



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 10 October 2006

location: council chambers

time: 5:00 p.m.

ORDINARY MEETING

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 238 GM - Industrial Relations: Request from Ministers of Local Government and Industrial Relations regarding Workchoices - (79351, 79355, 84718, 83254)

REPORT:

The Federal Government's WorkChoices legislation came into effect on 27 March 2006 and consequently is now law. Some question still remains over the applicability of the legislation in a number of areas, which are currently the subject of deliberation of the High Court of Australia, which is considering a 'constitutional challenge' to the legislation mounted by a number of State Governments and various union representative bodies.

In early 2006 the NSW Ministers of Local Government and Industrial Relations wrote to all NSW Councils (attachment 1) seeking their consideration of entering into 'contractual' arrangements with employees such that on matters relating to 'disputes' between employers and employees, and 'unfair dismissals', that the parties agree to appoint the NSW Industrial Relations Commission to act as the determining party for such matters.

Management has delayed considering this matter until the outcome of the constitutional challenge with the High Court is known. However, there is no guarantee that the matter will be determined in the near future, hence the matter is presented to Council for its consideration now.

Whilst it is recognised that the motivation for the WorkChoices legislation arose from a perceived need to increase labour flexibility in a context of increased competitive pressure for organisations in an increasingly 'globalised' marketplace, there is still some question as to whether or not the concept of a 'trading corporation' as defined in the legislation will apply to Local Government.

Notwithstanding the above, it can be argued the NSW Industrial Relations commission has served the NSW Local Government industry well during its reign, and while, as in most cases, there may have been decisions Council may not have agreed with, on balance the Commission has been successful in assisting with the majority of disputes put forward by Local Government generally.

Additionally, the continued role of the Commission is consistent with two fundamental philosophical positions that have underpinned the Australian Industrial Relations Systems for decades, viz

- equity in bargaining, and
- the 'fair go all round' principle

Equity in Bargaining

This principle supports the observation that there is greater moral persuasion for parties to abide by agreements negotiated when both parties have negotiated with each other on an equitable basis to reach the agreed outcome. If agreement has not been achieved through an equitable process, then one or other party may feel less than morally bound to abide by it with consequences arising for such an agreement in the longer term.

'Fair Go All Round'

This principle is very much a product of our Australian culture and is a concept that is enshrined in our Industrial Relations System. The process of procedural fairness derives from the concept.

The NSW Industrial Relations Commission has, during the course of its tenure, underwritten the application of both concepts through its participation as "Independent Umpire" as it deliberates on matters of dispute from an objective perspective based on principle and legislation, rather than the subjective viewpoint of either employer or employee.

It is suggested that in the context of Local Government only, because that is our field of experience, the role of the NSW Industrial Relations Commission as independent umpire on matters of dispute has provided a form of protection for employees and employers alike, insofar as it has maintained the integrity of an Industrial Relations System based on equity in bargaining and the 'fair go all round' principle.

Conformance to Strategic Plan

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

"investigating and planning the City's future in consultation with our community and co-ordinating human and financial resources to achieving this future"

Funding

There are no additional funding implications

RECOMMENDATION:

That Council formally responds to the NSW Ministers for Local Government and Industrial Relations indicating that, subject to

- (i) the finalisation of the constitutional challenge to the WorkChoices legislation in the High Court and;
- (ii) Council being legally able to enter into the agreements outlined in the Ministers' correspondence of 23 March 2006,

Council intends to enshrine the principles of equity in bargaining and 'fair go all round' into contracts of employment and/or Workplace Agreements with its employees and recognises that the NSW Industrial Relations Commission is one vehicle that can assist in the facilitation of such an approach.

ATTACHMENTS:

- AT - 1** Letter dated 23 March, 2006 from Minister for Industrial Relations, Mr John Della Bosca MLC and Minister for Local Government, Mr Kerry Hickey MP.

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**AT - 1 Letter dated 23 March, 2006 from Minister for Industrial Relations,
Mr John Della Bosca MLC and Minister for Local Government, Mr Kerry Hickey MP.**

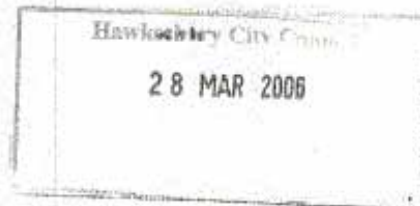


Minister for Industrial Relations

Minister for Local Government

March 23, 2006

Clr Bart Bassett
Hawkesbury City Council
PO Box 146
Windsor NSW 2756



Dear Clr Bassett

I refer to the Commonwealth's Work Choices legislation that will take effect from 27 March 2006.

The New South Wales Government strongly opposes the Commonwealth's plan for a new industrial relations system. The Work Choices legislation is an attack on the lives of working Australians and their families by denying a right to a fair go. For employers it will lead to confusion and complexity. Work Choices attempts to force employers and employees out of the state systems they are familiar with and which have served them well over the years.

The New South Wales Government supports an industrial relations system that is based on:

- The right of employers, unions and employees to make industrial arrangements without governments dictating as to what can and can't be agreed.
- A fair minimum wage set by a truly independent tribunal, after a public hearing.
- An up-to-date and comprehensive safety net for all workers.
- An independent umpire with broad dispute-settling powers, including disputes about dismissal.
- Special protections for vulnerable workers, including protection from exploitative contracting arrangements.

The NSW Industrial Relations Act 1996 and the Local Government Awards support this policy and have served councils and their employees well, providing a sound basis for fair and productive workplace relationships. We note that the Local Government and Shires Associations of NSW have expressed their public opposition to Work Choices and have lent their support to the New South Wales framework.

To preserve this policy framework the New South Wales Government has initiated a challenge to the Work Choices legislation in the High Court of Australia. This challenge has been joined by all states and territories and will commence on 4 May 2006.

Further, a recent amendment to the Industrial Relations Act 1996 (NSW) effective from 13 March 2006 allows employers and unions to enter into common law agreements unfettered by the restrictive terms of Work Choices and confers jurisdiction on the NSW Industrial Relations Commission to exercise conciliation and arbitration powers in respect of a dispute that arises thereunder.



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Adding to this complexity is the federal government's reliance upon the corporations powers of the Australian Constitution to support Work Choices. This is of particular significance to councils. Whilst the Local Government Act 1993 confers body corporate status to councils this does not mean that a council is a constitutional corporation for the purposes of Work Choices. The question of whether a council is a constitutional corporation will be determined having regard to its trading and financial status on a council by council basis.

The New South Wales Government strongly encourages councils to defer any consideration of the Work Choices legislation until the completion of the High Court proceedings and to avail themselves of the recent amendments made to the NSW legislation.

Until the Work Choices legislation has been constitutionally examined, there can be no certainty as to whether a decision made by a council to rely upon the Work Choices legislation will be legally valid. Ratepayers and local communities need to have confidence they are getting the best possible services and that local governments are using public funds responsibly. To this end, councils are encouraged to work within the industrial relations policy of the New South Wales Government and continued reliance on existing industrial arrangements at each council would provide certainty and stability to all concerned.

It would be appreciated if your council could respond to this letter to the Office of the Minister for Industrial Relations, Level 30, Governor Macquarie Tower, 1 Farrar Place, Sydney NSW 2000.

