Hawkesbury City Council

ordinary meeting business paper

date of meeting: 27 June 2006
location: council chambers
time: 5:00 p.m.

m i s s i o n s t a t e m e n t

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

How Council Operates

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

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

Ordinary Meetings of Council are held on the second Tuesday of each month, except January, and the last Tuesday of each month, except December. The meetings start at 5:00pm with a break from 7:00pm to 7:30pm and are scheduled to conclude by 11:00pm. These meetings are open to the public.

When a Special Meeting of Council is held it will usually start at 7:00pm. These meetings are also open to the public.

Meeting Procedure

The Mayor is Chairperson of the meeting.

The business paper contains the agenda and information on the issues to be dealt with at the meeting. Matters before the Council will be dealt with by an exception process. This involves Councillors advising the General Manager at least two hours before the meeting of those matters they wish to discuss. A list will then be prepared of all matters to be discussed and this will be publicly displayed in the Chambers. At the appropriate stage of the meeting, the Chairperson will move for all those matters not listed for discussion to be adopted. The meeting then will proceed to deal with each item listed for discussion and decision.

Public Participation

Members of the public can request to speak about a matter raised in the business paper for the Council meeting. You must register to speak prior to 3:00pm on the day of the meeting by contacting Council. You will need to complete an application form and lodge it with the General Manager by this time, where possible. The application form is available on the Council's website, from reception, at the meeting, by contacting the Manager Corporate Services and Governance on 4560 4426 or by email at lmifsud@hawkesbury.nsw.gov.au.

The Mayor will invite interested persons to address the Council when the matter is being considered. Speakers have a maximum of five minutes to present their views. If there are a large number of responses in a matter, they may be asked to organise for three representatives to address the Council.

A Point of Interest

Voting on matters for consideration is operated electronically. Councillors have in front of them both a "Yes" and a "No" button with which they cast their vote. The results of the vote are displayed on the electronic voting board above the Minute Clerk. This was an innovation in Australian Local Government pioneered by Hawkesbury City Council.

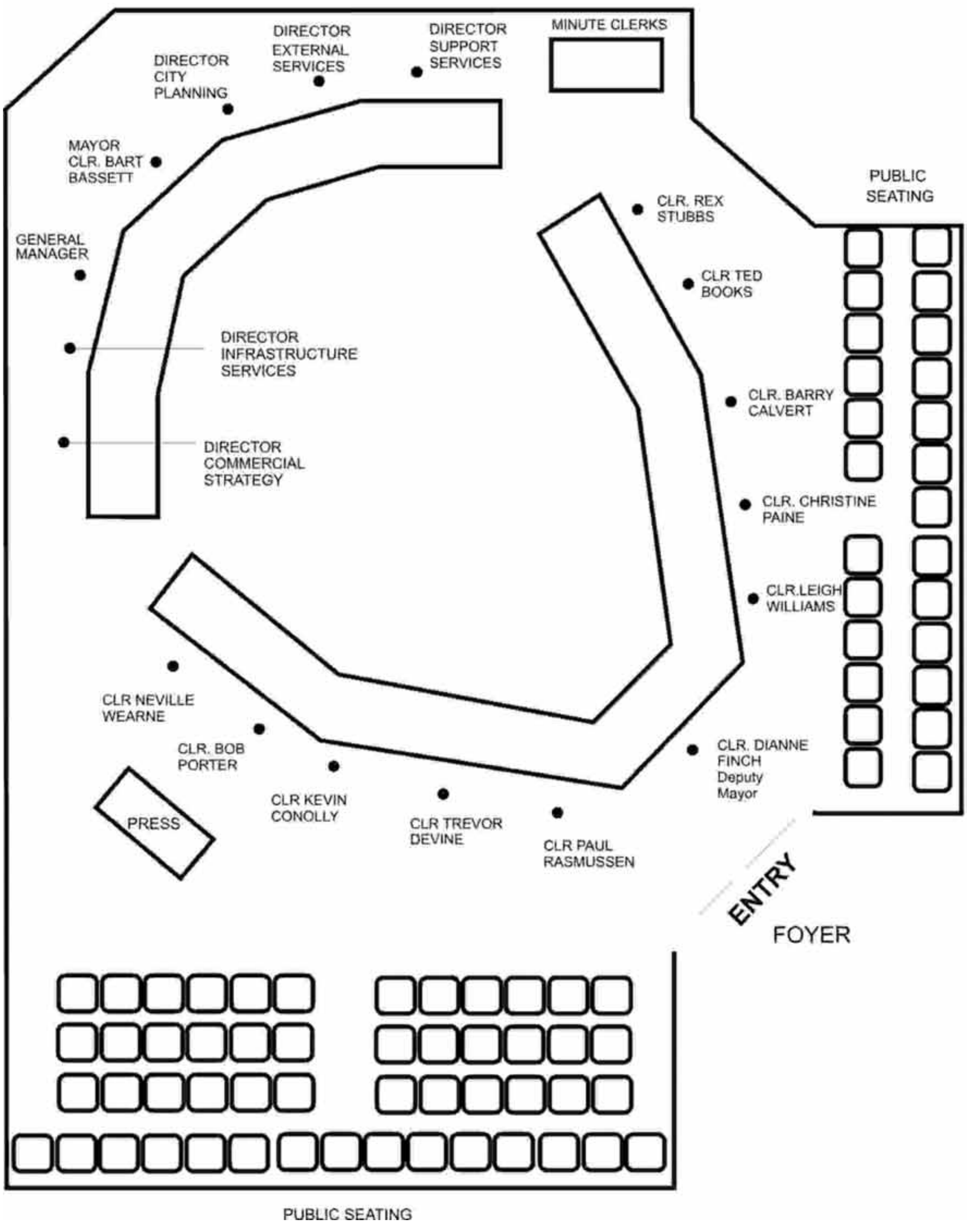
Website

Business Papers can be viewed on Council's website from noon on the Friday before each meeting. The website address is www.hawkesbury.nsw.gov.au.

Further Information

A guide to Council Meetings is available on the Council's website. If you require further information about meetings of Council, please contact the Manager, Corporate Services and Governance on, telephone 02 4560 4426.

council chambers



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NM 1 NM - Alternative Option for Funding Essential Infrastructure - (95497, 80106)

Submitted by: Councillor P Rasmussen

NOTICE OF MOTION:

That Council:

1. Note the recent announcement by the Australian Government to award a tender for the construction of a new $300 million purpose-built Headquarters Joint Operations Command (HQJOC) near Bungendore, NSW.

2. Note that the successful tenderer will be providing the buildings, infrastructure, maintenance and services components of the project under private financing arrangements.

3. Note the private financing arrangements have been assessed by the Australian Government to provide better value for money than traditional procurement as it transfers to the private sector many of the risks in the areas of design, construction, maintenance and operation of the facility which the private sector is better positioned to manage. Private financing also allows the Government to focus on delivering core infrastructure and services.

4. Investigate and report on this approach to funding essential infrastructure in the Hawkesbury City with a view to reducing rate rises now, and in the future, associated with Council's proposed Infrastructure Investment Programme.

Background

- The Australian Government recently announced that a private consortium had been successful in tendering for a new $300 million purpose-built Headquarters Joint Operations Command (HQJOC) near Bungendore, NSW.

- This announcement was significant in that the consortium was providing the funding and would be required to build, operate and maintain the new headquarters facility for the 30-year contract term period.

- The purpose-built Headquarters is a significant and essential piece of infrastructure for the Australian Defence Forces and the Nation, and will house some of the most sensitive and classified planning operations in Australia.

- The Australian Government and the Department of Defence have deemed that private financiers and operators are suitable partners to build, operate and maintain the new headquarters facility for a 30-year period.

- Planners within The Departments of Defence and Finance have clearly been successful in bringing significant private funding to essential National infrastructure of this type and if approached would undoubtedly be prepared to share such knowledge with our city planners.

- Council has recently proposed a $50 million Infrastructure Improvement Programme for the City and has sought a rate rise amounting to almost 43% over a four year period to fund this infrastructure proposal.

- Given that The Australian Government has found a way of funding essential National infrastructure from private sources it seems prudent and important that this Council investigate such a funding option, and if deemed suitable, implement it for this City before increasing the rate burden on current rate payers to the tune of almost 43%.

- Should this funding approach be successful it would not only bring great relief to the ratepayers of this City already struggling with large increases in fuel, food, health, mortgage and other daily living costs, but also ensure that essential City infrastructure would be provided and maintained.

NOTE BY MANAGEMENT:

The matter of Public-Private Partnerships (PPPs) was reported to Council in detail at its meeting of 15 November 2005 in which it was resolved that:

1. *In addition to the resolution of Council of 31 May 2005, the Strategic Planning Committee identify those assets considered most suitable for operational use under a public-private partnership arrangement and report further to Council.*

2. *Consideration be given to the governance and management requirements of a public-private partnership project as stipulated by the Department of Local Government and how best to resource those requirements when contemplating the 2006/7 financial year budget for Council.*

Subsequently Management initiated a review of Council's property portfolio to advance Part 1 above, with the outcomes of this process being progressively reported to Council via the Strategic Planning Committee (SPC).

In relation to Part 2, Council considered the resourcing implications arising from changes to the Local Government Act that significantly impacts upon the way the local councils develop and manage PPP arrangements from 1 September 2005: whereby the Local Government Amendment (Public Private Partnerships) Act 2004 (the Act) and the Local Government (General) Regulation 2005 came into effect.

The Act defines PPPs, and requires councils to follow the procedures set out in guidelines produced by the Department of Local Government and establishes a Local Government Project Review Committee. The Act brings into effect the recommendations of the Emeritus Professor Maurice Daly, Commissioner of the Liverpool City Council Public Inquiry, in relation to PPPs.

In order for Council to give serious consideration to the use of the PPP model for future income generation and service delivery, it will need to invest in sufficient resources to meet the requirement as set out by the NSW Department of Local Government for probity, risk management and project management purposes.

Council considered the experience of other government's within Australia, which shows that an authority can expect to invest approximately 3.5 years in the development of a single PPP project from initial scope through to the commissioning phase, with a lead-time of approximately 1.5 years from initial scope through to the contract execution phase. From available data it is reasonable to suggest that Council is unlikely to realise any significant benefit from any major PPP undertaking within a 3-5 year timeframe.

Therefore it is Management's contention that the basic principles underlying Council's submission to the Department of Local Government for a rate increase above rate pegging remain sound, ie:

- <u>Regulated income</u> (ie, rates) should provide for <u>regulated services</u> (ie basic community needs such as roads, parks, libraries, etc), and

- Unregulated income (ie, PPPs, commercial services, loan borrowings, etc) should provide for additional services that the community expects from Local Government, and by their nature will attract incremental revenue.

Public-Private Partnerships by their nature require a market (ie, an income stream) in which to operate.

With over 70% of Council's proposed 10-year Infrastructure Improvement Plan (IIP) earmarked for road improvement, Management recognises that Council would incur a significant financial risk if these essential capital works were *put to the market* in the form of PPP with little or no capacity to provide funding in the short-term and little or no expectation of developing a viable business model in the longer term.

In consideration of Part 2 of Council's resolution above, Management has recommended a dedicated resource be included in the staff establishment plan for this purpose and to coordinate the review of and application for grant funding, however funding for this position has presently been deferred by Council.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

NM 2 NM - Impact of 2006 Metro Water Plan on Hawkesbury Nepean River - (80106, 95498)

Submitted by: Councillor P Rasmussen

NOTICE OF MOTION:

That Council:

1. Note the recent announcement by the State Government of the 2006 Metropolitan Water Plan and the significant impact it will have on the Hawkesbury Nepean River system.

2. Note, in particular, that Chapter 9 of that Plan refers to a proposal to 'Create a Dynamic and Competitive Water Industry' which would see new water suppliers granted new water licenses and access to Sydney's Sewerage Treatment Plant (STP) flows to the detriment of base water flows in the Hawkesbury Nepean River.

3. Make a written submission to State Government regarding this proposal and seek from them, as a minimum, a report on the social, economic and environmental impacts which will arise from such new water access licenses on the Hawkesbury Nepean river flows, farming, food growing and other river dependant industries in this City.

Background

- Currently over 90% of the fresh water flow in the Hawkesbury Nepean (HN) River is diverted to Sydney for domestic, industrial and other uses.

- Around 3% of that removed fresh water flow is currently replaced with STP effluent water from various plants within the region.

- In addition, small volumes of fresh flow originate from tributaries such as the Grose River, thus giving the river a minimal remnant 'base' flow.

- The net overall result is greatly reduced river flow and this places the river normally in a very stressed condition. Consequently the river has been reduced over the years to an almost permanent low flow condition.

- Extra stress and concern has resulted from the compensation fresh flow (ie the guaranteed 50 Megalitres per day over Penrith weir - 18 Gigalitres pa), being recently halved by decree of the Minister and re-labelled as an environmental flow.

- The North Richmond Water Treatment Plant (WTP) adds further stress as it can extract as much as 50 Megalitres per day for local town water supplies. The net result of that is a further 25 Megalitre deficit in base river flow.

- All this has been known for a while now and river dependant stakeholders have been gravely concerned by this situation as well as the impending HN Water Sharing Plan which contemplates 'cease to pump' provisions when the river is in a 'low flow' condition and seeks to protect environmental flows.

- Recently however, the State Government announced (see the 2006 Metropolitan Water Plan, April 2006) that they are proposing to legislate for private operators to gain access to Sydney's STP flows. Such a proposal has the potential to permanently remove current STP river flows thus reducing even further the 'base' flow.

- Should such a proposal be successful not only will the bulk of the fresh water have been removed from the River, but so too will its 'dirty' water, leaving it permanently with almost no flow.

- In such circumstances the river will simply not stand a chance and grave and long term consequences will result not only for the river but also the farmers, tourism and other industries dependant on the river for a living.

- Poorly treated STP flow entering the river is bad, but NO, or very little flow, of any kind would be a total disaster.

- Farmers in the Hawkesbury have long advocated that Sydney's STP flows, which in the main are derived from fresh water taken from the Hawkesbury Nepean River, should be cleaned up to an acceptable standard and placed back in the river to provide essential flow for river health and rehabilitation.

- Hawkesbury commercial farmers have also long advocated that Council urgently needs to initiate, with the State Government, a process whereby a river MOU would result so that such water depleting schemes could not be proposed and implemented without careful and agreed river values, impacts and principles framing such actions.

- The State Government is currently in the process of consulting the public on its water industry proposal and Council should at least be seeking, through a written submission, a detailed impact statement so that the long term environmental, social and economic ramifications of such a radical proposal can be exposed to affected stakeholders.

NOTE BY MANAGEMENT:

The 2006 Metropolitan Water plan proposes a wide range of works and policies that will affect the flow and health of the river when it reaches this Cities' boundary. One of the most significant proposals is to divert the flows from Sewerage Treatments Plants (STPs) for re-use in new suburbs and also to replace the current releases from the dams after further treatment. The issue for this Council is that the amount of water in the river flowing from upstream whether it is from the dams or from STPs appears as if it will be reduced in the short term.

It is considered that a detailed report to Council is required so the full impact of the Plan on this Council can be determined. It should also be noted that the UWS Co-operative Research Centre is carrying out detailed research on the water "market" in the Hawkesbury catchment and therefore may be willing to assist in the preparation of a report on this Plan for Council.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ordinary

section 4

reports

for determination

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 122 GM - 9th International Riversymposium 2006 - (79351)

REPORT:

The 9th International River*symposium* 2006, will be held 4 - 7 September 2006 in Brisbane, Queensland. The River*symposium* is an integral part of Brisbane's Riverfestival, an annual cultural festival, celebrating water and promoting environmental sustainability.

The 9th International River*symposium* 2006, focuses on river management and the integration of science, business, institutions and the community in managing the problems facing rivers, waterways and catchments around the World. This year the symposium will particularly explore 'Managing rivers with climate change and expanding populations' across a number of topics.

The Conference content will include the presentation of important river management case studies to the award of the prestigious International and National Thiess Riverprizes, the International Riversymposium celebrates the ecological and social value of rivers, showcases world's best practice in river management and provides a global forum for research and policy development.

Cost of attendance at the 9th International Riversymposium in Brisbane 4 - 7 September 2006 will be approximately $2,395.00 per delegate. It should be noted that this cost does not include travel. If included, a flexible return airfare to Brisbane plus return airport transfers would be an additional cost of approximately $793.50 per delegate.

Budget for Delegate Expenses - Payments made

- Total budget for Financial Year 2005/2006 $44,481.30
- Expenditure to date $25,557.00
- Budget balance as at 20 June, 2006 $18,924.30

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Sustainable and liveable communities that respect, preserve and manage the heritage, cultural and natural assets of the City."*

Funding

Funding for this proposal will be from the Delegates Expenses Budget.

RECOMMENDATION:

That attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 9th International Riversymposium in Brisbane 4 - 7 September 2006 at a cost of approximately $2,395.00 per delegate be considered.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

CITY PLANNING

Item: 123 **CP - Provision of Fire Safety Annual Statements - Environmental Planning and Assessment Regulation 2000 - (95498, 107)**

REPORT:

Introduction

Class 2 to 9 buildings have been subject to Fire Safety Measures since the introduction of Ordinance 70 in 1973, under the Local Government Act 1919, through to the present day in 'The Building Code of Australia 2006', under the provisions of the Environmental Planning and Assessment Regulation 2000.

The general types of buildings covered are those, which may be used/occupied by the public or groups of people, including workplaces and may consist of:

- multiple housing (flats);
- hotels;
- motels;
- offices;
- shops; and
- commercial, professional, industrial and assembly buildings (schools, theatres, cinemas and hospitals).

Background

The Environmental Planning and Assessment Regulations (as amended), in particular to Part 9 - Division 1 to 6, which relates to Fire Safety Statements, requires the following:

a) Division 2 - identifies it is Council's responsibility to include the fire safety schedule within the Development Approval.

