimulating recreational rest area and can be very attractive to children encouraging them to form positive associations between culture, play and relaxation. These factors suggested that the cultural precinct site would provide an ideal location for public art.

To explore the opportunities for developing a public art/sculpture for the cultural precinct site, in late 2002 Council applied for and was successful in securing a \$6,000 (six thousand dollars) grant under the Ministry of Art's Visual Arts and Crafts Program. This grant facilitated an expression of interest process (which commenced in January 2003) for the design of a public artwork project which attracted over 30 (thirty) submissions from interested artists. Council appointed a Selection Team which included three Councillors, Council's Architect, the Director of the Penrith Regional Gallery, Council staff, members of the Friends of the Hawkesbury Art Collection and a representative of the indigenous community.

In April 2003, the Selection Team invited two of the artists (who had lodged an EOI) to prepare concept designs and costings, which were presented to the Selection Team in June 2003. The Selection Team chose a sculptural piece based on the theme of hospital beds which had been proposed by Milestone Art. The sculpture proposed by the successful artists incorporated atmospheric elements created by the use of lighting and water with a preliminary costing estimated to be in the vicinity of \$55,000 (fifty five thousand dollars). The Selection Team were of the view that this piece would meet the requirements of a good public art proposal (as defined above). Milestone Art also proposed a separate artwork (uncosted and unfunded) based on an archaeological interpretation of the differing layers of human habitation within the cultural precinct.

At its Ordinary meeting of 8 July 2003 and following the determination of the Selection Team, Council resolved to lodge a further application to the Ministry of Arts (on a dollar-for-dollar basis) and was successful in securing a \$32,500 (thirty two thousand five hundred) grant as a contribution to the estimated cost of the sculpture. Council also resolved to invite the Friends of the Hawkesbury Art Collection (FOHAC) to sponsor the project. FOHAC were subsequently approached, but declined to provide a financial contribution to the project but were very much interested in maintaining their involvement in the project.

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Current Situation.

In its draft budget for 2004/2005 Council has included an allocation of \$32,500 (thirty two thousand five hundred) to match the grant contribution for a similar amount that has been received from the NSW Ministry of Arts - giving a total provisional allocation \$65,000 (sixty five thousand) for the public art work proposal as recommended by the Council appointed Selection Team.

The costing for the selected design proposal (with its lighting and water reticulation requirements) has been reassessed and the current estimate is closer to \$100,000 (one hundred thousand) - creating a funding shortfall.

The design proposal for the sculpture was referred to Council's Risk Manager for a risk assessment of its potential Public Liability and Occupational Health and Safety exposure. The Risk Manager's assessment was made 'on the basis of certain assumptions to determine any real or foreseeable risk' and identified the following hazards associated with the artwork and its location;

Identified Hazard	Description of Hazard	Risk Assessment	Risk Control Measures
Entrapment within the sculpture ,the numerous strands of wire and the bed head design	the location of sculpture would allow easy access and thus the possibility of climbing onto the sculpture and becoming entangled within the wire strands'.	2 – High Risk (could happen) with potential for serious injury or long term illness.	* sculpture enclosed behind a fenced area to reduce opportunity of access * installation of warning signage.
The stability of the sculpture	The possibility of persons climbing over the sculpture causing it to fall or be distorted.	3 – Medium Risk (could happen but unlikely) with potential for serious injury or long term illness.	* sculpture enclosed behind a fenced area to reduce opportunity of access * engagement of security guards to patrol the area
Location	The size of the sculpture could present a possible traffic impediment for footpath traffic as it is located in the main courtyard between the Old Hospital and the canteen area.	5 - Medium Risk (could happen but unlikely) with potential for minor injury requiring first aid	* there is no indication of the possible foot traffic for this area * consideration should be given to the estimated flow of persons in the area to assist with the assessment for the final location of this sculpture
Slips, Trips & Falls	A fine water mist is sprayed over the sculpture, the over spray could create a slip hazard to the surrounding area	3 - High Risk (could happen) with potential for injury requiring medical attention and time off work	* the water spray to the sculpture could create a wet area around the sculpture, it would also create a mildew/moss growth on the surrounding pavement * persons walking in the courtyard may slip on the wet surface and/or fall.

