Hawkesbury City Council

ordinary meeting business paper

date of meeting: 12 September 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.

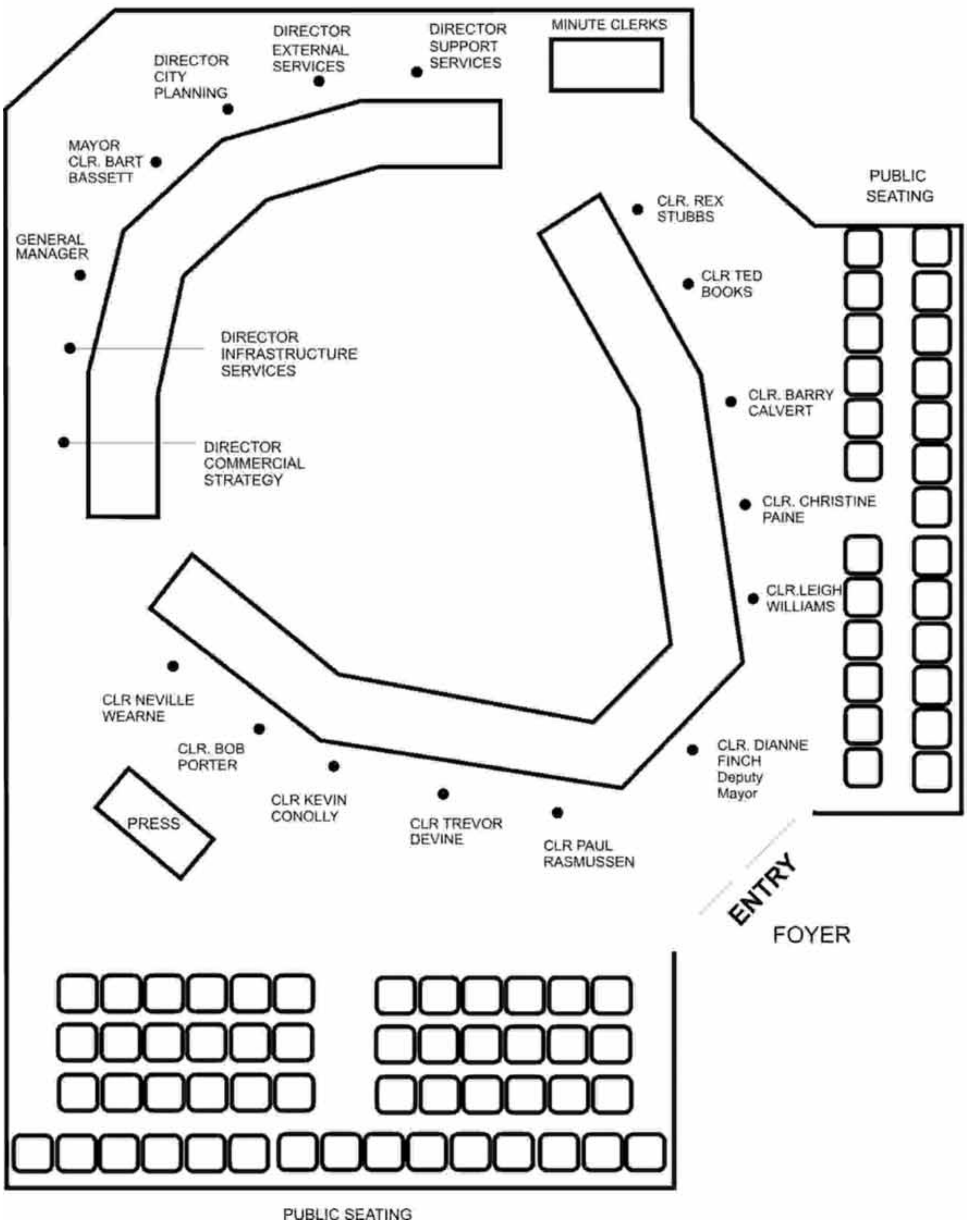
Website

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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SECTION 1 - Confirmation of Minutes

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SECTION 3 - Notices of Motion

RM - Notice of Rescission - Assessment of Development Applications and Lapsing of Development Consents - (90476, 90477, 90480)

Submitted by: Councillor T Devine
Councillor B Porter
Councillor T Books

NOTICE OF MOTION:

That the resolution to Item: 199 - "Assessment of Development Applications and Lapsing of Development Consents" of the 29 August 2006 be rescinded.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

NM 1 - RAAF Air Command Band - (80104, 95497)

Submitted by: Councillor C Paine

NOTICE OF MOTION:

That the Hawkesbury City Council write to our Federal member Kerry Bartlett, the Minister for Defence and the Commander of RAAF Richmond, in protest at the closure/moving of the RAAF Air Command Band at Richmond.

Background

The RAAF Air Command Band at RAAF Base Richmond has been in existence since 1932 and has been a full time band since 1969. Throughout its service, the Air Command Band has made a major contribution to the cultural and artistic life of Australia. The Band has an enviable reputation for musical excellence locally, nationally and internationally through its dedication to promoting the RAAF and supporting the Australian communities.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

NM 2 - Upgrade of Windsor Railway Station Parking and Bus/Taxi Area - (90477, 95495)

Submitted by: Councillor B Porter

NOTICE OF MOTION:

That Railcorp be requested to urgently consider upgrading the Windsor Railway Station Parking and bus/taxi drop off/pick up areas.

Background

Whilst it is appreciated that there is a meeting in the near future between Council staff and Railcorp staff to review this matter, there has been ongoing conflict between pedestrians and vehicles in this area, particularly during peak periods, for many years.

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

CITY PLANNING

Item: 211 CP - Draft Local Approvals Policy Caravan Parks Approval to Operate - (95498)

REPORT:

Introduction

The purpose of this Policy is to supplement provisions of the Local Government Act 1993, the Local Government (Approvals) Regulation and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 by:

1. Part 1: Specifying the circumstances in which a person is not required to obtain a particular approval from the Council;
2. Part 2: Specifying the criteria, which the Council must consider when determining whether or not to grant approval for a particular activity;
3. Part 3: Specifying other matters relating to approvals not dealt with by the Act or Regulations.

The Aims of the Policy

The Policy aims to promote an integrated framework for dealing with applications for approval to operate a Caravan Park. It will also assist Council to fully pursue its charter under Section 8 of the Act and to apply common and consistent requirements and procedures to all types of approval.

Compliance with the Policy will ensure consistency and fairness in the manner in which Council deals with applications for approval. The Policy will make Council's policies and requirements for approvals readily accessible and understandable to the public.

Exhibition of Draft Policy

The Act requires that Local Approval Policies be exhibited for a period of not less than 28 days prior to Council adopting the Policy.

It is recommended that Council publicly exhibits the Draft Policy by way of notice in the local newspaper and sending copies of the Draft Policy to Caravan Park operators.

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 livable communities that respect, preserve and manage the heritage, cultural and natural assets of the City "*

Funding

Not applicable.

RECOMMENDATION:

That the draft Local Approvals Policy: Caravan Parks Approval To Operate be publicly exhibited for a period of not less than 28 days and reported back to Council.

ATTACHMENTS:

AT - 1 Hawkesbury City Council Local Approval Policy For Caravan Parks Approval To Operate 2006 - *(Distributed Under Separate Cover)*

oooO END OF REPORT Oooo

Item: 212 **CP - Draft Local Approvals Policy Installation of Structures in Caravan Parks - (95498)**

REPORT:

Introduction

The purpose of the Policy is to supplement provisions of the Local Government Act 1993, the Local Government (Approvals) Regulation and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 by:

1. Part 1: Specifying the circumstances in which a person is not required to obtain a particular approval from the Council;

2. Part 2: Specifying the criteria, which the Council must consider when determining whether or not to grant approval for a particular activity;

3. Part 3: Specifying other matters relating to approvals not dealt with by the Act or Regulations.

A study was commissioned by Emergency Management of Australia and conducted by Macquarie University-Sydney on the flood risk assessment and management strategies for Caravan Parks in NSW in 2001. The aim of the study was to identify for selected caravan parks in NSW, the nature and scale of the flood threat and to suggest strategies for management of the problem.

A conservative estimate suggests that perhaps two thirds of the States 896 registered caravan parks are flood liable, where flooding is defined as an overflowing of water onto land not usually submerged, and includes floods less than the 1% Annual Exceedance Probability (AEP) event.

It was also revealed that at no park does the available warning time exceed 24 hours. At more than 50% of parks it is 12 hours or less, and at about 25% off parks it is six hours or less. An extreme risk rating was accredited to the caravan parks surveyed along the Hawkesbury River that reflects the high probability of experiencing deep, fast flowing water.

The Aims of the Policy

To promote an integrated framework for dealing with applications for approval of structures within Caravan Parks that have flood affected land. It will also assist Council to fully pursue its charter under Section 8 of the Act and to apply common and consistent regional requirements and procedures:

- To encourage and assist effective participation of local communities in decision making;
- To make the Council's policies and requirements for approvals readily accessible and understandable to the public;
- To assist the Council to fully pursue its charter under Section 8 of the Act;
- To apply common or consistent requirements and procedures to all types of approval;
- To establish a system of community participation which can effectively resolve disputes and conflicts as they arise; and
- To use straightforward English and explanatory notes throughout the text of the Policy.

Exhibition of Draft Policy

The Act requires that Local Approval Policies be exhibited for a period of not less than 28 days prior to Council adopting the Policies.

It is recommended that Council publicly exhibit the Draft Policy by way of notice in the local newspaper and sending copies of the Draft Policy to Caravan Park operators.

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 livable communities that respect, preserve and manage the heritage, cultural and natural assets of the City "*

Funding

Not applicable.

RECOMMENDATION:

That the Draft Local Approvals Policy: Installation of Structures In Caravan Parks 2006 be publicly exhibited for a period of not less than 28 days and reported back to Council.

ATTACHMENTS:

AT - 1 Hawkesbury City Council Local Approval Policy For Installation Of Structures In Caravan Parks 2006 - *(Distributed Under Separate Cover)*

oooO END OF REPORT Oooo

Item: 213 **CP - Proposed Amendment to Statutory Bushfire Mapping at Lot 218 DP217504 - 116 Mitchell Drive and Part Lot 1 DP550593 - 88 Spinks Road, Glossodia - (95498, 96329)**

REPORT:

Purpose of Report

The purpose of this report is to seek Council's support for an amendment to the Hawkesbury City Council Bush Fire Prone Land Map (Statutory Bushfire Map) in respect of Lot 218 DP 217504 No. 116 Mitchell Drive and Part Lot 1 DP 550593 No. 88 Spinks Road Glossodia.

This decision is required to enable Council to consider the application pursuant to the provisions of State Environmental Planning Policy (Seniors Living) 2004.

Background

Request for Bush Fire Mapping Amendment

A report titled *Assessment of Bushfire Prone Mapping for Lot 218 DP 217504 - 116 Mitchell Drive & Part Lot 1 DP 550593 - 88 Spinks Road Glossodia,* dated 29 March 2005 was prepared by McKinlay Morgan & Associates requesting that a review of Council's Bush Fire Prone Land Mapping be undertaken in respect of the identified properties. This review was requested on the basis that the identified vegetation categories were incorrect.

Development Application No. DA0593/05

Following submission of this report, Development Application No. DA0593/05 was lodged with Council on 11 July 2005 proposing a seniors living housing development on the subject site comprising 80 dwellings to be constructed in stages and associated community facilities.

The application was notified between 19 September 2005 and 18 November 2005 and an information meeting was held on 2 November 2005 in order to seek public comment in relation to the proposal. Additionally, a follow up consultation meeting was held 5 April 2006 with community representatives. In response to this notification a total of 19 written submissions were received of which 18 raised objection to the proposal.

The application was forwarded to the NSW Rural Fire Service as a nominated Integrated Development pursuant to the provisions of Section 91 of the Environmental Planning and Assessment Act, 1979 in accordance with the provisions of the Rural Fires Act 1997 on 14 July 2005.

The NSW Rural Fire Service granted a Bush Fire Safety Authority under Section 100B of the Rural Fires Act 1997 for this development in correspondence dated 29 August 2005. Following receipt of this advice correspondence was forwarded to the NSW Rural Fire Service seeking clarification relating to the ability to issue such an authority given that a portion of the site is mapped Bush Fire Prone Land - Vegetation Category 1. It being noted that this form of development on land so mapped may not be granted consent having reliance on SEPP (Seniors Living) 2004.

In response to Council's request for clarification to the granting of the Bush Fire Safety Authority the NSW Rural Fire Service have raised no objection, in correspondence dated 2 August 2006, to Council investigating and amending the existing Hawkesbury City Council Bush Fire Prone Land Map with appropriate consultation with the Local District Office of the NSW Rural Fire Service.

The applicant has lodged an appeal to the Land and Environment Court against the deemed refusal of Development Application No. DA0593/05 for the erection of 80 self contained dwellings to be constructed in stages and associated community facilities lodged pursuant to the provisions of SEPP (Seniors Living) 2004. This matter is listed for a directions hearing on 29 September 2006.

Clause 4(2) of SEPP (Seniors Living) 2004 details that the policy does not apply to land described in Schedule 1.

Under Schedule 1 the Policy does not apply to:

> *Land identified on a bush fire prone land map certified under section 146 of the Act as "Bush fire prone land—vegetation category 1".*

A significant portion of the subject site has been classified on the Hawkesbury City Council Bush Fire Prone Land Map certified under Section 146 of the Act as "Bush Fire Prone Land —Vegetation Category 1".

A copy of the current Bush Fire Prone Map has been reproduced and is available in the Council Chambers.

Details of the Submission

The southern one-third of the subject land is proposed to contain the seniors living development. The Statement of Environmental Effects prepared by Falson and Associates Pty Ltd provides that that the statutory mapping is incorrect and that Council should consider the application based upon an assessment prepared by McKinlay Morgan & Associates Pty Ltd.

In this regard the summary contained in the report titled *Assessment of Bushfire Prone Mapping for Lot 218 DP 217504 - 116 Mitchell Drive & Part Lot 1 DP 550593 - 88 Spinks Road Glossodia,* dated 29 March 2005 prepared by Brian McKinlay & Associates provides the following having regard to bushfire vegetation categorisation:

> *The accompanying site photographs support the description of Conacher Travers Environmental Consultants with the conclusion being that the site vegetation contained within the "Exotic Grassland" as mapped by Conacher Travers does not contain the vegetation structure required for Vegetation Groups 1 and 2 (Bushfire Category 1) but does contain the vegetation structure consistent with Vegetation Category 3 Open Woodland/Grassland (Bushfire Vegetation Category 2).*
>
> *The matter of exclusion of those lands mapped as exotic grasslands as bushfire prone land requires a subjective assessment as to whether the site is "managed grassland". As discussed the site has been the subject of long standing use as a horse stud and is at present used as grazing land for cattle and horses.*
>
> *The assessment of bushfire attack (Table A3.3 PBP 2001) generally within these "Exotic Grasslands is low at a distance of less than 20 metres, for the erection of a new dwelling.*

Whilst the applicant has provided an argument in relation to the Statutory Bush Fire Prone Mapping the operation of Clause 4(2) of SEPP (Seniors Living) 2004 details that if land is so mapped the policy does not apply whether or not the mapping is accurate.

As such Council is unable to consider the application under SEPP (Seniors Living) 2004 and the proposal would be defined as multi unit housing and constitute a prohibited development in the zone.