This is established and Council's Building Surveyors identify the measures required in each relevant DA.

b) Division 4 - identifies that a final Fire Safety Certificate is to be issued by the owner (or his agent) on behalf of the owner and is then required to be submitted to Council and the Commissioner of New South Wales Fire Brigades stating that all fire safety measures have been installed by suitably qualified persons, and their installation certified to the owner/agent.

A final Occupation Certificate will NOT be issued until such statement has been received.

c) Division 5 - states that an Annual Fire Safety Certificate is a statement issued by the owner or on behalf of his agent to Council, and the Commissioner New South Wales Fire Brigades certifying that all fire safety measures have been maintained to the relevant maintenance standards, by suitably qualified persons, and that they have been certified to the owner or his agent.

Council receives such statements and registers them to the property file.

d) Division 6 - states that the owner of a building to which a fire safety measure is applicable, must not fail to maintain such measure.

The annual statement indicates the measures are being maintained, by the fact the owner or his agent are certifying that they are.

Discussion

While the legal requirement of the owner is established however, owners change and forget, or just don't appreciate the ramifications should something go wrong and a member of the public/employee is injured or killed in a fire or other issue.

It is the responsibility of the owner to provide a safe environment for the public/employee, and it is also expected that a safe environment has been provided by the owner (proven in court).

Council Officers only become involved in existing buildings, when:

a) The building is to be altered or extended, in which case the existing and proposed are treated as one, and assessed as one for revised fire safety measures during the development application assessment.
b) A complaint is received from the public or employee.
c) A report is received from the NSW Fire Brigades requesting an inspection of premises, to determine that fire safety measures are being maintained.

Council is obliged to inspect and, if necessary, issue orders as required. Staff can also issue penalties or pursue the matter in court.

Places Of Public Entertainment

Places of Public Entertainment are licensed annually, and copies of Fire Safety Statements are required to be submitted with the application for renewal.

Smoke Detectors

The recent introduction of the Building Legislation Amendment (Smoke Detectors) Act 2006, requires that smoke alarms be installed from 1 May 2006 in all existing private dwellings, being of:

- Class 1a;
- Class 2; and
- Class 4 parts of non-residential buildings and relocatable houses (not caravans).

Shared Accommodation being of:

- Class 1b;
- Class 3; and
- Class 9a (health care buildings).

However, the legal requirement does not arise until 6 months after the regulations commenced on 1 May 2006.

Objectives

The main objective is to provide a safe environment in all dwellings, and in all public buildings such as shops, offices and all work places where fire safety measures have been installed.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Promote environmental awareness and encourage community participation in the management of natural, cultural and heritage assets."*

Funding

There are no implications to funding.

RECOMMENDATION:

That the following be adopted in respect to notification of Fire Safety Measures:

1. Information forms be included annually with the rating notice, providing:

   a. notification of legal responsibilities on property owners of relevant commercial, industrial and public natured building (shops, etc);
   b. notification regarding the installation and maintenance of Fire Safety Measures; and
   c. information on actions to be taken regarding notification to governing bodies with regards to annual fire safety statements.

2. This information pack should also include advice that non-compliance could attract heavy incrementing penalties.

3. Provide advice to owners of residential dwellings of the introduction of the Building Legislation Amendment (Smoke Alarms) Act 2006.

4. Advise that Section 149d Certificates and Occupation Certificates will not be issued without the installation of working smoke detectors in dwellings, and the relevant Fire Safety Statements provided in all other relevant buildings.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 124 **CP - Developing an Asset Management Program for Existing Infrastructure and Lobby for Increased Funding - (95498, 91368, 107)**

REPORT:

This report relates to the Strategic Planning Task of 'Developing an Asset Management Program for Existing Infrastructure and Lobby for Increased Funding'. The draft Terms of Reference for this strategic task was previously reported to the Strategic Planning Committee, and subsequently received by Council on 13 December 2005, via the Strategic Planning Committee Minutes.

This report on the Asset Management Program was prepared and presented to the Strategic Planning Committee on 23 February 2006. The Committee has endorsed the reports recommendations.

Subsequently the report has been slightly modified to reflect some operational concerns, however, the recommendations have remained unchanged.

The amended report and the Committee recommendations are presented herein.

Current Asset Management (AM) Program/Processes/Plans

Infrastructure Asset Groups (categories, stock)

Council provides and manages a wide variety of infrastructure to the Hawkesbury community and its visitors. These assets can be grouped into following seven (7) categories:

Asset Groups/Categories

1. ***Road and Transport***
   - Road pavements (sealed/Unsealed)
   - Kerb and guttering
   - Bridges/major culverts
   - Car parking areas
   - Paved footpaths and cycle ways
   - Traffic facilities
   - Street furniture
   - Signage and pavement marking
   - Roadside general

2. ***Stormwater Drainage and Environmental Facilities***
   - Pits, pipes and channels
   - Headwalls
   - GPTs
   - Swales
   - Wetland and basins

3. ***Building and Facilities***
   - Community halls and neighbourhood centres
   - Childcare centres
   - Amenities buildings
   - Libraries, art centres
   - HQ and depot buildings, RFS building
   - Monuments/memorials
   - Commercial buildings

4. ***Parks and Recreational Facilities***
   - Soft playing fields/Ovals
   - Play grounds - Tennis, Netball courts, skate parks
   - Indoor/Outdoor Aquatic Centres/Pools
   - Play equipment (swings)
   - Parkland
   - Gardens/landscaping treatments

Asset Groups/Categories

5. *Natural Assets/Facilities*
- Rivers
- Lakes/foreshores
- Walking trails
- Lookouts
- Reserves
- Fire trails

6. *Waste Water/Sewerage Facilities*
- Sewerage treatment plants
- Sewerage pipes
- Pumping stations
- Treatment ponds/beds
- Wetlands

7. *Waste Management Facilities*
- Landfill
- Weigh Bridges
- Gate House

Assets Inventory

Inventory of key council managed assets is shown in the table below. It is to be noted that the list shown below is by no means complete. There are vast numbers of other sub-assets, which are not listed here. The table is presented to give an appreciation of the vast network of council managed assets within Hawkesbury.

Description of Asset	Asset Stock	Description of Asset	Asset Stock
Road and Transport		**Stormwater drainage and environmental facilities**	
Sealed roads	718.5 kms	Pits/manholes/headwalls	3712 nos.
Unsealed roads	306.5 kms	Channels	TBA
Paved footpaths	78.1 kms	Pipes and culverts	134.8 kms.
Cycle ways	20 kms	GPTs	19
Bridges/Major culverts	68 nos.	Wetland/Basins	5
Car parking areas	2812 spaces		
Traffic Control	63 nos.		
Signage (all types)	8651 nos.	**Parks and Recreation Facilities**	
Pavement marking	3149 nos.		
Kerb and guttering	445.5 kms.		
Street furniture	976 nos.	Ovals/Playing fields	TBA
		Skate parks	2 ea.
		Hard courts (Netball/Tennis/Basketball)	82 ea.
Building and Facilities		Indoor Aquatic Centre	1 no.
HQ and admin	2 nos.	Indoor Sporting Stadium	1 no.
Depot	1 no.	Swimming Pools	2 no.
Amenities/toilet block	68 nos.	Play Equipment	60
Art centres	3 nos.	Wharf	3 nos.
RFS buildings and sheds	25 nos.		
Business/houses	37 nos.		
Childcare centres	13 nos.		
Community centres	20 nos.		
Library	2 nos.		

Museum	2 nos.

Description of Asset	Asset Stock	Description of Asset	Asset Stock
Ancillary Building/Facility	52 nos.	**Natural Assets/Facilities**	
		Lookouts	3 nos.
		Walking Trails	Approx. 3 kms
		Parks/Reserves	231
Sewerage Facilities		Fire Trails	95 kms
		Rivers/Lakes/Ponds/Wetlands	8 nos.
Sewerage Treatment Plants	3 nos.	Camping Ground	1 no.
Pumping stations	23 nos.	**Waste Facilities**	
Manholes/Lamp Holes	3150 nos.	Landfill site/area	1 no.
Conduit System	144.5 kms	Weighbridges	2 nos.
		Gatehouse	1 no.

Asset Management Information Systems

The asset management information refers to tools and systems used by council for recording assets inventory, costing, plans and records, works/maintenance management, GIS, integration with other corporate systems, accessibility and user friendliness.

Current systems utilised at Hawkesbury Council is shown in the table below:

Asset Groups/ Categories	Current AM Information Systems	IT Systems
Road and Transport	• SMEC database is used to record road and transport assets. • Road hierarchy is defined. • Data can be viewed spatially through GIS (ESRI). • Sealed roads database is linked to SMEC Pavement Management System (PMS). • SMEC PMS used to model and develop scenarios for sealed road renewal works. • Database contains cost and historical information.	• SMEC PMS • MS Access • MS Excel • GIS
Stormwater Drainage and Environmental Facilities	• Stormwater drainage record is maintained in GIS. • CCTV inspections are carried out to gather condition information. • Environmental water quality structures (GPTs) inventory is recorded in excel spreadsheet. • Maintenance cost and level of service specification is recorded for GPTs.	• GIS (ESRI) • MS Access • MS Excel
Buildings and Facilities	• Asset data is stored in TURBO WORKS. • TURBO WORKS is utilised for maintenance works program.	• TURBO WORKS
Parks and Recreational	• Database available in MS access, needs updating. • Hawkesbury Sports Council (HSC) has asset location	• MS Access database

Asset Groups/ Categories	Current AM Information Systems	IT Systems
Facilities ***Natural Asset***	information of sports grounds managed by HSC. • Digital vegetation mapping survey is currently underway.	• Excel • E-map
Waste Water (Sewerage)	• Asset record is kept in Excel spreadsheet. • CCTV is carried out to gather condition information. • Pipe network is linked to GIS. • SewerCad package purchased in late 2005 and currently being operationalised. The package has modelling and program development capability.	• Excel • GIS • SewerCad
Waste Management Facilities	• Building and structures information recorded in TURBO works. • Waste collection route information currently available in GIS. • Landfill capacity and projection information is managed by Regulatory Services.	• Tip site Systems (Weigh bridge data)
Other Corporate Systems	• FinanceOne used for Financial Management and reporting. • DataWorks for electronic documentation and control. • Proclaim is used for property information system. • ESRI (Geographical Information System) for spatial presentation of data.	• FinanceOne • DataWorks • Proclaim • E-Map

Current Asset Management Programs/Processes/Plans

Maintenance and works programs are prepared annually by Asset Managers as part of the annual management planning process. The programs are developed based on community demands, asset manager's knowledge, historical information, condition of the asset, analysis of risk and relative priority, social, economic and political consideration.

Asset Managers have developed intricate knowledge of assets capacity, condition and performance. They utilise engineering judgement, available council information systems, prevailing standards and processes to identify appropriate maintenance regime and renewal options.

The planning and programming horizon has generally been limited to meet council's 3 year management planning cycle. Most recently a 10-year infrastructure improvement program has been developed recognising the need to expand the planning horizon and a need to forecast asset condition and analyse cash-flow position to maintain assets in a satisfactory condition.

Extensive information is available on council's 10-year infrastructure improvement plan and does not warrant repeating.

Desired Asset Management Systems and Practice, Gaps and Improvement Needs

The Local Government and Shires Association initiated Independent Inquiry into the Financial Sustainability of Local Government has recently been released. Among others the Inquiry has identified that:

> *"Local government must alert its ratepayers and residents that it has an infrastructure crisis that will be expensive to fix. However, money alone won't solve the problem. All local councils must urgently adopt modern asset management*

practices so they can accurately value and assess the condition of their infrastructure and what it will take to maintain renew and enhance it. Otherwise any funds raised could be wasted."

"The goal of infrastructure asset management is to meet a required level of service, in the most cost effective manner, through the management of assets for present and future customers" (IIMM).

The recently initiated 10-year infrastructure investment planning by council is timely and this process needs to be institutionalised and carried out as part of council's asset management planning process on a continuing basis for effective decision-making.

A formal approach to the management of infrastructure assets is essential in order to provide services in a most cost-effective manner, and to demonstrate this to the community and stakeholders.

The International Infrastructure Management Manual (IIMM 2006) is currently considered the best practice in Asset Management. NSW Councils are embracing the principles and practices of the IIMM. Many processes are already being practiced in councils however the asset management plan formalises and puts process and systems in the systematic format for presentation to the stakeholders and decision makers.

The IIMM is flexible and is not prescriptive and lets individual organisations to choose and set their asset management goals considering their objectives and resource limitations.

In general, the Asset Management Plans will allow:

- Predicting the future recurrent investment required to maintain service levels and minimize failures.
- Assessing the financial viability of the organisation to meet costs through estimated rates and charges.
- Predicting the future capital investments required to prevent asset failure.
- Predicting the decay, mode of failure or the reduction in the level of service of assets (or their components), and the necessary rehabilitation/replacement programs to maintain an acceptable level of service.

One of the pre-requisites for an effective AM development process, is for council to set broad corporate AM goals and objectives. This will provide strategic direction, priority and generate stakeholder support for this corporate task.

The next step is a 'gap analysis'. Gap analysis simply means reviewing existing asset management planning/strategy, structures, processes, systems, information and current data in place for each of council’s individual asset types. Then compare these with established asset management practices as detailed in the IIMM. Establish the asset management goal for council and determine the gap between the current status and the desired state.

Following this, an Asset Management Implementation/Improvement Plan will be developed which will outline the short, medium and long-term strategies and actions necessary for council to implement asset management across all of its assets.

Some Sydney Metro Council's have engaged external consultants for 'gap analysis' and improvement planning. This approach is found to be effective as it utilises independent review, utilisation of systematic, tested processes and common methodology. Besides it will also enable sharing experience and benchmark activities with other council's.

The gap analysis and improvement plan consultancy is estimated to take about 3 months and cost approximately $25,000.

Strategy for Existing Asset Management

One of the recommendations of the NSW LG Financial Sustainability is that:

> *"All councils with an infrastructure renewal gap and backlog should voluntarily agree to restrain operating expenditure by adopting an 'optimalist' approach to new recurrent services. An 'optimalist' approach means leveraging resources from third parties (e.g. private enterprise, NGO and other tiers of government) rather than funding most local initiatives themselves".*
>
> *"……… Councils must devote the bulk of future real growth in their total revenues to renewing and enhancing local infrastructure, especially roads, kerbing and pavements, until the renewal gap and backlog is overcome".*

The above succinctly summarises what council's strategy should be. The Inquiry findings are consistent with council's 10-year infrastructure improvement program, which is designed to arrest further decay of existing infrastructure and focus on infrastructure renewal and rehabilitation.

The following specific asset management choices are suggested in support of above strategy:

Accord Priority Works To Preserve Existing Assets Functionality

Existing assets are most likely to be the most appropriate. Program and funding should be directed to assessing needs and commence managing asset renewals better now to prevent problem worsening.

Restrain From Creating Community Expectation For Non-Essential Assets And Service Expansion

There is continuous community demand and pressure on elected leaders and senior management for expanding council's infrastructure and services. All parties should restrain from creating unwarranted community expectation.

Include Life Cycle Costing Analysis In The Asset Management And Development Planning Stage

Any new asset creation will require capital and ongoing operation, maintenance and renewal investment. Full project life cycle cost should be analysed at the project planning stage.

Continued asset expansion without additional maintenance funding and allowance for renewal would result in O&M and renewal budget shortfalls.

By linking capital and O&M budget it will be possible to make informed decisions regarding capital project planning and investment early on. New capital projects should only be allowed to proceed once the entire project cost package, including O&M, depreciation and renewal is considered.

Consider Rationalisation Of Assets

Current council funding has become inadequate for infrastructure management and will result in level of service decline unless additional revenue is forthcoming.

Rationalisation could be through change in level of service, standards and/or decommissioning of limited use and unwanted assets.

The projected population growth, ageing population and infrastructure, stringent regulation, community demand for higher quality services, climate change and rising fuel prices is likely to result in change in the demand and utilisation of infrastructures and services. Many infrastructures may require adaptation to meet these changing demands.

Asset rationalisation plan would need to be developed considering, budget limits, cost and benefits, ongoing maintenance, renewal and asset utilisation.

Put In Place A Strict Moratorium/Freeze On 'Non-Essential' New Asset Development

Consider placing a temporary 'freeze' on development of any new 'non-essential' infrastructure until council's financial position has improved.

Develop Sustainable Project/Program For Council Funding Guideline And Assessment Criteria

Establishing a systematic merit based project and program ratings tool can assist in making sound informed decision while allocating limited resources. Weighting and ranking involves many factors and may use triple-bottom line ranking based on social, economic and environmental factors. The criteria used or weightings assigned would be aligned to council's strategy.

The benefit of a prioritisation tool is very significant; it would save time and expense in decision making each year and win community confidence through a clear and transparent decision process.

Make Concerted Effort To Coordinate And Identify Opportunities For Sourcing Additional Funding From External Organisations

Annually, various council departments make submissions seeking external funding in the form of grants and co-contributions. Submissions are made by relevant council section following grants criteria. Funding is available for recurrent expenditure such as regional roads maintenance, traffic facilities grant, as well as specific purpose capital projects and community services that meet government guideline and initiatives.

The findings of the NSW Local Government Financial Sustainability Inquiry and the House of Representatives Inquiry (2003) reveal that there is significant cost shifting on local government from other ties of government.

The NSW LG Financial Sustainability Inquiry has found through sample survey of 19 councils that:

> *"…… financial, regulatory, policy and reporting responsibilities imposed by other tiers of government are costing local councils in NSW about 7% of their total ordinary revenues which is equivalent to $430 million across all councils per annum".*

This has necessitated council to be more prudent when applying for external funding. Grant and contributions, which supplement councils revenue and add value is very much welcome. However, funding that creates future recurrent liability and or community expectation of council needs careful consideration.

A council's grants and contributions policy, which outline direction and sets council's priority for funding application and acceptance is desirable.