Yours sincerely



John Della Bosca MLC
Minister for Industrial Relations



Kerry Hickey MP
Minister for Local Government

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INFRASTRUCTURE SERVICES

Item: 244 IS - Road Naming Proposal - Henderson/Forest Place, South Windsor - (79346)

REPORT:

Incorporated within a 12 lot residential subdivision of Lot 1, DP 847804, Woods Road, South Windsor undertaken by Landcom, is a public road running in a generally north-east direction from Woods Road.

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

This method of road naming did not comply with either the Roads Act, 1993 nor the Roads (General) Regulation which stipulate that road naming can only be undertaken by the appropriate road authority, in this case being Council not Landcom.

1) Background

- a) Ordinary Meeting, 8/6/2004 - in response to a report recommending that the name "Forest Place" be adopted as it was felt that the matter had progressed beyond established administrative procedures given registration of the Linen Plan, it was resolved that public comment be sought regarding that name;
- b) General Purpose Committee, 2/11/2004 - in response to a report advising the result of the public comment process and recommending that the name "Forest Place" be adopted, it was resolved to recommend to Council that the road be named "Robert Dick Place";
- c) Ordinary Meeting, 9/11/2004 - in response to the General Purpose Committee recommendation of 2/11/2004, it was resolved that Council choose a name and re-advertised the naming of this public road;
- d) General Purpose Committee, 30/11/2004 - in response to the Ordinary Meeting resolution of 9/11/2004 and following recommendation by the Hawkesbury Historical Society, it was resolved to recommend to Council that the road be named "Ben Richards Place";
- e) Ordinary Meeting, 14 December, 2004 - it was resolved that public comment be sought from property owners and residents within a 750 metre radius of the road regarding naming of the road as "Henderson Place"

2) Current Public Comment

- a) Public comment in relation to the name "Henderson Place" was sought by way of advertisement in the Hawkesbury Independent as well as correspondence forwarded to 1293 property owners/residents within a 750 m radius of the road;
- b) The public comment period closed on 15/9/2006 with the following result:
 - i) no objection - 2 (Department of Lands, NSW Police Service)
 - ii) in favour - 6 (Mrs Y Waters, Mr B Stewart, Mrs P Howlett, Mr L Ernst, Ms F Welsh; Mr M & Mrs C Edwards)
 - iii) objection - 3 (Mr R Hutton, Mrs Y Meyer, Mr M Geake)

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- iv) miscellaneous - 1 (City Mutual Home Loans)

3) Comment

- a) Comment by the NSW Police Service was received on 28 September 2006, after expiration of the public comment period; late submission notwithstanding, comment by the Department of Lands and the NSW Police Service satisfy statutory/procedural requirements and have no bearing on the issue at hand in terms of community expectation; for the purposes of this report, comment by these organisations will be disregarded - it should be noted that each organisation had no objection to use of the name "Forest Place";
- b) Comments in favour of "Henderson Place" were essentially brief and may be summarised as "appropriate in honouring the memory of the Henderson family" (Mrs Y Waters), "tasteful and thoughtful gesture to a significant local family" (Mr B Stewart), and "the Henderson family was a local business as distinct from Ben Richards who established the Riverstone Meatworks...but Riverstone is not in our area but in the Blacktown City Council area" (Mrs P Howlett); the balance of representations indicated preference without supporting comment;
- c) Significantly, no person making representation in favour of the name "Henderson Place" lives, or owns property, in the subject road;
- d) Objection to the name "Henderson Place" was received from two owners/residents of three properties in the road and 1 other party; objection centred on retention of the name "Forest Place" based on the following reasons:
 - i) "Forest Place" was the designated name upon registration of the Linen Plan at the Land Titles Office and local residents and owners of property within the road have always known the road as that name;
 - ii) Pleasing aspect to the name "Forest Place" and taken into consideration on purchase of lots;
 - iii) "Forest Place" is now registered with mapping organisations and starting to appear in street directories;
 - iv) Whilst known as "Forest Place" since development, there has been difficulty in establishing utility/business/personal mail delivery, including cost/time in adjusting all personal data across a range of service providers. This will now be repeated should the road be re-named "Henderson Place";
 - v) Concern that should the name of the road be altered to Henderson Place that insurance policies may be void, particularly in relation to buildings under construction;
 - vi) Appealing for the wishes of the owners of properties within the road to be the determining criteria, being the most directly affected and having to bear any costs associated with any name change;
- e) Comment listed as Miscellaneous at Item 2(b)(iv) above was submitted by City Mutual Home Loans on behalf of 5 property owners within the road in its capacity as Mortgage Originator and Manager for Perpetual Trustees Victoria Limited (Perpetual) - this comment did not express any comment either in favour or disfavour of a road name but did advise the following costs to be incurred by those property owners in amending records:
 - i) Amended Valuation Report - \$440.00
 - ii) Solicitor's fee for preparation/execution of mortgage Documents - \$434.50
 - iii) Production fee to obtain existing mortgages held in trust - \$99.50

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- f) as stated, City Mutual Home Loans submitted comment on behalf of five property owners, two of whom had made written submission (Mr R Hutton/ Mrs Y Meyer); the remaining three property owners, whilst not making direct written submission to Council, appear to support retention of the name of "Forest Place" in having a third party advise costs that they would incur.
- g) By extension, six respondents are in favour of "Henderson Place", with six in favour of retention of "Forest Place";
- h) On balance, and having regard to the wishes of residents of this road, being the persons most directly affected both in terms of the road name itself as well as costs/time associated with alteration of records, it is felt that the name of this road should be retained as "Forest Place".

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:

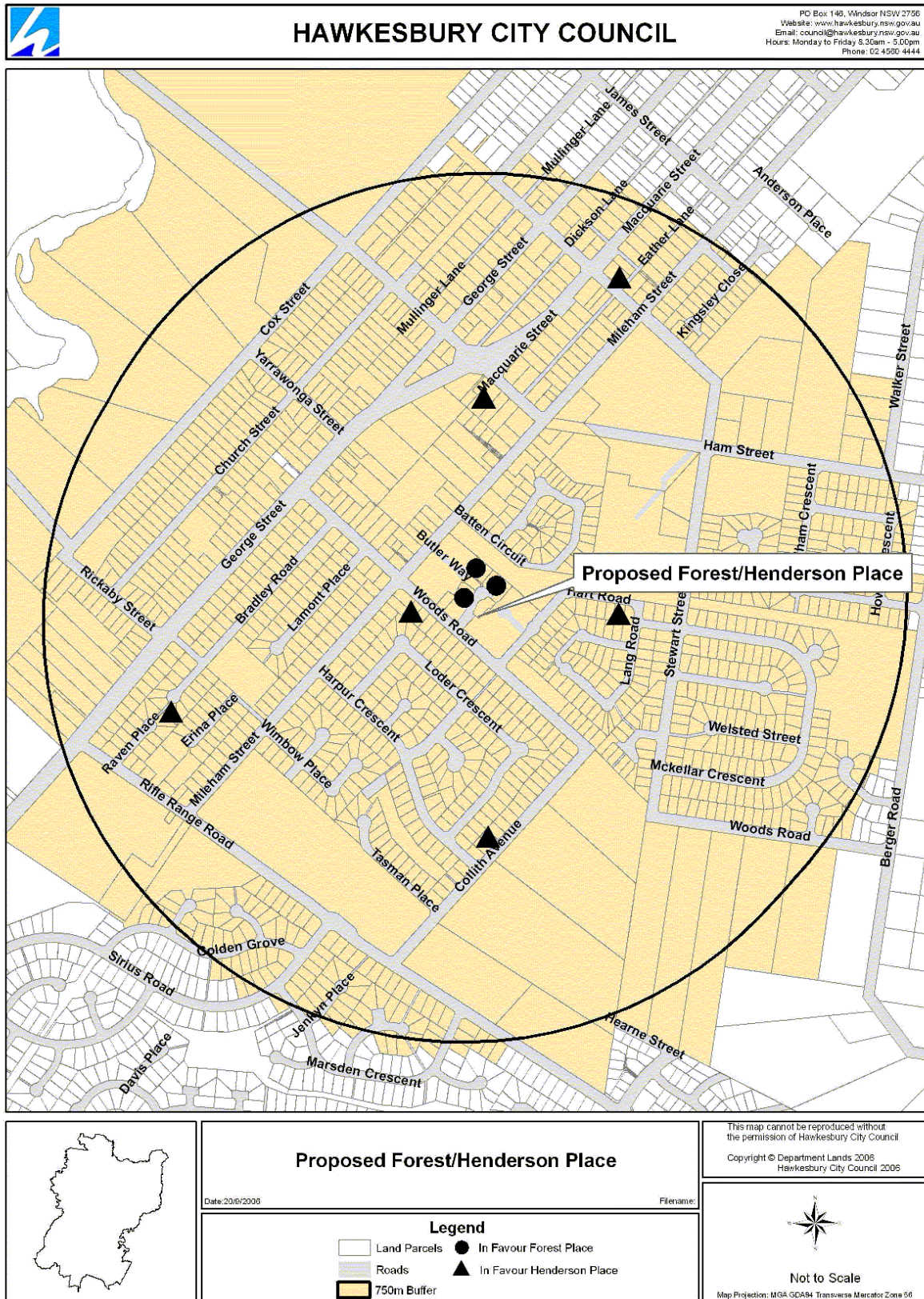
That the public road bounded by Lots 1 -9, 11 -12 DP 1065214 and extending in a generally north easterly direction from Woods Road, South Windsor be named "Forest Place".