A revised Bush Fire Prone Land Map has been prepared in respect of the subject land by McKinlay Morgan and Associates. This map classifies the majority of the site as "Open Woodland" Category 2 Vegetation with the northern most portion of the site containing "Forest" being categorised as Category 1 Vegetation with an associated 100 metre buffer area. This map will be available in the Council Chambers.

Conclusion

Council's support to the proposed modification to the Bush Fire Prone Mapping does not imply support or approval for Development Application No. DA0593/05 for a senior's living development. This application will be subject to assessment in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Should Council elect not to support the amendment there will be no option except to refuse the application as it would be inconsistent with the provisions of SEPP (Seniors Living) 2004. The proposal would be defined as multi unit housing and be a prohibited development in the zone.

Given the details provided having regard to vegetation classification on the subject land it is considered reasonable to amend the Bush Fire Prone Map as described in the documentation supporting 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", and "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 Council consult with the NSW Rural Fire Service in order to prepare an amendment to the Hawkesbury City Council Bush Fire Prone Map as detailed on Plan of Proposed Bushfire Prone Land Mapping, Numbered 90044:DA:10.ST1 Sheet No. 1 of 1, dated 9 June 2006 prepared by McKinlay Morgan & Associates Pty Ltd.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 214 CP - Pitt Town Investigations - (95498)

REPORT:

A submission has been received from the Johnson Property Group seeking further rezoning of land at Pitt Town, with relevant documentation now having been lodged with Council by the Group.

As assessment of this request is now required, however, it is considered that in view of other Council priorities there are currently insufficient planning resources available within the City Planning Department to undertake the assessment. In the light of this, and in order to appropriately assess the submission, it is recommended that this be undertaken by an independent Town Planning Consultant.

Concern regarding the lack of resources to assess the submission has been conveyed to the applicant, who has indicated that they would be prepared to meet the costs incurred by Council for the use of an independent Town Planning Consultant.

In discussing this matter with the applicant it was indicated, in the event of Council agreeing with this proposal, that this would not guarantee support or otherwise of the proposal, and the process would be totally administered by Council Officers and be completely independent of the applicant.

Essentially, the proposed contribution by the applicant would be an amount necessary to meet the Council's costs for the initial assessment of the submission, prior to Council determining whether or not to proceed to the preparation of a draft Local Environment Plan.

The contribution, if agreed to by Council, would be on the following basis:

- The lodgement by the applicant of a cash bond or bank guarantee to cover the anticipated costs in preparing the initial report. In the event that the costs were less than the amount lodged, a refund would be made to the applicant and, alternatively, if the additional costs are to be incurred then the applicant would be required to lodge further funds with Council prior to further action being taken.
- The consultant to be utilised by Council would be selected at the sole discretion of Council, with the applicant not having any ability to agree to or withhold funding based upon the consultant selected.
- The brief for the consultant being prepared solely by Council, with the applicant not having any right to influence or provide input into the prepared brief.
- The applicant would not have any right to access the consultant over and above what would normally be expected of an applicant making responses to requests for additional information from Council had it been assessing the submission.

The basis of the proposal, as detailed above, has been discussed with both Council's solicitors Pike Pike and Fenwick and the Independent Commission Against Corruption (ICAC).

On the basis outlined above, Council's solicitors indicated that they considered it would be appropriate for Council to accept the offer and also suggested that it may be appropriate for a Deed of Agreement to be entered into between Council and the applicant to adequately document the arrangement.

In discussions with ICAC it was also indicated that the suggested arrangement would be appropriate and could be proceeded with, and that it may be desirable to document the agreement by way of a Deed of Agreement, as suggested by Council's solicitors.

With regard to the cost to engage a consultant for an initial assessment of the submission, it would appear that the cost involved could be in excess of $20,000. If this proposal were to proceed it is suggested that the applicant be required to lodge a deposit with Council in the amount of $40,000 with an understanding that this was for the initial assessment and should a proposal proceed past this stage that a further contribution from the applicant towards the assessment costs would be required on the same basis as the arrangement for the initial assessment of the submission.

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 achieve this future."*

Funding

There are no initial funding implications in relation to this proposal in the event that the applicant's offer to meet the costs of engaging the consultants is accepted.

RECOMMENDATION:

That:

1. Council accept the offer from the Johnson Property Group to meet the cost of Council engaging an independent Town Planning Consultant to undertake an initial assessment of the proposal on the basis outlined in this report, including the execution of Deed of Agreement as considered appropriate by Council's solicitors and also subject to the Group meeting Council's legal costs associated with the preparation of the Deed.

2. In the event of the Johnson Property Group agreeing to (1) above, Council's solicitors be requested to prepare an appropriate Deed of Agreement.

3. In the event of Johnson Property Group entering into a Deed of Agreement, as referred to in (1) above on the basis outlined in this report and lodging the required deposit with Council to meet the costs involved an appropriate consultant be engaged to undertake an initial assessment of the proposal and submit an appropriate report to Council for its consideration.

4. Authority be given for the execution of the Deed of Agreement under Seal if necessary.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

COMMERCIAL STRATEGY

Item: 215 CS - E-Commerce/Markets Advisory Committee Meeting - (95497, 91367)

REPORT:

Reference is made to the minutes of the meeting of Council's E-Commerce/Markets Advisory Committee (Committee) that was held on 10 August 2006, as included elsewhere in this Business Paper. Outlined below are the Committee's recommendations for consideration by Council in particular.

Item 3 - Commercial Issues of Strategic Concern

The Committee considered presentations made by locally based producers in relation to issues affecting farmers in the Hawkesbury.

Committee Recommendation to Council:

That:

1. *Management be asked to prepare a report on possible options to be explored with the State Government concerning land west of the river; which will include areas identified where there can be rural residential lifestyle developments, and bring back to the Committee.*

Item 4 - Business Plan 2006-2007

The Committee considered the E-Commerce/Markets Advisory Committee Business Plan 2006-2007, which retains the strategies of the Business Plan 2005-2006 and incorporates three new core goals that are measurable within twelve (12) months that reflect a focus on Investment (4.3 and 4.4), M-commerce (5.2), and Education (9.1):

Focus Area:	**Economic Development**
Strategy:	Attracting and facilitating new investment
Objective:	**Enhanced ability to attract new businesses and industries**
Action 4.3:	*Identify new residential land releases within the Hawkesbury*
Action 4.4:	*Identify new industrial land releases within the Hawkesbury*

Focus Area:	**Economic Development**
Strategy:	Building an educated and highly skilled workforce
Objective:	**Increased availability of knowledgeable and skilled workforce**
Action 5.2:	*Facilitate education seminars on m-commerce and associated applications*

Focus Area:	**Business Development**
Strategy:	Being a leader in new economy and innovation
Objective:	**All HCC clients are e-enabled**
Action 9.1:	*Facilitate partnerships that aggregate and/or stimulate demand for new technology*

The Committee considered it timely to review its Working Groups, and to appoint the judges for the Hawkesbury Business Christmas Decorations Competition 2006.

Committee Recommendation:

That:

1. *Council adopts the E-Commerce/ Markets Advisory Committee Business Plan for 2006-2007 as workshopped.*

2. *Dissolves and endorses the re-constituted working groups as nominated hereunder:*

	Working Groups	Group members
a.	RAAF - Working Party	Clr Bart Bassett, Mayor HCC Clr Rex Stubbs, HCC Mr Graeme Faulkner, General Manager HCC Mr Stephen Phillips, Director Commercial Strategy HCC Mr Malcolm Ryan, Director City Planning HCC
b.	Technology Park - Working Group	RAAF - Working Party Ms Fiona Mann, Strategic Planning Executive HCC Independent experts as required
c.	Bridge-to-Bridge - Steering Committee	Clr Bart Bassett, Mayor HCC Clr Bob Porter, HCC Clr Trevor Devine, HCC Mr Stephen Phillips, Director Commercial Strategy HCC Ms Fiona Mann, Strategic Planning Executive HCC Hawkesbury Tourism representatives
d.	Signposting - Working Party	Clr Kevin Connolly, HCC Mr Stephen Phillips, Director Commercial Strategy HCC Ms Fiona Mann, Strategic Planning Executive HCC Hawkesbury Council technical staff Hawkesbury Tourism representatives as required
e.	Hawkesbury/Lithgow Tourism Alliance - Working Party	Clr Bart Bassett, Mayor HCC Clr Rex Stubbs, HCC Mr Graeme Faulkner, General Manager HCC Mr Stephen Phillips, Director Commercial Strategy HCC Ms Fiona Mann, Strategic Planning Executive HCC Hawkesbury Tourism representatives Lithgow City Council representatives Lithgow Tourism representatives
f.	M-Commerce - Working Party	Mr Graeme Faulkner, General Manager HCC Ms Fiona Mann, Strategic Planning Executive HCC Telecommunications representative Hawkesbury Tourism representatives
g.	Business Cost Differentials - Working Party	Clr Bart Bassett, Mayor HCC Mr Graeme Faulkner, General Manager HCC Mr Rob Ewin, EMAC Committee Ms Fiona Mann, Strategic Planning Executive HCC
h.	Community Wi-Fi Service - Working Party	Mr Peter Hudson, EMAC Committee Mr Zac Hope, EMAC Committee Ms Janette Fairleigh, EMAC Committee Mr Steve Phillips, Director Commercial Strategy HCC Mr Senaka Ariyasinghe, Chief Information Officer HCC

3. *The judging panel for Hawkesbury Business Christmas Decorations Competition for 2006 will be Councillor Bassett, Councillor Stubbs, Mr Faulkner, Mr Ewin, the incoming Hawkesbury Showgirl, and the current University Scholarship recipient.*

Item 5 - E-Commerce/Markets Advisory Committee Constitution

The Committee considered it timely to review its constitution in light of it being in operation now for 2 years.

<u>Committee Recommendation to Council</u>:

That:

1. *The objectives of the e-Commerce/Markets Advisory Committee as set out in its constitution are harmonised with the strategic objectives of its Business Plan.*

2. *The constitution of the e-Commerce/Markets Advisory Committee (Committee) is amended to allow for the appointment of Committee members having either:*

a. *technical and business skills relevant to the field of e-commerce, or;*
b. *a professional background in business development or is a representative of an industry or profession relevant to the field of e-commerce.*

3. *The positions held by members who have not attended 3 or more consecutive meetings due to other commitments, (ie, Mr Barry Crockford and Wing Commander Tracey Simpson) are declared vacant in accordance with part 6(e)(iii) of the constitution and that the members advise the General Manager of any nominees willing to be considered for filling these vacancies.*

4. *The constitution of the e-Commerce/Markets Advisory Committee (Committee) is amended to allow for 3 or more meetings per year.*

5. *The constitution of the e-Commerce/Markets Advisory Committee (Committee) is amended to provide for a Privacy Statement enabling the disclosure of member contact details at the discretion of Council.*

6. *The constitution of the e-Commerce/Markets Advisory Committee (Committee) is amended to allow for continuation of service by elected office bearers beyond 12 monthly intervals and that the General Manager incorporate these and other changes as necessary to promote governance efficacy.*

Item 6 – Report of Working Groups

The Committee considered verbal reports from the following Working Groups:

1. RAAF Working Party
2. Technology Park Working Group
3. Bridge-to-Bridge Steering Committee
4. Signposting Working Party
5. Hawkesbury-Lithgow Tourism Alliance Working Group
6. m-Commerce Working Party
7. Business Cost Differentials Working Party
8. Community Wi-Fi Working Party
9. Glossodia/Wilberforce Signage Project team

Committee Recommendation to Council:

That:

1. *The members of the RAAF Working Party continue to monitor the use of air shows as a mechanism for economic development and the clustering of aerospace industries to support RAAF operations.*

2. *The RAAF Working Party continue discussions with representatives of the aviation sector via attendance at the Avalon Airshow 2007.*

General Business

Mr Phillips advised that Councillor Calvert has foreshadowed his resignation from the Committee due to the difficulties experienced in attending meetings.

Proposal

It is proposed that Council endorse the recommendations of the E-Commerce/Markets Advisory Committee.

Conformance to Strategic Plan

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

"Objectives:

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.

Establishment of partnerships in the education, commerce, aviation, transport, health sectors, and others as identified."

Funding

Where applicable, funding for these initiatives is already incorporated into the approved budgets for local economic development programs.

RECOMMENDATION:

That:

1. The minutes of e-Commerce/Markets Advisory Committee (Committee) of the meeting held on 10 August 2006 be received.

2. A report be prepared on possible options to be explored with the State Government concerning lands west of the river; which will include identifying areas suitable for sustainable development for rural residential living, and report back to the Strategic Planning Committee.

3. The judging panel for Hawkesbury Business Christmas Decorations Competition for 2006 to comprise Councillor Bassett, Councillor Stubbs, Mr Faulkner, Mr Ewin, the incoming Hawkesbury Showgirl, and the current University Scholarship recipient.

3. The revised constitution of the E-Commerce/Markets Advisory Committee (Committee) be adopted.

4. Members of the RAAF Working Party continue to monitor the use of air shows and the clustering of aerospace industries to support RAAF operations as mechanisms for economic development, and the RAAF Working Party continues such discussions with representatives of the aviation sector via attendance at the bi-annual Avalon Airshow.

ATTACHMENTS:

AT - 1 Revised EMAC Constitution

AT - 2 Current Constitution

AT - 1 Revised EMAC Constitution

REVISED

HAWKESBURY CITY COUNCIL
E-COMMERCE/MARKETS ADVISORY COMMITTEE
CONSTITUTION

1. Name

The E-Commerce/Markets Advisory Committee, as appointed under the provisions of section 377 of the Local Government Act 1993, shall be known as the E-Commerce/Markets Advisory Committee, and is hereinafter referred to as "the Committee".

2. Objectives

(a) To foster and support commercial activity within the Hawkesbury Local Government area to the extent that it generates diversity of economic activity and aids Council's environmental and social objectives.

(b) To assist businesses within the Hawkesbury Local Government area to increase their profitability through e-commerce and through linkages with other businesses.

(c) To assist in identifying new markets and additional means of access to existing and new markets for local businesses.

(d) To facilitate access to high-speed telecommunications infrastructure for the Hawkesbury local government area so that locally based enterprises can compete on a similar or reduced cost structure to that enjoyed by business in the Sydney metropolitan area.

(e) To endeavour to aggregate consumer demand for telecommunication services within the local government area with a view to obtaining the most competitive services provided for Council's constituents and the 'e-enablement' of all customers of Council.

(f) To assist in the development of business skills and the education of the community of current telecommunications applications that have the potential to increase employment opportunities and the community's' quality of life respectively.

(g) To identify those industries which have a potential of generating employment for a highly skilled and highly knowledgeable local workforce so that residents have more opportunity to live and work in proximity to growing employment precincts without the need for extensive travel between work and home.

(h) To facilitate the development of strategic marketing opportunities that reinforces a strong brand and positive community image to assist local business growth and tourism.

3. Role and Authorities

(a) Whereas the Committee is appointed by the Hawkesbury City Council under the terms of the Local Government Act 1993, the Committee is to abide at all times with the terms of reference of this clause, and with the authorities delegated under this clause whilst remaining in force (unless otherwise cancelled or varied by resolution of Council).