In addition assigning an officer to monitor and track grant would be an added advantage. The grants officer's role would be to monitor, track and alert relevant officers of timely submission, liaise funding receipt and assist relevant department with grants management.

The NSW LG Financial Sustainability Inquiry has identified that:

"………. Local Government will need to borrow over $5 billion to overcome its infrastructure backlog and find an extra $900 million a year to service the debt and overcome the annual capital works shortfall so that the backlog does not grow worse.

"The inquiry proposes that the extra $900 million be found by a combination of extra grants from the Commonwealth and State governments ($200 million per annum), council's expenditure savings ($200 million per annum) and increased rates, fees and charges ($500 million)".

"The Commonwealth Government should increase financial assistance grants to local government by 20 per cent so as to restore part of the reduction in general purpose grant funding as a proportion of gross domestic product (GDP) in the last two decade. More importantly it would partially reverse the decline in local government's share of the Australian tax base (received as rates plus government grants) from around 6 per cent in the 1970s to about 4 percent now".

Council should use the findings of the Inquiry to justify and lobby other tiers of the government for increased funding.

The Roads to Recovery program is a Federal Government initiative in response to ageing infrastructure renewal. This program has provided important contribution in managing ageing road infrastructures. The Stage II of the Roads to Recovery has commenced and will finish in 2008/09. Council should lobby for extension of the highly successful Roads to Recovery program beyond current commitment dates.

Additionally, council should lobby for similar program funding for renewal of social/community and recreational infrastructure in the future.

Future Directions with Strategic Asset Management Program

The costs of maintaining assets are increasing every year. So are the costs of other demands on council's services. Revenue unfortunately, is not keeping pace with projected expenditure. Thus the interest in the Strategic Asset Management is simply a financial necessity.

The recent NSW LG Financial Sustainability Inquiry has identified that:

"….money alone won't solve the problem. All local councils must urgently adopt modern asset management practices… "

Hence a need to look at the future information and know what revenues and expenditures are likely to require and why. This information will enable council to find and test alternatives such as extending asset lives, reducing costs, finding new ways to deliver services requiring fewer council assets.

The strategic asset management is to ensure that:

a) Defined service levels and performance standards derive asset requirements and asset management strategies.

b) Scarce financial resources are properly allocated and managed to optimise investment in infrastructure.

c) A long-term (life-cycle) approach is taken when determining asset O&M, renewal and development strategies.

Corporate asset management goal, objective and commitment are essential for successful implementation and asset management improvement. Corporate approach is essential because the asset management decision needs to be taken across all asset classes and corporate approach allows efficient trade-offs to be made across asset group.

NSW Councils are embarking on developing asset management plans (AMP). The asset management plan is key tool to manage assets effectively. The AMP will define:

- strategic goals;
- project demands;
- analyse management strategies and tactics;
- develop financial projections and cash flow; and
- establish review mechanisms and improvement plan.

It is important to develop “first-cut” asset management plans early in the strategic implementation process. These “first-cut” plans can be based on existing asset knowledge, existing levels of service, basic demand forecasting, initial lifecycle planning and financial forecasts. The “first-cut” plans may not initially have any formal corporate status in the organisation. However, with progressive development and refinement these initial plans will soon become guiding strategic documents.

Council is planning to develop a “first-cut” asset management plan for each asset group. These plans will be developed in tandem with the organisation's long-term financial strategy (LTFS). All staff, management and elected representatives should be involved in the development of the asset management plans and LTFS.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Objective: Establish a framework to define and equitably manage the infrastructure demands of the City"*

Funding

Asset management "gap-analysis" is estimated to cost approximately $25,000. Currently, this is unfunded and funding needs to be identified from existing budget to proceed with this review.

RECOMMENDATION:

That Council endorse the recommendations of the Strategic Planning Committee, as resolved at their meeting of 23 February 2006:

That:

a) The Committee recommend council to accord corporate priority for Asset Management improvement planning.

b) An Asset Management improvement group be formed consisting of City Planning, Finance, Information Technology and relevant Asset Managers to convene on an as needed basis.

c) Terms of reference be developed for Asset Management 'gap analysis' consultancy service.

d) Funding of $25,000 be made available for 'gap analysis' consultancy.

e) Report be presented to the Strategic Planning Committee of the findings of the 'gap analysis' and improvement planning.

f) Strategies for existing asset management outlined in the report be considered in the future programming.

g) Develop grants policy and request the General Manager to assign resources officer for grants coordination.

h) The strategic planning task of "Identifying maintenance/capital expenditure ratio on physical and social infrastructure" be deferred, and this should be reviewed as part of the Asset Management Planning and Improvement Program.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 125 **CP - Subdivision - Two Lot Subdivision - Lot 1, DP817895 - 4 Langley Place, Richmond - DA0137/06 - (7037, 7038, 95498, 107)**

Development Information

Applicant:	P S Graham & Associates
Applicants Rep:	N/A
Owner:	Mrs L Kukulovski & Mr S Kukulovski
Stat. Provisions:	Hawkesbury Local Environmental Plan 1989 Hawkesbury Development Control Plan
Area:	1212 m^2
Zone:	Residential 2(a) under Hawkesbury Local Environmental Plan 1989 The proposed zone under draft Local Environmental Plan 1/01 – Amendment 130 is Housing.
Advertising:	7/3/2006 to 21/3/2006
Date Received:	1/3/2006

Key Issues:

- ♦ Character/Streetscape
- ♦ Amenity
- ♦ Privacy
- ♦ Loss of Property Value

Recommendation: Approval subject to Conditions.

REPORT:

Introduction

The application seeks approval for the subdivision of Lot 1 DP 817895 - No. 4 Langley Place, Richmond into two lots.

The matter is being reported to Council at the request of Councillor Devine.

This Report details the relevant matters. A full assessment of the proposal is on file.

The Proposal

The application involves the subdivision of the existing property into two (2) allotments:

Proposed Lot 11:

- area of 610.1m^2;
- 18.69m frontage and 34.19m depth;
- will contain the existing two storey dwelling house sited on it; and
- access from Langley Place via an existing driveway.

Proposed Lot 12:

- area of 601.7m^2 (450.5m^2 excluding the access handle);

- a width of approximately 18.7m and a varied depth of 18.73m to 29.62m; and
- access from Langley Place via an existing constructed driveway.

Statistory Situation

Hawkesbury Local Environmental Plan 1989 (HLEP 1989)

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

Draft Amendment No. 130 to Hawkesbury Local Environmental Plan 1989

This amendment proposes to rezone the land to 'housing'. Subdivision is permitted with development consent within the 'housing' zone. The proposal is considered to be consistent with the objectives of this proposed zone.

Planning Assessment

Hawkesbury Development Control Plan - Subdivision Chapter

The following table provides an assessment of the proposal against the relevant rules of this Chapter:

Element	Rule		Provides	Complies
General				
Flora and Fauna Protection	a)	Any subdivision proposal, which is likely to result in, any clearing of native vegetation or impact on any environmentally sensitive area is to be accompanied by a flora and fauna assessment report prepared by a suitably qualified person. This report is to primarily address the Eight Part Test pursuant to the Act (Section 5A), State Environmental Planning Policy 44 – Koala Habitat protection.	No vegetation to be removed	Yes
	b)	Vegetation cover should be retained wherever practicable as it acts to stabilize soils, minimize runoff, acts as a pollutant trap along watercourses and is important as a habitat for native fauna.	No vegetation to be removed.	Yes
	c)	Degraded areas are to be rehabilitated as part of the subdivision.	N/A	Yes
	d)	Vegetation should be retained where it forms a link between other bush land areas.	N/A	Yes
	e)	Vegetation, which is scenically and environmentally significant, should be retained.	N/A	Yes
	f)	Vegetation, which adds to the soil stability of the land, should be retained.	No vegetation to be removed.	Yes
	g)	All subdivision proposals should be designed so as to minimize fragmentation of bushland.	The subdivision will have not impact on bushland.	Yes
Visual Amenity	a)	Building envelops, access ways and road shall avoid ridge tops and steep slopes.	Development not located on ridge top or steep slope.	Yes

Element	Rule	Provides	Complies
	b) Subdivision of escarpments, ridges and other visually interesting places should: • Be managed in such a way that the visual impact rising from development on newly created allotments is minimal; and • Retain visually significant vegetation such as that found on ridge tops and other visually prominent locations.	N/A	Yes
	c) Development Applications for subdivision shall take into consideration the provisions of SREP No. 20 in relation to scenic quality.	Is consistent with relevant provisions of SREP No. 20.	Yes
Heritage	(a) A subdivision proposal on land, which contains or is adjacent to an item of environmental heritage as defined in Schedule 1 of the Hawkesbury LEP should illustrate the means proposed to preserve and protect such items.	N/A	Yes
Utility Services	a) Underground power provided to all residential and industrial subdivisions. Where infill subdivision is proposed, the existing system, whether above or underground shall be maintained.	Infill subdivision	Yes
	b) All lots created are to have the provision of power.		Yes
	c) Where reticulated water is not available, a minimum storage of 100,000 litres must be provided. A minimum of 10,000 litres must be available during bush fire danger periods.	N/A	Yes
Flooding, Landslip & Contaminated Land	a) Compliance with clause 25 of Hawkesbury Local Environmental Plan 1989.		Yes
	b) Access to the subdivision shall be located above the 1% AEP flood level.	Located above 1:100 year level.	Yes
	c) Where a subdivision proposal is on land identified as being potentially subject to landslip, the applicant shall engage a geotechnical consultant to prepare a report on the viability of subdivision the land and provide recommendations as to the sitting and the type of buildings which could be permitted on the subject land.	N/A	Yes
	d) In the event the Council deems that there is the potential that land subject to a subdivision application is contaminated then the applicant shall engage a suitably qualified person to undertake a soil and ground water assessment.	Not considered contaminated.	Yes
	e) Contaminated Land shall be remediated prior to the issue of the Subdivision Certificate.	N/A	Yes
Residential Subdivision			
Residential Local Street Design	a) The design specifications in Figure 1 are met.	N/A	Yes
	b) A minimum spacing of staggered junctions in a local street network should be 20 metres.	N/A	Yes
	c) The street network should be orientated where practical, to promote efficient solar access for dwellings as shown in Chapter 6 Part C (Energy Efficiency).	N/A	Yes

Element	Rule	Provides	Complies
	d) Cul-de-sacs for residential roads should have minimum seal radii of 8.5 metres and boundary radii of 12.0 metres.	N/A	Yes
	e) Cul-de-sacs should not exceed 200 metres in length unless topographic constraints render other options impracticable.	N/A	Yes
	f) Off street parking shall be provided in cul-de-sacs at the rate of 1 space per lot.	N/A	Yes
	g) Streets should be designed to allow for the provision of suitable and safe conditions for street trees.	N/A	Yes
Residential Access Way Design	a) Access ways should have a minimum width of 4 metres and sealed pavement of 2.5 metres.	Width of 4m; 2.5m seal and located min 4m from adjacent dwelling house windows	Yes
	b) Access ways should not serve more than 5 lots.		Yes
	c) Access ways should have a maximum grade of 25% (1:4) at any point.		Yes
	d) Where the access way is steep or fronts a local collector or higher order road (greater than 3,000 vehicles per day) or a high pedestrian area, access ways should be designed so that vehicles can be driven both onto and off the property in a forward direction.		Yes
	e) Where vehicles would otherwise have to reverse more than 50 metres, a turning area should be provided to enable the vehicles to enter and leave the site in a forward direction and reduce the need to reverse over long distances.		Yes
	f) Refer to Part D Chapter 1 Residential Development for further requirements regarding access ways should a subdivision be part of a residential development	See assessment below	Yes
Stormwater Management	a) Where site topography prevents discharge of storm water directly to the street gutter or a council controlled pipe system, inter allotment drainage provided to accept run off from all existing or future impervious areas on the subject land. The design and construction of the inter allotment drainage system should be in accordance with the requirements of the Australian Rainfall and Runoff (1987).	The subject land slopes to Langley Place.	Yes
	b) Where proposals require the creation of easements over downstream properties for drainage purposes, a letter of consent from the owner(s) of the downstream properties should be submitted with DAs.	N/A	Yes
	c) Stormwater piped in roads and through allotments in all residential subdivisions.		Yes
	d) For subdivision proposals comprising 5 lots or more or where Council deems it necessary, a soil and water management plan should be prepared by a properly qualified practitioner with the aim of minimizing erosion and maximizing the quality of any water leaving the site.	N/A	Yes

Element	Rule	Provides	Complies
Lot Size and Shape	a) In calculating the area of a battle-axe or hatchet shaped allotment the access way is to be excluded. The area of an allotment effected by a “right of carriageway” or private road should also be excluded.		Yes
	b) Allotments should have a minimum width of 15 metres at the building line. Council may consider a lesser dimension but only as part of an integrated housing development.		Yes
	c) Lots should be able to accommodate a building envelope of $200m^2$ with a minimum dimension of 10 metres.		Yes
	d) An allotment should not be less than 20 metres in depth to ensure there is some flexibility in the choice of housing design and sitting as well as the availability of suitable space for other activities normally associates with a dwelling.	The boundary adjoining lot 15 is 18.73m in depth	No See discussion below
	e) Vegetation which adds significantly to the visual amenity of the locality and/or which is environmentally significant should be conserved in the design of the subdivision proposal.		Yes
	f) Lots should be designed to allow the construction of a dwelling with a maximum cut or fill of 1 metres from the natural ground level.		Yes

Variation

This rule requires that an allotment should not be less than 20 metres in depth to ensure there is some flexibility in the choice of housing design and siting as well as the availability of suitable space for other activities normally associates with a dwelling.

Applicants Justification

“The proprietor requested I retain a new G.I. shed on proposed lot 11 and as a consequence I bent the boundary reducing the south-western boundary of proposed lot 12 to be 18.73 metres. This is a shortage of 1.27 metres. This could be considered a special case as a 20 metre depth is available 2.3 metres northerly of this boundary. In this case the block has an average depth of 24.175 metres which I believe should provide flexibility in the choice of housing design and sighting and suitable space for other activities normally associated with a dwelling.”

Comment

The boundary adjoining lot 15 is 18.73m in depth. Given that this is an irregular shaped block and by moving 2.5m into the block compliance is reached this minor variation is considered acceptable. The application demonstrates that this variation will have no adverse impact on the design and siting of a future dwelling house or the amount of private open space required.

Hawkesbury Development Control Plan - Residential Chapter

The following table provides an assessment of the proposed development against the relevant requirements of this Chapter.

Element	Rules	Provides	Complies

Element	Rules	Provides	Complies
Height	(a) New buildings are to be constructed within the Building Height Plane for the relevant residential use. (Refer to Table 1). The Building Height Plane is to be adjusted for sloping sites to follow the natural ground level.	Can be achieved for any dwelling to be erected on new lot (Lot 12)	Yes
Setbacks	(a) For sites fronting main or arterial roads, buildings are to be set 10 metres back from the front boundary unless there are exceptional physical circumstances. The 10m setback commences after any road widening which may affect the subject land.		Yes
	(b) 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.	The existing dwelling house will be located on Lot 11 and is setback approximately 7m from Langley Place. This is considered satisfactory as the setback is existing	Yes
	(c) For battleaxe blocks the general setback from the rear boundary of the property in front is to be 6 metres.	Can be achieved for any dwelling house to be erected on the new vacant block.	Yes
Landscaped Areas	(a) All forms of residential development are to contain pervious soft landscaped areas to a total of 30% of the total site area. This may be calculated by adding together soft landscaped areas of private and common open space. Development proposals, where required, are to indicate the proportion of the total site area that is: o total "soft" landscaped area; o total ground level private open space; and o total common open space	Can be achieved for each new lot.	Yes
Private Open Space	(a) Single dwelling houses and multi unit housing are to provide at least one area of private open space for each dwelling.	Can be achieved for any new dwelling house on the proposed vacant lot.	Yes
	(b) The total of private open space at ground level must be a minimum of 20% of the site area, regardless of permeability of the surface. This space must:	Lot 11 requires 122m^2. 230m^2 of POS provided for the existing dwelling house.	Yes
	• be capable of containing a rectangle 5 metres x 6 metres that has a slope less than 1:10;	Lot 12 requires 120m^2. It has been demonstrated that 140m^2 of POS is available.	Yes
	• not be comprised of any area with a dimension less than 4 metres; and		Yes
	• be exclusive of clothes drying areas, driveways, car parking and other utility areas.		Yes
	(c) Private open space shall not be located in the front boundary setback.		Yes

Element	Rules	Provides	Complies
	(d) Any above ground level balcony or rooftop area designed for private open space must have minimum area of 10 square meters with a minimum dimension of 2 metres. This area is not included in the calculation for the provision of total private open space.		N/A
Access and Parking	(a) Driveways next to any side or rear boundary must have a landscape strip of at least 1 metre to separate them.	Current strip width of between 300mm and 700mm has been demonstrated. Existing driveway approximately 8m from dwelling house on adjoining property.	No See discussion below
	(b) Shared driveways, access lanes and car parks must be setback a minimum of 1.5 metres from windows to main habitable rooms of dwellings. This standard does not apply if the floor level of the dwelling is at least 1 metes above the driveway.	Access located beside garage of existing dwelling and closest window is approximately 4m away from the access lane.	Yes
	(c) All driveways must have a minimum width of 3 metres and must be sealed to prevent surface erosion.	Existing access/driveway to proposed lot 12 has a width of 4m, with a sealed width of 2.5m.	Yes
	(d) For development that contains more than 2 units driveways are to have a minimum driveway width of 6m from the layback/kerb line to 6m inside the property.		N/A
	(e) Garages and carports must not visually dominate the street façade, should occupy less than 50% of the building facade and must be compatible with the building design.	Existing	Yes
	(f) Uncovered car parking spaces and turning areas can be located within the front setback to the required building line provided that this area is dominated by landscaping and/or addresses established streetscape patterns.	None existing or proposed within front setback areas. .	Yes
	(g) Where parking spaces are located at 90° to the driveway alignment the minimum driveway width adjacent to the space is to be 6.7m, increased as necessary to allow adequate maneuvering on site.	Can be achieved for Proposed Lot 12.	Yes
	(h) On site maneuvering areas shall be provided to allow entry and exit to the site in a forward direction (except for a single dwelling).	Not required	Yes
	(i) On site maneuvering areas shall be provided to allow entry and exit to and from all car spaces including garages, carports, uncovered spaces and visitor spaces by a single turning movement (except for a single dwelling).	Not required	Yes
	(j) Attached dual occupancies will be assessed on merits in relation to onsite maneuvering.		N/A
	(k) Where more than 3 units are served by an access or the access is greater than 30m long, a turning area shall be provided at or near the end of the	The access way to lot 12 is a total of 34m. There is adequate area to	Yes