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Identified Hazard	Description of Hazard	Risk Assessment	Risk Control Measures
Maintenance	The design appears to be high maintenance, Items such as scaffold may be required to reach into and to the top of the structure	3 - High Risk (could happen) with potential for injury requiring medical attention and time off work	* cleaning of the wire strands and post would pose a difficult task with a potential for causing injury through entanglement, falls and slips and trips. A safe work method statement would need to be developed for the safe maintenance of the sculpture.

The Risk Assessment is based on a rating scale from 1 to 6, where 1 constitutes a very high risk with the potential to kill or cause permanent disability or major property damage over \$50,000 and 6 constitutes a low risk with the potential to cause minor injury and some property damage.

The Risk Manager concluded that the potential hazards posed by the sculpture are ‘high in nature and do in fact pose a degree of risk’.

The hazard assessment of Council’s Risk Manager suggests that the design and location of the proposed artwork may pose a higher level of risk than would normally be associated with a public artwork of its kind (although many public spaces do support public art works with similar features).

Council’s Architect has also expressed some concern that the scale and nature of the proposed artwork may be incompatible with the space within which it is to be located.

In summary, questions have been raised about the affordability, the public liability and occupational health and safety risks, and the compatibility of the proposed sculpture given its current design and location. The cultural precinct remains an ideal location for a public artwork that has the potential to provide a focus for this important public space, and can attract patrons and tourists to the cultural facilities within the site. Council may wish to consider the following options for determining how best to proceed to create an iconic and safer public artwork to ‘brand’ the cultural precinct site within the nominal funding allocated for this project (preliminary advice from both the Ministry of the Arts and from Milestone Art indicate that they would be amenable to suggestions for a reworked proposal);

- a. review the current design of the proposed sculpture to reduce its cost and to address the hazards identified by Council’s Risk Manager – it is estimated that savings in the order of \$20,000 (twenty thousand) may be achievable. Council may wish to re-approach the Friends of the Hawkesbury Art Collection to make up the funding shortfall to enable a modified proposal to proceed.
- b. engage Milestone Art to develop an alternative proposal for a public artwork which can address the issues raised by Council’s Risk Manager and Architect (and which can be funded from within the nominal budgetary allocation for the project). One option for an alternative proposal could be based on an archaeological interpretation of the differing layers of human habitation within the cultural precinct (as proposed by the artists).

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- c. not proceed with the public art proposal and return the \$32,500 (thirty two thousand five hundred) in grant funds which have been received from the NSW Ministry for the Arts.

RECOMMENDATION:

That Council engage Milestone Art to develop an alternative proposal for a public artwork which can address the issues raised by Council's Risk Manager and Architect.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 27 ORG C - Use of Library Meeting Rooms by Community Groups (73941)

REPORT:

This report has been prepared to provide Councillors with further information regarding the use of meeting rooms within the existing library and the new library/gallery building.

Currently, the Hawkesbury City Council Library Service provides access to meeting rooms (the Tebbut Room and Green Hills Room) by community groups. The meeting rooms are used by up to 47 (forty seven) different community groups (including Council committees; sporting, craft and hobby groups; transport groups; local branches of political parties; health support groups and government agencies). These rooms have been generally provided free of charge (a fee is charged for for-profit groups where their for-profit status can be readily established).

As Councillors will be aware, the Draft 2004/2005 library budget proposed the introduction of a \$15 (fifteen dollar) booking fee for the use of these rooms by not-for-profit groups. The proposed fee was introduced as a cost-recovery charge to defray the costs incurred by the Library Service in providing the community room facility. The charging of a nominal fee for the use of community rooms is a widespread practice within public libraries across New South Wales. The annual cost of providing this facility (made up of cleaning charges, after-hours security and utilities but excluding staff hours involved in taking bookings and liaising with various groups) is about \$9,000 (nine thousand dollars). The proposed fee was estimated to generate \$4,500 (four thousand five hundred) in offset income to cover half of these costs.

The fee was not intended to generate surplus income for the Library. Should Council wish to set aside the proposed fee, then the provision of the community room facilities at the Library (by not-for-profit groups) would take the form of a community services obligation – the Library would continue to subsidise the use of these facilities by the community groups who use these rooms.