(b) The Committee shall have the following authorities delegated to it in accordance with the provisions of section 377 of the Local Government Act 1993:

(i) to recommend to Council policies drawn up by professional staff for:

- identifying new markets for local commercial enterprise
- assisting local commercial enterprise to improve profitability
- representing the interests of Council at Economic Development forums and events
- representing the interests of Council to business and commercial interests
- engaging with representatives of the business sector and government agencies to further Council's objectives in the area of economic commercial development;

(ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Committee under section 377;

(c) The Council retains the responsibility for all budgetary considerations;

(d) The General Manager (or his/her delegate) retains, and shall be entirely responsible for the construction and presentation of reports to Council, which emanate from the Committee, in accordance with the Local Government Act 1993;

(e) The General Manager (or his/her delegate) retains, and shall be entirely responsible for the appointment and dismissal of staff (either permanent or temporary) supporting the Committee in accordance with the Local Government Act 1993;

(f) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member, including any disciplinary action, be it for permanent, temporary or part time staff. The Committee will, however, have the right to bring to the attention of the Director of the Department within Council responsible for the support of the Committee, any issues which, in its opinion, require disciplinary action; and

(g) Any authorities conferred upon the Committee under this Constitution may be varied by Council.

4. Term

The Committee members' term shall be for 4 (four) years to coincide with Council's term of office. Committee members shall cease to hold office at the expiration of three months after the Ordinary election of the Council, but be eligible for re-appointment, subject to the condition that Council may dissolve the Committee at any time.

5. Structure and Membership

(a) The structure and membership of the Committee shall be as follows, and all the undermentioned appointments will have voting rights:

(i) 4 (four) Councillors of the Hawkesbury City Council;
(ii) 7 (seven) community appointments appointed by Council following the calling of applications as detailed in clause 6(a) of this Constitution having:
  A. technical and business skills relevant to the field of e-commerce, or;
  B. a professional background in business development, or;
  C. a purpose on the Committee as a representative of an industry or profession relevant to the field of e-commerce;
(iii) The General Manager; and
(iv) One other nominated officer of Council who may also represent the General Manager in his/her absence.

(b) Whereas the appointments detailed in clause 5(a) will form the Committee, the Director Commercial Strategy [if not already appointed under 5(a)(iv)] will be required to attend meetings of the Committee;

(c) Relevant personnel engaged within the Commercial Response Unit by Council shall attend meetings;

(d) The Committee shall, at its first meeting following appointment and at any time in accordance with 5(g) thereafter, elect one of its members from those appointed under clause 5 to be the Chairperson of the Committee, and one of its members appointed under the same clause to be Deputy Chairperson, who shall act in the absence of the Chairperson;

(e) The position of Chairperson shall not be held by the same person for any longer than 3 (three) consecutive years;

(f) The position of Deputy Chairperson shall not be held by the same person for any longer than 3 (three) consecutive years;

(g) The positions of Chairperson and Deputy Chairperson may be re-contested at any time upon a motion so passed by the Committee;

(h) No staff member of Hawkesbury City Council shall be elected as Chairperson or Deputy Chairperson of the Committee;

(i) The member(s) appointed under 5(a)(ii)(C) is/are a member of the Committee on behalf of a company or firm and that/those member(s) may be replaced by another member at the request of the company or firm represented by such member.

(j) Each member of the Committee entitled to vote shall only have one vote except that of the casting vote of the Chairperson in the case of equality of votes;

(k) The Committee may co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance, but such co-opted members shall only serve on the Committee for the period of time required, and will not, whilst serving in the position of co-opted member, have any voting rights; and

(l) The Committee may invite as observers citizens or other representatives for the purpose of clarifying certain matters as decided by the Committee. Such observers will not be permitted to vote.

6. Appointment and Election of Members

(a) 4 (four) Councillors will be appointed to the Committee in accordance with the practices and procedures of Council;

(b) The Council shall, in the month of April following the quadrennial election place advertisements in appropriate newspapers inviting nominations from members of the community for membership to the Committee;

(c) The Council shall select and appoint the community representatives to the Committee on the recommendation of the General Manager;

(d) The Committee shall have the power to fill casual vacancies at its discretion from a list of nominees presented by the General Manager;

(e) Members of the Committee shall cease to hold office:

(i) if the Committee is dissolved by Council;

(ii) upon written resignation or death;
(iii) if absent without prior approval of Committee for three consecutive meetings; or
(iv) if the Council by resolution determines that the member has breached Hawkesbury City Council's Code of Conduct (as it is in force from time to time).

(f) For the purposes of sub-clause 6(e)(iv), the Code of Conduct is to be taken to apply to community and representative members as referred to in clause 5(a) in the same way as the Code of Conduct applies to Councillors.

7. Procedures and General

(a) Ordinary meetings of the Committee shall be held no less than 3 (three) times per year. Special meetings may be convened at the discretion of the Chairperson, or, in his/her absence, the Deputy Chairperson;

(b) The Committee shall produce a Business Plan that covers its period of tenure and incorporates goals, strategies, objectives and actions for members of the Committee in accordance with Council's Strategic and Operational Plans.

(c) The Director Commercial Response Unit shall be the Executive Officer to the Committee, and will be responsible for preparation of specialist reports, and any and all correspondence associated with the Committee;

(d) The Council will provide a Minute Clerk for the purpose of recording the Minutes of the Committee meetings and for the distribution of Minutes followings meetings of the Committee;

(e) No meeting of the Committee shall be held unless 3 (three) clear days notice thereof has been given to all members;

(f) The Minute Clerk shall forward a copy of the Minutes of each Committee meeting to all Committee members, as well as to Council, for submission to the next appropriate Committee meeting, or as soon as possible following the relevant Committee meeting;

(g) Unless a motion is carried by the Committee to the contrary, all correspondence to members of the Committee by the Minute Clerk, including business papers and Minutes, shall be delivered by electronic means (whether via email or made available for download from Council's website) and hardcopy material shall only be produced by Council in limited quantities for use by members at meetings of the Committee;

(h) At any meeting of the Committee, the Chairperson, or the person acting in the position of Chairperson, shall, in addition to his or her ordinary vote, have a casting vote where such a situation occurs where there is an equality of votes;

(i) The rules governing meetings and the procedures of the Committee shall, so far as they apply, be those covered by the Hawkesbury City Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council;

(j) A quorum of the Committee shall be constituted by 3 (three) members being present at meetings;

(k) Any members having a pecuniary interest in any matters being discussed by the Committee shall declare such interest at the meeting of the Committee and refrain from voting or discussion thereon.

(l) The requirements applying to pecuniary interests for members as detailed in clause 7(i) above shall apply equally to any other appointed or invited observers or co-opted members, and also to the Executive Officer/Secretary;

(m) Any recommendations of the Committee shall, as far as adopted by the Council, be resolutions of the Council, provided that recommendations or reports of the Committee shall not have effect unless adopted by the Council;

(n) It shall be competent for the Committee to appoint a sub-committee or specific work groups comprised of members or non-members to exercise and carry out specific investigations for the Committee, and then to report back to the Committee. These appointed sub-committees or work groups may be reconstituted or dissolved by the Committee at any time;

(o) Any appointed sub-committees or work groups have no power to make any decisions whatsoever on behalf of the Committee, and any recommendations of any sub-committee or work group will only have effect once adopted by the Committee, or by the Council, as the case may be;

(p) The Director Commercial Response Unit shall prepare an Annual Report of the unit's activities from the Committee's Business Plan for submission to the Committee, who will, in turn, present such report to the Council.

8. Privacy Statement and Release of Member Information

Council is bound by the provisions of the Privacy and Personal Information Protection Act 1998, in the collection, storage and utilisation of personal information provided by members in connection with the Committee. From time-to-time Council receives requests from third parties for the contact details of Councillors, members of staff and members of Committees of Council for the purpose of extending invitations to those office holders to attend various community forums, functions and events.

Members of the Committee consent to the release of personal information held by Council, which shall be limited to:

1. Member's name)
2. Occupation details of the member)
   (eg, position title and name of employer))
3. Member's telephone number)
4. Member's facsimile number)
5. Member's email address)
6. Member's postal address)
7. Any photographic image of the member) Collectively ("The Information").

The Committee members agree to such release and discharge Council and its agents, including, but not limited to, any organisation publishing and/or distributing The Information in whole or in part, whether on paper or via electronic media, from any and all claims for damages, loss, liability or other relief that a member may have against any of them in respect of the use of The Information.

LAST CLAUSE

AT - 2 Current Constitution

CURRENT

Hawkesbury City Council
E-Commerce/Markets Advisory Committee
Constitution

1. Name

The E-Commerce/Markets Advisory Committee, as appointed under the provisions of section 377 of the Local Government Act 1993, shall be known as the E-Commerce/Markets Advisory Committee, and is hereinafter referred to as the 'E-Commerce/Markets Advisory Committee'.

2. Objectives

(a) To foster and support commercial activity within the Hawkesbury Local Government area to the extent that it generates diversity of economic activity and aids Council's environmental and social objectives.

(b) To assist businesses within the Hawkesbury Local Government area to increase their profitability through e-commerce.

(c) To assist in identifying new markets and additional means of access to existing and new markets for local businesses.

(d) To work towards providing a broad based telecommunications platform for the Hawkesbury local government area so that locally based enterprises can compete on a similar or reduced cost structure to that enjoyed by business in the Sydney metropolitan area.

(e) To endeavour to aggregate consumer demand for telecommunication services within the local government area with a view to obtaining the most competitive services provided for Council's constituents.

(f) To assist in the education of the community of current telecommunications applications that have the potential to increase the community's' quality of life.

(g) To identify those industries which have a potential to use e-commerce to grow to levels capable of generating employment within the area such that Hawkesbury residents have the opportunity to live and work proximately without the need for extensive travel between work and home.

3. Role and Authorities

(a) Whereas the E-Commerce/Markets Advisory Committee is appointed by the Hawkesbury City Council under the terms of the Local Government Act 1993, the ECommerce/Markets Advisory Committee is to abide at all times with the terms of reference of this clause, and with the authorities delegated under this clause whilst remaining in force (unless otherwise cancelled or varied by resolution of Council).

(b) The E-Commerce/Markets Advisory Committee shall have the following authorities delegated to it in accordance with the provisions of section 377 of the Local Government Act 1993:

(i) to recommend to Council policies drawn up by professional staff for:
- identifying new markets for local commercial enterprise
- assisting local commercial enterprise to improve profitability
- representing the interests of Council at Economic Development forums

- representing the interests of Council to business and commercial interests
- engaging with representatives of the business sector and government agencies to further Council's objectives in the area of economic commercial development;

(ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the E-Commerce/Markets Advisory Committee under section 377;

(c) The Council retains the responsibility for all budgetary considerations;

(d) The General Manager (or his/her delegate) retains, and shall be entirely responsible for the appointment and dismissal of staff (either permanent or temporary) supporting the ECommerce/Markets Advisory Committee in accordance with the Local Government Act 1993;

(e) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member, including any disciplinary action, be it for permanent, temporary or part time staff. The E-Commerce/Markets Advisory Committee will, however, have the right to bring to the attention of the Director of the Department within Council responsible for the support of the ECommerce/Markets Advisory Committee, any issues which, in its opinion, require disciplinary action; and

(f) Any authorities conferred upon the E-Commerce/Markets Advisory Committee under this Constitution may be varied by Council.

4. Term

The E-Commerce/Markets Advisory Committee members' term shall be for 4 (four) years to coincide with Council's term of office. E-Commerce/Markets Advisory Committee members shall cease to hold office at the expiration of three months after the Ordinary election of the Council, but be eligible for re-appointment, subject to the condition that the ECommerce/Markets Advisory Committee may be dissolved by Council at any time.

5. Structure and Membership

(a) The structure and membership of the E-Commerce/Markets Advisory Committee shall be as follows, and all the undermentioned appointments will have voting rights:

(i) 4 (four) Councillors of the Hawkesbury City Council;
(ii) 7 (seven) community appointments with technical and business skills relevant to the field of e-commerce, appointed by Council following the calling of applications as detailed in clause 6(a) of this Constitution;
(iii) The General Manager; and
(iv) One other nominated officer of Council who may also represent the General Manager in his/her absence.

(b) Whereas the appointments detailed in clause 5(a) will form the E-Commerce/Markets Advisory Committee, the Director Commercial Response Unit will be required to attend meetings of the E-Commerce/Markets Advisory Committee;

(c) The Director of the Department charged with the responsibility for the Commercial Response Unit within the Hawkesbury City Council shall attend meetings;

(d) The E-Commerce/Markets Advisory Committee shall, at its first meeting following appointment, and each 12 (twelve) month period thereafter, elect one of its members from those appointed under clause 5 to be the Chairperson of the E-Commerce/Markets Advisory Committee, and one of its members appointed under the same clause to be Deputy Chairperson, who shall act in the absence of the Chairperson;

(e) The position of Chairperson shall not be held by the same person for any longer than 3 (three) consecutive years;

(f) The position of Deputy Chairperson shall not be held by the same person for any longer than 3 (three) consecutive years;

(g) No staff member of Hawkesbury City Council shall be elected as Chairperson or Deputy Chairperson of the E-Commerce/Markets Advisory Committee;

(h) Each member of the E-Commerce/Markets Advisory Committee entitled to vote shall only have one vote except that of the casting vote of the Chairperson in the case of equality of votes;

(i) The E-Commerce/Markets Advisory Committee may co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance, but such coopted members shall only serve on the E-Commerce/Markets Advisory Committee for the period of time required, and will not, whilst serving in the position of co-opted member, have any voting rights; and

(j) The E-Commerce/Markets Advisory Committee may invite as observers citizens or other representatives for the purpose of clarifying certain matters as decided by the ECommerce/ Markets Advisory Committee. Such observers will not be permitted to vote.

6. Appointment and Election of Members

(a) 4 (four) Councillors will be appointed to the E-Commerce/Markets Advisory Committee in accordance with the practices and procedures of Council;

(b) The Council shall, in the month of April following the quadrennial election place advertisements in appropriate newspapers inviting nominations from members of the community for membership to the E-Commerce/Markets Advisory Committee;

(c) The Council shall select and appoint the community representatives to the E-Commerce/Markets Advisory Committee on the recommendation of the General Manager;

(d) The E-Commerce/Markets Advisory Committee shall have the power to fill casual vacancies at its discretion;

(e) Members of the E-Commerce/Markets Advisory Committee shall cease to hold office:

(i) if the E-Commerce/Markets Advisory Committee is dissolved by Council;
(ii) upon written resignation or death;
(iii) if absent without prior approval of the E-Commerce/Markets Advisory Committee for three consecutive meetings; or
(iv) if the Council by resolution determines that the member has breached Hawkesbury City Council's Code of Conduct (as it is in force from time to time).

(f) For the purposes of sub-clause 6(e)(iv), the Code of Conduct is to be taken to apply to community and representative members as referred to in clause 5(a) in the same way as the Code of Conduct applies to Councillors.

7. Procedures and General

(a) Ordinary meetings of the E-Commerce/Markets Advisory Committee shall be held no less than 4 (four) times per year. Special meetings may be convened at the discretion of the Chairperson, or, in his/her absence, the Deputy Chairperson;

(b) The Director Commercial Response Unit shall be the Executive Officer to the E-Commerce/Markets Advisory Committee, and will be responsible for preparation of specialist reports, and any and all correspondence associated with the ECommerce/Markets Advisory Committee;

(c) The Council will provide a Minute Clerk for the purpose of recording the Minutes of the ECommerce/Markets Advisory Committee meetings and for the distribution of Minutes followings meetings of the E-Commerce/Markets Advisory Committee;

(d) No meeting of the E-Commerce/Markets Advisory Committee shall be held unless 3 (three) clear days notice thereof has been given to all members;

(e) The Minute Clerk shall forward a copy of the Minutes of each E-Commerce/Markets Advisory Committee meeting to all E-Commerce/Markets Advisory Committee members, as well as to Council, for submission to the appropriate Standing Committee, as soon as possible following such E-Commerce/Markets Advisory Committee meeting;

(f) At any meeting of the E-Commerce/Markets Advisory Committee, the Chairperson, or the person acting in the position of Chairperson, shall, in addition to his or her ordinary vote, have a casting vote where such a situation occurs where there is an equality of votes;

(g) The rules governing meetings and the procedures of the E-Commerce/Markets Advisory Committee shall, so far as they apply, be those covered by the Hawkesbury City Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council;

(h) A quorum of the E~Commerce/Markets Advisory Committee shall be constituted by 3 (three) members being present at meetings;

(i) Any members having a pecuniary interest in any matters being discussed by the E-Commerce/Markets Advisory Committee shall declare such interest at the meeting of the ECommerce/Markets Advisory Committee and refrain from voting or discussion thereon.