Element	Rules	Provides	Complies
	access.	maneuver vehicles within this lot depending on the design and location of the future dwelling house.	
	(l) On site maneuvering shall be based on the Austroads 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 sweep paths.		Yes
	(m) 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 structures, 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	Can be achieved for any proposed dwelling to be located on Lot 12	Yes
	(n) Refer to the following chapters for additional requirements: • Part C Chapter 2 - Carparking and Access • Part C Chapter 6 - Energy Efficiency • Part D Chapter 3 - Subdivision		Yes Yes N/A
Visual Amenity	(a) Where there is potential for loss of privacy the proposal should incorporate some of the techniques illustrated in the DCP. (b) Where there is no alternative to a window, it should be screened.	Can be achieved for any new dwelling house on Lot 12.	Yes Yes
Acoustic Privacy	(a) Acoustic privacy is to be considered at the design stage. (b) Site layouts should ensure parking areas, streets and shared driveways have a line of sight separation of at least 3 metres from bedroom windows. (c) A distance of at least 3 metres should separate openings of adjacent dwellings.	Can be achieved for any new dwelling house proposed for lot 12.	Yes Yes Yes
External Noise and Vibration	(a) A noise and vibration assessment must be undertaken by a suitably qualified noise consultant for any proposed residential development other than a single dwelling house located within 100 metres of the railway line or within Australian Noise Exposure Forecast (ANEF) 25 or greater. (b) Proposals must comply with the current Environment Protection Authority criteria and the current relevant Australian Standards for noise and vibration and quality assurance and incorporate appropriate mitigation measures.	The lot is not located within 100m of the railway line. The land is not located within an ANEF contour.	Yes Yes

Element	Rules	Provides	Complies
Safety and Security	(a) Each dwelling is to be provided with direct and convenient pedestrian access to a private or public road.	Satisfactory.	Yes
	(b) Barriers to prevent movement between internal roof spaces of adjoining dwellings are required.		N/A
	(c) Elements to be incorporated in site and building design and include: • doorway/entry safety and surveillance to and from the footpath • illumination of public spaces including all pedestrian paths, shared areas, parking areas and building entries to the relevant Australian Standard. • Visibility to the street from the front of the development • Restricted access to the rear of the site.	Satisfactory. Can be achieved for any development on Lot 12.	Yes
Cables	(a) The design, location and construction of utility services must satisfactorily meet the requirements of both the relevant servicing authority and Council.		Yes
Recycling, garbage and mail	(a) Collection areas must be integrated into the overall site and building design.	Satisfactory.	Yes

Variation

This Rule requires driveways adjacent to adjoining property boundaries, to be setback 1 metre to allow for landscaping. This requirement is imposed to reduce impacts on neighbouring properties in terms of privacy, noise and light.

Applicants Justification

"The sealed portion of the access way was constructed for a previous subdivision and is 2.5 metres wide. There is approximately 0.6 metres available between the northern boundary and the construction suitable for landscaping. The adjoining dwelling No. 2 on the north is 8.3 metres north of the common boundary making this a special case as noise and headlight glare would have minimal affect on that dwelling. A paling fence has been erected on this common boundary. The reduction of landscaping from one metre to 0.6 metres should not be significant under the circumstances."

Comment

The driveway exists and has a setback of between 300mm and 700mm from the adjoining boundary. The driveway is approximately 8m from the dwelling house on adjoining property and appropriate landscaping can be achieved within the setback area provided. It is therefore considered that there will be no adverse impacts resulting form the use of the driveway in its current location. Landscaping of the setback area will be required as a condition on consent.

Community Consultation

The application was notified in accordance with the requirements of Hawkesbury Development Control Plan - Notification Chapter. Eight submissions were received during the notification period; 7 submissions and 1 in support. In recent weeks, 5 additional submissions have been received, four of which are from previous respondents. The matters raised in the submissions, including those recently received, are discussed below:

1. Lot Sizes Not In Character With Area - Considered Medium Density. Prestige/Feel Of Neighbourhood - Large Blocks Averaging $1000m^2$

   Comment

   The average size of lots within Langley Place is $1000m^2$, however, lots adjoining those in Langley Place are as small as $600m^2$. It is considered that the resultant lots are in character and are consistent with the locality. Hawkesbury Local Environmental Plan 1989 permits the subdivision of land within the 2(a) zone into allotments of a minimum of $450m^2$.

2. The character of the traditional residential development in the neighbourhood and streetscape is that of high quality, single dwellings with attractive, well-landscaped and maintained lawns and gardens. It is what may be considered by some to be a prestigious neighbourhood. The proposal would not protect and indeed would seriously detract from the traditional residential development.

   Comment

   The impact of the proposed subdivision on the existing streetscape is negligible, given the driveway and cross over that will service the new lot already exists. Future development of the rear lot will have restricted views from the street. However, it is considered that landscaping along both sides of the driveway will further restrict this view and will be in keeping with the landscaped character of the locality. The applicant proposes to place a covenant on Proposed Lot 12 to permit only a single storey dwelling on the land. A single storey dwelling on this land will have minimal impact on the existing streetscape of Langley Place, and will be in keeping with the existing streetscape of Castlereagh Road. This area of Castlereagh Road consists of 1.8m solid fences. In most places, buildings have been constructed in close proximity to the Castlereagh Road boundary.

3. Loss of Sunlight (No. 5 Langley Place)

   Comment

   The proposed subdivision will have no impact on adjoining properties in terms of overshadowing. Future development of the new lot can be designed to minimise the impacts of overshadowing.

4. Type Of Dwelling To Be Erected On The New Lot

   Comment

   The resultant vacant lot can only be developed for a single dwelling house. The future dwelling house can be designed to be compatible with the character of the residential development of the locality and to minimise any adverse impacts on the adjoining properties. The applicant proposes to place a covenant on Proposed Lot 12 to permit only a single storey dwelling on the land. It is considered more appropriate to impose an 88b Restriction on the title of Proposed Lot 12 to only permit a single storey dwelling, as this type of restriction is enforceable. This will be a condition of consent.

5. Loss Of Privacy Resulting From Future Additional Dwelling

Comment

Future development of the new lot can be designed to minimise any impacts on the privacy of adjoining properties.

6. Loss Of Value Of Properties

Comment

No evidence has been submitted to demonstrate that the proposed development will result in a loss of property value in the locality.

7. Impact On Parking Arrangements In The Cul-De-Sac

Comment

The property is not located within the cul-de-sac head. Adequate area is available to provide visitor parking and manoeuvring within Proposed Lot 12, subject to the appropriate design of future development on the site. It is considered that no unreasonable impacts will result from the subdivision and the future development of Lot 12 in respect to traffic generation and parking within Langley Place.

8. Loss of views (No. 2 Langley Place)

Comment

The proposed subdivision will not result in the loss of views currently afforded adjoining neighbours. The erection of a single storey dwelling house on Proposed Lot 12 will not unreasonably restrict views from No. 2 Langley Place. The dwelling house located on this neighbouring property is two storeys. The views in question can only be seen from the first floor, as at ground level any views from the property are obstructed by 1.8m solid fencing.

9. Increased Noise Due To Traffic (No. 2 Langley Place)

Comment

Traffic generated by the future development of Lot 12 for a dwelling house is considered minor and will have no adverse impact on adjoining neighbour in terms of noise nuisance.

10. Clause 12(2) of Hawkesbury Local Environmental Plan, which states "*In respect of a subdivision under subclause (1) or (3), the area of any access handle for a hatchet shaped lot shall be excluded from the minimum area for that lot*", a respondent raises the following:

As the access handle cannot be added to increase the size of the allotment this is just 450sqm. There is no other land size in our area that is this small. In Langley Place they are all 1000sqm and larger. With the smaller blocks on Drift Road they are all 600sqm and larger.

Comment

Whilst numerically Proposed Lot 12 will have an area of 601.7m^2, the area available for residential development is 450.5m^2. As the lot is a battle-axe allotment, it is considered that there will be minimal impact on the streetscape and character of Langley Place as discussed previously. Whilst this may give the appearance of a higher density, it is noted that the adjoining property to the northeast has been developed and contains townhouses.

11. Clause 13(1) (b) of Hawkesbury Local Environmental Plan, which states:

"Nothing in this plan prohibits consent being granted for a subdivision of land by adjustment or relocation of common boundaries provided that no allotment becomes, as a consequence of the adjustment or relocation, capable of subdivision under this plan; and a respondent raises the following:

The other highlighted area deals with an adjustment of boundaries. This was the case with this subdivision as the access driveway was purchased from the owners of the battleaxe block behind. Because of the adjustment the allotment cannot become capable of subdivision under the plan.

Comment

The subject lot (Lot 1 DP 817895) was created by a subdivision approved by Council 21 February 1992 (SA 168/91). The Deposited Plan was registered 16 June 1992. The current provisions of Clause 13 - Subdivision by adjustment of boundaries was introduced via Amendment 121 to Hawkesbury Local Environmental Plan 1989, which was gazetted 18 May 2001. Prior to this time, the above stated provision was not a requirement.

12. Land and Environment Court Proceedings - HCC ats Tchadovitch - 15 Drift Road

This proceeding involved a multi unit housing development comprising of 5 two-storey townhouses.

a) The proposal is not consistent with Clause 9A of HLEP 1989 - objective (a)

Comment

Objective (a) of the 2(a) zone is to provide housing and associated facilities in locations of high amenity and accessibility.

In the Judgement, the Commissioner assessed amenity on the basis of the existing amenity of the locality, which is characterised:

"by predominantly low-density housing, located on lots of about 700-800m^2, with generous boundary setbacks and significant landscaping. This creates a context of openness and building separation, which is complemented by the low-density houses on the rural 1(c) land opposite. I also accept this precinct is enhanced by the views to the mountain and over the flood plain. Together these factors contribute to a residential precinct having high amenity.

As clause 9 of the HLEP requires consistency with this objective, it seems to me that development should therefore be compatible with, or adhere to the same principles that create this high amenity."

Development within Langley Place is characterised by single dwelling houses located on lots of 1000m^2. Surrounding lots in Drift Road and Ivory Place have areas of approximately 600m^2 & 800m^2 respectively. Dwelling houses in these localities are predominantly characterised by individual design in a landscaped setting. The front building setbacks are generous, however many dwellings are built from boundary to boundary with minimal side setbacks.

The proposed subdivision, and future development for a dwelling house, is compatible with the existing amenity for the following reasons:

- The proposed lots sizes are consistent with lots within the locality;
- The street presentation of 4 Langley Place will remain unchanged as the driveway to the rear proposed lot and cross over exist and an existing dwelling house is located on the proposed front lot (Proposed Lot 11);
- Any future dwelling house on Proposed Lot 12 will not be visually predominant from Langley Place due to its location behind the existing dwelling houses;
- Any future dwelling house will not be inconsistent with the existing streetscape of Castlereagh Road in the locality.
- The proposed building envelop on Lot 12 is setback from boundaries in compliance with Hawkesbury Development Control Plan and is consistent with side boundary setbacks as dictated by existing development within Langley Place;
- No. 10 Ivory Place adjoins Proposed Lot 12 and has been developed for multi unit housing.

In respect to the accessibility of the land, the Commissioner concluded:

"…*Insofar as the site is some 2 km from the town centre and public transport is limited, this may not be considered as a high standard of access under some circumstances. Nevertheless it is the level of accessibility that currently exists. Considering that the HLEP does allow some forms of residential development on this site, which presumably complies with this accessibility objective, I do not consider that the subject form of development should be rejected because of poor accessibility.*"

b) Proximity of building envelop to boundaries

With respect to the matter of side setbacks, the Commissioner states:

"*Another critical element concerns the side and rear setbacks. Buildings No's 3, 4, 5 have a minimum side boundary setback of 1.4m to the neighbouring property No. 19. Reference to the landscaping plan, shows that this area is to contain a private steeping stone footpath and minimal landscaping. This will result in significantly more built area being observed along this common boundary, which is not characteristic of the neighbourhood. In this regard, the middle unit No 4 is two storeys, and its location reduces the outlook and amenity from No. 19. Then Unit No. 3 is oriented with a variable setback to its rear boundary of 4m – 6m, with its principal private open space area adjacent to No. 9 Victoria Avenue. In this regard, I accept Mr Adamson and the neighbours concerns that the reduced building setbacks reduce the amenity/privacy of their established, private open space areas, which includes some swimming pool.*"

In this case, it is not the boundary setbacks alone that raised concern, it was the combination of the setbacks with the density of the development.

In respect to the subject development, one dwelling house will be erected on the resultant vacant lot and this dwelling will be approximately located in the building envelope designated on the plans. It is considered that the boundary setbacks of the building envelop area consistent with development in the locality.

c) The site is located in a well-defined residential precinct, which has individually designed dwelling houses, set on large low-density lots in a landscaped setting. The proposal is not consistent with the precinct and the amenity it provides.

This matter has been discussed in (a) above.

Negotiation Meeting

A Negotiation Meeting in accordance with Council's Conflict Management Policy, was held on 24 May 2006 to allow respondents and the proponents the opportunity to discuss the proposal.

The meeting was attended by the respondents, the applicant and property owner as well as the Mayor and Councillors Finch and Devine.

The matters raised by the respondents for discussion included:

- Streetscape impact both Langley Place and Castlereagh Road.
- Loss of property values.
- Loss of amenity and privacy to No. 2 and No. 5 Langley Place.
- Parking and safety issues as well as increase in noise levels.
- Subdivision out of character with the area (lot sizes).
- Majority of the lots 1000m^2.

The meeting concluded with no consensus or agreed solutions to the above issues.

Conclusion

The proposal is consistent with the provisions of Hawkesbury Local Environmental Plan 1989 and the objectives of Hawkesbury Development Control Plan (DCP). The proposed development seeks two minor variations from the Rules of the DCP, which are considered acceptable in this instance.

The proposed development is not inconsistent with the Court Judgement in respect to Hawkesbury City Council ats Tchadovitch.

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

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Objective: "A prosperous community sustained by a diverse local economy that encourages innovation and enterprise to attract people to live, work and invest in the City."*
>
> *"Sustainable and liveable communities that respect, preserve and manage the heritage, cultural and natural assets of the City."*

Funding

No impact on budget.

RECOMMENDATION:

That the application for a two-lot subdivision be approved subject to the conditions in the attached consent:

General

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.

2. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.

Prior to Commencement of Works

3. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.

During Construction

4. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.

5. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.

6. Removal of the existing section of redundant concrete access way shown on P.S. Graham plan Ref S.14289.

7. The existing centrally located concrete driveway is to be extended for the full length of the access handle to proposed Lot 12. The extended driveway shall be a minimum width of 2.5 metres with widening as required to accommodate vehicle manoeuvring.

Prior to Issue of Subdivision Certificate

8. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.

9. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

   Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site *www.sydneywater.com.au* then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone13 20 92 for assistance.

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

10. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.

11. The setback area of the access way from the adjoining boundaries, including that to proposed Lot 11, shall be landscaped with a mixture of trees, shrubs and groundcover.

12. Creation of a restriction on use of land pursuant to Section 88B of the Conveyancing Act prohibiting the erection of a dwelling house on lot 12, unless that dwelling house is single storey.

13. A plan of subdivision prepared to the requirements of the Land Titles Office, shall be submitted to Council, with four copies.

14. A Surveyor's Certificate stating that all existing buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks shall be submitted.

15. A survey plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal shall be submitted. The plan shall demonstrate that there are no encroachments over remaining or proposed boundaries.

16. Payment of a Linen Release Fee of $500.00. This amount is valid until 30 June 2006.

17. A Concept On Site Stormwater Detention Design in accordance with the Hawkesbury Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification is to be submitted.

    The Design is to show details of the floor levels of the proposed and existing dwellings, the surface and invert levels of the stormwater pits and at the point of discharge into Hawkesbury City Council's stormwater system, the estimated permissible site discharge, the estimated Orifice Size, the estimated storage volume and method of detention for all storms from the 1 in 1 year storm event to the 1 in 100 year storm event are to be provided.

ATTACHMENTS:

AT - 1 Locality Plan

AT - 2 Subdivision Plan

AT - 1 Locality Plan

Lot 1 DP 817895, No. 4 Langley Place, Richmond

To view this image please refer to the separate Attachments document

AT - 2 Subdivision Plan

To view this image please refer to the separate Attachments document

oooO END OF REPORT Oooo

Item: 126 **CP - Local Heritage Assistance Fund - (95498, 80242)**

REPORT:

Introduction

The purpose of this report is to advise of the Heritage Advisory Committee's determination of the current applications made under the Local Heritage Assistance Fund (LHAF).

The aim of the LHAF is to encourage the retention and conservation of the heritage of the Hawkesbury through the provision of funds for conservation works to property owners. Grants are available on a "dollar for dollar" basis (2:1 ratio for commercial properties), with the LHAF having a budget allocation of $20,000 (twenty thousand dollars).

In March 2006 Council wrote to owners of all heritage listed properties as recorded in Council's property information system inviting applications for grants. Council received 14 applications by the closing date of 5 May 2006. The applications were considered by the Heritage Advisory Committee of Council on 18 May 2006.

