



# Hawkesbury City Council

## supplementary ordinary meeting business paper

date of meeting: 14 December 2004

location: council chambers

time: 7.00 p.m.

## ORDINARY MEETING - Supplementary

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notices of motion

## ORDINARY MEETING - Supplementary

### Notices of Motion

#### SECTION 2 - Notices of Motion

##### NM - Health of the Hawkesbury Nepean River - (80106)

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##### REPORT:

**Submitted by:** Councillor Rasmussen

##### Background

1. It is quite clear that the long term health of the Hawkesbury Nepean River will not be seriously addressed unless and until there is a formal arrangement of mutual responsibilities and obligations between the State Government and the Hawkesbury City Council.
2. The State has, over a number of years, allowed the flow of the river to be diminished to such an extent that less than 5% (five percent) of the natural flow is currently flowing. Moreover, the State has used the river channel as a disposal system for treated effluent for many years and the future STP projections are that this effluent flow will increase dramatically over the next 5 (five) to 10 (ten) years. This will greatly increase the total nutrient load in the river and, coupled with greatly reduced natural flows as a result of climate change, the river will come under much increased risk of further and prolonged stress and eventual complete collapse. Additionally, most Hawkesbury City residents drink the water abstracted from the river at North Richmond by the Water Treatment Plant located there; the projected additional increase in effluent flow will have a significant impact on them, and, consequently, they need a direct say in how this river is managed back to health.
3. Given these dire circumstances and the importance of the river to our community, this Council needs to take a leadership role in initiating a formal scheme of arrangements (an MOU) with the State Government whereby clearly defined and mutually agreed river health performance indicators are set, implemented and adhered to. We all need to agree that our river can no longer continue to be used as a convenient and 'free' effluent disposal open 'pipe' system and that a formal process of river health recovery needs to be implemented within an agreed frame work of time to recovery and river health indicators.
4. A mutual understanding and cooperative framework of how much the river could deliver by way of water for Sydney's population and industry, and how much treated effluent flow the river can cope with should have been negotiated in place many years ago. This has not been done and it is imperative that this Council now correct the situation.
5. Furthermore, there is an urgent need to alert and persuade other 'river' Councils of the benefits of a collective and regional say on the river health, and for a much more coordinated approach to the long term health and recovery of the river. The best arrangement for achieving such a unified approach is the ROC model, and this Council should actively advocate that the 'river' Councils unite under the formal structure of a RiverROC with the clear objective of focusing on and achieving long term health of the Hawkesbury Nepean River.

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### **Notices of Motion**

#### **RECOMMENDATION:**

That:

1. a) Council immediately initiate a formal process with the State Government to put in place a Memorandum of Understanding (MOU) between Council and the State Government which clearly defines the joint intent in relation to the long term Health of the Hawkesbury Nepean River.
- b) During this formal process with the State, table the need for such an MOU to contain, but not be limited to, mutual responsibilities and obligations in relation to the restoration and maintenance of:
  - i. Water quality;
  - ii. Water flow and quantity;
  - iii. Aquatic biodiversity; and
  - iv. Economic, social and environmental amenity
2. Council commence parallel negotiations with the key Hawkesbury Nepean River Councils eg Penrith, Baulkham Hills, Hornsby, Pitt Water, Wollondilly etc to form a HN River Regional Organisation of Councils (HN RiverROC) with the objective of focusing on and achieving long term health of the Hawkesbury Nepean river.