In relation to the after hours usage of the meeting rooms and community arts workshop space within the new library/gallery building, it is proposed to put into place the following process:

- a. access to the community rooms in the new library/gallery building will be provided through card access (the cards will be similar to those currently in use in the Council building that prohibit entry to specific areas, permit entry to areas and at the same time restrict access to the building to specific times).
- b. it is proposed to charge a refundable \$50 (fifty dollars) deposit on community groups prior to the issuing of a cards (the deposit will be retained if the card is lost and refunded when the card is no longer needed).
- c. the card user will have access only to the room they have booked at a particular time. Only one card will be issued to groups. For security reasons, the card will not provide access to the underground car park.

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- d. if a group is unable to close the rooms (after hours) due to the non attendance of the card holder or a misplaced card, a call out fee based on a 4 (four) hour payment inclusive of overtime by a security firm may need to be imposed.

To facilitate user-group input into the development of revised policy and procedures for the use of community rooms within the library/gallery, it is proposed that a draft policy be developed by November 2004 and reported to Council for public consultation and comment prior to its formal adoption by Council.

RECOMMENDATION:

That a draft policy be developed by November 2004 and reported to Council for public consultation and comment prior to its formal adoption by Council.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 28 **ORG C - Richmond School of Arts - Funding Application, NSW Ministry of the Arts, Metropolitan Capital Works Program (79341)**

Previous Item: 147, Ordinary (9 September 2003)

REPORT:

This report has been prepared to seek Council's approval for an interest-free loan to be made available to the Richmond Literary Institute Inc. to match grant funding being sought by the Institute for the installation of air-conditioning to the main auditorium of the Richmond School of Arts. The Literary Institute is intending to lodge an application to the Ministry of Arts under the Metropolitan Capital Works Program.

At its Ordinary Meeting of 9 September, 2003, Council resolved to offer an interest free loan of \$32,018 (thirty two thousand and eighteen dollars) repayable over 6 (six) years for the purpose of funding half the costs of installing air-conditioning to the main auditorium of the Richmond School of Arts. This loan facility was provided to assist the Richmond Literary Institute to submit an application to the NSW Ministry of Arts under its Western Sydney Capital Infrastructure Program.

The decision by Council to provide this loan, enabled the Institute to submit its application. Unfortunately, the funding application lodged by the Institute in September 2003 was unsuccessful, and Council was not required to proceed with a loan agreement. Following the advice of the unsuccessful grant, members of the institute held discussions with representatives of the Ministry for Arts who subsequently invited the Institute to lodge a further application under the Metropolitan Capital Works Program.

Council has once again received a request from the Richmond Literary Institute for an interest-free loan from Council of \$32,018 (thirty two thousand and eighteen dollars) representing half the installation costs of the air conditioning system - to be repaid over a 6 (six) year period. Council's favourable consideration of this request will enable the Institute to forward a new funding application to the NSW Ministry of Arts for the balance of the funds required to install the system. The approval of the loan will allow the Institute to satisfy the requirement for matching dollar-for-dollar funding under the Metropolitan Capital Works Program.

Below is the advice provided previously to Council (in September 2003) regarding the request from the Richmond Literary Institute for an interest free loan:

“The Literary Institute has long identified a need to install air-conditioning to the main auditorium of the School of Arts to provide a more comfortable and appropriate venue for patrons. The provision of climate-controlled venues for theatre performances and other community arts events is increasingly demanded by arts patrons and is the generally accepted norm for these venues across Australia. The Richmond School of Arts is the principal community arts venue within the Hawkesbury and is regularly used by a range of community arts organisations and groups across the City.

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The estimated costs of designing and installing an air conditioning system which is sympathetic to the heritage and historical integrity of the Richmond School of Arts is \$69,076 (sixty nine thousand and seventy six dollars) GST inclusive. The Literary Institute have indicated that they are in a position to fund the design of the system, at a cost of \$5,040 (five thousand and forty dollars) GST inclusive. This will leave a balance of \$64,036 (sixty four thousand and thirty-six dollars) GST inclusive for the installation of the system.