Assessment Criteria

Applications were assessed by the Heritage Advisory Committee with advice being provided by Council's Heritage Advisor (Dr Donald Ellsmore) and Council staff.

The criteria used to assess applications included the following:

- the eligibility of the applicant and proposal;
- the project priorities of the fund;
- the applicant's ability to demonstrate technical and financial responsibility in relation to the project and demonstrated ability to complete the project within twelve months;
- the degree to which the applicant is financially contributing to the project;
- projects which clearly compliment broader conservation objectives, for example projects which implement key findings of heritage studies or projects in designated main streets or conservation areas;
- projects which would encourage conservation of other heritage items;
- projects of demonstrated heritage value to the community; and
- projects which are highly visible to the public.

Funding Recommendations

The Heritage Advisory Committee resolved to recommend to Council that funding be provided to the following projects:

Applicant	Address	Application	Funding Sought	Funding Recommended	Special Conditions
J & J Fahey	130 Francis Street,	Paint external	$2,000	$1,390	Enamel paint to be used on

Applicant	Address	Application	Funding Sought	Funding Recommended	Special Conditions
	RICHMOND	surfaces			timber surfaces.
Hincross Pty. Ltd.	319 George Street, WINDSOR	Repairs & painting to roof	$2,000	$2,000	Include painting to chimneys
John Lyons	112 Lt. Bowen Dr. BOWEN MT.	Repair / stabilize structure	$2,000	$2,000	
Ms. Jodie Carroll	26 Rose St., W'FORCE	Complete sandstone paving	$2,000	$2,000	
Miss Margaret Betts	248 Castlereagh Rd AGNES BANKS	Stabilisation and repairs to veranda	$2,000	$2,000	Details required
Anglican Church Property Trust	347 Windsor Rd RICHMOND	Painting to external surfaces	$2,000	$2,000	
Richmond R&SL Sub-Branch	24 West Market Street RICHMOND	Repair rising damp areas of front building	$2,000	$2,000	
Kevin Savell & Robyn Hamilton	231 Pitt Town Bottoms Rd PITT TOWN	Repaint exterior surfaces	$2,000	$1,500	
Mrs. R. J Muir-Miller	17 Little Church St WINDSOR	Roof repairs & repaint	$2,000	$2,000	
TOTAL				**$16,890**	

The following applications were not supported:

Applicant	Address	Application	Funding Sought	Reasons for not awarding grant
Minh Thanh Pty Ltd	266 George St WINDSOR	Repair & restore main front doors to the old Royal Theatre building.	$2,000	Committee did not support the application - not consistent with other works completed (e.g side doors).
Dr I L Rafter	147 Windsor Road RICHMOND	Repair damaged ceiling	$2,000	Not submitted on an application form (i.e. no details/quotes etc.)
Mr. Matthew Dorrie & Ms. Kate Brand	160 March St RICHMOND	Windows sealed, gables fitted and painting completed	$2,000	Not supported by the committee - completed sections not consistent with heritage requirements.
Hawkesbury Skills Inc.	23 Bosworth St RICHMOND	Repair & painting to external surfaces	$2,000	Not supported by the committee - eligibility concerns (title with Government authority)

Notification of Grants and the Plain English Agreement

All applicants will be advised in writing of the determination of their application. Where appropriate, unsuccessful applicants will be provided with relevant advice and invited to apply in the next offering.

Successful applicants are required to enter into a Plain English Agreement with Council. This agreement includes provisions for acceptance of the offer of funding, permission to commence work, revocation of funding, time limits, claims for payment, and any special conditions relating to the project.

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

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Objective: Sustainable and liveable communities that respect, preserve and manage the heritage, cultural and natural assets of the city."*

Funding

Funding of $20,000 is available within the approved budget.

RECOMMENDATION:

That the Grants identified in this report be approved and the applicants be advised accordingly.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

COMMERCIAL STRATEGY

Item: 127 CS - Hawkesbury Scholarship Programs Review - (95497)

Previous Item: 287, Ordinary (27 September 2005)

REPORT:

Council at its meeting on 27 September 2005 resolved to renew its scholarship program with the University of Western Sydney (UWS) for a period of five years from 2006 - 2011and that:

> "*A program be explored along similar lines with TAFE New South Wales*."

Management has made contact with the Richmond Campus of TAFE to explore details about any existing scholarship programs being run by TAFE NSW and to ascertain its interest in such.

Feedback received indicated that while Richmond Campus and NSW TAFE would be interested in discussing the matter further, they did not have any existing scholarship programs in place along the lines of what Council had in place with UWS.

Since renewing its contract with UWS, Council has undertaken a comprehensive review of all its services and activities with a view to streamlining its external commitments in light of its budget position. With this in mind, Council needs to consider whether it wishes to continue with the NSW TAFE Scholarship proposal or perhaps redirect funds for this purpose into more targeted activities such as cadet programs or traineeships that can link workplace training with vocational education and training while providing for more direct benefits to the organisation.

As an employer, Council is well placed to consider establishing an in-house traineeship program. Such a scheme would not only provide an opportunity for a local student or students to have their training needs supported by Council, but would also enable Council to supplement its workforce and develop in-house skills. This approach might offer a better proposition for Council than a more broadly structured Sponsorship Program.

Proposal

It is proposed that Council not pursue a Scholarship Program with TAFE NSW and redirect funds to a cadet or traineeship program within Council's workplace.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Objectives: "Facilitate availability of skilled workforce" and*
> *"Traineeship program established via HCC and private enterprise joint venture"*

Funding

Funding for this purpose could be made available from the following budgets without compromising existing programs.

- Section 356 Expenditure ($16,000), and
- Local Economic Development ($8,000)

RECOMMENDATION:

That no further action be taken with TAFE NSW with regard to developing a student Scholarship Program with funds instead being redirected, as proposed by this report, into the establishment of a Council Traineeship or Cadet program.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 128 **CS - Hawkesbury Agricultural Retention through Diversification and Clustering - (91811)**

Previous Item: 6, Strategic Planning Committee (17 November 2005)
60, Ordinary (12 August 2003)
60, General Purpose Committee (29 July 2003)

REPORT:

Background

Council via its then General Purpose Committee, at its Meeting on 29 July 2003 resolved to appoint Agriculture Victoria Services Pty Ltd (AVS), (Agriculture Victoria/Victorian Dept. of Primary Industries) to undertake a research project that centred on the retention of agriculture within the Hawkesbury – otherwise known as the *Hawkesbury Agricultural Retention through Diversification and Clustering Project* (HARtDAC) or (the Project).

The City Planning Division (CPD) presented the final HARtDAC report to Council's Strategic Planning Committee (SPC) on 17 November 2005, highlighting both its link to the Strategic Plan and the recommendations espoused by the project participants. Primarily these recommendations relate to how industry stakeholders can/should influence market behaviour to provide for more viable outcomes for small to medium-sized farms. The SPC recommended to Council that:

- *The HARtDAC Project report and recommendations be reported to Council.*
- *The recommendations and Strategic Directions be referred to the Corporate Response Unit for analysis.*

The Commercial Response Unit (CRU) has now completed its review of the HARtDAC recommendations and presents the report to Council along with the following analysis.

Project Summary

The Project was carried out during 2003-2005 and involved Agriculture Victoria, a Steering Committee and a small number of rural landholders (Trial Farmers). Broadly, the purpose was to prepare an Agricultural Retention Strategy for the Hawkesbury that could be utilised by industry stakeholders (e.g. farmers, government agencies, industry groups, educators) to address agricultural sector and related market issues. Objectives included:

1. Undertaking an agricultural industry sector analysis of local/regional issues and current farming practices; and

2. Identify suitable (new) crops for the Hawkesbury based on matching local environmental characteristics with emerging and/or established market niches.

The HARtDAC report consists of three documents being:

1. Volume 1 – Main Report
2. Volume 2 – Farm Specific Reports
3. Appendices.

Purpose of the Project

The Projects aims were:

Aim 1 To respond to key issues impacting on the retention of agriculture in the Hawkesbury, by developing an Agricultural Retention Strategy;

Aim 2 To investigate and detail the agricultural opportunities to assist in the retention of agriculture in The Hawkesbury, by diversifying farming;

Aim 3 To investigate opportunities to enhance agricultural activity, by promoting a Local Farmers Network; and

Aim 4 To showcase the value of agricultural retention, particularly in the Sydney basin, by demonstrating the social, environmental, health and economic benefits of sustainable agriculture in peri-urban areas, and by promoting the project.

Stakeholders

The Steering Committee was made up of the following representatives who, along with the Trial Farmers, were all direct stakeholders. Council was the Project proponent.

- NSW Dept. of Primary Industries, NSW Agriculture (DPI);
- GROW, Sydney ACC (GROW);
- Greater Western Sydney Regional Economic Development Board (GWSREDB);
- Commonwealth Dept. Transport and Regional Services (DoTaRS);
- University of Western Sydney (UWS);
- Farmer Representative; and
- Hawkesbury City Council Officers – General Manger, Senior Property Officer

DPI also provided comments on behalf of Hawkesbury Harvest to assist discussions where necessary.

Objectives of the Project

The objectives identified by Agricultural Victoria, based on its interpretation of the Project purpose and discussions with the Steering Committee and the Trial Farmers, are listed below as being either Primary (P) or Secondary (S). The Project was tailored to suit the available resources of limited participation.

Objective 1 Formulate a community-driven vision for sustainable rural development in The Hawkesbury [P];

Objective 2 Incorporate, through community and stakeholder consultation and involvement, their relevant views and values [P];

Objective 3 Prepare a relevant socio-economic profile of The Hawkesbury, including agricultural production [P];

Objective 4 Undertake survey and analysis on microclimate, soil and water availability to determine farming options for a network of farmers [P];

Objective 5 Investigate the economic feasibility of clusters of growers which would benefit from working together [P];

Objective 6 Develop strategies for the potential expansion of the study approach to other peri-urban agricultural areas in the Sydney Basin [P];

Objective 7 Gain an understanding and document The Hawkesbury's agricultural areas in terms of their physical and biological characteristics, environmental and landscape significance, historical and cultural values, and socio-economic aspects [S];

Objective 8 Ensure that the development of agriculture considers the visual qualities and diverse characteristics of The Hawkesbury's rural areas [S]; and

Objective 9 Provide the strategic foundations for a review of existing planning controls and local policies to realise the vision for the retention of agriculture in The Hawkesbury [S].

Approach

The Project was conducted in 3 phases:

Phase 1 – Clarify Goals and Objectives
(See above.)

Phase 2 – Survey and Analysis
The participants first sought to establish reliable baseline data through the use of data loggers that captured information in relation to farmland resources and crops, micro-climates and area specific characteristics **-** to provide an outline of local comparative advantages. Plans were then formulated and implemented by participating farmers that addressed environmental practices and crop selection. The final part of this phase was to develop an integrated Agricultural Retention Strategy for all stakeholders to implement. A key outcome was to provide the impetus for the formation of a Local Farmers Network to develop and maintain a *self help* capability beyond the Project's timeframe.

Focused and educational workshops with Trial Farmers, stakeholders and interested community members were also undertaken in this part of the methodology along with media promotion.

Phase 3 – Markets and Sustainability
This phase involved the further development of a Farmers Network and the formulation of marketing strategies by extrapolating data from the 10 Trial Farmers (more ideal would have been 20-30) to represent the range of agricultural activities available to the Sydney region. This phase also involved the development of the final report.

Findings

The Project reported its findings over 7 chapters with chapters 1-5 providing broad background information on the Hawkesbury region and chapters 6 and 7 providing market analysis and final recommendations. A snapshot of these findings is outlined hereunder:

- Analysis of 2001 census data provided by the Australian Bureau of Statistics (ABS) shows that a workforce of some 30,000 people resides in the Hawkesbury. About 4% of the local workforce or 1200 people are employed in the agricultural industry. Approximately 53% of the local workforce (15,900 people) travels out of the LGA for their work. Agriculture has shown decreasing employment numbers since the last census period as has Wholesale Trade, Communications Services and Government Administration and Defence sectors.

- In 2001 the Hawkesbury economy was approximately $1.6 billion with the agricultural sector contributing approximately $72 million to the local economy overall.

- The contribution by the Hawkesbury to the total agricultural produce grown in the Sydney Statistical District (SD) is estmated to be 16.5% of the Value of Agricultural Commodities Produced (VACP), which is itself estmated to be $437.1 million. The land area used for agricultural purposes in the Sydney SD has decreased by about 10.5%, yet agricultural landholdings have increased by 3.1%, indicting a trend towards intensification, which the writers say is not unexpected.

- On the basis of the scientific data collected and with consideration given to the size of local landholdings, the study identified 15 new agricultural products that would be most suitable for the area. These products are itemised in the table below.

HARtDAC Project - Potential Agricultural Commodities for The Hawkesbury

	Crop	Purpose
1.	Australian Red Cedar	Revive timber production
2.	Burdock	Food - Asian vegetable
3.	Figs	Food - Fruit
4.	Ginseng	Medicinal herb
5.	Gooseberry	Food - Fruit
6.	Grapes	Beverage - wine production
7.	Green Tea	Beverage - tea
8.	Native Grasses	Landscaping - public lands; Gardens - low water/ maintenance
9.	New Kiwi Fruit varieties	Food - Fruit
10.	Potatoes	Food - Vegetable
11.	Stone Fruit	Food - Fruit
12.	Truffles	Food - Fungi
13.	Warragal Greens	Food - Bush Tucker
14.	Walnuts	Food - Nut
15.	Wattleseed	Food - Seed

Project Recommendations

The Project team recommended 8 strategic directions and 22 actions for agricultural retention in the Hawkesbury. These are summarised below, with a full account found in the HARtDAC report - Volume 1.

<u>Strategic Direction 1</u> - Increase awareness of the full contribution of agriculture to the community, & increase interaction & understanding between urban & rural.

Action 1.1: Establish a working group to promote agriculture - economic, social, cultural and environmental values in the area or in the region, via an appropriate mechanism (e.g. web page, brochure). Regional differences may make it more efficient to do across the Sydney Basin.

Action 1.2: Amend Council's Strategic Plan to include a Strategic Direction that identifies an ongoing commitment to retaining sustainable agriculture in the area.

<u>Strategic Direction 2</u> - Encourage the development of training and extension programs that identify and respond to the changing needs and resources of the agricultural community.

Action 2.1: Establish a Mechanism to test needs of the changing needs of the agricultural community with respect to engagement and extension programs.

<u>Strategic Direction 3</u> - Develop a regular, positive, two-way communication with the agricultural community particularly in the development and communication of regulations, policies and opportunities.

Action 3.1: Council establish a regular system of communication with the local agricultural community to respond to needs and inform about issues, regulations, projects in partnership and obtain feedback and suggestions. (This could be achieved by agricultural sector representation on the E-Commerce/ Markets Advisory Committee).

Action 3.2: Identify Council Officers to be local agricultural industry officers and centralise resources so that the community gets good communication of information and advice on agricultural regulations, projects, responsibilities, programs and initiatives.

Action 3.3:	Council expand its 'Mobile Development Application Service' to include agricultural applicants.
Action 3.4:	Council, on behalf of all financial stakeholders in HARtDAC and broader community, make representation to the Federal and State Governments on issues raised in retention strategy and distribute Volume 1 to other peri-urban LGAs in Sydney basin.
<u>Strategic Direction 4</u> -	Provide increased support for innovation and collaboration in agriculture.
Action 4.1:	Establish a trial facilitation process to showcase innovative and collaborative farm projects/proposals - to address "barriers" to the development of alternatives products (e.g. DA process, promotion) in the Hawkesbury and the region.
Action 4.2:	Develop an accessible information service for farmers information (e.g. website) to respond to concerns and provide information about grant opportunities; ongoing projects; upcoming events; rights, responsibilities and regulations; contacts; development approval process; training; feedback etc.
<u>Strategic Direction 5</u>-	Support diversification, collaborative marketing & production & local food systems.
Action 5.1:	Conduct a Feasibility Study for a Local Farmers/Craft Market.
Action 5.2:	Investigate development of regional brand, and extension of the 'buy Hawkesbury' campaign to include primary produce.
Action 5.3:	Seek funding to establish a Seed Fund for Communal Agricultural Services (production & processing) for small area farmers in The Hawkesbury.
Action 5.4:	Establish a provedore (intermediary) to service the Hawkesbury region. Providores act as a link between producers and businesses to support farm distribution channels.
Action 5.5:	Investigate the development and promotion of franchise agreements, as an opportunity for small area farmers to link into larger export markets.
<u>Strategic Direction 6</u> -	Support the development of community groups and projects that encourage collaboration, innovation and education.
Action 6.1:	Establish an on-going Agricultural Project in The Hawkesbury e.g. a farmers market, for a collaborative approach to sustaining agriculture in The Hawkesbury.
Action 6.2:	Feedback from Local Farmers Network on ongoing monitoring of climate data and changes in practices as a result of HARtDAC.
Action 6.3:	Development of a Local Research Centre for Sustainable Peri-Urban Agriculture that links R&D with local policy.
<u>Strategic Direction 7</u> -	Encourage the efficient and sustainable use of water.
Action 7.1:	Nominate The Hawkesbury as a peri-urban/urban site for the 'Regional Irrigation Business Partnerships' program - system-wide water harmonisation (proposed by CRC for Irrigation Futures).
Action 7.2:	Public/private business funded research to investigate recycled water usage for agriculture in The Hawkesbury.

Action 7.3: Farmers to complete the WaterWise Course (Introduction to Irrigation Management) by NSW DPI.

Action 7.4: Assess impacts of Climate Change on Water Usage in the region - to improve understanding of risks/vulnerabilities and explore adaptation options.

Strategic Direction 8 - Encourage farmers to take a risk management approach to the threat posed by climate variability and change potential constraints & opportunities.

Action 8.1: Conduct trial plantings of new and potential crops for farmers options.