(j) The requirements applying to pecuniary interests for members as detailed in clause 7(g) above shall apply equally to any other appointed or invited observers or co-opted members, and also to the Executive Officer/Secretary;

(k) Any recommendations of the E-Commerce/Markets Advisory Committee shall, as far as adopted by the Council, be resolutions of the Council, provided that recommendations or reports of the ECommerce/Markets Advisory Committee shall not have effect unless adopted by the Council;

(l) It shall be competent for the E-Commerce/Markets Advisory Committee to appoint a sub-committee or specific work groups comprised of members or non-members to exercise and carry out specific investigations for the E-Commerce/Markets Advisory Committee, and then to report back to the E-Commerce/Markets Advisory Committee. These appointed sub-committees or work groups may be dissolved by the ECommerce/Markets Advisory Committee at any time;

(m) Any appointed sub-committees or work groups have no power to make any decisions whatsoever on behalf of the E-Commerce/Markets Advisory Committee, and any recommendations of any sub-committee or work group will only have effect once adopted by the E-Commerce/ Markets Advisory Committee, or by the Council, as the case may be;

(n) The Director Commercial Response Unit shall prepare an Annual Report of the unit's activities for submission to the E-Commerce/Markets Advisory Committee, who will, in turn, present such report to the Council.

LAST CLAUSE

oooO END OF REPORT Oooo

EXTERNAL SERVICES

Item: 216 **ES - Support of Camden Council's request for a Motion at the LGA Annual Conference re Licensing of AWTS Service Agents - (95494, 96330, 79348)**

REPORT:

The purpose of this report is to seek Council assistance in supporting Camden Council's Motion to the Local Government Association Annual conference for the State wide licensing of Aerated Wastewater Treatment System (AWTS) service agents by the Department of Fair Trading. The motion reads as follows:

> *"That council put forward the motion to the Local Government Association Annual Conference which calls on the NSW State Government to introduce a system of licensing of Aerated Wastewater Treatment System (AWTS) service agents by the Department of Fair Trading."*

Background

The NSW Health is responsible for the accreditation of all domestic AWTS. This accreditation specifies the design, construction and performance requirements of the system. As a condition of the accreditation of these systems NSW Health requires that these systems be serviced at regular intervals (most systems are required to be serviced every three months) by a representative of the company or a service contractor or company acceptable to the Council.

NSW Health, in the certificate of accreditation for each system, specifies that each service by the service agent shall include a check of all mechanical, electrical components and functional parts of the system, including:

- The chlorinator (where installed) and replenishment of the disinfectant, or a UV Disinfection Unit (where installed).
- All pumps, the air blower, fan or air venturi.
- The alarm system.
- Slime growth on the filter media.
- Operation of the sludge return system.
- The effluent irrigation area.
- On-site testing for free residual chlorine, pH and dissolved oxygen.
- Check on sludge accumulation in septic tank (or primary treatment chamber) and the clarifier where appropriate (can be done annually).

Council is often presented with complaints from the community regarding the poor workmanship of some of the service agents that are servicing AWTS. It is not uncommon for Council to receive complaints that service agents are not conducting a complete maintenance inspection and are just dropping chlorine tablets into the system and then leaving the site. Having completed over one thousand inspections of these systems, Council inspectors have often come across systems that have no form of disinfection at time of inspection. Occasionally there is evidence of poorly maintained systems that have been recently serviced.

Service agents are responsible for inspecting the entire system, including the tank(s) and the related effluent application area (irrigation area), however Council is aware that many of these service agents are also neglecting to inspect the irrigation areas, with some systems basically having no irrigation at all except an open-ended hose. However, due to the lack of a regulated system, which allows registration, and therefore accountability of service agents, Council is powerless to take action.

Current Situation

It is compulsory for all AWTS owners to have their system serviced; the servicing of these systems generally costs the property owner upwards of $300 per year. Due to the fact that these service agents are not required to be licensed by the Department of Fair Trading, the property owners have no quality assurance that the service being conducted on their system is being completed in a satisfactory manner.

As previously mentioned, the State Government is responsible for the accreditation of these systems, however once the system is accredited there appears to be a lack of accountability by the Department of Fair Trading and NSW Health in regards to the ongoing operation and performance of the systems.

The lack of accountability of AWTS service agents is a statewide issue. If a service agent operates in a certain manner in the Hawkesbury LGA then they should operate in the same manner or under the same rules within other LGAs. The licensing and regulation of AWTS service agents is a State Government function and there needs to be a change in policy to have these service agents licensed by the State.

It is considered that these service agents should be regulated in the same manner as other trades such as plumbers, builders and the like. Over the past decade many NSW councils have made numerous approaches to various government agencies to have this approach adopted, but all have been met with a non-committal response. It would not be appropriate for councils to be responsible for registration of agents as this would be an unfair burden on operators who would be required to register with all councils where they do work. In the case of some of our local agents, this would be likely to require registration with Penrith, Blue Mountains, Baulkham Hills as well as Hawkesbury (they may even have to register with other councils as well), each of which may have similar but perhaps not identical requirements.

Legislation does not permit Council to hold these service agents in any way responsible for their work. It is hoped that by raising this motion at the LGA Conference, pressure can be brought to bear on government to deal with this matter.

Conclusion

The licensing of AWTS service agents is crucial in regulating the quality of service being provided to our community. If the systems are not serviced correctly then the health of rural people across the State is put at risk, not to mention the environmental impacts related to poorly functioning systems. Since this is a Statewide issue the motion to get the State Government to commit to a more regulated regime for the licensing of AWTS service agents requires the support of the Local Government and Shires Association.

The licensing of AWTS service agents by the Department of Fair Trading will result in:

- An increase in the accountability of these service agents.
- State wide standards put in place for the servicing of AWTS.
- Support for Local Government in resolving issues with service agents not adequately servicing systems.
- Support for owners of systems when they have not been provided with an appropriate level of service.
- A regulated service being provided to the community.

By making the service agents accountable through the Department of Fair Trading for their workmanship, local councils and the community can be satisfied that the servicing of AWTS state wide is being done to a standard stipulated by the Department of Fair Trading. The licensing of service agents will also further assist in reducing the risk that AWTS have both on the environment and public health.

Conformance to Strategic Plan

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

> *"Implement plans and controls to manage and reduce waste and promote the environmental health of the City."*

Funding

No impact on budget.

RECOMMENDATION:

That Council support the Motion put forward by Camden Council at the Local Government Association Annual Conference, which calls on the NSW State Government to introduce a system of licensing of AWTS service agents by the Department of Fair Trading.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 217 **ES - Draft Notice of Approval - Protection of the Environment Operations (Clean Air) Regulations 2002) - (95494, 96330)**

REPORT:

The Protection of the Environment Operations (Clean Air) Regulation 2002 outlines for local councils and fire management authorities burning requirements. The Regulation:

- Requires anyone who burns anything in the open or in an incinerator to do so in a manner that prevents or minimises air pollution.
- Imposes a statewide ban on the burning of tyres, coated wire, paint/solvent containers and residues, and treated timber.
- Controls the burning of domestic waste and vegetation.
- Gives powers to councils to control the extent of vegetation burning in their Local Government area where they have elected to have this control.
- Permits agricultural, cooking and recreational fires.
- Allows other burning if approved by the Department of Environment and Conservation.
- Bans home-unit incinerators.

The Regulation does not affect bushfire hazard reduction work allowed under the Rural Fires Act, the destruction of prohibited plants or drugs, or the burning of diseased animal carcasses.

The Regulation allows local councils to assess local conditions and to select the appropriate control of burning for the area. The Regulation lists the level of control for Hawkesbury City Council as follows:

1. All burning of vegetation in the open or in an incinerator is prohibited except with approval. Councils have powers to grant approvals for burning dead and dry vegetation on the premises on which the vegetation grew.
2. The burning of domestic waste on residential premises where domestic waste management services are not available.

Hawkesbury City Council grants general approval under clause 6G(2)(a) of the Regulation for the burning of dead and dry vegetation on one acre or larger rural properties outside of the major residential areas. Please refer to Attachment 1, Council's existing Notice of Approval.

Background

Council has received representation from a volunteer member of the local Rural Fire Service to extend Council's Notice of Approval to include the burning of dead and dry vegetation on premises less than one acre which are designated as an Extreme Risk under the Hawkesbury Bush Fire Risk Management Plan. Areas designated Extreme Risk include properties from Yarramundi, Bowen Mountain, Tabaraga Ridge - Kurrajong Heights, "The Islands Estate", Blaxland Ridge, Grose Vale and Kurrajong Village.

The reasons given for requesting an extension of Council's Notice of Approval include the following:

- Allow residents on properties designated Extreme Risk less than one (1) acre the ability to burn dead and dry vegetation therefore protecting themselves against wildfires.

- Collection and disposal of vegetation in Council's waste service is not practical - waste service bins are too small; stockpiling/composting is dangerous.

- System of applying annually to the Rural Fire Service for a Hazard Reduction Certificate is unknown to most residents, and is too bureaucratic.

In accordance with Council's existing Notice of Approval residents on properties less than one (1) acre between 1 April and 30 September (this period may alter depending on the declaration of the fire season) need to seek individual approval from Council for the burning of dead and dry vegetation. These properties are not covered by Council's existing 'blanket' approval. This process involves the resident writing to Council seeking consent and a site inspection being undertaken by Council's Environmental Health Officer (EHO). Council's EHO takes into consideration the following matters before an approval is granted:

- The impacts of an approval on regional and local air quality and amenity.

- The feasibility of re-use, recycling or alternative means of disposal.

- The air quality impact on residents likely to be affected by the approval.

Outside of this period, i.e. the Bush Fire Season, Council's Notice of Approval is revoked and residents need to seek individual approval from Council for the burning of dead and dry vegetation. Residents are also advised to contact the Rural Fire Service to obtain the necessary approvals i.e. Hazard Reduction Certificate/ Fire Permit. Residents are also able to apply for an environmental approval - Bush Fire Hazard Reduction Certificate from the Rural Fire Service. This Certificate can be issued for a period of up to 12 months.

Consultation

In accordance with clause 6G(3)(e) of the Protection of Environment Operations (Control of Burning) Regulation 2000 the opinions of the Department of Environment and Conservation (DEC) were obtained in regard to the extension of Council's existing Notice of Approval (Attachment 3).

DEC's key concerns related to the impact on air quality and native vegetation. To address DEC's concerns regarding air quality it is proposed to include in Council's draft Notice of Approval a condition which requires where possible alternative means e.g. re-use, recycling, composting, to dispose of dead and dry vegetation are utilised in preference to pile burning. In regard to the removal of dead trees and the potential impact this might have on habitat for threatened species, Council's Tree Preservation Order requires that prior to the removal of a dying or dead tree written notification be provided to Council. The written notice should be given at least 14 days prior to the removal of the tree (except in emergency situations). This information has been included in the draft Notice of Approval.

Consultation was also undertaken with NSW Rural Fire Service Headquarters and Hawkesbury Rural Fire Service (Attachments 4 and 5). Both of these organisations confirmed that it was Council's decision whether the Notice of Approval should be extended, the NSW RFS advised that they were supportive of easing the administrative obstacles for property owners wishing to manage bush fire hazard on their properties.

All parties consulted agreed that the most appropriate method of managing dead and dry vegetation on properties was the provision of a Council green waste collection service. The provision of a green waste collection service has been identified for further investigation in Council Waste Management Strategy. It would therefore be proposed that Council's Notice of Approval be amended, if in the future Council provides residents with a green waste service.

Conclusion

Council's existing Notice of Approval provides residents on properties greater than one acre the ability to pile burn dead and dry vegetation outside of the Bush Fire Season a 'blanket' approval.

It is proposed in the Draft Notice of Approval to extend this 'blanket' approval to residents on properties less than one acre, which are designated as an Extreme Risk under the Hawkesbury Bush Fire Risk Management Plan.

It is also proposed that the Draft Notice of Approval will remain in force for a period of five years. Hence, outside of the Bush Fire Season residents on properties greater than one acre, and residents on properties less than one acre which are designated as an Extreme Bush Fire Risk will be able to pile burn, dead and dry vegetation in accordance with the draft Notice of Approval, i.e. individual consent from Council will not be required. These residents will only need to seek consent from Council when they wish to burn dead and dry vegetation outside of the restrictions of the draft Notice of Approval. It should be noted that it is still necessary for residents to seek the necessary approvals from the Rural Fire Service during the declared Bush Fire Season.

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 initiative can be met from within the Regulatory Services approved budget.

RECOMMENDATION:

That:

1. In accordance with clause 6G(3)(d) of the Protection of Environment Operations (Clean Air) Regulation 2002 Council place on public exhibition its draft Notice of Approval (Attachment 5).

2. Following the public exhibition of the draft Notice of Approval a further report be prepared for Council's consideration of any public submissions.

ATTACHMENTS:

AT - 1 General Approval Outside of Residential Areas

AT - 2 Correspondence from DEC re extension of Council's existing Notice of Approval

AT - 3 Correspondence from NSW Rural Fire Service Headquarters

AT - 4 Correspondence from Hawkesbury Rural Fire Service

AT - 5 Draft Notice of Approval

AT - 1 General Approval Outside of Residential Areas

New Burn Controls for Larger Rural Properties

Owners of one acre or larger rural properties outside of the major residential areas are able to burn off dead and dry vegetation from that property if they comply with Rural Fire Service (RFS) guidelines and other strict conditions.

The Approval for Hawkesbury Rural Areas and Villages Notice (below) was agreed by Council in September 2003. It applies each year from 1 April until either 30 September or, if a fire risk season is declared, whichever is sooner.

Failure to comply with the RFS Guidelines for Pile Burning and other conditions of the Approval may result in an on-the-spot fine or result in prosecution. Copies of the Guidelines for Pile Burning are available from the RFS or at www.rfs.nsw.gov.au. Other strict controls are outlined below.

Control of Burning Regulation 2000 Notice of Approval Rural Areas and Villages

The Hawkesbury City Council hereby grants general approval for the burning of dead and dry vegetation produced on that property, in the open, on a single parcel of land which is 4,000 square metres (one acre) or greater.

It is prohibited to burn in the following areas, which are located inside the NSW Fire Brigade boundaries of McGraths Hill, Windsor Downs, Bligh Park, South Windsor, Windsor, Clarendon, Richmond and North Richmond. Those properties located within the NSW Fire Brigade boundaries require approval from the NSW Fire Brigade all year round.

This approval does not include: -

1. The burning of vegetation resulting from land clearance. Vegetation arising from land clearance can only be burnt if development consent is obtained from Council.

2. The burning of vegetation which has been cleared for commercial development or building construction as development consent must be obtained from Council.