The Richmond Literary Institute Inc. the trustees of the Richmond School of Arts have maintained the building and have undertaken considerable restoration work from their own funds to ensure that residents of the Hawkesbury can continue to use and enjoy this well-preserved and historic venue (much as they have for the last 137 (one hundred and thirty seven) years since the opening of the School of Arts in 1866).

In 1999, the Richmond Literary Institute Inc. contributed \$200,000 (two hundred thousand dollars) of its own funds to complete major restoration works to the School of Arts. At this time Council approved a \$25,000 (twenty-five thousand dollars) loan as a contribution to the costs of the restoration work to be repaid over a 10 (ten) year period. The loan was in fact repaid over 3 (three) years.

The Committee of the Richmond Literary Institute Inc. have indicated that they will generate sufficient net income to meet required loan repayments. In view of the demonstrated capacity of the Literary Institute to meet loan obligations in the past, the approval of a further loan of \$32,018 (thirty two thousand and eighteen dollars) would appear to carry little risk for Council."

RECOMMENDATION:

That:

1. The Richmond Literary Institute Inc. be offered an interest free loan of \$32,018 (thirty two thousand and eighteen dollars) repayable over 6 (six) years for the purpose of funding half the costs of installing air-conditioning to the main auditorium of the Richmond School of Arts.
2. A written agreement be executed between Council and the Richmond Literary Institute Inc. covering the terms and repayment schedule of the loan.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Association	Community Project	association.	
Australian Dyspraxia Support Group Resource Centre	Learning Disability Awareness	To run self-help training programs and develop community resources to support families with learning disabilities for children 3-19yrs	\$38,889 (2 Year grant)

The Aboriginal Project for 2004 - ranked by the Regional Aboriginal Advisory Committee is yet to be announced.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORGANISATION AND RESOURCES

Meeting Date: 1 June 2004

Item: 29

ORG C - Western Sydney Area Assistance Scheme (WSAAS) (79341)

REPORT:

The Area Assistance Scheme (AAS) is administered by the NSW Department of Infrastructure Planning and Natural Resources (DIPNR). Projects funding under this program must meet **at least one** of the priorities identified in the *AAS Outcomes Framework*. These are:-

- a. Connecting communities through partnership
- b. Building community leadership and capacity
- c. Promoting safe communities

The area assistance scheme provides over \$10,000,000 (ten million dollars) in funding across the State with approximately \$1,200,000 (one million and two hundred thousand dollars) allocated for the region of Greater Western Sydney (12 Local Government areas) under the Western Sydney Area Assistance Scheme (WSAAS).

DIPNR provides a small salary subsidy to Council as a contribution to the cost of Council's Community Planner position. These funds are provided to enable Council to administer WSAAS within the Hawkesbury - Council staff advise community groups on how to access WSAAS funding and also co-ordinate a local ranking committee to prioritise applications received from groups in the Hawkesbury.

The Local Ranking Committee met in November 2003 to consider and rank the 6 (six) applications which had been received under the 2003/2004 WSAAS funding round. An Aboriginal project was also submitted for local comment (with its ranking to be determined by a Regional Aboriginal Advisory Committee). The recommendations of the Local Ranking Committee were forwarded to the Regional Advisory Committee (RAC) in February 2004.

Advice has now been received from DIPNR that the following projects were successful:

Applicant Organisation	Project Name	Purpose of Grant	Grant Request
Nepean Migrant Access	Build Capacity in Rural Diversity	To work in partnership with other services to increase participation of rural culturally and linguistically diverse communities in the Hawkesbury and Penrith LGA.	\$75,415 (4 year grant)
Westworks Inc. (South Windsor)	"See Me"	To provide social recreation for people recovering from mental illness.	\$20,000 (2 year grant)
Hawkesbury Aboriginal Community Association	Merana Hawkesbury Aboriginal Community	To employ a Project Manager and Administration worker to promote the association.	\$98,567 (Year 1 of 4)

ORGANISATION AND RESOURCES

Meeting Date: 1 June 2004

	Project		
Australian Dyspraxia Support Group Resource Centre	Learning Disability Awareness	To run self-help training programs and develop community resources to support families with learning disabilities for children 3-19yrs	\$38,889 (2 Year grant)

The Aboriginal Project for 2004 - ranked by the Regional Aboriginal Advisory Committee is yet to be announced.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo



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