Management Analysis

HARtDAC set out to address very broad terms of reference, which in hindsight may be considered perhaps too ambitious given the project time frame, especially in light of the small number of actual project participants. This lead to the project objectives being re-scoped and the collection of compressive data being of limited use for spatial analysis and the subsequent development of a crop matching tool for use in other agricultural areas.

Notwithstanding this, Agriculture Victoria has produced a well researched and documented project within its resource limitations that can be applied by the farming community. It has applied new methodologies to local data analysis and provided the stakeholders with some alternatives for addressing the issues and challenges facing farmers within Australia generally.

However, when considering the recommendations provided by the Project team, it is arguable that there is perhaps an over-reliance by the Project on the intervention of government to alleviate market pressures. The recommendations of the Project team places emphasis on Council redirecting its limited resources towards greater support for the agricultural sector as a special case. It is management's view that if any particular industry should seek the appointment of specialist resources within Council for the sole benefit of that industry (such as Actions 1.1, 3.1, 3.2, 4.1, 4.2, 5.1, 5.2, 5.3, and 6.2 would require), then such appointments should be on the basis of an approval of a sound business case that includes funding support from those industries requesting same. Otherwise equity would require Council to strive to apply its resources without distinction across its customer base.

The Project did not give due consideration to the underlying industry structure or dynamics that led to the formation of the Project in the first place.

A recent report by Mr Alan Mitchell, Economics Editor for the Australian Financial Review makes for some sobering reading. Mr Mitchell reported that[1]:

- There are 2 agricultural economies in Australia; the top 10% of farms produce 50% of total agricultural output with the bottom 50% of farms producing only 10% of total output.
- The top farms are big, professionally managed and offer investors rates of return that are comparable with those available in the rest of the economy.
- Despite the drought, the top 10% of broadacre and dairy farms (as measured by total farm capital) earned an average profit of about $290,000 a year over the past 3 years. The annual rate of return – including capital gains – averaged 13%.
- In the past 3 years, the average annual cash income of the bottom two-thirds of broadacre and dairy farms was only about $30,000 and the average annual loss was just over $24,000.
- For the bottom third of farms, cash income averaged only about $16,000 a year, and the average loss was $30,000.

[1] The Weekend Australian Financial Review, 9-12 June 2006, p.35-36.

- Many of these farms are too small to be efficient. Increased farm productivity comes from professional management and new technologies…but these technologies are usually better suited to large-scale farming. Larger farms are more able to finance the use of new management and farming practices.

- The average size of farms in Australia is increasing. In the past 20 years the average size of Australian farms has increased by more than 20% - from about 2,700 hectares to more than 3,300 hectares.

- Small, non-viable family-owned farms continue to dominate the agricultural landscape because they are often situated close to towns and cities, enabling the owners to gain off-farm income. A study by the Productivity Commission published last year found that the proportion of farming families deriving income from off-farm wages and salaries has increased from 30% to 45% since 1990; off-farm average earnings have risen from $15,000 to $33,500 a year. In addition, farmers close to cities and expanding towns have made significant capital gains on their land.

- Australia’s agricultural workforce is older than the national average. The proportion of agricultural workers aged 65 years or older is 4 times that of the national workforce. The agricultural workforce is also less well-educated than the workforce in general, in part because it is older. The proportion of the agricultural workforce with no post-school qualifications is almost 1.5 times greater than the national average.

- According to David McKinna, an economist and advisor to the horticultural industry, the number of growers in Australia will have to shrink from 4,300 to 900 in the next 5 years. In Australia the average crop area is about 21 hectares compared with 56 hectares in California and 166 hectares in Florida. In the US and EU, the largest 25% of horticultural producers accounts for about 75% of the total fruit and vegetable production – and both the average size of horticultural production and percentages of production accounted for by the larger commercial operations are increasing.

When considering both the original purpose of the HARtDAC study and the broader market dynamics facing the agricultural industry in general, the problem facing The Hawkesbury can perhaps be summarised as follows:

How can The Hawkesbury maintain its rural amenity in the face of economic change?

In light of the above analysis and given Council’s limited resources and its ability to influence global behaviour, it would appear that there are perhaps two core strategies that can be applied by Council with any reasonable chance of success:

1. Remove the economic incentive for small farmers to simply *give up* and sell their land for development (thus putting pressure on Council to change its planning instruments in favour of expanding urbanisation); and

2. Consolidate agricultural production and marketing under a single management unit (e.g, A farmers’ cooperative).

With regard to the first strategy, it has previously and again more recently been reported to Council that it is possible to accommodate a concept of *Planning Credits* into Council’s planning instruments. At its Ordinary Meeting on 30 May 2006, Council resolved to workshop this concept as part of a review of its LEP and DCP.

While not intending to expound further on this concept in this report, such a concept has the potential to see local farmers being rewarded for foregoing any possibility of future urban development on their lands in return for developers receiving a Planning Credit to undertake more extensive development in defined areas within the LGA. (Such a scheme also has the potential to extend beyond local government boundaries in the long term).

The windfall gain received by farmers through this scheme could mitigate any other financial incentive to sell their land and perhaps would allow farmers to undertake more investment in local agricultural production.

In relation to the second strategy, Council could, through its e-Commerce/Markets Advisory Committee (EMAC), establish a working party to explore the feasibility of establishing a Hawkesbury Farmer's Cooperative with a view to consolidating production and increasing the value of the final product through innovative practice. This would also support one of the strategic directions proposed by the Project.

The terms of reference for the working party might include consideration of a bio-fuel cooperative (a significant and emerging area of primary production that unfortunately was overlooked by the HARtDAC project) and perhaps the establishment of local bottling and/or packaging facilities for value-added products. The success of this initiative would of course very much depend on support from the local industry.

Proposal

It is proposed that Council continue to explore the concept of Planning Credits as a fundamental part of its agricultural retention policy and establishes a working party within EMAC to explore the potential of establishing a local farmers' cooperative.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Objective: "Environment - Rural / agricultural retention policy in place""*

Funding

All costs will be met from approved budgets.

RECOMMENDATION:

That Council:

1. Receives the Hawkesbury Agricultural Retention through Diversification and Clustering (HARtDAC) project report.

2. Agrees that the concept of Planning Credits is to be workshopped at a future date.

3. Requests that the e-Commerce/Markets Advisory Committee explore the feasibility of establishing a Hawkesbury Farmers' Cooperative with terms of reference as indicated by this report, and with progress being reported back to Council.

ATTACHMENTS:

AT - 1 Hawkesbury Agricultural Retention through Diversification and Clustering Study – Volumes 1 and 2 and Appendices - *(Distributed Under Separate Cover)*.

oooO END OF REPORT Oooo

Item: 129 **CS - Business Signs at Glossodia, Wilberforce and McGraths Hill - (95497)**

Previous Item: 65, Ordinary (28 March 2006)
2, EMAC (2 March 2006)
189, Ordinary (14 December 2004)
10, EMAC (17 November 2004)
74, Special Meeting (28 June 2004)

REPORT:

Council at its meeting on 28 March 2006, in part, resolved that:

> *Funds previously allocated by Council for the development business plans and tourism/infrastructure projects in the commercial areas of Glossodia and Wilberforce (an amount of up to $10,000) be used for the renewal of the main centre sign and directional board sign at each commercial centre, in accordance with the wishes of the local businesses in those areas.*

The Commercial Response Unit has since been implementing this resolution, which will see the main centre sign (pole signs) and business directory boards at the Glossodia and Wilberforce shopping centres (i.e. Council owned) upgraded with a new signage theme. This will be of benefit to the business tenants and the customers of the shopping centres.

It is estimated that approximately $2,000 will be available for reallocation by Council after completing this initiative.

Proposal

It is proposed that Council uses these remaining funds for the renewal of the main shopping centre sign at Council's commercial property known as McGraths Hill Shopping Centre. These funds can be supplemented by funds from the Property Budget.

The pole sign at the McGraths Hill Shopping Centre is in very poor condition and the name panel is broken. This situation is not dissimilar to that at Glossodia and Wilberforce, which has lead to the replacement of signage (and fixing of lighting component) at these shopping centres to assist businesses.

Council's Corporate Services and Governance Unit, which manages Council's (commercial) built-property portfolio, has been requested by businesses located at the McGraths Hill Shopping Centre to renew this sign on a number of occasions to support their business activities in the market place. However, Council's Property Development Maintenance Budget (Component 25) does not have sufficient funds to fully meet the cost of renewing the pole sign at McGraths Hill, but could do so if the remaining funds identified above were reallocated to assist in the supply of a new name panel.
As a guide, it is estimated that the purchase of two sheets of perspex for this name panel would be approximately $1,000 (plus art work, labour, installation equipment and services upgrade) and that the overall renewal of the pole sign would be approximately up to $2,600.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Objectives:*
>
> *Maintain and reinforce positive brand and community image - Roll out Signposting Strategy [Glossodia and Wilberforce Businesses Plans]*

A network of towns, villages and rural localities connected by well-maintained public and private infrastructure which supports the social and economic development of the City"

Funding

Funding for this proposal is available from the identified program areas (cross-divisional).

RECOMMENDATION:

That upon completion of the renewal of the main centre signage at the commercial centres of Glossodia and Wilberforce, any remaining funds be combined with the property budget and used for the renewal of the main centre sign (pole sign) at McGraths Hill shopping centre.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 130 **CS - Business Sign at Hawkesbury Tourism - Visitor Information Centre - (91811, 97939, 96812)**

REPORT:

Hawkesbury Tourism, Council's tourism services provider, is currently in the process of renewing its Visitor Information Centre (Clarendon) accreditation under the NSW Accredited Visitor Information Centre Network Program with Tourism NSW. Accreditation is designed to establish and improve industry standards for conducting tourism business and to provide consumers and the industry with assurances that an Accredited Centre is committed to quality business practice and service. Accredited centres are marketed with the blue-and-white and/or blue-and-yellow Tourist Information "i" sign, depending on accreditation level.

Hawkesbury Chamber of Commerce, who operates Council's tourism services (under contract), has advised the Commercial Response Unit that the accreditation level it is renewing, entitles it to market the Hawkesbury Tourism Visitor Information Centre via the blue-and-yellow Tourist Information "i" sign (ie. Level 1/ Level 2 accreditation), as the principal centre in the area. The current tourism information sign at the centre is the blue-and-white sign, which is used for secondary visitor information centres in an area. The upgraded sign is also a requirement of maintaining accreditation.

The budget for Hawkesbury Tourism's contractor charges has some remaining funds, approximately $3,000, which are available for reallocation.

Proposal

It is proposed that Council uses these remaining funds for the upgrade of the Tourist Information "i" sign at Council's Visitor Information Centre at Clarendon to support accreditation requirements.

As a guide, it is estimated that the purchase of two sheets of perspex for this name panel would be approximately $1,500. Other costs would include art work, labour, installation equipment and services, and the overall cost is estimated to be up to $3,000.

Conformance to Strategic Plan

This proposal is deemed to conform to the objectives as set out in Council’s Strategic Plan, being:

> *A network of towns, villages and rural localities connected by well-maintained public and private infrastructure, which supports the social and economic development of the City.*

Funding

Funding for this purpose could be made available from the following budgets without compromising existing programs.

- Contractor Charges - Hawkesbury Tourism ($3,000).

RECOMMENDATION:

That an amount of up to $3,000 from the nominated budget be used for the upgrade of the Tourist Information "i" sign (pole sign) to the blue-and-yellow standard at Hawkesbury Tourism - Visitor Information Centre to reflect accreditation under NSW Accredited Visitor Information Centre Network Program (Tourism NSW), subject to accreditation being achieved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

EXTERNAL SERVICES

Item: 131 **ES - Extension of Current Kerbside Recycling Collection Contract - JJ Richards and Sons Pty Ltd - (95494, 79348)**

REPORT:

The current contract with JJ Richards and Sons Pty Ltd for the "Provision of Containers, Collection, Transportation, Sorting and Marketing of Recyclable Materials", contains a clause (3.2 Extension) which allows Council to extend the contract for a period of up to 3 years past the 31 July 2006 expiry date, provided there is mutual agreement between the two parties.

The contract requires that Council notify the contractor in writing, at least (3) three months prior to the completion date, of its intention to invite an extension of the (3) year period, and should the invitation of the extension be accepted by JJ Richards and Sons Pty Ltd, then the extension may be applied until 31 July 2009, without further extension opportunities.

Correspondence was forwarded to the contractor, with a favourable reply received from the contractor wishing to extend the contract for the maximum period of (3) three years.

JJ Richards and Sons Pty Ltd have met all requirements of the current contract, and are a co-operative and reliable contractor.

As the continuation of the contract is mutually agreeable by both parties, it is suggested that the contract be extended until midnight on 31 July 2009.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"A network of towns, villages and rural localities connected by well-maintained public and private infrastructure which supports the social and economic development of the City."*

Funding

Funds available in current and projected budgets.

RECOMMENDATION:

That:

1. The contract for the "Provision of Containers, Collection, Transportation, Sorting and Marketing of Recyclable Materials" with JJ Richards and Sons Pty Ltd be extended until 31 July 2009.

2. Documentation be forwarded to the contractor informing them of Council's decision.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 132 **ES - South Windsor Family Centre - (95494, 79342)**

Previous Item: 82, Confidential Ordinary (11 April 2006)

REPORT:

This report has been prepared to advise Councillors of the outcomes of negotiations with Denning Constructions and the Ham Street Hall Management Committee to amend the design of the South Windsor Family Centre (SWFC) to enable this project to be finalised within budget.

Background

As previously reported to Council, tenders for the construction of the South Windsor Family Centre (SWFC) were called for in December 2005. The lowest complying tender submitted by Denning Constructions Pty. Ltd. exceeded the funds available for the construction of the Centre by $383,000.

Council subsequently resolved (at its Ordinary meeting held on 11 April 2006) that:

1. *Council decline to accept any tender for the construction of the SWFC and, in accordance with Clauses 178(3)(e) of the Local Government (General) Regulation 2005 enter into negotiations with Denning Constructions Pty Ltd. with a view to reducing the floor space of South Windsor Family Centre and/or other such other items that would be required to lower the cost of construction to enable the project to be finalised within budget.*

2. *As required by Clause 178(4)(e) of the Local Government (General) Regulations 2005 the reason for Council's decision in 1. above is that it is necessary for the project to be completed within a specified funding level and it is more appropriate for that to be determined with an appropriate person/organisation as distinct from redesigning the preposed facility without being assured that subsequent tenders for the decision would fall within the available budget and Denning Constructions Pty Ltd are considered to be an appropriate body to enter into such negotiation with as they were the lowest tender for the original project.*

3. *The currently approved Development Application be amended to incorporate required changes.*

4. *Subject to the satisfactory completion of negotiations with Denning Constructions Pty. Ltd. for the construction of the South Windsor Family Centre approval be given for any necessary documents in association with the matter to be executed under Seal of Council.*

5. *Council notify the Management Committee of the Ham Street Hall of its intention to amend the design of the South Windsor Family Centre and to bring forward the sale of the Ham Street Hall. The Committee to be also advised of Council's intention to assist the current users of the Hall to relocate to an alternate Council facility.*

6. *Council provide an interim subsidy to not-for-profit user groups to meet any additional costs arising out of their relocation until such time as the South Windsor Family Centre can be occupied.*

7. *Subject to the rezoning of the site being gazetted, Council proceed with the sale of the Ham Street Hall site to facilitate the construction of the South Windsor Family Centre within the time frame as scheduled within Council's Section 94 Developer Contributions Plan.*

8. *The matter be further reported to Council detailing the outcomes of negotiations with Denning Constructions, the Ham Street Hall Management Committee, and user groups.*

Current Situation

Revised Costings

Council has been previously advised that the estimated cost of constructing the South Windsor Family Centre would be $1.584M. The estimated costs has now been revised upwards by $38,000 to $1.622M. At the same time, in response to the continuing downturn in the building construction industry, the estimates for the Sec 94 Catchment 3 Community Facilities reserve had been revised downwards by $13,000 (from $617,000 to $606,000). On the basis of these revised projections, the shortfall in available funding for the SWFC is estimated to be $430,000.

Amended design

A number of amended design proposals for the SWFC were developed to try to achieve a reduction in the projected cost of the SWFC. The amended designs were required to provide for minimal variation to the core structural requirements of the SWFC to avoid the need to redesign the rooflines, foundations and structural members. This approach was undertaken to minimise further expenditure which may have been incurred as a result of a requirement to prepare new tender specifications and drawings and the re-tendering of the project (which would have added a further $35,000 to $40,000 to the cost of the Project).

The maximum area of floor space reduction which could reasonably be achieved was in the order of 150m^2 - which would reduce the cost of the SWFC by approximately $280,000, still leaving a shortfall of $150,000. After considering further options, Council staff determined that it would not be possible to achieve the required cost reductions without substantially impacting on the viability and functionality of the finished building. Under these circumstances, Council would be unable to deliver a reasonable community outcome for the project, nor meet the requirements of the funding agreements by which grant monies had been obtained for the project. Council may therefore have been required to incur considerable additional expense in the redesign and re-tender of the project and/or the return of grants totalling $308,000.

Construction Timetable

The other element required to be considered in achieving an amended design for the SWFC (incorporating a small community hall), relates to the need to provide the total funding for the project 'upfront'. This would require the net proceeds of the sale of the Ham Street Hall site (estimated at $275,000) to be available prior to the commencement of construction.

Council's resolution to sell the Ham Street Hall is dependent on the gazettal of Amendment 108 (the rezoning of the Ham Street Hall site). Amendment 108 has not yet been gazetted, although advice from the City Planning Directorate indicates that its gazettal is imminent. While the gazettal of the Ham Street hall site will enable the site to be sold, there will be a period of time to complete this process, and as a consequence a firm date for the commencement of construction cannot be finalised.