ATTACHMENTS:

AT - 1 Sketch Plan - Locality of Public Comment received for Forest Place, South Windsor

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AT - 1 Sketch Plan - Locality of Public Comment received for Forest Place, South Windsor



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Item: 246 **IS - Native Title Determination Application NG6061/698: Darug People - (79354, 27333)**

REPORT:

Correspondence has been received from the Department of Lands in relation to the lodgement of native title determination application NG6061/98 by the Darug People in 1997. The boundaries of this claim stretch approximately from the Colo River in the north, to Appin in the south, and from Mount Victoria in the west to the coastline of NSW between the southern shore point of Port Jackson and the northern shore of Botany Bay in the east.

Officers of the Department of Lands are currently negotiating with the Darug People in an attempt to achieve the settlement of the claim by way of an Indigenous Land Use Agreement (ILUA). Council have been invited to become involved in the ILUA negotiations, with a view to negotiate input by the Darug People into the management of Crown land under the care, control and management of Council. The subject areas are located within what has become known as the 'Agreement Area' of the claim, as shown on the map in Attachment 1. A map of Crown land under the care, control and management of Council will be displayed at the meeting.

The Department has also inquired as to whether Council has a formal or informal mechanism in place to deal with consultation with Aboriginal people regarding the management of lands within the Hawkesbury local government area. Whilst input is sought from the local Aboriginal groups as part of the classification process of Council owned public reserves, there is no process required to classify crown reserves under Council's care and control.

It is felt appropriate that at this stage Council indicate it is willing to participate in the negotiation of the ILUA.

Conformance to Strategic Plan

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

"Objective: Implement infrastructure strategy to underpin the social, cultural and commercial development of the City."

Funding

No impact on current funding.

RECOMMENDATION:

That the Department of Lands be advised that:

1. There is currently a formal mechanism whereby Aboriginal people are consulted in relation to the Plan of Management process of Council owned reserves, but not Crown reserves.
2. Council is willing to participate in the negotiation of an Indigenous Land Use Agreement.

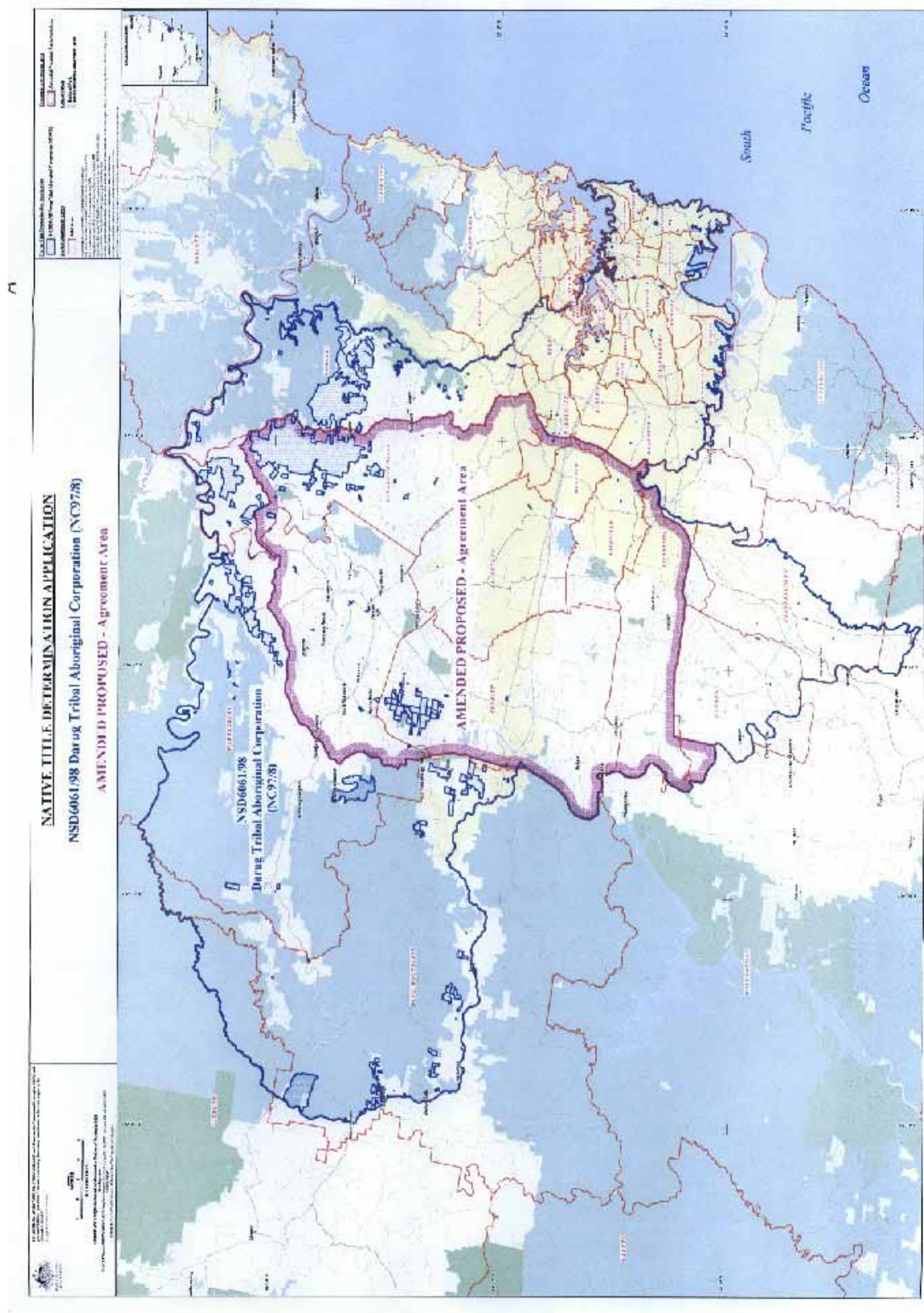
ATTACHMENTS:

AT - 1 Native Title Determination Application - NSD6061/98 - "Agreement Area"

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AT - 1 Native Title Determination Application - NSD6061/98 - "Agreement Area"



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SECTION 5 - Reports of Committees

ROC - Local Traffic Committee - 20 September 2006 - (80245, 95495)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Wednesday, 20 September 2006, commencing at 3.00pm.