3. The burning of packaging associated with agricultural operations.

4. Ecological/bush regeneration burns which are carried out to destroy infestations of noxious weeds, clear land for native species regeneration. Individuals and organisations that wish to carry out these burns should apply to the Department of Environment and Conservation (DEC), Regional Manager Sydney-Local Government, PO Box 668 Parramatta NSW 2124.

5. Additional hazard reduction requirements outside the regulation. A Hazard Reduction Certificate can be applied for from NSW Fire Brigade and NSW Rural Fire Service - Phone (02) 4575 1601.

This approval remains in force from 1 April to the 30 September 2006 or until the commencement of the Bush Fire Season if declared earlier, at which time Council will revoke the approval. The approval is granted subject to the provisions of the Protection of the Environment Operation (Control of Burning) Regulation 2000 and to the following conditions:

1. Only dry and dead vegetation originating on a property which is included in this approval shall be burnt on that property in accordance with the NSW Rural Fire Service "Guidelines for Pile Burning" February 2006 ; www.rfs.nsw.gov.au.

2. Plastics, rubber, chemical and pesticide containers and also the following specifically prohibited articles shall not be burnt in conjunction with this approval:

- Tyres, plastic coated wire, paint/solvent containers and residues;
- Timber treated with copper chromium arsenate (CCA) or pentachlorophenol(PCP) or painted timber.

3. Burning with this approval must at all times be carried out by such practical means as are necessary to prevent or minimise air pollution. The potential for smoke impacting on any person due to wind direction and weather conditions must be taken into account.

4. In the event of a Total Fire Ban being declared, this approval is suspended. Any existing fire is to be extinguished and cannot be re-commenced until the Total Fire Ban is lifted.

5. In the event of a No Burn Day being declared by the EPA, this approval is suspended for the duration of the declaration. When a "NO Burn" notice is issued, it applies to the lighting of new fires in the declared areas. Existing fires should be allowed to continue as extinguishing the fire will result in more smoke. "No Burn Notices" are notified in the Public Notices section of the Sydney Morning Herald not later than on the day on which the order is to take effect. Recorded information about "No Burn Notices" is usually available from 4pm the day before the notice comes into effect and can be accessed by calling ph: 1300 130 520 or is available on the NSW Department of Environment and Conservation (DEC) website at www.environment.nsw.gov.au/ air/airqual.htm.

6. Adjoining neighbours and people likely to be affected by smoke are to be notified at least 48 hours before the fire is lit. This will allow for smoke-sensitive people such as asthmatics, to plan to be away from the area when the burn is conducted.

7. Written or oral notice is to be given to the Hawkesbury Rural Fire Service at least 24 hours prior to burn. Such notice must specify the location, purpose, period and time of the fire proposed to be lit. Contact details include - Phone: bus hours 4575 1601, fax 4575 1475, email hawkesbury@rfs.nsw.gov.au.

8. A responsible supervising adult over the age of eighteen shall be on site at all times with enough water to extinguish the fire, if required, for that time the fire is active.

9. Burning shall only be conducted between the hours of 8am and 5pm on any day.

10. Any residue waste from the burning must be disposed of in an environmentally satisfactory manner and in accordance with the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 1996". On completion of the burn, the burnt area must be maintained in a condition that minimises or prevents the emission of dust from the area; and prevents sediment or ash from fires being washed from the area into waters.

11. Failure to comply with this approval may result in an On The Spot fine of $500.00 for an individual or $1,000.00 for a corporation. In the event of prosecution, the maximum penalty is $5,500.00 for an individual and $11,000.00 for a corporation. For enquiries phone the Environment and Waste Branch on 4560 4571.

Contact details
Hawkesbury City Council
02 4560 4444 (ph)
02 4560 4400 (fax)
council@hawkesbury.nsw.gov.au

AT - 2 - Correspondence from DEC re extension of Council's existing Notice of Approval

To view this image,
Please refer to the separate
Attachments Document (Maps)

**To view this image,
Please refer to the separate
Attachments Document (Maps)**

AT - 3 - Correspondence from NSW Rural Fire Service Headquarters

To view this image,
Please refer to the separate
Attachments Document (Maps)

To view this image,
Please refer to the separate
Attachments Document (Maps)

AT - 4 - Correspondence from Hawkesbury Rural Fire Service

**To view this image,
Please refer to the separate
Attachments Document (Maps)**

To view this image,
Please refer to the separate
Attachments Document (Maps)

AT - 5 - Draft Notice of Approval

DRAFT NOTICE OF APPROVAL - PROTECTION OF THE ENVIRONMENT OPERATIONS (CLEAN AIR) REGULATION 2002, CLAUSE 6G(2)(a)

Hawkesbury City Council hereby grants general approval for the pile burning of dead and dry vegetation grown on that property, in the open, on land which is 4,000 square metres (one acre) or greater and/or is designated as an Extreme Risk under the Hawkesbury Bush Fire Risk Management Plan.

Properties from Yarramundi, Bowen Mountain, and Tabaraga Ridge - Kurrajong Heights, "The Islands Estate", Blaxland Ridge, Grose Vale and Kurrajong village are designated as Extreme Risk. *In all circumstances Council should be contacted to confirm the individual property is designated Extreme Risk.*

This approval remains in force from xxxxx 2006 to the xxxx 2011.

IT IS PROHIBITED TO BURN:

1. In the following areas, which are located inside the NSW Fire Brigade boundaries of McGraths Hill, Windsor Downs, Bligh Park, South Windsor, Windsor, Clarendon, Richmond and North Richmond.

   Those properties located within the NSW Fire Brigade boundaries require approval form the NSW Fire Brigade all year round.

2. Between 1 October to 31 March or until the commencement of the Bush Fire Season if declared earlier, without the approval of the Rural Fire Service. Contact details ph. (02) 4575 1601, fax. (02) 4575 1475, email hawkesbury@rfs.nsw.gov.au.

This approval does not include:

1. The burning of vegetation resulting from land clearance as development consent must be obtained by Council.

2. The burning of vegetation which has been cleared for commercial development or building construction as development consent must be obtained from Council.

3. The removal of dying or dead trees as written notification needs to be provided to Council under its Tree Preservation Order.

4. The burning of packaging associated with agricultural operations.

5. Ecological/bush regeneration burns which are carried out to destroy infestations of noxious weeds, or the clearance of land for native species regeneration as consent must be obtained from the Department of Environment and Conservation (DEC), PO Box 668 Parramatta NSW 2124.

CONDITIONS OF APPROVAL

The approval is granted subject to the provisions of the Protection of the Environment Operation (Clean Air) Regulation 2002 and to the following conditions:

1. Pile burning of dry and dead vegetation should NOT be seen as the best method for disposing of dry and dead vegetation. Alternative means of disposal such as re-use; recycling; composting; disposal through Council's waste service, kerbside collection service or waste management facility; should be thoroughly investigated and are the preferred disposal methods.

2. Only dry and dead vegetation originating on a property which is included in this approval shall be burnt on that property in accordance with the NSW Rural Fire Service "Guidelines for Pile Burning" February 2006; www.rfs.nsw.gov.au.

3. Plastics, rubber, chemical and pesticide containers and also the following specifically prohibited articles shall not be burnt;

    a. Tyres, plastic coated wire, paint/solvent containers and residues;
    b. Timber treated with copper chromium arsenate (CCA) or pentachlorophenol (PCP) or painted timber.

4. Burning must at all times be carried out by such practical means as are necessary to prevent or minimise air pollution. The potential for smoke impacting on any person due to wind direction and weather conditions must be taken into account.

5. In the event of a Total Fire Ban being declared, this approval is suspended. Any existing fire is to be extinguished and cannot be re-commenced until the Total Fire Ban is lifted.

6. In the event of a No Burn Day being declared by the EPA, this approval is suspended for the duration of the declaration. When a "No Burn" notice is issued, it applies to the lighting of new fires in the declared areas. Existing fires should be allowed to continue as extinguishing the fire will result in more smoke. "No Burn Notices" are notified in the Public Notices section of the Sydney Morning Herald not later than on the day on which the order is to take effect. Recorded information about "No Burn Notices" is usually available from 4pm the day before the notice comes into effect and can be accessed by calling ph: 1300 130 520 or is available on the NSW Department of Environment and Conservation (DEC) website at www.environment.nsw.gov.au/ air/airqual.htm.

7. Adjoining neighbours and people likely to be affected by smoke are to be notified at least 48 hours before the fire is lit. This will allow for smoke-sensitive people such as asthmatics, to plan to be away from the area when the burn is conducted.

8. Written or oral notice is to be given to the Hawkesbury Rural Fire Service at least 24 hours prior to the burn. Such notice must specify the location, purpose, period and time of the fire proposed to be lit. Contact details include ph. 4575 1601, fax. 4575 1475, email. hawkesbury@rfs.nsw.gov.au.

9. A responsible supervising adult over the age of eighteen shall be on site at all times with enough water to extinguish the fire, if required, for that time the fire is active.

10. Burning shall only be conducted between the hours of 8am and 5pm on any day.

11. Any residue waste from the burning must be disposed of in an environmentally satisfactory manner and in accordance with the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 2005. On completion of the burn, the burnt area must be maintained in a condition that: minimises or prevents the emission of dust from the area; and prevents sediment or ash from fires being washed from the area into waters.

Failure to comply with this approval may result in an On The Spot fine of $500.00 for an individual or $1,000.00 for a corporation. In the event of prosecution, the maximum penalty is $5,500.00 for an individual and $11,000.00 for a corporation.

For further information please contact:
Hawkesbury City Council
Regulatory Services
Ph. 02 4560 4444
Fax. (02) 4560 4400
Email council@hawkesbury.nsw.gov.au

oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 218 **IS - Un-named Public Road, McGraths Hill - Naming Proposal - (79346)**

Previous Item: 154, Ordinary (11 July 2006)

REPORT:

Council, at its meeting held on 11 July 2006, resolved that public comment be sought regarding naming of the presently un-named public road extending in a south-westerly direction from Plimsoll Street, McGraths Hill and bounded by Lots 106-114, DP1089358, as Newton Place.

The proposed name was suggested by Council's Local Studies Officer and honours Rev. WA Newton, who was the Minister at St James Church of England, Pitt Town, between 1897-1911.

Public comment was sought by way of advertisement in the local press and correspondence addressed to statutory authorities/organisations/proximate residents. The public comment period expired on 1 September 2006, with the following results:

1. No Objection - 1 (Department of Lands)
2. Alternate Name - 1

The alternate name suggested by Mrs S Hogarth, 19 Plimsoll Street, McGraths Hill is "Silo Place" on the following basis:

> *"…the new road proposed to be called Newton Place is built on the same site that was a local landmark decades ago. People travelled from near and far to "the silo's" at McGraths Hill, therefore a very significant and appropriate name for this new road is "Silo Place"…*
>
> *Most middle aged and elderly locals remember the old silos and sale yards and I think this bit of local history deserves to be remembered and by naming a street after it is a good place to start, however small it may be. I have many fond memories of this site myself…*
>
> *By naming a road after something symbolic of the actual area would bring back memories for many local residents…*
>
> *This old, interesting and past establishment should be remembered and passed on to new* generations in a bid to keep very local history alive."

Notwithstanding Council's prior resolution, it is felt that such a significant landmark albeit now demolished, should be recognised given its role in the earlier development of McGraths Hill.

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 public comment be sought regarding naming of the presently un-named road extending in a south-easterly direction from Plimsoll Street, McGraths Hill and bounded by Lots 106-114 DP1089358, as Silo Place.

ATTACHMENTS:

AT - 1 Sketch Plan - Proposed Silo Place, McGraths Hill

AT - 1 Sketch Plan - Proposed Silo Place, McGraths Hill

To view this image,
Please refer to the separate
Attachments Document (Maps)

oooO END OF REPORT Oooo

Item: 219 **IS - Supplementary Auslink Roads to Recovery Program - (79344)**

REPORT:

Correspondence has been received from the Hon. Jim Lloyd, MP advising that a Grant under the Supplementary Auslink Roads to Recovery Program has been offered to Council. The one-off grant in an amount of $726,959.00.

In accordance with the funding conditions a work schedule is required to be submitted by 30 September 2006, and is listed as follows:

Road Name	Location and Description of Works	Amount
Curtis Road, South Windsor	Windsor Road to Mulgrave Road rehabilitate various patches	$168,000.00
The Driftway, Richmond	South Windsor Tip to Londonderry Road rehabilitate various patches	$38,400.00
Tasman Place, South Windsor	Rehabilitate failed pavement in the vicinity of No.'s 3 to 5	$35,000.00
Church Street, South Windsor	Rehabilitate Intersections of Drummond and Yarrawonga Streets with Church Street	$41,500.00
Mileham Street, South Windsor	Argyle Street to Drummond Street rehabilitate various patches	$28,000.00
Drummond Street, South Windsor	Mileham Street to the industry complex at No.64	$78,000.00
Snailham Crescent, South Windsor	Various patches from Berger Road to No.27	$15,000.00
Ham Street, South Windsor	No.153 to No.139 (either side of Blackman Crescent)	$30,000.00
Settlers Road, Lower MacDonald	Rehabilitate full width patch 840m north of Walmsley Road	$19,500.00
George Street, Windsor	Crack Seal and rehabilitate sections of failed pavement between Argyle Street and Windsor Train Station	$43,859.00
Chestnut Drive, Glossodia	Rehabilitate various patches from Wattle Crescent to Golden Valley Drive	$32,000.00
Old Pitt Town Road, Oakville	Rehabilitate various patches from Saunders Road to Hanckel Road	$43,000.00
McQuade Avenue, South Windsor	Rehabilitate various patches from Cox Street (north end) to golf club entry	$30,000.00
Castlereagh Road, Wilberforce	Rehabilitate various patches from George to Sackville Road	$27,775.00
Bowen Mt Road, Bowen Mountain	Asphalt overlay 60m either side of Grand View Lane	$45,500.00
Baker Street, South Windsor	Deeplift various failed potholes between Macquarie and George Streets including underground stormwater drainage system	$51,425.00
	Total	**$726,959.00**

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 support the social and economic development of the city."*

Funding

Funding to be provided from the Supplementary Auslink Roads to Recovery Program.

RECOMMENDATION:

That the Supplementary Auslink Roads to Recovery funding be utilised on the following list of scheduled works:

Road Name	Location and Description of Works	Amount
Curtis Road, South Windsor	Windsor Road to Mulgrave Road rehabilitate various patches	$168,000.00
The Driftway, Richmond	South Windsor Tip to Londonderry Road rehabilitate various patches	$38,400.00
Tasman Place, South Windsor	Rehabilitate failed pavement in the vicinity of No.'s 3 to 5	$35,000.00
Church Street, South Windsor	Rehabilitate Intersections of Drummond and Yarrawonga Streets with Church Street	$41,500.00
Mileham Street, South Windsor	Argyle Street to Drummond Street rehabilitate various patches	$28,000.00
Drummond Street, South Windsor	Mileham Street to the industry complex at No.64	$78,000.00
Snailham Crescent, South Windsor	Various patches from Berger Road to No.27	$15,000.00
Ham Street, South Windsor	No.153 to No.139 (either side of Blackman Crescent)	$30,000.00
Settlers Road, Lower MacDonald	Rehabilitate full width patch 840m north of Walmsley Road	$19,500.00
George Street, Windsor	Crack Seal and rehabilitate sections of failed pavement between Argyle Street and Windsor Train Station	$43,859.00
Chestnut Drive, Glossodia	Rehabilitate various patches from Wattle Crescent to Golden Valley Drive	$32,000.00
Old Pitt Town Road, Oakville	Rehabilitate various patches from Saunders Road to Hanckel Road	$43,000.00
McQuade Avenue, South Windsor	Rehabilitate various patches from Cox Street (north end) to golf club entry	$30,000.00
Castlereagh Road, Wilberforce	Rehabilitate various patches from George to Sackville Road	$27,775.00
Bowen Mt Road, Bowen Mountain	Asphalt overlay 60m either side of Grand View Lane	$45,500.00
Baker Street, South Windsor	Deeplift various failed potholes between Macquarie and George Streets including underground stormwater drainage system	$51,425.00
	Total	**$726,959.00**

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

SUPPORT SERVICES

Item: 220 SS - School of Arts - Requested Financial Assistance - (95496, 85178)

Previous Item: 138 Ordinary Meeting (27 June 2006)
28, General Purpose Committee (1 June 2004)

REPORT:

Background

At the meeting of Council held on 27 June 2006 consideration was given to a report in relation to 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. A copy of this report is included as Attachment 1.