Council has recently received correspondence from the Department of Transport and Regional Services (DOTARS) seeking urgent advice as to the likely completion date for the Centre in accordance with the agreed milestones for the $240,000 grant received from DOTARS. A variation to the funding agreement has been submitted by Council to seek an extension for the project. The variation has been approved, however DOTARS has indicated that Council will need to ensure that the construction of the SWFC proceeds without further delay and that construction needs to be substantially completed by the end of this calendar year. It is therefore critical that the project proceed without further delay.

Summary.

The shortfall in available funding to construct the SWFC (as designed) is $429,000. Amending the design of SWFC to deliver a project which can incorporate provision for a small community hall is constrained by the following factors:

- it is not possible to reduce the floor space of the SWFC to allow the retention of a community hall and associated facilities without substantially impacting on the viability and functionality of the Centre;
- the maximum floor space reduction which could be achieved would generate $280,000 in savings still leaving a shortfall of $150,000;
- the construction of the SWFC cannot commence until the proceeds of the sale of the Ham Street Hall Site are realised;
- the funding agreement with DOTARS requires that the SWFC be substantially completed by the end of the current calendar year.

Accordingly, to complete this project, it is recommended that Council pursue the option of constructing the SWFC through a combination of minor cost reductions, external funds and internal re-allocations. This option would preserve the integrity and functionality of the building and enable the project to be built without substantial variations to the original tender specifications. This option is based on expanding the functions and use of the SWFC to incorporate provision for a district disability and aged services centre. The expanded SWFC would operate as a co-located community services outlet.

Proposed Funding Strategy

A. Capital Construction Cost

The proposed funding strategy to raise the additional $429,000 that will be required to complete the South Windsor Family Centre incorporates three elements:

(a) Construction Cost Reductions

Savings of $62,000 can be realised from minor deletions to the Stage 2 construction (deletion of operable wall and timber floors to community hall)

(b) Partnering arrangements

Peppercorn Services Inc. - It is proposed that Council consider the possibility of entering into a partnering arrangement with Peppercorn Services Inc., whereby PS Inc. would contribute up to $200,000 to the construction of the SWFC to purchase an 'exclusive use' entitlement to floor space within the Centre.

PS Inc. is Council's delegated managing agent for the planning, co-ordination and provision of services for older people and people with disabilities within the City of Hawkesbury. Since its inception, PS Inc. has demonstrated its capacity to attract funds to establish new services, and to operate effective and efficient community services on behalf of Council. The operating income of PS Inc. has tripled since 2000, and it is now responsible for assets valued at $1.2M. PS Inc. is the largest non-government provider of non-residential disability and aged services within the City of Hawkesbury.

As previously reported to Council, PS Inc. has secured funds from the Department of Ageing Disability and Home Care to provide a Transition to Work Program for up to 24 young people with disabilities. PS Inc. has also lodged a tender to operate a Community Participation program to cater for up to 24 people with disabilities.

To accommodate these services, PS Inc. has lodged a DA to erect a demountable building adjacent to the community nursery at McGrath's Hill. However, the Board is willing to consider other options to accommodate these services. At the Board Meeting held on the 25 May, the Board approved an internal loan reserve of up to $200,000 to facilitate the construction of a Life Skills Training Centre. The Board is also willing to enter into negotiations with Council with a view to possible 'purchasing' an exclusive use entitlement of up to 100m^2 of floor space within the SWFC. This proposal is being considered by the Board as it would provide the best outcomes for clients of its Life Skills Programs. The integration of the Life Skills program within a permanent, centrally located, purpose-built community facility was assessed as providing a more attractive and 'normalised' environment for these programs than the proposed demountable building to be located at McGrath's Hill. PS Inc. has sufficient reserves to provide an up-front contribution of $200,000 and would recoup this internal loan by directing the current rent of $21,000 per annum paid for the lease of a cottage in Richmond (which currently houses its Life Skills Program) to repay this internal loan).

The Right Connections Coalition. In March 2001, Council established 'RIGHT CONNECTIONS' coalition - a consortium of 17 health, family and early intervention services operating within the Hawkesbury LGA. Hawkesbury City Council is the co-ordinating lead agency for the Coalition. The 'RIGHT CONNECTIONS' coalition has attracted over $230,000 in annual funding to establish and operate the Hawkesbury Family Co-op (an early intervention family worker project), the Jennibee Aboriginal Playgroup, the Riverside Caravan Park Outreach Project and the South Windsor Community Connections Project. These Council operated projects are based at the Stewart Street Early Intervention Centre at South Windsor.

The Coalition has recently been advised that its joint-tender (with Wesley Dalmar) under the Department of Community Services' Early Intervention Program has been successful. The Coalition will received an additional $500,000 in annual funding to provide and operate early intervention services for vulnerable families. The Coalition's portfolio of early intervention services has outgrown its current premises at the Stewart Street Early Intervention Centre. The SWFC was designed to facilitate the re-location of some of the Coalition's existing services and to accommodate the newly funded services. It is proposed that $61,000 (made up of additional establishment and fit-out grants which have been received by Council, together with a contribution of $20,000 from the Hawkesbury Family Co-op) be earmarked as a contribution to the construction of the SWFC. This will facilitate the inclusion of purpose-built spaces for the use of these services.

These partnering arrangements represent an innovative alliance through which Council and funded community services can contribute funds to maximise the economic and social return to the community while also addressing the infrastructure requirements of an ageing population and the need to provide support services to vulnerable families.

Should Council, PS Inc. and the Right Connections Coalition agree to enter into a partnering arrangement, a formal lease agreement would need to be executed. The 5 x 5 year lease agreement would provide for PS Inc. and the Right Connections Coalition to occupy, on an exclusive use basis, floor space within the SWFC for a minimum period of ten years. The lease would also provide for access to shared-used spaces (Council has already executed similar lease arrangements, on a two-year renewable basis, with the tenants of Peppercorn Place).

(c) <u>Amendment to the Sec 94 Contributions Plan</u>

The current Sec 94 Contributions Plan incorporates provision for a $1.5M extension to the Hawkesbury Seniors Centre (projected for completion in 2010-2011). It is proposed that the Plan be amended (in conjunction with the imminent review of the Plan) to allocate a minimum of $110,000 of these funds as a contribution to the SWFC. These funds would see the SWFC become an annexe to the Hawkesbury Seniors Centre by providing a venue for programs directed at seniors (e.g. University of the Third Age learning centre, a Seniors Day Care Facility, an outlet for a Centre-Based Meals Program for Seniors, and a Seniors Gym). These activities would be conducted primarily within the remaining community hall space (72m^2) which was intended to replace the Ham Street Hall. The reallocation of $120,000 in District S94 contributions, together with the funds raised from the sale of the Ham Street Hall, would enable the hall and its associated facilities (kitchen, foyer, courtyard, verandah and meeting room) to be completed.

It is estimated that $120,000 will be available within the S94 District Facilities Reserve for re-allocation to the SWFC. The proposal to re-allocate $110,000 is considered to be appropriate given that they will be dedicated to the construction of a district community space to be accessed by senior residents. The provision of this space in South Windsor, will complement the district facilities currently operating at Richmond (Seniors Centre) and Windsor (Peppercorn Place) and the planned provision of similar facilities on the western side of the Hawkesbury River (North Richmond and Kurrajong). This integrated network of facilities will ensure that Council is in a position to meet the needs of its ageing population.

(d) Summary

The proposed funding strategy will reduce the total construction cost for the SWFC to $1,559,845. The strategy will also raise the additional $380,000 required to complete the SWFC (as indicated in the following table).

Estimated Total Construction Cost (revised)	$ 1,621,845
Less net construction cost reduction and additions	$ 62,000
Total Construction Cost (with reductions)	$ 1,559,845
Funds available	
Section 94 (Catchment 3 Community Facilities Reserve)	$ 606,000
Contribution from Peppercorn Services Inc.	$ 200,000
Contribution from Hawkesbury Family Co-op	$ 61,000
Sale of Ham Street Hall Site (indicative)	$ 275,000
DOTARS Grant	$ 240,000
DoCS Grant	$ 68,000
Reallocation S94 District Facilities Reserve	$ 110,000
TOTAL AVAILABLE FUNDS	$1,600,000

B. Operating and Maintenance Costs

A financial model analysis has been prepared (Attachment 1) which outlines the projected operating and maintenance costs for the SWFC over the next ten years. The 2006/2007 projected operating cost for the SWFC is estimated to be $39,661. This figure includes a 'sinking fund' to cover the costs of routine maintenance.

In order to minimise additional costs to Council for the operation of the South Windsor Family Centre, it is proposed that the SWFC be operated on the same basis as Peppercorn Place. Under this community management model, responsibility for the day-to-day care and control of Peppercorn Place has been delegated to Peppercorn Services Inc. Peppercorn Services levies a tenancy charge on tenants within the building (based on the square metres occupied by each tenant). The tenancy charges have been calculated to enable PS Inc. to meet 100% of the total operating costs of Peppercorn Place (including routine non-structural maintenance). This arrangement has been operating effectively since 2001.

It is proposed that a similar arrangement be put into place for the South Windsor Family Centre. The SWFC will house a suite of community services, which will attract a minimum of $800,000 in grants and other income. The projected operating costs of the SWFC at $39,661 represents 5% of this income stream. This level of impost cannot be considered onerous - particularly as tenants of the SWFC will not have to meet the cost of a commercial tenancy on the private rental market.

Financial Modelling: Best –vs- Worst Case Scenario

Operational - The model proposed for the operation of the SWFC will ensure that 100% of the operating and routine maintenance costs for the Centre will be met by tenants with no additional cost to Council. The assumption of a 100% cost recovery is reasonable in view of the experience of Peppercorn Place, which has been operating on a similar basis since 2001. A worse-case scenario would see Council required to cover a proportion of the operating costs of the SWFC - should tenants be unable to meet their respective tenancy charges. This would only occur if government funding for these services is withdrawn – this is considered to be unlikely given the growth in the early intervention and disability aged services sector. To further minimise the risk, a formal lease agreement will be executed with tenants. It should also be noted that the services which will occupy the SWFC are either directly or indirectly managed by Council.

Capital – The best case scenario will see the SWFC delivered on time and within budget. The worst case scenario may see the construction costs escalate and/or sale of the Ham Street Hall deferred, subject to a lengthy delay, or alternatively not realise the estimated net return.

To cover the worst-case scenario, the construction costings include a $25,000 contingency provision. It is also proposed to establish a $275,000 'deferred works' interim reserve as outlined below. The interim reserve will set aside $275,000 - made up of unbudgeted income (an Arts NSW salary subsidy grant) and deferred capital works, which will be available to cover any unforseen shortfall, which may arise from the sale, or lack of sale of the Ham Street Hall site. The unbudgeted income would be released, and the deferred works reinstated to the capital works program following the successful sale of the Ham Street Hall site. If the sale does not occur these works will need to be reprioritised within the future works program.

Unbudgeted grant income	$ 70,000
Kable Street Amenities Windsor (extensions)	$ 20,000
Lower Portland Amenities (extensions)	$ 40,000
Loder House Windsor	$ 2,500
Wilberforce Offices (clean ducts + registers)	$ 6,000
Admin Building (floors + ceilings)	$ 59,000
Council Depot (replace gal. Gutters)	$ 11,000
Admin Building (replace doors)	$ 4,200
Seniors Centre (existing comp tripping breakers)	$ 8,500
Admin Building (low reflective lighting, roof recoating)	$ 18,000
Various Minor Works	$ 35,800
Total additional income/deferred amount	**$275,000**

Consultation with Ham Street Hall Management Committee

Council staff met with the chairperson of the Ham Street Hall Committee on 4 May to discuss Council's Resolution of 11 April 2006. The chairperson was advised of the need to amend the design of the SWFC which would impact on the size of the Hall which could be constructed in Stage 1 and of the possibility that the Hall may need to be sold prior to the completion of the SWFC and that as a consequence, the users of the Ham Street Hall would need to be relocated. The Chairperson was also advised that while Council would provide an interim subsidy to not-for-profit user groups to meet any additional costs arising out of their relocation, the same provision could not be applied to the for-profit dance studio operating within the Hall. The chairperson indicated she would relay this information to the committee. The committee has subsequently been contacted by Council staff and invited to address Council in relation to this matter.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"A network of towns, villages and rural localities connected by well-maintained public and private infrastructure, which supports the social and economic development of the City."*

Funding

The funding strategy outlined in the report (and Attachment) will ensure that 100% of the capital and operating costs of the South Windsor Family Centre can be met. The proposal also identified options to minimise Council's exposure to possible financial risks associated with the construction and operation of the South Windsor Family Centre.

RECOMMENDATION:

1. In view of the satisfactory completion of negotiations with Denning Constructions Pty. Ltd. for the construction of the South Windsor Family Centre, approval be given for any necessary documents in association with the matter to be executed under Seal of Council.

2. Council proceed immediately to begin construction of the South Windsor Family Centre subject to required approvals for any Sec 96 modifications as may be required for the amended design of the South Windsor Family Centre.

3. Council advise the Board of Peppercorn Services Inc. and the Right Connections Coalition of its willingness to enter into a partnering arrangement to enable these agencies to purchase an 'exclusive use' entitlement to floor space within the South Windsor Family Centre (subject to the execution of a written partnership agreement).

4. Council begin negotiations with the Board of Peppercorn Services Inc. and the Right Connections Coalition to draft and execute a lease agreement to identify applicable tenancy arrangements and charges for the South Windsor Family Centre.

5. Council note the establishment of an interim reserve of $275,000 to cover any unforseen shortfall, which may arise from the sale, or lack of sale of the Ham Street Hall site.

6. Council approve the allocation of $120,000 from the District Community Facilities Reserve (subject to the required amendment of the Sec 94 Contribution Plan) to facilitate the inclusion of provision for a Senior's Centre annexe within the South Windsor Family Centre.

7. Council advise the Ham Street Hall Management Committee of its intention to commence construction of the South Windsor Family Centre, and to reaffirm its commitment to assist user groups to relocate to an alternate Council Facility should the Ham Street Hall Site be sold prior to the completion of the South Windsor Family Centre.

8. Council to proceed with the sale of the Ham Street Hall site following the gazettal of Amendment 108.

ATTACHMENTS:

AT - 1 South Windsor Family Centre: Financial Model Analysis.

AT - 1 South Windsor Family Centre: Financial Model Analysis.

To view this image please refer to the separate Attachments document

To view this image please refer to the separate Attachments document

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oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 133 **IS - McGraths Hill Wetlands and Effluent Reuse Scheme (MHW&ERS) - Access by the Cumberland Bird Observers Club Inc - (79357, 91165)**

Previous Item: 70, Ordinary (14 December 2004)

REPORT:

The McGraths Hill Wetlands is located south of Windsor Road, McGraths Hill. These wetlands were constructed in the year 2000 as part of the overall McGraths Hill Wetlands and Effluent Reuse Scheme (MHW&ERS). The wetlands were originally intended to be used for educational purposes and have been used by birdwatchers for many years.

Whilst the wetlands have provided a venue for birdwatchers to observe the extensive bird life, it is also an operational work site used for the treatment and reuse of treated effluent. Due to the wetlands being considered an operational work site, issues relating to Occupational Health and Safety have restricted birdwatchers and other members of the public from entering the site.

This matter was first reported to Council at its General Purpose Committee Meeting held on 28 September 2004, and deferred until its Ordinary Meeting of 14 December 2004, where it was resolved:

"That:

1. *Appropriate members of the Cumberland Bird Observers Club Inc, Birding NSW and other bona fide bird watching clubs be inducted onto the wetlands site of the McGrath's Hill Treatment Plant and trained to induct other members. All members entering the site must acknowledge induction and a record of any site visits forwarded to Council.*

2. *A review of the induction process and records be undertaken by management at 6 (six) months and reported to Council."*

In accordance with the resolution, Council's Water Management Branch initiated discussions with the Cumberland Bird Observers Club Inc. and negotiations were held to establish a mutual agreement where access to the wetlands could be allowed. Protocols were prepared in the form of Safe Work Method Statements, Training and Induction of select personnel from the Club to maintain the safety of birdwatchers whilst on the site.

Whilst this was in progress, instruction was sought and received from the General Manager that access to the MHW&ERS site was to be restricted until all protocols had been determined and adopted. Further, access was to be restricted until legal advice had been received.

Legal advice had taken a number of months and whilst awaiting this, investigation of alternatives such as a bird hide in an area outside the wetlands, but still on Operational land, was undertaken.

Whilst moving towards preparing protocols and safety documentation for allowing birdwatchers access to the site, legal advice that the birdwatchers, in fact any member of the public should not be allowed to enter the site due to liability under the Occupational Health and Safety Act 2000 was received. Despite all efforts to allow access to members of the public onto the wetlands, it must be recommended that, on the basis of legal advice, access to unauthorised persons to the MHW&ERS Site should be denied.

Based on advise from Cumberland Bird Observers member, Mr Tony Diamond, other facilities similar to the McGraths Hill Wetlands & Effluent Reuse Scheme in Victoria and the Northern Territory, namely the Western Sewage Treatment Facility (Melbourne Water) and the Liana Swamp which is incorporated in the

Sewage Treatment Plant (Northern Territory Power & Water Authority, Darwin) respectively allow the public to access their facilities.

Both facility operators were contacted and both advised that the sites have been fenced and a waiver system is in place to release the authorities from liability if an incident were to occur on the premises whilst the public is accessing the site.

The Victorian and Northern Territory WorkCover Authorities were contacted to verify if this was correct. Both Authorities when asked the question "*Is a signed waiver enough to protect the responsible Authorities from liability or prosecution under the OH & S Act in the respective states if members of the public accessed the facilities in question and were injured as a result of an incident on the site?" advised that "**It certainly would not, the authorities are responsible for those entering their respective facilities**. Under the OH & S Act 2004 "*

Duties of employers to other persons

(1) An employer must ensure, so far as is reasonably practicable, that persons other than employees of the employer are not exposed to risks to their health or safety arising from the conduct of the undertaking of the employer.