ATTENDANCE

Present:	Councillor B Bassett (Chairman) Mr J Christie, Office of Mr A Shearan, MP Senior Constable G Crawford, NSW Police Service Mr R McHenery, Roads and Traffic Authority
Apologies:	Mr T O'Brien, Office of Mr S Pringle, MP Mr R Elson, Department of Transport
In Attendance:	Mr C Amit, Manager, Design and Mapping Services Mrs J Hogge, Road Safety Programme Co-ordinator Mr T Shepherd, Administrative Officer, Infrastructure Services

SECTION 1 - Minutes

ITEM 1.1 Minutes of Previous Meeting

The Minutes of the meeting held on 16 August 2006 were confirmed.

ITEM 1.2 Business Arising

LTC - 20 September 2006 - Item 1.2 - Proposed Alterations and Additions to North Richmond Shopping Village, 16 Riverview Street, North Richmond - DA1100/05 (Hawkesbury) - (79346)

Previous Item: Item 2.5, Local Traffic Committee (16 August 2006)

REPORT:

In consideration of this matter at its meeting held on 16 August 2006, the Committee resolved to recommend to Council:

"That:

- 1. the application be supported, in principal, for the proposed car parking and access changes to the north Richmond Car Park, located at 6-16 Riverview Street, North Richmond.*
- 2. the applicant address the issues raised by Mrs J Ross in total with a co-ordinated response to address points 3, 5, 7, 9 & 10.*
- 3. a co-ordinated response be provided to Mrs J Ross by Council's Town Planning Section addressing the 10 points of issue raised.*

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4. *the matter be further reported to the Local Traffic Committee to seek approval outlining the issues raised by Mrs J Ross."*

In consideration of this recommendation, and following an address and tabling of written response in relation to Item 2 above by Mr J Egan (Dataworks Doc No. 2334472), Council at its meeting held on 12 September 2006 resolved:

"That:

1. *the application be supported, in principal, for the proposed car parking and access changes to the North Richmond Car Park, located at 6-16 Riverview Street, North Richmond.*
2. *a co-ordinated response be provided to Mrs J Ross by Council's Town Planning Section addressing the 10 points of issue raised."*

Copies of the document tabled by Mr J Egan at the Ordinary Meeting held on 12 September 2006, as well as representations dated 15 August 2006, by Mrs J Egan (Dataworks Doc No. 2328277) are attached.

The Chairman orally advised that Council's resolution of 12 September 2006 resulted from contact being made with Mrs J Ross in the period between 16 August and 12 September 2006 with the following issues resolved:

- i. confusion as to location of the loading dock being shown at the southern end of the development on earlier plans to those currently under consideration by Council showing the loading dock being retained in its location; and
- ii. other issues were not generated by the proposed development rather being related to traffic management on Bells Line of Road which were currently under discussion with the Roads and Traffic Authority.

RECOMMENDATION:

That the information be received.

APPENDICES:

AT - 1 Address to Council and Written Response by Mr J Egan (Dataworks Doc No. 2334472)

AT - 2 Representations received by Mrs J Ross (Dataworks Doc No. 2328277)

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APPENDIX 1 - Address to Council and Written Response by Mr J Egan

Local Traffic Committee Hawkebury City Council
15 SEP 2006

Item 2.5 (North Richmond Shopping Village)

Response to issues raised by Mrs Ross

Issue 1
Traffic lights at the intersection of Kurrajong Road Bells Line of Road have increased traffic flow on Pitt Lane.

Response
The RTA is currently investigating increased traffic flow along Pitt Lane. This is primarily due to other traffic conditions, not the shopping centre.

Issue 2
Westbound traffic along Bells Line of Road is impeded due to queuing of vehicles turning right onto Terrace Road during peak periods.

Response
Westbound traffic along Bells Line of Road que due to the traffic lights and vehicles turning right into Terrace Road. This could be improved by a peak hour clearway of 2 lanes along Bells Line of Road. Whilst the issue is unrelated to the shopping centre it should be noted that the relocation of Liquorland from Bells Line of Road will give council the opportunity to impose parking restrictions or clearways. The re-location of Liquorland is subject to the approval of the re-development of the shopping centre.

Issue 3
Traffic movements to the right from the shopping centre towards the east have been restricted resulting in increased traffic movements along Pitt Lane and Riverview Street.

Response
This issue has been addressed in the amended development application and is no longer relevant. Ms Ross's objections are based on the old plan which moved the loading dock and restricted traffic movements.

*File Note: Copies of this correspondence
distributed to all councillors
at the Council Meeting on
12/9/06.
Rune mfu
12/9/06*



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Issue 4

Due to traffic congestion at the signalized intersection of Bells Line of Road and Grose Vale Road traffic movements left onto Grose Vale Road are impeded resulting in use of Pitt Lane to avoid queuing.

Response

This an RTA issue which could be improved by a peak hour clearway of 2 lanes along Bells Line of Road following the re-location of Liquourland.

Issue 5

Traffic flow will increase on the road adjoining the shopping centre with proposed changes.

Response

Not true. LTC has stated in its own report that there will be no adverse traffic flow outcomes.

Issue 6

The vehicle size restriction (3 tone limit) is not being observed in Pitt Lane.

Response

This is a policing issue and should not affect the assessment of the re-development of the North Richmond Shopping Centre.

Issue 7

Insufficient maneuvering area exists at the intersection of Pitt Lane and Riverview Street for heavy vehicles resulting in reversing movements on Pitt Lane that are considered dangerous.

Response

The redevelopment of the Shopping Centre will not adversely change the current situation. The loading dock will remain in its current location.

Issue 8

Vehicles disobey the existing "give way" sign at the intersection of Pitt Lane and Riverview Street .

Response

This is a matter for the police. It is not the role of the applicant to enforce give way signs.

Issue 9

Heavy vehicle movements left along Riverview Street from existing loading dock result in turning maneuvers in Pitt Lane and Flinders Place impeding traffic flows.

Response

This is a valid issue and the applicant would be willing to install a no left hand turn sign for heavy vehicles at the exit of the loading dock.

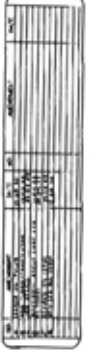
Issue 10

Noise of vehicles using Pitt lane causes disturbance to adjoining residential properties.