In view of the circumstances outlined in the previous report on this matter the Council subsequently resolved, in part:

"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, however, in view of the history of the matter Council, on a without prejudice basis, would be prepared to meet the cost of interest incurred by the Institute, on an amount equivalent to that initially proposed to be borrowed from Council and at a rate of interest to be agreed between Council and the Institute, over a period of 6 years in the event that the Institute obtains a loan from other sources to undertake the proposed works.*

2. *In the event of the Richmond Literary Institute Inc. being in a position to accept Council's offer to meet the interest component of a loan, as referred to above, a further report be submitted to Council nominating an appropriate source from which to meet these payments.*

The Richmond Literary Institute Inc. was advised of Council's resolution and following further correspondence and discussions the following letter has now been received confirming that the Institutes loan application has been approved and providing relevant details as previously requested:

To view this image,
Please refer to the separate
Attachments Document (Maps)

Based upon the above advice the interest component of the loan the Institute has been successful in obtaining is $5,550.72, plus a loan establishment fee of $330.00, making a total of $5,880.72. It will be noted that the Institute has advised that the current interest rate it receives on funds it has invested is currently 4.58%.

It is proposed that Council make an "upfront" payment to the Institute in respect of the interest it will incur over the period of the loan and for the establishment fee thus avoiding unnecessary administrative costs that would be involved in making payments on a regular basis over the term of the loan. The necessary "upfront" payment in this regard will be $5,541.28. The Institute can then invest these funds and draw on them when interest payments are made. Based on a reducing balance as payments are made from the Council's contribution, interest of approximately $339.44 will be earned over the period make a total effective contribution by Council of $5,880.72, being the amount referred to in the previous paragraph.

With regard to the source for the payment of this contribution funds are available within account number 1-19-2765-1963, being Section 356 Donations, with funds for this specific payment being carried forward from the 2005/2006 Financial year.

The Institute has not proceeded with the loan at this stage as they are awaiting updated plans and specifications for the proposed works to enable tenders to be called. Advice has been received that the bank is keeping the loan offer open during this process and subject to tenders being within available funds the loan will be taken up.

In view of the above it is suggested that it would now be appropriate for Council to agree to make the contribution referred to above subject to the Institute proceeding with the project and associated loan.

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 are available from account number 1-19-2765-1963, Section 356 Donations, for a contribution towards the interest and loan establishment fee to be incurred by the Institute as resolved by Council on 27 June 2006.

RECOMMENDATION:

That the Richmond Literary Institute Inc. be advised that subject to it proceeding with the air conditioning project for the Richmond School of Arts and proceeding with the loan for this purpose as referred to in its correspondence dated 8 August 2006 that Council will make an "upfront" payment of $5,541.28 towards the interest and loan establishment fee that will be incurred by the Institute and that upon receipt of appropriate confirmation from the Institute that it has proceeded with the loan this payment be made to the Institute and be funded from account number 1-19-2765-1963, Section 356 Donations.

ATTACHMENTS:

AT - 1 Item 139 - 27 June 2006: Richmond School of Arts - Requested Assistance.

AT - 1 Item 139 - 27 June 2006: Richmond School of Arts - Requested Assistance.

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

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Attachments Document (Maps)

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Attachments Document (Maps)

oooO END OF REPORT Oooo

CONFIDENTIAL REPORTS

Item: 221 **SS - Laundy (Balmoral) Pty Limited - Lease at Wilberforce Shopping Centre - (95496, 74324) 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.

ordinary

section 5

reports of committees

SECTION 5 - Reports of Committees

ROC - E-Commerce/Markets Advisory Committee Minutes - 10 August 2006 - (91367)

Minutes of the Meeting of the E-Commerce/Markets Advisory Committee held in the Committee Rooms, Windsor, on 10 August 2006, commencing at 7.00pm.

Present:	Councillor Bart Bassett Councillor Trevor Devine Councillor Neville Wearne Councillor Rex Stubbs Mr Graeme Faulkner Mr Rob Ewin Ms Janette Fairleigh Mr Stephen Phillips Ms Fiona Mann
Apologies:	Councillor Barry Calvert Mr Zac Hope Mr Peter Hudson Mr Barry Crockford
In Attendance:	Ms Jan Readford (Minute Secretary)

Ms Fairleigh, Deputy Chairperson, resumed the Chair following the resignation of Mr Melton.

Mr Phillips advised that Councillor Calvert has forshaddowed his resignation from the Committee due to the dificulties experienced to attend meetings.

RESOLVED on the motion of Ms Janette Fairleigh and seconded by Mr Faulkner that the apologies be accepted.

SECTION 1 - Confirmation of Minutes

ROC - E-Commerce/Markets Advisory Committee Minutes - 29 June 2006 - (91367)

MOTION:

RESOLVED on the motion of Ms Fairleigh, seconded by Councillor Mr Faulkner.

Refer to RESOLUTION

RESOLUTION:

RESOLVED on the motion of Ms Fairleigh, seconded by Councillor Mr Faulkner that the Minutes of the E-Commerce/Markets Advisory Committee held on 29 June 2006, be confirmed.

SECTION 2 - Reports for Determination

Item: 1 EMAC - Election of E-Commerce/Markets Advisory Committee - Chairperson and Deputy Chairperson - (91367)

DISCUSSION:

- Ms Fairleigh, the current Deputy Chairperson resumed the Chair and called for nominations for the position of Chairperson following the resignation of Mr Melton.

- Councillor Stubbs, supported by Mr Faulkner, and as defined under the Local Government Act, offered the automatic Chair to Councillor Bassett in his capacity as Mayor. Councillor Basset accepted the Chair.

- It was confirmed that the position of Deputy Chairperson can be any E-Commerce/Markets Advisory Committee member.

- Only one nomination was received for Deputy Chairperson being: Councillor Stubbs.

MOTION:

RESOLVED on the motion of Councillor Bassett, seconded by Councillor Devine.

Refer to RESOLUTION

RESOLUTION:

RESOLVED on the motion of Councillor Bassett, seconded by Councillor Devine.

That:

1. Councillor Bassett be appointed as Chairperson of the E-Commerce/Markets Advisory Committee.

2. Councillor Stubbs be appointed as Deputy Chairperson of the E-Commerce/Markets Advisory Committee.

Item: 2 EMAC - E-Commerce/Markets Advisory Committee - Community Appointment - (91367)

DISCUSSION:

- Mr Phillips advised that notice has been received from Mr Harrop that he has been transferred and is unable to accept the role as Telstra's representative.

MOTION:

RESOLVED on the motion of Councillor Stubbs, seconded by Mr Faulkner.

Refer to RESOLUTION

RESOLUTION:

RESOLVED on the motion of Councillor Stubbs, seconded by Mr Faulkner.

That:

Mr Faulkner contact Telstra and request that another delegate be nominated as Telstra's representative on the E-Commerce/Markets Advisory Committee.

Item: 3 EMAC - DISCUSSION FORUM - Commercial Issues of Strategic Concern - (95497)

Mr Phillips introduced Mr Peter Young, Mr John Mahaffy and Mr Mat Shearer who had been invited to address the Committee on the issues affecting farmers in the Hawkesbury in response to the recently released HARtDAC report as commissioned by Council.

Messrs Young, Mahaffy and Shearer made the following points during their presentations:

- In reference to the HARtDAC Report and the15 crops recommended for growth in the Hawkesbury, it is considered that the Report is inadequate and will cause hardship; it does not include an economic feasibility study; and noted in particular that grapes, listed amongst the 15 crops recommended for growth in the Hawkesbury, would be difficult to grow as the climate is not suitable.

- Lands west of the river should be zoned for landscape value and not just agriculture – for many areas the land is of poor grazing quality and not suitable for cultivation. Only very large acreages and/or factory farming in purpose-built facilities are viable. The majority of landholders (approx. 30-acres) are now aged between 60-80 years and can no longer embark on new ventures. A changing economy; costs higher than returns; delayed income; and weather factors; has meant that many landowners only just break even if they are lucky.

- Another looming problem exists for farmers growing stone fruit in the Kurrajong Hills area. Farmers must spray because of the fruit fly in the area otherwise a whole consignment will be condemned if there is one piece of fruit affected. However land formations in the area result in an inversion in the spray mist depositing chemicals on the Kurrajong Village and may potentially cause a toxic problem for drinking water caught on residents roofs.

- The recommendations in the HARtDAC Report were impractical and the farming expertise used to prepare the HARtDAC Report was questionable, as not all participants could be considered as bona fide farmers with first-hand knowledge of primary production.

- The HARtDAC Report also indicates that off-farm income has increased, as farmers are not able to sustain an income from the land. The lowland in the Hawkesbury may still be viable for farming; the land in the hills is rocky with little usable water and therefore not suitable for agriculture.

- Visitors to Mr Mahaffy's B&B from Sydney state that they love its proximity to Sydney, the clean air and beautiful scenery.

- The presenters recommend that Council consider re-zoning the land to enable hobby farms and residential living to be established by people wanting 2 to 5 acre lots. This will generate income for the whole area. The lots could be made self-sustainable with solar power, rainwater collection, recycling systems including sewerage.

- It was reiterated that costs associated with land ownership have increased faster than the income that can be earned from farming. Clustering has also proved untenable as the sharing of equipment does not work in practice- everyone needs the equipment at the same time and problems occur if equipment is faulty.

- Tourism in the Hawkesbury should be the focus with natural scenes being better than rural, and rural better than urban. It was suggested that rural Hawkesbury can be improved by planting trees, as has Cowra Council with their cherry blossoms - people come from far and wide to see them - Hawkesbury could plant a row of bohemia's.

Councillor Bassett declared a conflict of interest and handed the meeting over to the Deputy Chairperson, Councillor Stubbs and left the room during debate by the Committee.

DISCUSSION:

- Mr Ewin referring to his banking experience, confirmed that many residents in the hills are living there for lifestyle, many of whom are professionals with off-farm income. The bank will often lend up to 90% of the price on land up to 10 acres, but will typically not lend more than 60% of the land value for farming or for land that is greater than 10 acres. It was suggested that clean industries like guesthouses and perhaps a retirement village would be viable – where owners would be professionals; people would come and spend money; others would be able to recuperate from sickness or live out their aged years peacefully.

- Mr Phillips summarised the discussions noting that the Hawkesbury has a segment of aging landholders, holding large property assets, but given current zoning requirements, would be unable to dispose of these assets to a younger generation of farmers – partly because of the un-viability of parcel sizes, and partly because they (i.e. purchasers) cannot access the necessary capital to purchase the existing lands.

- Mr Faulkner advised that Council should consider a review of zoning laws and how these may assist or impede socio-economic growth, otherwise the Hawkesbury may face a future of derelict estates. The state government is also placing impediments on Council's ability to respond to changing economic circumstances. Councillor Devine expressed concern that the state government may force Council to create an environment similar to Rouse Hill.

- Council Devine suggested that areas be identified where there can be rural residential lifestyle development. It was suggested Council should allow subdivisions ranging from 1-5 acres, and ensure that more self-sustaining facilities were built into the subdivision including on-site wastewater treatment.

- Councillor Stubbs noted that Council can zone land as agricultural, but cannot make people farm it. If Council re-zones the land it will need to investigate and develop strategies and costs to ensure adequate water, sewerage and electric supply.

- Mr Ewin suggested that Council could specify minimum requirements for water storage which would negate the need to purchase water.

MOTION:

RESOLVED on the motion of Mr Faulkner, seconded by Mr Phillips.

Refer to RESOLUTION

RESOLUTION:

RESOLVED on the motion of Mr Faulkner, seconded by Mr Phillips.

That:

Management be asked to prepare a report on possible options to be explored with the State Government concerning land west of the river; which will include areas identified where there can be rural residential lifestyle developments, and bring back to the Strategic Planning Committee.

Item: 4 EMAC - Business Plan 2006-2007 - (91367, 95497)

Previous Item: 11, EMAC (29 June 2006)

DISCUSSION:

- **EMAC - Business Plan 2006-2007**

  Mr Phillips advised that at the request of the Committee at its meeting held 29 June 2006, the Business Plan has been redefined to include three (3) core goals as follows:

  4.3: Identify new residential land releases within the Hawkesbury
  5.2: Facilitate education seminars on m-commerce and associated applications
  9.1: Facilitate partnerships that aggregate and/or stimulate demand for new technology

  However in view of the discussions earlier in the meeting, the following additional core goal should be included:

  4.4: Identify new industrial lands in the Hawkesbury

- **EMAC - Working Groups**

  - *Bridge-to-Bridge Steering committee* - Councillor Bassett to be added.

  - *Signposting Working Party* – Hawkesbury Tourism involvement instead of Hawkesbury Chamber of Commerce due to tourism component. Ms Mann confirmed that the business community from St Albans and Nth Richmond were consulted for business directories. Mr Phillips confirmed that funding will be greatly reduced for 2007 with sufficient inclusion only for maintenance purposes.

  - *M-Commerce - Working Party* – Mr Faulkner to be added. A position to be retained for a telecommunications representative until filled following withdrawal by Mr Harrop. Mr Phillips reiterated that the telecommunications delegate will facilitate public seminars in conjunction with Hawkesbury Tourism on m-commerce.

  - *Community Wi-Fi Service - Working Party* - Mr Phillips advised that the name `wi-fi' is a common term used to describe wireless broadband (emanating from the US).

- **Hawkesbury Business Christmas Decorations Competition 2006**

  - Councillor Bassett advised the Hawkesbury Business Christmas Decorations Competition 2006 would be conducted and managed by the Commercial Response Unit over the next six (6) months. Funding for this project has been reduced by Council to $10,000 which is appropriate due to Council's financial constraints.

  - Mr Phillips advised that previous sponsors of this event had been reapproached for sponsorship, with both declining the offer. A letter is to be sent to the top 20 businesses in the Hawkesbury seeking support Mr Faulkner suggested that previous winners could be canvassed for support.

MOTION:

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Wearne.

Refer to RESOLUTION

RESOLUTION:

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Wearne.