Penalty:
1800 penalty units for a natural person;
9000 penalty units for a body corporate.

(2) An offence against sub-section (1) is an indictable offence.
Note: However, the offence may be heard and determined summarily (see section 53 of, and Schedule 4 to, the Magistrates' Court Act 1989).

A further question was put to the Victorian WorkCover Authority *"Does this mean that Supervision must be provided to those entering the site to ensure their safety?"*
The reply was *"Yes it would, unless there was no danger to the public.",* which in Council's situation cannot be guaranteed.

Alternative Viewing Area

It would be possible to excise a viewing area from the worksite adjacent to Windsor Road, south of the wetlands should that be deemed as suitable to the bird watchers.

Whilst this area would still be part of the MHW&ERS site and, as such, a worksite, the action proposed is a reasonable risk minimisation strategy which would still give bird watchers an opportunity to observe birds from relative safety.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Implement processes to identify and respond to the infrastructure requirements (information, access and mobility) of groups with special needs."*

Funding

No impact on current budget.

RECOMMENDATION:

That:

1. On the basis of legal advice, access by the public to the McGraths Hill Wetlands and Effluent Reuse Scheme Site be denied.

2. Discussions be undertaken with the Cumberland Bird Observers Club Inc. with a view to separating an area adjacent to Windsor Road to the south of the Wetlands to provide a viewing area.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 134 **IS - Redundant Communications Equipment Hawkesbury Rural Fire Service - (95495, 79016)**

REPORT:

Hawkesbury Rural Fire Service has advised it has redundant communications equipment that needs to be written off and disposed. The Service has suggested it be donated to NSW Tafe for use in electrical engineering courses.

The list of equipment includes 41 pagers and 4 various items of ancillary communications equipment. The items are redundant due to advances in technology.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Strategic Direction: Implement processes to identify and respond to the infrastructure requirements (information, access and mobility) of groups with special needs. "*

Funding

No implication on current budget.

RECOMMENDATION:

That approval be given to the Hawkesbury Rural Fire Service to donate its redundant communications equipment to NSW TAFE.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 135 **IS - Bridge Naming Proposal - Windsor Road, McGraths Hill - (79346, 73625)**

REPORT:

Correspondence has been received from the Roads and Traffic Authority seeking Council's consideration and concurrence to naming of the bridge over the un-named creek, Windsor Road, McGraths Hill, as 'Ashley's Bridge'. This bridge is located approximately 230 metres north-west of intersection of Pitt Town Road and Windsor Road.

Twenty year old Ashley Morris was struck by a car and fatally injured whilst crossing this un-named bridge in October 2005. In Ashley's short life he was involved in many local sporting, scouting and community organisations. Ashley was highly respected by his friends, community leaders and work colleagues.

Under the Roads Act, 1993, the Roads and Traffic Authority is the naming authority for classified main roads and associated infrastructure and this application appears to be part of the community consultation process.

As Windsor Road is a classified main road, this naming proposal is essentially a matter for the Authority to determine.

The potential for extension of this principle to bridges on local roads within the Hawkesbury Local Government Area, and for which Council is the naming authority, is of concern having regard to costs associated with administration and erection and maintenance of signage.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Objective: A network of towns, villages and rural localities connected by well-maintained public and private infrastructure, which supports the social and economic development of the City."*

Funding

No impact on current budget.

RECOMMENDATION:

That:

1. The Roads and Traffic Authority be advised that Council has no objection to naming the subject bridge as 'Ashley's Bridge'; and,

2. As a matter of policy, that bridges on local roads under the control of Council not be named.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 136 **IS - Hollands Paddock Plan of Management - (79354)**

Previous Item: 162, Ordinary (31 May 2006)

REPORT:

Following the development of the landscape plan for Holland's Paddock and subsequent community consultation, Council at its meeting held 31 May 2005 resolved:

> *"That:*
>
> 1. *The landscape plan incorporating the changes suggested by the community be adopted and incorporated within the Plan of Management; and,*
>
> 2. *The necessary steps required under the Act to amend the Plan of Management to permit a water tank and bubblers be undertaken."*

The plan of management has since been amended and was placed on exhibition from 28 March to 8 May 2006. No correspondence was received relating to these changes. It is thus recommended that the amended plan of management be adopted.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Strategic direction: A network of towns, villages and rural localities connected by well maintained public and private infrastructure which supports the social and economic development of the city"*

Funding

No impact on current budget.

RECOMMENDATION:

The amendment to the Holland's Paddock Plan of Management, incorporating water storage tanks and bubblers, be adopted.

ATTACHMENTS:

AT - 1 Holland's Paddock - Amendment to the Plan of Management - (*To be distributed under separate cover*)

oooO END OF REPORT Oooo

Item: 137 **IS - Exclusive Use of Governor Phillip Reserve - Ski Racing NSW - (79354, 92138)**

REPORT:

Application has been received from Ski Racing NSW for exclusive use of Governor Phillip Reserve on Saturday 2nd and Sunday 3rd September 2006 to conduct the inaugural Hawkesbury 120 Water Ski Race.

The subject application is contrary to Council policy in relation to exclusive use of Governor Phillip Reserve, namely;

1. That exclusive use not be granted on consecutive weekends;

2. That exclusive use not be granted on Mother's Day or Father's Day.

Exclusive use has been granted to a prior application by the Upper Hawkesbury Power Boat Club for 8-10 September 2006, and; Sunday, 3 September 2006 is Father's Day.

Notwithstanding the foregoing policies, it is felt that Council may make an exception in this instance and approve the application based on the event being an inaugural event and anticipated significant economic benefits.

The applicant has advised that access to the picnic/playground area would be excluded from the area required of exclusive use on Sunday, 3 September 2006.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Objective: Implement processes to identify and respond to the infrastructure requirements, information, access and mobility) of groups with special needs."*

Funding

No impact on current budget.

RECOMMENDATION:

That:

1. This particular application be exempt from Council's policies regarding exclusive use of Governor Phillip Reserve on this occasion;

2. The application by Ski Racing NSW for exclusive use of Gov Phillip Reserve on 2-3 September 2006 be approved subject to compliance with the following standard conditions regarding use of the reserve.

    a. The applicant paying per day the exclusive use contribution rate, plus the toilet cleaning charge, applicable at the time of the event;

    b. The reserve being left clean and tidy with the applicant being responsible for the disposal of all waste from the reserve;

c. The applicant obtaining appropriate licences from the Waterways Authority regarding conduct of this event;

d. If required, the applicant to obtain appropriate licence from the Licensing Branch of the NSW Police Service for the sale of alcoholic beverages at the proposed event;

e. The applicant obtaining all necessary permits/approvals in relation to amusement devices/rides including Integral Energy regarding the supply of power to devices/rides and their proximity to power supply lines;

f. Any building, vehicle or stall that is preparing food for public consumption is to comply with Council's "Information for Food Stall Holders" brochure; this information and any related food/public health information can be obtained by contacting Council's Environmental Health Officers, on direct line 4560 4571;

g. The applicant lodge a damage bond applicable at time of event;

h. As the applicant has not advised of an alternate date in the event of inclement weather, the Director Infrastructure Services be granted authority to negotiate exclusive use on an alternate date, if required by the applicant.

i. The applicant submit application under the Special Event procedure in relation to traffic management by 6 July 2006, for submission to the Local Traffic Committee meeting to be held on 19 July 2006.

j. The applicant is to observe the noise limits set by the Waterways Authority.

k. The area adjacent to the picnic/playground area not be part of the exclusive use area required for the event.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

SUPPORT SERVICES

Item: 138 SS - Documents for Execution Under Seal - (95494, 78340)

REPORT:

Aged & Disability Officer	The Director General of the Department of Ageing, Disability & Home Care has approved recurrent funding for the position of Aged & Disability Officer. Funding Agreement 2006 - 2009 for the Hawkesbury City Council for the amount of $29,212.00.
Transition to Work (Metro West)	The Director General of the Department of Ageing, Disability & Home Care has approved recurrent funding for the Transition to Work Program. Funding Agreement 1 July 2006 to 31 December 2006 for Hawkesbury City Council for the amount of $48,393.00.

Authority is now required for these agreements to be executed under the Seal of Council.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Objective: Work in partnership with community and government to implement community plans to meet the social, health, safety, leisure and cultural needs of the City"*

Funding

Income from these grants has been incorporated within Council's existing budget provisions.

RECOMMENDATION:

That the Seal of Council be affixed to the following documents:

1. The Director General of the Department of Ageing, Disability & Home Care Funding Agreement 2006 - 2009 for recurrent funding for the position of Aged & Disability Officer in an amount of $29,212.00.

2. The Director General of the Department of Ageing, Disability & Home Care Funding Agreement for recurrent funding for the Transition to Work Program 1 July 2006 to 31 December 2006 in an amount of $48,393.00.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 139 **SS - Richmond School of Arts - Requested Assistance - (95496)**

Previous Item: 28, General Purpose Committee (1 June 2004)

REPORT:

Background

At the meeting of Council held on 9 September 2003, consideration was given to a report, in association with a request received from the Richmond Literary Institute Inc., for financial assistance from Council towards the design and installation of air conditioning at the Richmond School of Arts. This funding was requested to match funding sought by the Institute in an application to the NSW Ministry of the Arts under the Western Sydney Capital Infrastructure Program.

The report in this regard (Attachment 1) was submitted on the basis of Council providing an interest free loan of $32,018 subject to the Institute being successful in their grant application.

Subsequently Council resolved as follows:

> *"That 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. A written agreement to be executed between Council and the Richmond Literary Institute Inc. covering the terms and repayment schedule of the loan."*

The Institute was unsuccessful in its application that year and, in 2004, submitted a similar request for funding to enable it to lodge a further application under the NSW Ministry of the Arts Metropolitan Capital Works Program.

Once again a report was submitted to the General Purpose Committee (Attachment 2) on the basis of Council providing an interest free loan, subject to the Institute being successful in its grant application.

Subsequently Council on 8 June 2004 resolved, as follows, in connection with the later request:

> *"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."*

Once again the Institute was unsuccessful in its application for funding to the NSW Ministry for the Arts in 2004.

Current Position

The following letter dated 12 May 2006 has now been received from the Richmond Literary Institute Inc, advising that the Institute has now accumulated funds from its operations towards the cost of the air conditioning and inviting Council to reaffirm its previous advice, namely, the provision of an interest free loan of $32,018 representing half the cost of the project:

> *"I refer to the Institute's proposal dating from early 2003 to install Air Conditioning in the main auditorium of the Richmond School of Arts.*
>
> *Following Hawkesbury City Council's resolution adopted at the ordinary meeting of 9 September, 2003 to make available an interest free loan of $32,018 for half of the projects costs, several applications for further grant funding have been made and were unsuccessful.*
>
> *Council further confirmed its offer in a resolution dated 8 June 2004. The focus since has been to accumulate funds from the Institute's operations to provide the corresponding other half.*
>
> *The Institute advises that subject to the vagaries of a tender process it may well be in a position to proceed with the proposal. In order to undertake an update of the project design and costs, the Institute invites Council to reaffirm it's previous resolution.*
>
> *The next stage would be to reassess the process to design and tender and report back to Council …"*

It is noted that the cost of the project, namely $64,036 has not been adjusted since the initial submission in 2003 and, no doubt, there may be some change to the actual amount required for this purpose, given the passage of time, once specifications have been prepared and tenders called by the organisation.

In view of Council's current financial position and ongoing difficulties and the precedent that has been set and will continue to be set by the provision of interest free loans, it is considered that Council should not continue such a practice in the future.

Currently there are a number of interest free loan in existence as follows:

Organisation	Original Loan	Balance	Final Payment
Richmond Club Limited	$80,000	$40,000	18/03/2010
Hawkesbury District Tennis Association	$24,000	$18,000	08/10/2013
Hawkesbury Agricultural - Various Farmers	$41,800	$30,247	01/04/2011

Whilst the above loans, and any loan agreed to for the Richmond Literary Institute Inc., are provided to the organisations on an "interest free" basis, under new International Finance Reporting Standards the Council is required to amortise the cost of providing interest free, or below market value loans, to organisations and show the particular cost as a loss in the year the loan is provided.

In respect of current loans, calculations will need to be undertaken in respect of the 2005/2006 financial year to amortise the cost of providing the loans from their commencement date, and appropriate adjustments made for this year's financial statements, with the particular cost of the loans being shown as a loss in future financial years and funded from appropriate sources.

Should Council now agree to the request from the Richmond Literary Institute Inc., it will also be necessary for the particular cost of such a loan to be amortised each year and funded from the appropriate source, namely, the Community Donations Budget.

In addition, as provision has not been made in the 2006/2007 budget for the provision of the loan, as requested, if Council wished to consider this proposal it would be necessary to utilise Council's limited working funds, as there are no alternative internal reserves from which the loan could be funded.

Accordingly, in view of Council's current financial position, the fact that funds have not been provided for the purpose and in order not to set an ongoing precedent for these requests into the future it is considered that the Institute should be advised that Council is no longer able to agree to making an interest free loan for the purpose requested.

It is also suggested that in order to avoid raising expectations for this type of facility being made available in the future Council should adopt a policy no longer providing interest free loans to external persons and/or organisations.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

> *"Strategy: Timely and accurate management of cash inflows and outflows."*

Funding

Funds have not been provided for the requested purpose; if an interest free loan is made available it will need to be funded from working funds and the foregone interest funded.

RECOMMENDATION:

That:

1. The Richmond Literary Institute Inc. be advised that, unfortunately, Council is no longer able to agree to making an interest free loan available for the purpose requested.

2. As a matter of policy Council no longer make interest free loans available to external persons and/or organisations.

ATTACHMENTS:

AT - 1 Item 147 - 9 September 2003: Richmond School of Arts - Funding Application, NSW Ministry of the Arts, Western Sydney Capital Infrastructure Program.

AT - 2 Item 28 - 1 June 2004: Richmond School of Arts - Funding Application, NSW Ministry of the Arts, Metropolitan Capital Works Program.

AT - 1 Item 147 - 9 September 2003: Richmond School of Arts - Funding Application, NSW Ministry of the Arts, Western Sydney Capital Infrastructure Program.

To view this image please refer to the separate Attachments document

To view this image please refer to the separate Attachments document

AT - 2 Item 28 - 1 June 2004: Richmond School of Arts - Funding Application, NSW Ministry of the Arts, Metropolitan Capital Works Program.

To view this image please refer to the separate Attachments document

To view this image please refer to the separate Attachments document

oooO END OF REPORT Oooo

Item: 140 **SS - Councillor Ted Books - Request for Leave of Absence - (90480, 95496)**

REPORT:

Councillor T Books has requested leave of absence from Council from Friday, 23 June to Tuesday, 25 July 2006. This absence means that Councillor Books will be unable to attend the Special Council Meeting of 26 June 2006 and the Ordinary Council Meetings of 27 June, 11 July and 25 July 2006.

Conformance to Strategic Plan

Not applicable

Funding

Not applicable

RECOMMENDATION:

That, as requested, leave of absence be granted to Councillor T Books from 23 June to 25 July 2006 inclusive.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 141 **SS - Monthly Investments Report - May 2006 - (96332)**

REPORT:

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 tables outline the investment portfolio held by Council as at the end of May 2006. All investments have been made in accordance with the Act, Regulations and Council's Investment Policy.

May 2006

Balance B/fwd		Deposits	Withdrawals	Accrued Interest Reinvested	Balance End of Month	
$19,191,917.37	*			$89,562.46	$19,281,479.83	**
$2,530,000.00		$5,640,000.00	-$2,920,000.00		$5,250,000.00	
$930,000.00					$930,000.00	
$22,651,917.37		$5,640,000.00	-$2,920,000.00	$89,562.46	$25,461,479.83	

* Actual
** Anticipated closing balance. This may vary slightly depending upon final interest return advice.

Investment Commentary

The investment portfolio increased by $2.81 million during May 2006. This increase is mainly due to rates instalment being due at the end of May. Total income received during May amounted to $7.16m compared to expenditure of $4.03m in the same period.

Managed Fund performance underperformed the benchmark (UBS Australia) Bank Bill Index in May 2006 with an average return after fees of 5.82%, compared with the index of 5.85%. The managed funds portfolio has achieved a return after fees for the past 12 months of 6.12%, which outperformed the (UBS Australia) Bank Bill Index of 5.75% for the corresponding 12-month period.

Official cash interest rates have increased to 5.75%.

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

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.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: Maximise return on Council's investment portfolio"

Funding

Funds invested with the aim of achieving budgeted income in 2005/2006.

Lisa Desmond
Responsible Accounting Officer

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooor

CONFIDENTIAL REPORTS

Item: 142 **IS - Tenders for Construction of Stormwater Quality Improvement Device (SQID), King Road, Wilberforce - (79357) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

Item: 143 **IS - Tenders for the Rehabilitation of the Former South Windsor Night Soil Depot - (79357) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

Item: 144 **SS - ATM at Glossodia Shopping Centre - (90236, 95496) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

Item: 145 **SS - Hawkesbury Country Bakehouse - McGraths Hill - Shop 3, McGraths Hill Shopping Centre - (91043, 95496, 19175, 19177) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

Item: 146 **SS - Hawkesbury Country Bakehouse - Wilberforce - Shop 4 Wilberforce Shopping Centre - (96617, 95496, 19175, 19177) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

Item: 147 **SS - Sale of 897 Sackville Road, Ebenezer (Lot 1, DP650010) - (95496) CONFIDENTIAL**

Previous Item: 45, Ordinary (28 February 2006)
217, Ordinary (12 July 2005)
128, Ordinary (26 April 2005)

Reason for Confidentiality

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

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

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

Item: 148 **SS - Lease to Luthy - Shop 3, Glossodia Shopping Centre - "Glossodia General Store" - (95496, 78815) CONFIDENTIAL**

Reason for Confidentiality

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

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(d) of the Act as it relates to an existing lease and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

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

ordinary

meeting

end of business paper