#### **ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

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for determination

## ORDINARY MEETING - Supplementary

Meeting Date: 14 December 2004

### SECTION 4 - Reports for Determination

**Item: 196**      **INF B - Fire Services Estimates for 2005/2006 - Hawkesbury Rural Fire District Funding Submission - (79350, 79016, 73835)**

**Previous Item:**      148, Ordinary (12 October 2004)

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#### REPORT:

Council in consideration of a report regarding the NSW Rural Fire Service estimates for the 2005/2006 financial year resolved, in part, that the Rural Fire Fighting Fund Estimates, as submitted by the NSW Rural Fire Service, be endorsed in principle. The Rural Fire Fighting Fund component is submitted to the NSW Rural Fire Service and Council is obligated under the Rural Fires Act to contribute 13.3% (thirteen point three percent) of this budget. The estimate for the Rural Fire Fighting Fund as reported totalled \$2,322,103.00 (two million, three hundred and twenty two thousand, one hundred and three dollars), however, there have been some variations within the final document which requires certification and submission to the Rural Fire Service. The variations are:

- vehicle changeover cost - fire mitigation officer + \$5,500
- communications platform - management fee + \$2,000
- deduction of "trade-ins" for replacement of fire fighting vehicles/new tankers - \$241,500
- other programs +\$300,000

The result of these variations is a submission total of \$2,388,103 (two million, three hundred and eighty eight thousand, one hundred and three dollars).

The original estimates submitted by the Rural Fire Service indicated an "other programs" estimate of \$800,000 (eight hundred thousand dollars), however, in the confirmation of the 2004/2005 budget that program, which is essentially an overheads component to assist running the NSW Rural Fire Service Head Office has been confirmed at \$1,098,752.10 (one million and ninety eight thousand, seven hundred and fifty two dollars and ten cents). It is unlikely that the 2005/2006 other programs estimate will be below this and as such has been included at \$1,100,000.00 (one million, one hundred thousand dollars). This is an increase of around 37% (thirty seven percent) and highlights the need for Council to carefully review the discretionary funding currently provided to the Service when the 2005/2006 Budget is being considered.

#### RECOMMENDATION:

That the 2005/2006 Rural Fire Fighting Fund estimates as submitted by the NSW Rural Fire Service be certified for submission to the Rural Fire Service including within that certification that Council will comply in meeting its statutory contribution.

#### ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

## ORDINARY MEETING - Supplementary

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**Item: 197**      **INF B - Windsor Road/Groves Avenue and Windsor Road/Park Road intersections  
- (79338, 79339)**

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### REPORT:

A Development Contribution Plan for the intersection of Groves Avenue and Park Road with Windsor Road, was adopted by Council in 1988 for improvements for both of those intersections, including traffic lights which would facilitate access to the McGraths Hill industrial area. The current estimate within the development contribution plan to undertake these works at each intersection is \$251,800.00 (two hundred and fifty one thousand and eight hundred dollars).

With regard to the Groves Avenue/Windsor Road intersection, improvements have been undertaken including the provision of traffic lights by the Roads & Traffic Authority as part of the Windsor Road upgrade. A contribution to this work of \$200,000 (two hundred thousand dollars) has been provided to the RTA by Council.

In relation to the intersection of Park Road/Windsor Road the Valad Property Group, as part of the Bunnings Development on Industry Road has upgraded this intersection including the provision of traffic lights at a cost of \$403,137.50 (four hundred and three thousand dollars one hundred and thirty seven dollars and fifty cents). Whilst this amount is in excess of that estimated under the current contributions plan, the company has offered to accept an amount of \$251,800.00 (two hundred and fifty one thousand eight hundred dollars) [the total amount to be contributed under the development contribution plan] as Council's full contribution to the intersection improvements. The company has requested payment of this amount as the works have been completed. Whilst normally works would not be undertaken until contributions have been received, it is suggested that it would be appropriate in this case as the company wishes to finalise the project and it would be necessary for contributions received for development in this area in the future to be collected by Council and then forwarded directly to the company.

There is a current shortfall under the development contribution plan for the intersection works and it is suggested that this shortfall be funded from internally restricted reserves, which would then be reimbursed by future contributions under the plan.