That the Committee:

1. Adopts the E-Commerce/ Markets Advisory Committee Business Plan for 2006-2007 as workshopped.

2. Dissolves and endorses the re-constituted working groups as nominated hereunder:

	Working Groups	Group members
a.	RAAF - Working Party	Clr Bart Bassett, Mayor HCC Clr Rex Stubbs, HCC Mr Graeme Faulkner, General Manager HCC Mr Stephen Phillips, Director Commercial Strategy HCC Mr Malcolm Ryan, Director City Planning HCC
b.	Technology Park - Working Group	RAAF - Working Party Ms Fiona Mann, Strategic Planning Executive HCC Independent experts as required
c.	Bridge-to-Bridge - Steering Committee	Clr Bart Bassett, Mayor HCC Clr Bob Porter, HCC Clr Trevor Devine, HCC Mr Stephen Phillips, Director Commercial Strategy HCC Ms Fiona Mann, Strategic Planning Executive HCC Hawkesbury Tourism representatives
d.	Signposting - Working Party	Clr Kevin Connolly, HCC Mr Stephen Phillips, Director Commercial Strategy HCC Ms Fiona Mann, Strategic Planning Executive HCC Hawkesbury Council technical staff Hawkesbury Tourism representatives as required
e.	Hawkesbury/Lithgow Tourism Alliance - Working Party	Clr Bart Bassett, Mayor HCC Clr Rex Stubbs, HCC Mr Graeme Faulkner, General Manager HCC Mr Stephen Phillips, Director Commercial Strategy HCC Ms Fiona Mann, Strategic Planning Executive HCC Hawkesbury Tourism representatives Lithgow City Council representatives Lithgow Tourism representatives
f.	M-Commerce - Working Party	Mr Graeme Faulkner, General Manager HCC Mr Stephen Phillips, Director Commercial Strategy HCC Ms Fiona Mann, Strategic Planning Executive HCC Telecommunications representative Hawkesbury Tourism representatives
g.	Business Cost Differentials - Working Party	Clr Bart Bassett, Mayor HCC Mr Graeme Faulkner, General Manager HCC Mr Rob Ewin, EMAC Committee Ms Fiona Mann, Strategic Planning Executive HCC
h.	Community Wi-Fi Service - Working Party	Mr Peter Hudson, EMAC Committee Mr Zac Hope, EMAC Committee Ms Janette Fairleigh, EMAC Committee Mr Steve Phillips, Director Commercial Strategy HCC Mr Senaka Ariyasinghe, Chief Information Officer HCC

3. The judging panel for Hawkesbury Business Christmas Decorations Competition for 2006 will be Councillor Bassett, Councillor Stubbs, Mr Faulkner, Mr Ewin, the incoming Hawkesbury Showgirl, and the current University Scholarship recipient.

Item: 5 EMAC - E-Commerce/Markets Advisory Committee Constitution - (91367)

Previous Item: 2, EMAC (25 August 2004)
115, Ordinary (14 September 2004)

DISCUSSION:

▪ Mr Phillips confirmed that attention was drawn to this item when the business papers were circulated so that affected members would have opportunity to renominate should they wish to do so. It was noted that there was no response from either party.

MOTION:

RESOLVED on the motion of Councillor Stubbs, seconded by Mr Rob Ewin.

Refer to RESOLUTION

RESOLUTION:

RESOLVED on the motion of Councillor Stubbs, seconded by Mr Rob Ewin.

That the Committee recommends to Council:

1. The objectives of the e-Commerce/Markets Advisory Committee as set out in its constitution are harmonised with the strategic objectives of its Business Plan.

2. The constitution of the e-Commerce/Markets Advisory Committee (Committee) is amended to allow for the appointment of Committee members having either:

   (a) technical and business skills relevant to the field of e-commerce, or;
   (b) a professional background in business development or is a representative of an industry or profession relevant to the field of e-commerce.

3. The positions held by members who have not attended 3 or more consecutive meetings due to other commitments, (ie, Mr Barry Crockford and Wing Commander Tracey Simpson) are declared vacant in accordance with part 6(e)(iii) of the constitution and that the members advise the General Manager of any nominees willing to be considered for filling these vacancies.

4. The constitution of the e-Commerce/Markets Advisory Committee (Committee) is amended to allow for 3 or more meetings per year.

5. The constitution of the e-Commerce/Markets Advisory Committee (Committee) is amended to provide for a Privacy Statement enabling the disclosure of member contact details at the discretion of Council.

6. The constitution of the e-Commerce/Markets Advisory Committee (Committee) is amended to allow for continuation of service by elected office bearers beyond 12 monthly intervals.

7. The General Manager incorporates these and other changes as necessary to promote governance efficacy.

SECTION 4 - Reports for Information

Item: 6 EMAC - Report of Working Groups - (91367)

DISCUSSION:

a. RAAF - Working Party

- Mr Phillips advised that the Department of Defence (DoD) in Canberra has released a tender for an Economic Impact Study on the RAAF base at Richmond. A copy will be circulated to the Committee.

- The Working Party provided input into the Statement of Works and was able to influence the DoD to include Council's thoughts about the RAAF base for consideration in the study, to include Council's support of the RAAF base and concerns regarding employment in the Hawkesbury in the event the RAAF winds down.

- The study includes 3 options for consideration:
  - Option 1: RAAF base to go – the study looks at the various impacts.
  - Option 2: RAAF base to stay – study investigates how a Technology Park would support the RAAF if they stay and what they would do themselves to better equip the base.
  - Option 3: RAAF sells and moves out but maintains a small operation for the Hercules and operates as a tenant rather than operator.

- Councillor Stubbs acknowledged the achievements of the working party to gain acceptance by the DoD and thanked Mr Phillips on behalf of Council by referring in particular to the access gained to high level leading players in the aviation industry.

- Councillor Bassett advised that the Minister for Defence has asked the Federal Member for the Hawkesbury to work with Council and keep everything transparent.

b. Technology Park - Working Group

- Mr Phillips advised that the University of Western Sydney (UWS) has agreed to be a partner in the Technology Park and have agreed to consider their land at Clarendon as a key location.

- Joint meetings have been held with key UWS staff and the Department of Defence (DoD). The DoD will look at UWS land when undertaking the Technology Park study and Council await the outcome.

- Mr Phillips indicated that with the contribution of Ms Mann, the Working Group has been able to ring fence a precinct that lends itself to a Technology Park.

c. Bridge-to-Bridge - Steering Group

- Mr Phillips advised that the relationship with the various sporting groups is gaining momentum. The groups are considering a draft Memorandum of Understanding between Council and the sporting groups, and feedback will be provided to Council at the appropriate time.

- There are new significant and unique events within the Hawkesbury with the Hawkesbury Power Boat Club and the NSW Water Ski Association which will assist in putting the Hawkesbury on the map. Both groups have sought and gained Council's permission to use parks.

- The Committee acknowledged Councillor Porter's enthusiastic contribution in encouraging the groups to attend meetings and their utilisation of the river to its fullest advantage.

d. Signposting - Working Party

- Ms Mann advised that town entry signs were rolling out in nominated locations, and that in time all localities will have name plates.

- Business directory signs in the pilot locations of St Albans and Nth Richmond were in progress, with options for traders to sponsor directory signs.

- Councillor Devine requested that an accommodation directory be placed in Thompson Square to encourage visitors to stay in the Hawkesbury. Mr Faulkner agreed that management would explore the feasibility of linking the touch screen currently located at the Visitors Information Centre in Clarendon with the future Museum's website, which would also enable automatic update of both sites. Management will also explore the possibility of borrowing the advertising screen technology used by the University of Technology, Sydney.

e. Hawkesbury / Lithgow Tourism Alliance - Working Group

- Ms Mann reiterated that networks are now well established with Hawkesbury / Lithgow Tourism Alliance. Ms Mann is currently working with Hawkesbury Tourism to initiate production of joint brochures on heritage sites.

- The long awaited flags and flag-poles will be delivered shortly and installed next month. The flags will use the Botanist Way theme. Ms Mann will review further requirements in the next 6 - 12 months.

- Councillor Bassett clarified that delays experienced were the result of changes within Lithgow City Council and that Commercial Response Unit staff had worked tirelessly to diplomatically progress the relationship.

f. M-Commerce - Working Party

- The M-Commerce Working Party had established a series of seminars to be conduced by the Hawkesbury Chamber of Commerce (Chamber), however the Chamber has not been able to assist with these programs as yet.

- A new team is now in place and is expected to perform over the next 12 months, although any fresh ideas will be dependent on resources.

g. Business Cost Differentials - Working Party

- First meeting scheduled for next week.

h. Community Wi-Fi Service - Working Party

- The Working Party attended a Wi-Fi presentation today conducted by Startech who outlined the concept of Wi-Fi. Startech currently service State & Federal Governments including IBM. Startech were quick to point out that Council already has a Wi-Fi service between Council and the Library and the Library and Dog Pound. The concept is about taking this type of technology and opening it to general public.

- Local governments in the US are successfully establishing a Wi-Fi service for customers. Council can facilitate a telecommunications network in the area using wireless communications as a transport medium, which will result in free telephone services for customers within the Hawkesbury using Wi-Fi access. No more STD charges. Other components can also be added to increase the value.

i. Glossodia/Wilberforce - Project Team

- Ms Mann advised that the signboards and pole signs at Glossodia have been upgraded and directory boards will finalised this week. The directory boards include generic names and traders have been given the opportunity to personalise the signs at a small fee resulting in a revenue stream for Council. This offer was also extended to Wilberforce and McGraths Hill.

- Ms Mann has received positive feedback from most traders, with others querying why the money has been spent if Council does not have exhaustive funds.

MOTION:

RESOLVED on the motion of Councillor Devine, seconded by Councillor Stubbs.

Refer to RESOLUTION

RESOLUTION:

RESOLVED on the motion of Councillor Devine, seconded by Councillor Stubbs.

That the information be received.

Item: 7 EMAC - Report on Telstra Broadband in Hawkesbury - (91367)

This matter has been held over until the next E-Commerce/Markets Advisory Committee Meeting at which time a representative will have been appointed.

Item: 8 EMAC - Royal Australia Airforce Airshow 2006 - Update - (95497, 91811, 81055)

Previous Item: 7, EMAC (29 June 2006)
168, Ordinary (25 July 2006)

DISCUSSION:

- Ms Mann advised that Council will grade Racecourse Ave at the request of the RAAF.
- Ms Mann advised that Councillors will receive invitations to the Airshow in conjunction with the VIP program established with the RAAF.
- The Commercial Response Unit held a Community Briefing on the Airshow on 26 July 2006 with 70 attendees. Community traders registered their interest to participate with on-site activities.
- Ms Mann confirmed that Council is on record as having expressed concern to the RAAF on planning numbers, and indicated that RAAF officials still believe that there will only be 40,000 attendees.
- Mr Faulkner advised that the newly appointed Local Area Commander for Police has indicated that he believes that the RAAF has not sufficiently considered the significant numbers likely to attend and agreed to review the traffic management plan.
- Councillor Stubbs queried whether there was an opportunity for Council to promote the Technology Park to industry at the Airshow, and if Council should attend next Avalon Airshow to seek out industry support.
- Mr Faulkner stated that a presence at the Avalon Airshow would stimulate interest within the private sector. Council's attendance in 2005 opened doors to discussions with Linfox Airports, Sydney Airport Corporation, and Patrick Corporation.
- Mr Faulkner noted that Lithgow City Council has accepted an invitation to join Hawkesbury Tourism jointly in a tent at the Airshow.

MOTION:

RESOLVED on the motion of Mr Faulkner, seconded by Councillor Stubbs.

Refer to RESOLUTION

RESOLUTION:

RESOLVED on the motion of Mr Faulkner, seconded by Councillor Stubbs.

That:

1. The members of the RAAF Working Party continue to monitor the use of air shows as a mechanism for economic development and the clustering of aerospace industries to support RAAF operations.

2. The RAAF Working Party to continue discussions with representatives of the aviation sector via attendance at the Avalon Airshow in 2007.

Item: 9 EMAC - Young Achievements Australia - Hawkesbury Business Skills Program 2006 - Update - (95497)

Previous Item: 119, Ordinary (26 April 2005)
13, EMAC (29 June 2006)

DISCUSSION:

- Ms Mann advised that the students are on track with running meetings; learning what it is like to be in a committee; and managing individual behaviours. Mr Phillips also commended the students for their extraordinary ability to come together as a group without knowing each previously; to then form a company; conceive a product; and then manufacture the product.

- The product developed by the students is a material mobile phone sock aptly named `Phondom' and tagged "protection for your phone". The students intend to register the product.

- Ms Mann advised that a presentation was given to a local Rotary branch by some of the students today resulting in more sales of the product. Ms Mann will provide samples at the next meeting.

MOTION:

RESOLVED on the motion of Councillor Devine, seconded by Councillor Stubbs.

Refer to RESOLUTION

RESOLUTION:

RESOLVED on the motion of Councillor Devine, seconded by Councillor Stubbs.

That the information be received.

GENERAL BUSINESS

No further business.

The meeting terminated at 9.20pm.

oooO END OF REPORT Oooo

ROC - Hawkesbury Bicycle and Access Mobility Committee Minutes - 14 August 2006 - (98212, 95494)

The meeting commenced at 4.35pm in the Meeting Room at Peppercorn Place.

Present:	Councillor Leigh Williams	(Chair)
	Councillor Dianne Finch	
	Jenni Bousfield	
	Alan Aldrich	
	Robert Bosshard	
	Jane McCormick	
	Doug Bathersby	
	Andrew Docking	
	Chris Cameron	
Apologies:	Richard McHenery	(RTA)
	Mark Newton	
	Peter Rukin	
In Attendance:	Joseph Litwin (Executive Officer)	

REPORT:

RESOLVED on the motion of Jenni Bousfield and seconded by Alan Aldrich that the apologies be accepted.

Section 1 - Confirmation of Minutes

1. Matters arising from Previous Minutes

It was noted that apologies from Chris Cameron had been omitted from the minutes of the meeting held on 10 July 2006.

2. Confirmation of Minutes

RESOLVED on the motion of Alan Aldrich and seconded by Robert Bosshard that the Minutes of the Hawkesbury Bicycle and Access Mobility Committee held on 10 July 2006 be confirmed.

Section 2 - Reports for Determination

Item 1: Status Report – July 2006 - Notification of Operational Issues (NOI)

<u>Discussion</u>

Doug Bathersby requested confirmation that actions taken in response to NOI 1 have been completed. Mr. Litwin to follow up.

RESOLVED on the motion of Doug Bathersby and seconded by Chris Cameron.

That the information be received.

Item 2: Hawkesbury Access Mobility Plan - Hawkesbury Mobility Survey

Discussion

- The draft survey was reviewed and suggested amendments identified. The Committee requested that advice be forwarded to committee members following the distribution of the survey.

RESOLVED on the motion of Andrew Docking and seconded by Dianne Finch.

That the Hawkesbury Mobility Survey be approved for distribution in accordance with the adopted Consultation Strategy.

Item 3: Hawkesbury Futures Demographic Study

RESOLVED on the motion of Jane McCormick and seconded by Chris Cameron.

1. That the information be received.

2. The Committee to note the deferral of the required demographic report pending the completion of the *Hawkesbury Futures Demographic Study*.

Item 4: Response to Questions Without Notice (10.07.2006)

RESOLVED on the motion of Dianne Finch and seconded by Andrew Docking:

That the information be received.

Section 3 - General Business

- Doug Bathersby tabled a document listing suggested improvements to the off-road cycleway network.
- Chris Cameron tabled a document listing suggested improvements to on-road cycleway networks to connect villages with Windsor and Richmond.
- Alan Aldrich requested advice in relation to fencing at Oakville Oval, which effectively prohibited disability access to the Oval. Councillor Williams to seek advice in relation to this matter.
- Chris Cameron tabled two Notice of Operational Issues.

Next Meeting to be held at 4.30 pm on Monday 9 October, 2006 at The Meeting Room Peppercorn Place, 320 George St, Windsor.