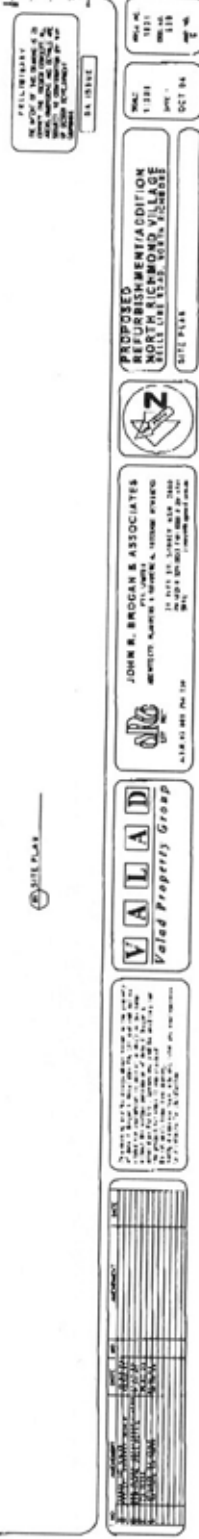
Response

While the re-development of the North Richmond Centre is not expected to increase flows along Pitt Lane, the closure of Liquorland and possible introduction of a clearway should reduce the number of vehicles using Pitt Lane and hence reduce the noise.

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Reports of Committees



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APPENDIX 2 - Representations received by Mrs J Ross

Mrs J.B .Ross
2/1 Flinders Place
North Richmond 2754
15/8/06
City of Casey City Council
07 SEP 2006

Dear Richard,

Despite ringing Council 1 year ago with my concerns about large trucks and vehicles using Pitt Lane as a shortcut to avoid traffic congestion on The Bells Line of Rd, North Richmond the problem still exists.

The use of Pitt Lane causes safety concerns for residents in Pitt Lane, Flinders Place and Riverview Street as this intersection is too narrow for many trucks to make a right hand turn into Riverview Place without reversing etc. It is also a dangerous intersection because of the daily traffic volume and many drivers ignoring the give way sign & simply turning right into Riverview Street impeding vehicles entering Flinders Place.

Trucks & cars even go down Pitt Lane the wrong way to approach the Bells Line of Rd.

Pitt Lane is designated as one way light traffic thoroughfare with a 3 tonne limit but this is ignored by many truck drivers.

As a suggestion I have attached a sign that Holroyd Council use for side streets affected by noise and disturbance by trucks exceeding the designated weight limits for the area.

Speed bumps will not stop the trucks and only accentuate the noise by rev heads using the Lane.

I think this sign would be quite appropriate at the entrance of Pitt Lane to discourage use by heavy vehicles. The current sign is worn and drivers cannot see the sign until the left hand turn has been made into Pitt Lane.

Submitted for your consideration at the Local Area Traffic Committee meeting on 16th August 2006.

J.B & D.M Ross



SCANNED



SECTION 2 - Reports for Determination

ITEM 2.1 **LTC - 20 September 2006 - Item 2.1 - Mileham Street, South Windsor - Traffic Calming - (Hawkesbury, Londonderry) - (80245)**

REPORT:

Representations have been received from residents of Mileham Street, South Windsor, in the vicinity of Rifle Range Road to Bell Street, raising the following traffic issues:

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- vehicles travelling at excessive speed,
- motorists using Mileham Street as a major thoroughfare route to avoid the speed camera in George Street, north of Rifle Range Road as well as traffic lights on George and Macquarie Streets, and
- pedestrian safety.

Mileham Street is a local distributor road which extends from Day Street, Windsor to Rifle Range Road, South Windsor. The section of Mileham Street referred to is between Bell Street and Rifle Range Road, South Windsor, which is approximately 2.4 kilometres in length. Mileham Street runs generally in a north/south direction and is severed by the Blacktown to Richmond Railway Line, north of Bell Street.

This section of Mileham Street intersects 13 local roads. The average width of the carriageway between the kerbs is 12.2 metres. The current regulatory speed limit is 50 kph. There are predominantly residential properties on both sides of the road with a mix of Light Industry and Sporting Reserve.

The wider appearance and the straight alignment of Mileham Street tends to promote both excessive vehicular speeds and overtaking of vehicles. Traffic calming on this road currently includes Stop signs at the Argyle Street and Woods Road intersections, with a roundabout at the Drummond Street intersection.

The RTA Accident Database indicates 13 injury accidents and 28 minor accidents during the period from January 2001 to December 2004. These accidents are widely spread over this section of Mileham Street with concentrations at the intersections of Argyle Street and Drummond Street. The Drummond Street intersection was upgraded in 2006 with a roundabout as a result of Federal Black Spot Funding in the 2005/2006 budget year.

Existing Traffic conditions on Mileham Street are outlined in the table below.

Table 1:

Road Section (chainage in metres)	ADT	85th % Speed	Sight Distance	Existing Traffic Calming Devices/Controls
Rifle Range Road to Woods Road (0 - 573)	2776 (TC1)	67 kph	▪ Good sight distance ▪ Site distance extends over this section	▪ T Junction: Mileham Street at Rifle Range Road ▪ Stop signs in Mileham Street at Woods Road, enhanced with Stop signs in the centre median islands
Woods Road to James Street (573 - 1488)	3385 (TC2)	64 kph	▪ Good sight distance ▪ A minor dip and a rise	▪ Stop signs in Mileham Street at Woods Road, enhanced with stop signs in the centre median islands ▪ Roundabout at Mileham Street and Drummond Street, constructed in 2006

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James Street to Bell Street (1488 - 2400)	1993 (TC3)	62 kph	▪ Due to the dip and rise from Campbell Street to Argyle Street the site distance is not satisfactory	▪ Stop signs in Mileham Street at Argyle Street
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The 85th percentile speed recorded in the January 2005 traffic counts are higher than the current regulatory speed of 50kph at all three locations. The speeds are in the range of 12kph and 17 kph at the respective locations. These figures are considered to be higher than the acceptable limits.

As part of a Local Area Traffic Management Plan, it would be appropriate to mark barrier lines and edge lines with RRPMs to establish 3.0 metre wide parking lanes on both sides of Mileham Street, between Rifle Range Road and Bell Street. This will create the perception of a narrow travelling lane (approximately 3.0m wide) for motorists, which will discourage speeding and prohibit overtaking. It is considered that the line marking treatment is a better option initially than the installation of devices such as horizontal and vertical deflectors as it is cost effective for this length of the road. It is also appropriate to install regulatory speed signs at regular intervals and associated road markings, which will reinforce the speed limit to motorists.

RECOMMENDATION:

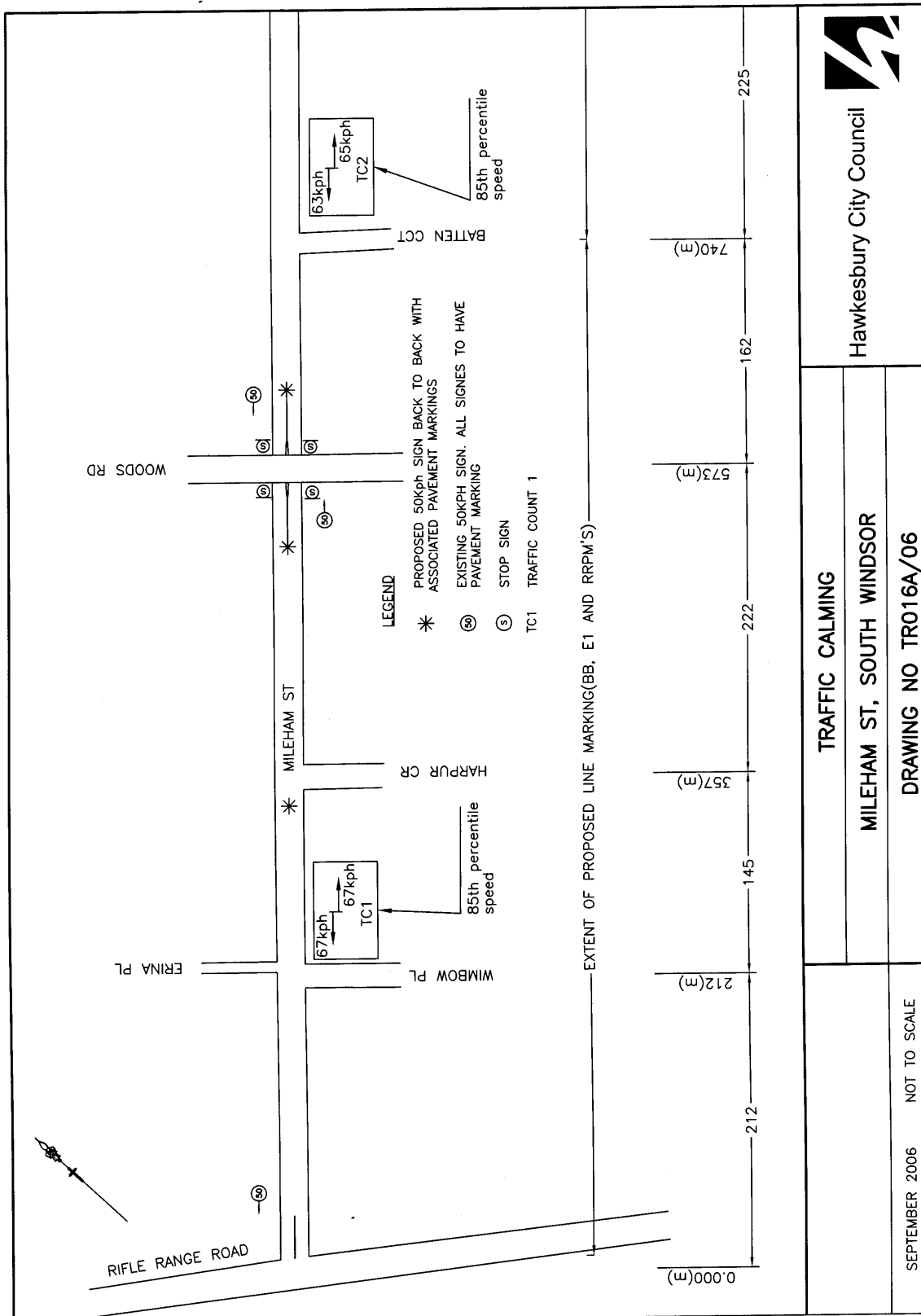
That:

1. the following measures be undertaken in Mileham Street, South Windsor between Rifle Range Road and Bell Street in accordance with Plans TR016A/06, TR016B/06, TR016C/06:
 - a. barrier lines be marked along the centre and associated RRPM's,
 - b. edge lines be marked to establish 3.0 metre wide parking lanes on both sides and associated RRPM's,
 - c. repeater regulatory 50kph speed limit signs and pavement markings be installed on both sides.
2. A speed survey be undertaken three months after installation of the above measures.

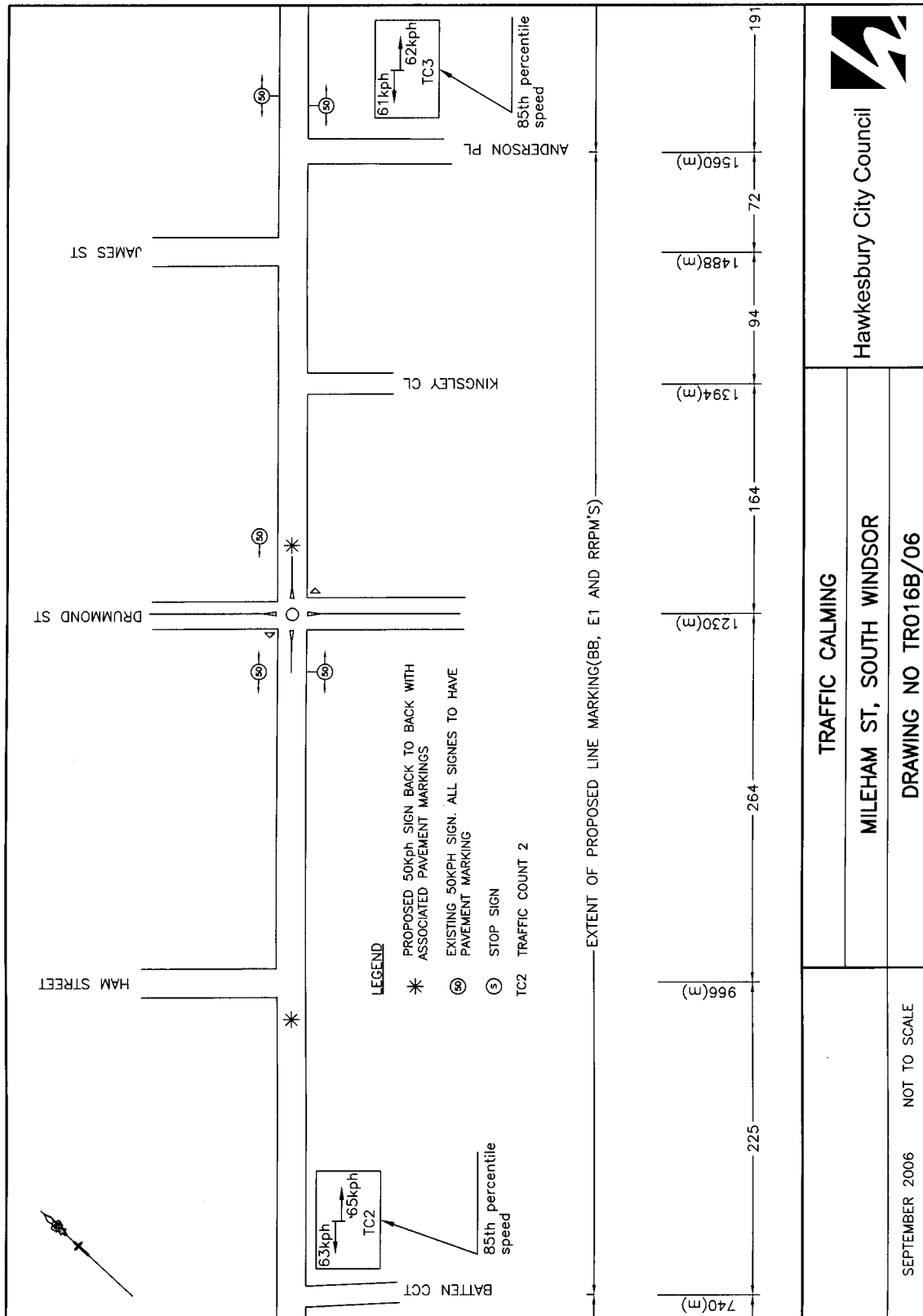
APPENDICES:

- AT - 1** Drawing No.TR016A/06 - Traffic Calming - Mileham Street, South Windsor
- AT - 2** Drawing No.TR016B/06 - Traffic Calming - Mileham Street, South Windsor
- AT - 3** Drawing No.TR016C/06 - Traffic Calming - Mileham Street, South Windsor