### RECOMMENDATION:

That:

1. The Valad Property Group be paid \$251,800.00 (two hundred and fifty one thousand and eight hundred dollars) as Council's full contribution towards the intersection improvements at the Park Road/Windsor Road intersection.
2. The shortfall in the development contribution plan funding be provided from a loan from internally restricted reserves with future contributions from development occurring within the Groves Avenue and Park Road intersections with Windsor Road contribution plan directed to reimburse the internal loan.

### ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo



## ORDINARY MEETING - Supplementary

Meeting Date: 14 December 2004

**Item: 198**      **INF B - Governor Phillip Reserve - Noise Policy - (79354, 73829, 83318, 74204)**

**Previous Item:**      58, Ordinary (10 December 2002)  
66, General Purpose Committee (30 November 2004)

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### REPORT:

Council at its General Purpose Committee meeting held on 30 November 2004 in consideration of a report regarding noise policy at Governor Phillip Reserve recommended that a briefing session be held, or if a delay in holding the briefing session affects an event, that a report be provided to the Ordinary meeting in December. As there is an event proposed in the last week of January it is suggested that further consideration be given to this matter at this meeting.

As outlined in the report to the General Purpose Committee, the NSW Maritime Authority has indicated that there are no new changes to the noise limits. It should also be noted that there has been very little in the way of complaints regarding events held at Governor Phillip Reserve over this 2 (two) year period. It would appear that the event organisers are complying with the noise restrictions to the benefit of the local community.

Enquiries were made of Kevin Galley of the Upper Hawkesbury Power Boat Club in relation to the current noise restrictions and he advised that on Club days there are 15 (fifteen) races held with no more than 5 (five) boats per race and each race is approximately of 3 (three) minutes duration. Of these 15 (fifteen) races there would be 3 (three) or 4 (four) races that would have noise levels above 100dB(A), those being the blown boats and 1 (one) other category. He indicated that with the lead in time and actual race time of the 3 (three) to 4 (four) races that there would be no more than 40 (forty) minutes in the day that noise would exceed the 100dB(A) level. As such it is suggested that the restriction for the Upper Hawkesbury Power Boat Club No 1(a) Club Days - 105dB(A) for more than 40 (forty) minutes per day could be altered to Club Days - 105dB(A) for than more than an aggregate of 40 (forty) minutes per day.

It is felt that the current policy with regard to noise levels is keeping a reasonable balance between the requirements of event organisers and expectations within the community adjacent to the venue.

### RECOMMENDATION:

That:

1. The amendment to the noise limits, as outlined below, be adopted:

#### ***Drag Boat Racers (2 races per year)***

1. *No competing vessel shall be permitted to emit noise in excess of:*
  - (a) *115dB(A) - for more than 8 seconds measured at a distance of 30 metres during the race; or*
  - (b) *105dB(A) - for more than 14 seconds measured at a distance of 30 metres during a race.*
  - (c) *105dB(A) - for vessels running more than 14 seconds measured at a distance of 30 metres during the race.*
2. *The licensee shall ensure that noise levels from vessels of 105dB(A) and up to 115dB(A) shall not be exceeded for more than 2 minutes per hour.*

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3. *The above noise criteria is not to be used more than four times a year at any one venue, and is only extended to specialised drag boat clubs affiliated with the Australian Power Boat Association.*

### **The Upper Hawkesbury Power Boat Club**

1. No Competing vessel shall be permitted to emit noise in excess of:
  - (a) Club Days - 105dB(A) for more than an aggregate 40 minutes per day.
  - (b) NSW State Titles - 105dB(A).
  - (c) Bridge to Bridge Boat Race - 105dB(A).
  - (d) Unlimited Boat Race (Blown Boats) - 115dB(A). This event is held directly after the Bridge to Bridge Boat Race.
  - (e) Noise Test - (Prior to the Two Day Spectacular) - 115dB(A) for more than 15 minutes in total through the day.
  - (f) Two Day Spectacular - 115dB(A) for more than 10 minutes in total per day.