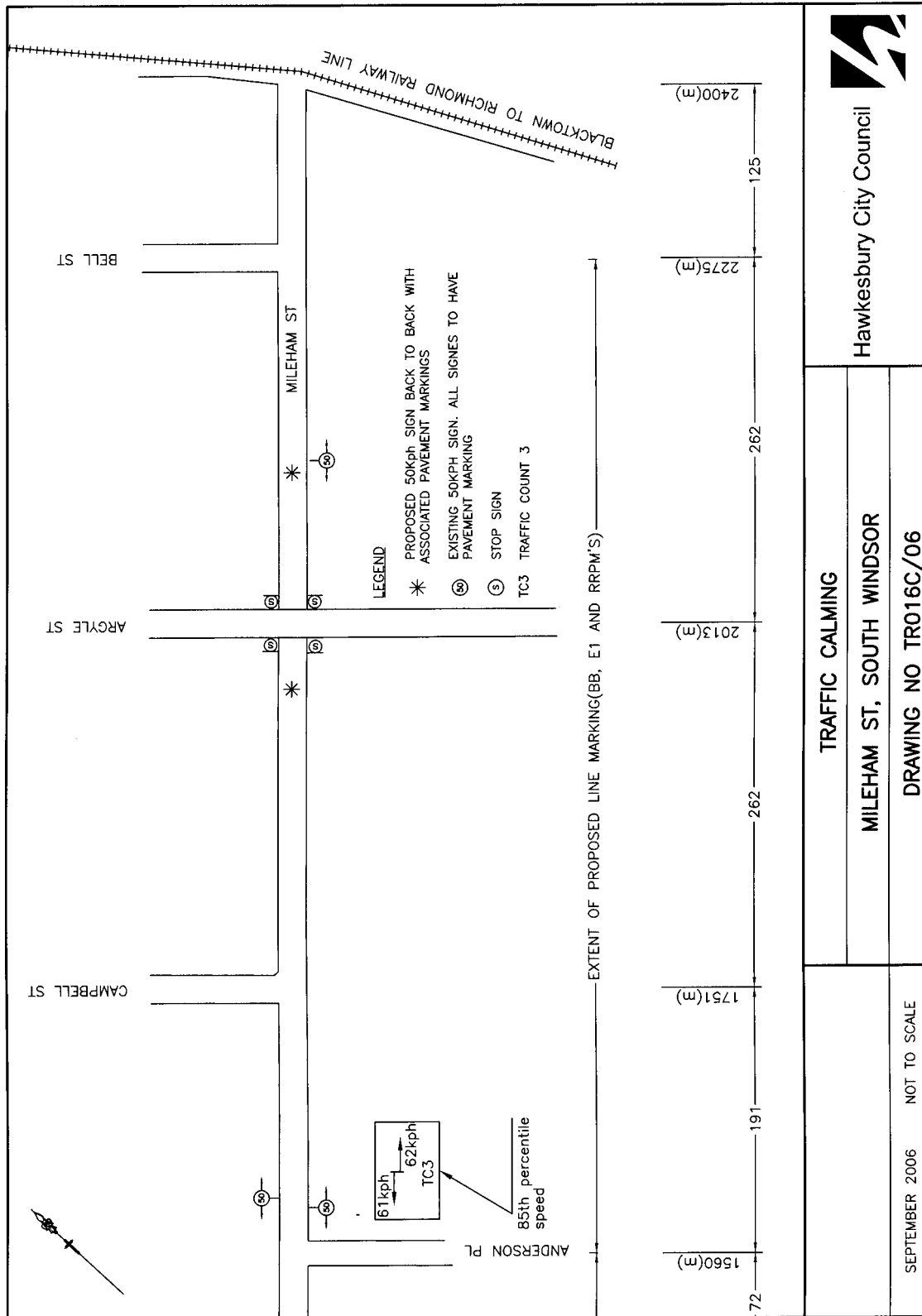
APPENDIX 1 - Drawing No.TR016A/06 - Traffic Calming - Mileham Street, South Windsor



APPENDIX 2 - Drawing No.TR016B/06 - Traffic Calming - Mileham Street, South Windsor



APPENDIX 3 - Drawing No.TR016C/06 - Traffic Calming - Mileham Street, South Windsor



ITEM 2.2 LTC - 20 September 2006 - Item 2.2 - Richmond Marketplace Santa's Arrival - Various roads, Richmond CBD - (Londonderry) - (80245, 77088)

REPORT:

Introduction

An application has been received from Richmond Marketplace seeking approval to conduct Santa's Arrival at the Richmond Marketplace on Saturday, 12 November 2006. The exact time of the event is yet to be confirmed by the applicant.

Documents submitted with the application are attached. See Appendix 2 - Dataworks Doc.No. 2297212.

Event Description

Santa will be seated in a sleigh which will be led by live reindeer. A handler will walk beside the sleigh. The sleigh will take the proposed route as shown on the attached Plan No: TR017/06. The event will start at the Woolworths Petrol Plus on Lennox Street and finish at the March Street entrance to the Richmond Marketplace. The proposed route consists of the following roads within the Richmond CBD.

State Roads

Lennox Street (between Paget Street and East Market Street), East Market Street (between Windsor Street and Lennox Street) and March Street (between East Market Street and West Market Street).

Local Roads

West Market Street (between March Street and Windsor Street), Windsor Street (between West Market Street and East Market Street) and March Street (between East Market Street and Paget Street).

The event organiser has informed the following in relation to this event:

- It is anticipated that it will take approximately 15 minutes for the sleigh to travel along the proposed route.
- No changes to the existing traffic conditions are required.
- This event was conducted in the same manner last year. It proved to be both an attraction for the Marketplace, as well as for the Richmond Main Street retailers, with customers lining along the roads to see Santa and his reindeer.

Discussion

The RSPCA has advised that reindeers are not classified as domestic animals. Therefore, a reindeer is not permitted to travel on public roads like other road user vehicles without approval. It would be appropriate to classify this event as a "Class 2" special event under the "Traffic Management for Special Events" guidelines issued by the Roads & Traffic Authority as this event may impact on minor traffic and transport systems along the specified route and there may be a low scale disruption to the non-event community. Even though this event will traverse along classified roads, the event classification is based on the level of impact on traffic. This is a low speed, moving event and no road closures are involved.

It will be necessary for the event organiser to lodge an application seeking approval to conduct the event with the NSW Police Service. The event organiser is required to submit a Traffic Management Plan (TMP) and Traffic Control Plan (TCP) for the entire route to Council for acknowledgement. The TCP should be prepared by a person holding appropriate certification required by the RTA to satisfy the requirements of the relevant Work Cover legislation.

RECOMMENDATION:

That:

1. This event be classified as a "Class 2" special event under the "Traffic Management for Special Events" guidelines issued by the RTA.
2. The safety of all road users and personnel on or affected by the site/event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.3) and the Hawkesbury City Council special event information package which explains the responsibilities of the event organiser in detail.
4. No objection be held to this event subject to compliance with the following conditions:

Prior to the event:

- a. the event organiser obtaining approval to conduct this event from the NSW Police Service; a copy of the Police Service approval be submitted to Council;
- b. the event organiser submitting a Traffic Management Plan (TMP) for the entire route incorporating a Traffic Control Plan (TCP) to Council and the RTA for acknowledgement. The TCP should be prepared by a person holding appropriate certification required by the RTA to satisfy the requirements of the relevant Work Cover legislation;
- c. the event organiser submitting to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Traffic Authority as an interested parties on the Policy and that Policy to cover both on-road and off-road activity;
- d. the event organiser advertising the event in the local press stating the entire route of the event and the traffic impact/delays due to the event two weeks prior to the event; a copy of the proposed advertisement be submitted to Council (indicating the advertising medium);
- e. the event organiser notifying the details of the event to NSW Ambulance Services, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event;
- f. the event organiser directly notifying relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses affected by the proposed road closures / the event at least two weeks prior to the event;
- g. the event organiser assessing the risk and addressing the suitability of the entire route as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route / site by the event organiser prior to preparing the TMP and prior to the event;
- h. the event organiser carrying out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and designing and implementing a risk elimination or reduction plan in accordance with the Occupational Health and Safety Regulation 2000; (information for event organisers about managing risk is available on the Department of Tourism, Sport and Recreation's website at <http://www.dsr.nsw.gov.au>;
- i. the event organiser submitting the completed "Special Event - Traffic - Final Approval" form to Council;

During the event:

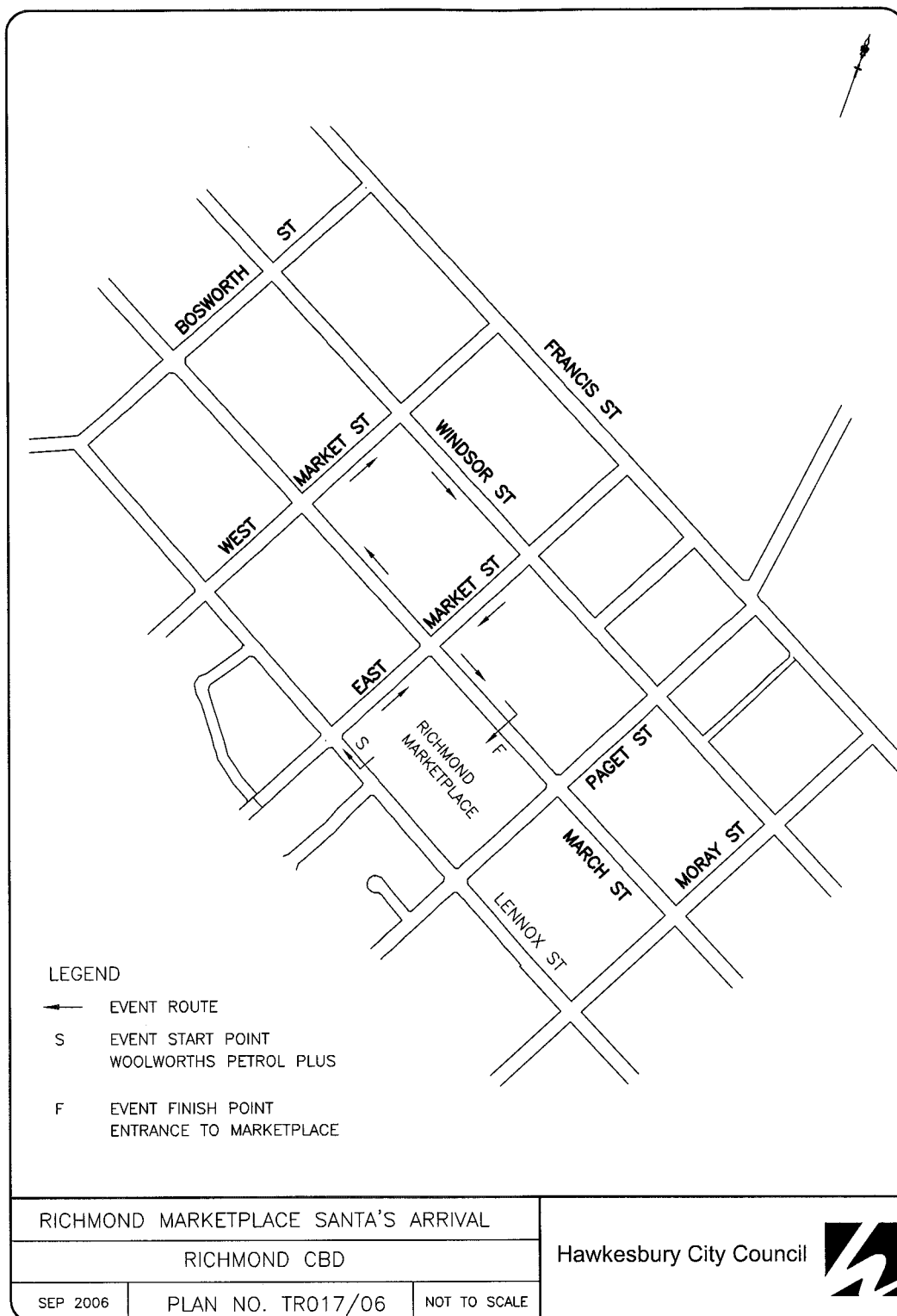
- j. access being maintained for businesses, residents and their visitors;
- k. all traffic controllers/marshals operating within the public road network holding appropriate certification required by the RTA;
- l. the handler is aware of and is following all the general road user rules while travelling on public roads;
- m. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices be placed during the event along the route under the direction of a traffic controller holding appropriate certification required by the RTA;
- n. the participants be advised of the traffic control arrangements in place prior to the commencement of the event; and,
- o. all roads and marshalling points are to be kept clean and tidy, with all directional signage to be removed immediately on completion of the activity.

APPENDICES:

AT - 1 Drawing No. TR017/06 - Richmond Marketplace - Santa's Arrival

AT - 2 Special Event Application (see attached)

APPENDIX 1 - Drawing No. TR017/06 - Richmond Marketplace - Santa's Arrival



SECTION 3 - Reports for Information

ITEM 3.1 LTC - 20 September 2006 - Item 3.1 - Various Locations- Speed Zoning Authorisations - (Hawkesbury, Londonderry) - (80245, 33305))

REPORT:

By correspondence dated 4 September 2006, (Dataworks Doc.No.2325387), the Roads and Traffic Authority has advised Speed Zoning Authorisations at the following locations, all imposing a speed limit of 60kph.

1. Londonderry Road, Richmond - from a point 380 metres south of Vines Drive to a point 480 metres south of Vines Drive, both directions;
2. George Street, South Windsor - from its intersection with Blacktown-Richmond Road to a point 320 metres north of Colonial Drive, both directions; and,
3. Sackville Ferry Road, Sackville - from the Hawkesbury River to a point 360 metres north of the Hawkesbury River, both directions.

Copies of the above Speed Zoning Authorisations have been forwarded to the NSW Police Service.

RECOMMENDATION:

That the information be received.

APPENDICES:

There are no supporting documents for this report.

SECTION 4 - General Business

Item 4.1 LTC - 20 September 2006 - Item 4.1 QWN - Pushbike Cyclists- (80245)

Councillor B Bassett

REPORT:

Enquired as to whether pushbike cyclists were permitted under the Australian Road Rules to ride more than 2 abreast.

Senior Constable G Crawford advised that as long as pushbike cyclists were riding in accordance with the Australian Road Rules, even if occupying the full width of their travelling lane, pushbike cyclists were permitted to ride more than 2 abreast.

RECOMMENDATION:

That the information be received.

ORDINARY MEETING
Reports of Committees

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Wednesday, 18 October 2006 at 3.00pm in the Large Committee Rooms, Council Chambers.

The meeting terminated at 3.32pm.

oooO END OF REPORT Oooo



ordinary
meeting

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business
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