### **The NSW Water Ski Association**

*The Association has been operating within the following limit of 100dB(A) with a tolerance of 3dB(A). This event has been running for the past 40 (forty) years and attracts around 260 (two hundred and sixty) boats from across Australia. Around 80 (eighty) boats [320 (three hundred and twenty) crew members] travel from interstate, particularly from Queensland and Victoria.*

2. All other users of the river, within the Hawkesbury LGA, are to observe the noise limits set by Waterways.
3. The noise limits continue to be reviewed every two years or following any changes to the noise limits by the Waterways Authority.

### **ATTACHMENTS:**

There are no supporting documents for this report.

oooO END OF REPORT Oooo

## ORDINARY MEETING - Supplementary

Meeting Date: 14 December 2004

Item: 199      RES B - Windsor Mainstreet Committee Funding - (94012, 73824)

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### REPORT:

During *Questions Without Notice* at the General Purpose Committee Meeting held on 30 November 2004, Councillor Devine raised the following matter:

*Councillor Devine referred to Councillor Paine's remarks and wanted it on record that there is obviously great dissection between the Chamber of Commerce and the Windsor Business Group. He advised that something needed to happen before the next Ordinary Meeting and he would take it up with the Mayor after the meeting.*

Subsequent to this meeting a memo dated 30 November 2004 was circulated to all Councillors advising on what action had been taken by management to recover unspent funds held by the Chamber for the purpose of Windsor Mainstreet Committee Programs.

In order to expedite progress on Christmas activities being undertaken by the Windsor Mainstreet Committee, it is proposed that Council redirect the recovered funds from the Chamber to the Windsor Mainstreet Committee via the Windsor Business Group Inc (refer to Item 188 of this Business Paper).

Given the concern raised by Councillors in relation to this matter, this approach is considered necessary as:

- The Windsor Mainstreet Committee is not an independently incorporated entity and therefore does not operate a banking account in its own right;
- The Windsor Business Group has indicated its willingness to receive funds on behalf of the Windsor Mainstreet Committee and to facilitate any acquittal process required by Council;
- Membership of the Windsor Business Group is substantially comprised by members of the Windsor Mainstreet Committee including its Office Bearers.

### RECOMMENDATION:

That:

1. Up to \$4,500 (four thousand, five hundred dollars) be made available to the Windsor Business Group for the purpose of undertaking Christmas activities throughout December 2004.
2. All funds provided under (1) above are to be only made available from those funds recovered from the Chamber of Commerce for the purpose of the Windsor Mainstreet Committee.

### ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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## **ORDINARY MEETING - Supplementary**

**Meeting Date:** 14 December 2004

### **SECTION 5 - Reports for Information**

**Item: 200**                    **INF C - Regional Museum - Excavation Works - (107, 79338, 75323, 79514)**

**Previous Item:**            125, Ordinary (14 September 2004)

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#### **REPORT:**

Council in consideration of a report to its Ordinary Meeting of 14 September 2004 regarding additional excavation works at the Regional Museum site due to archaeological finds resolved, in part, that options to provide additional funding for the project be further reported in within 3 (three) months. The additional costs identified within the report was \$197,200.00 (one hundred and ninety seven thousand, two hundred dollars).

Options currently being investigated include additional funds received from the sale of properties, funding which may be available from completed works within the Capital Works Program, sale of land on the McGraths Hill Flats to the Roads & Traffic Authority. It is anticipated that Council will be appraised of budget actual and funding position following expenditure to December at the first available Briefing Session.

In terms of progress on the site, meetings have been held with the Heritage Office where an agreed program of works was identified and appropriate applications have now been submitted for approval. It is understood that these approvals, from both the Heritage Office and Department of Environment & Conservation will be finalised mid January which will allow the excavation works to proceed.

#### **RECOMMENDATION:**

That the information be received.

#### **ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**



ordinary  
meeting

end of  
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paper

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