The Meeting Closed at 5.25pm

oooO END OF REPORT Oooo

ROC - Cultural Precinct Advisory Committee Minutes - 15 August 2006 - (97382, 95494, 79342)

The meeting commenced at 5.00pm in the Tebbutt Room, Deerubbin Centre

Present:	Councillor Dianne Finch	Hawkesbury City Council (Chair)
	Michael Ginnings	FoHAC and RAG
	Glenda Ewin	Community representative
	Professor Ian Jack	Hawkesbury Historical Society
	Judy Newland	Hawkesbury Historical Society
	Johneen Hibbert	Community representative
	Ingrid Hoffmann	Hawkesbury City Council
	Cathy McHardy	Hawkesbury City Council
	Simon French	Community representative
	Alan Leek	Tourism Hawkesbury
	Kerrie Whiteley	Hawkesbury City Council
	Graham Edds	FoHAC&RAG
Apologies:	Margarete Formanek	Education representative
	Robyn Bruce	Chamber of Commerce
	Carolyn Kelly	Community representative
In Attendance:	Joseph Litwin	Hawkesbury City Council

REPORT:

RESOLVED on the motion of Cathy McHardy and seconded by Judy Newland that the apologies be accepted.

It was noted that no advice had yet been received from Carolyn Kelly regarding her continued attendance at CPAC. The Chair requested advice as to requirements for filling of casual community representative vacancies on the Committee. Mr. Litwin advised that as Council had appointed community representatives to the Committee, the filling of a community representative casual vacancy would ordinarily need to be reported to Council. It was agreed to defer possible consideration for the filling of a community representative casual vacancy to the October meeting of the Committee.

Section 1 - Confirmation of Minutes

1. Matters Arising from Previous Minutes

Mr Ginnings requested a correction to the minutes of the CPAC meeting held on 20 June 2006 to note that the draft Deed of Agreement had not yet been completed but had reached a stage where its contents could be discussed with Council.

Johneen Hibbert requested correction to note that she had not arrived to the June meeting at 5.30 pm but was in attendance from the commencement of the meeting.

2. Confirmation of Minutes

RESOLVED on the motion of Alan Leek and seconded by Judy Newland that the Minutes of the Cultural Precinct Advisory Committee held on 20 June be confirmed.

3. Correspondence

Nil

Section 2 - Reports for Determination

Item 1: **Activity Report - Gallery and Museum Director**

RESOLVED on the Motion of Johneen Hibbert and seconded by Margarete Formanek that:

1. The information be received.

Item 2: Activity Report: A/Library Manager

RESOLVED on the Motion of Cathy McHardy and seconded by Michael Ginnings that:

1. The information be received.

Item 2b: Activity Report - Hawkesbury Historical Society

Ian Jack provided a verbal report to the Committee on the recent developments regarding the operation of the Hawkesbury Regional Museum. Professor Jack advised the committee of Council's decision to approve the construction and operation of the proposed Museum Extension and the provisions of an agreement between the Historical Society and Council. It was agreed that for future meetings, a written report from the Historical Society should be incorporated into the Business Papers.

RESOLVED on the motion of Michael Ginnings and seconded by Ian Jack that:

The information be received.

Item 3: Regulation of the Deerubbin Centre Car Park

RESOLVED on the motion of Michael Ginnings and seconded by Johneen Hibbert that:

The information be received.

Item 4: Hawkesbury Cultural Plan 2006-2011

RESOLVED on the motion of Michael Ginnings and seconded by Judy Newland that:

The information to be received.

The committee noted the delay in finalising the Draft Implementation Strategy. The Strategy to be re-scheduled for report to the October meeting of the Cultural Precinct Advisory Committee.

Item 5: Role and Function of Cultural Precinct Advisory Committee

RESOLVED on the motion of Simon French and seconded by Glenda Ewing that:

The information to be received.

3. General Business

- Graham Edds advised the Committee of a recent exhibition held at the Broken Hill Regional Gallery.

- Alan Leek spoke in relation to the importance of the Gallery maintaining its Regional Gallery status.

4. Next Meeting

The next meeting of the Cultural Precinct Advisory Committee would be held on Tuesday, 17 October at 5:00 pm in the Tebbutt Room.

The Meeting Closed at 5.50pm.

oooO END OF REPORT Oooo

ROC - Local Traffic Committee Minutes - 16 August 2006 - (80245, 95495)

Minutes of the Meeting of the Local Traffic Committee held in the Council Chambers, Windsor, on Wednesday, 16 August 2006, commencing at 3.00pm.

ATTENDANCE

Present:	Councillor T Devine (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 B Bassett, Mayor Mr T O'Brien, Office of Mr S Pringle, MP Mr R Elson, Department of Transport
In Attendance:	Mr C Amit, Manager Design & Mapping Services Mrs J Hogge, Road Safety Programme Co-ordinator Mr T Shepherd, Administration Officer, Infrastructure Services

The Chairman tendered an apology on behalf of Mr T O'Brien and advised that he was in receipt of written comment in relation to matters on this day's agenda from Mr T O'Brien (Dataworks Doc.No.2321457) and would be making reference to same during the course of the meeting.

SECTION 1 - Minutes

Item 1.1 Minutes of Previous Meeting

The Minutes of the meeting held on 19 July 2006 were confirmed.

Item 1.2 Business Arising

Nil Business Arising

SECTION 2 - Reports for Determination

Item: 2.1 LTC - 16 August 2006 - Item 2.1 - Safety of Bells Line of Road, Bilpin (Hawkesbury) - (73625, 83770, 79346))

REPORT:

Residents at Bilpin have recently voiced concern over the safety of residents and the travelling public on Bells Line of Road at Bilpin. A meeting of concerned residents was held on Friday, 21 July 2006 under the chairmanship of Mr Steven Pringle, MP, and organised by local residents. The Mayor and a number of Councillors attended on behalf of Council.

Outcomes from the meeting include:

1. Invitation to the Minister to visit and meet with residents or Minister to meet with a delegation of Bilpin residents.

2. Provision of passing lanes and review of current areas that have broken lines. Eg, why have broken lines in Bilpin village.
3. Rationalisation of the multitude of speed limits back to 80kph.
4. 50kph limit through Bilpin village, extended past the Bilpin hall to Horsfield Road, with large signs. Some people requested it go as far as Bowens Creek Road.
5. Some form of controlled crossing at Bilpin School to allow students to cross to oval.
6. Prominent School Bus route signs outlining times school buses are on road.
7. Immediate removal of dead trees adjacent to the carriage way.
8. A detailed study of roadside vegetation by a tree expert and removal of dangerous trees from within 3 metres of road edge.
9. Widening of the lane width to conform with the standard for a road carrying the traffic Bells Line of Road does.
10. Widening and stabilisation of the road shoulders as to allow school buses to pull completely off road and not get bogged.
11. Maintenance of Bell Checking Station to ensure loads on Bells Line of Road are legal.

Mr R McHenery advised in relation to Item 6 that a recent inspection had been undertaken with a local service provider and locations had been determined for setdown/pickup points, with appropriate signage, however that signage would not include timings.

Senior Constable G Crawford tabled a summary of Motor Vehicle Accidents, being 1 August 2005 - 13 August 2006, covering the section of Bells Line of Road from Kurrajong to Mount Tomah (Dataworks Doc.No.2325102); Mrs J Hogge tabled a document titled Bells Line of Road Route Performance Report, December 2003 issued by the NRMA (Dataworks Doc.No.2325095).

In consideration of a Mayoral Minute, Council at its meeting of 25 July 2006 resolved:

That Council request the RTA to conduct a Safety Audit of Bells Line of Road, North Richmond to Lithgow, focussing on, but not limited to:

- Dead and Overhanging Trees
- Line of Sight
- Road Shoulders and
- Speed Limits.

RECOMMENDATION:

That

1. the RTA be requested to undertake a Safety Audit of Bells Line of Road from North Richmond to the western boundary of the Hawkesbury Local Government Area, those representations to include documents tabled by Senior Constable Crawford (Dataworks Doc.No.2325102) and Mrs J Hogge (Dataworks Doc.No.2325095), with an emphasis on:

    - Dead and Overhanging Trees,
    - Line of Sight,
    - Road Shoulders, and
    - Speed Limits.

2. Blue Mountains City Council be advised of Council's decision and request the support of that Council in seeking a safety audit of Bells Line of Road within their Local Government Area, by the Roads and Traffic Authority.

APPENDICES:

There are no supporting documents for this report.

Item: 2.2 LTC - 16 August 2006 - Item 2.2 - Kurrajong Scarecrow Festival 2006 (Hawkesbury) - (79346)

REPORT:

Introduction

An application has been received seeking approval to conduct the Kurrajong Scarecrow Festival on Sunday, 29 October 2006. This is a full day festival held in Kurrajong and the applicant is seeking road closures of two sections of Old Bells Line of Road within the Kurrajong township.

Event Details:

Date: Sunday, 29 October 2006

Event 1: Main Road Closure
Old Bells Line of Road, 150m long road section between the Grose Vale Road intersection and the driveway to Kurrajong Antique Centre.
Time: 6.00am - 6.00pm

Event 2: Parade
Old Bells Line of Road, 300m long, between Kurrajong Road and Woodburn Road.
Time: 9.00am - 10.00am

Number of Participants: 500

Expected number of spectators: 300

Expected number of vehicles: 150

The applicant has advised that the safety of the festival will be improved with the removal of through traffic to these sections of road. Further, the area will provide a level area for stallholders and the public to walk through, as the local park is unsuitable for this purpose due to its varying levels and sloping banks.

The remainder of the town centre is also expected to be involved in this annual event with bunting and individual shop promotions during the day. Given that locals and tourists use Old Bells Line of Road to enter and leave the Kurrajong township on the western side of the township, a detour is proposed by the applicant to direct traffic to alternative entry points as shown on the attached Plan No: TR015/06.

The diversion route for traffic is:

East - West: Bells Line of Road to Grose Vale Road
via eastern leg of Old Bells Line of Road
Right at Kurrajong Road
Left at Woodburn Road
To Grose Vale Road

East - West: Bells Line of Road to western leg of Old Bells Line of Road
Via eastern leg of Old Bells Line of Road
Right at Kurrajong Road

Left or Right at Old Bells Line of Road

West - East: Bells Line of Road to Grose Vale Road
Via western leg of Old Bells Line of Road
Left at Kurrajong Road
Right at Woodburn Road
To Grose Vale Road

West - East: Bells Line of Road to eastern leg of Old Bells Line of Road
Via western leg of Old Bells Line of Road
Left at Kurrajong Road
To Old Bells Line of Road

The regulatory speed limit on Old Bells Line of Road in the vicinity of this event is 50kph with the approaching eastern leg of Old Bells line of Road and Grose Vale Road having a speed limit of 40kph.

Discussion

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 will disrupt minor traffic and transport systems due to the proposed road closures and there will be a low scale disruption to the non-event community.

It will be necessary for the event organiser to lodge an application seeking approval to conduct the event with the NSW Police Service. Traffic Management Plan (TMP) and the associated Traffic Control Plan (TCP) is to be submitted to Council for acknowledgement. The TMP and the associated TCP should be submitted to the RTA for authorisation due to the proposed road closure

RECOMMENDATION:

That:

1. This event planned for 29 October 2006, 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:

   <u>Prior to the event:</u>

   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 obtaining approval from the RTA as a road closure is proposed; a copy of the RTA approval be submitted to Council;

   c) the event organiser submitting a Traffic Management Plan (TMP) for the entire route incorporating a Traffic Control Plan (TCP) 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;

d) the event organiser submitting to Council a copy of its Public Liability Policy in an amount not less than $10,000,000 noting Council as an interested party on the Policy;

e) the event organiser advertising the event in the local press stating the road closure and the detour route two weeks prior to the event; a copy of the proposed advertisement be submitted to Council (indicating the advertising medium);

f) the event organiser notifying the details of the event to NSW Ambulance Service, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event;

g) the applicant directly notifying relevant bus companies, tourist bus operators, taxi companies, Kurrajong Rural Fire Service and all residences and businesses (shown on the attached Plan No: TR015/06) affected by the proposed road closure;

h) 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 travelling on winding, narrow, uneven gravel roads with steep roadside embankments and sharp bends; 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;

i) 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 web site at http://www.dsr.nsw.gov.au);

j) the event organiser submitting the completed "Special Event - Traffic Final Approval" form to Council;

During the event:

k) access being maintained for Kurrajong Rural Fire Service, businesses, residents and their visitors;

l) a clear passageway of at least 4 metres width being maintained at all times for emergency vehicles;

m) all traffic controllers / marshals operating within the public road network holding appropriate certification required by the RTA;

n) the riders are aware of and are following all the general road user rules whilst riding on public roads;

o) 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;

p) the competitors and participants be advised of the traffic control arrangements in place prior to the commencement of the event; and,

q) all roads and marshalling points are to be kept clean and tidy, with all directional signs to be removed immediately on completion of the activity.

APPENDICES:

AT - 1 Drawing No TR015/06 - Proposed Road Closure, Scarecrow Festival

**To view this image,
Please refer to the separate
Attachments Document (Maps)**

Item: 2.3 LTC - 16 August 2006 - Item 2.3 - Additions to Service Station - Car Wash and Cafe, Lot A DP411701, 126 Windsor Road, McGraths Hill - DA0291/06 (Hawkesbury) - (79339, 79346)

Ms Colleen Haron was present for the duration of this report.

REPORT:

Introduction

A development application has been lodged for additions to an existing service station located at Lot A DP411701, 126 Windsor Road, McGraths Hill.

The application is referred to the Local Traffic Committee due to the location of the property at the intersection of Windsor Road and Pitt Town Road; both roads are main/arterial roads.

Proposal

The additions to the service station include the construction of a car wash, café and additional car parking.

The land is located at the intersection of Windsor Road and Pitt Town Road, McGraths Hill. Two 12m wide driveways currently service the site.

Eighteen (18) additional car parking spaces have been proposed as per the attached plan.

The application is supported by a an 'Assessment of Traffic and Parking Implications', prepared by Transport and Traffic Planning Associates, Ref 0607, dated April 2006.

Traffic Issues

The 'Assessment of Traffic and Parking Implications Report concludes that the proposal:

- will not present any unsatisfactory traffic implications,
- will have suitable vehicle access arrangements, and
- will have satisfactory and appropriate queuing, circulation and parking provisions.

Car parking has been provided in accordance with the Hawkesbury Development Control Plan in respect to the number and dimensions of spaces required.

Concern has been raised in respect to safety when entering and existing the site given the location of access and the intersection of Windsor Road with Pitt Town Road. A copy of the Assessment of Traffic and Parking Implications Report is attached. There has been concern in relation to the 80kph speed limit in this area. Additional traffic movements at this location will increase the risk of collision with vehicles accessing/egressing the site.

The application is subject to further planning assessment.

RECOMMENDATION:

That the subject application be deferred pending receipt of advice from the Roads and Traffic Authority as to whether notified road widening affecting the property is to proceed or not.

APPENDICES:

AT - 1 Plan No. DA 102 - Proposed Car Wash/Café at Windsor Road, McGraths Hill

AT - 2 Assessment of Traffic and Parking Implications Report, prepared by Transport and Traffic Planning Associates, Ref 0607, dated April 2006 (Dataworks Doc.No. 2310856).

APPENDIX 1 - Plan No. DA 102 - Proposed Car Wash/Café at Windsor Road, McGraths Hill

To view this image,
Please refer to the separate
Attachments Document (Maps)

Item: 2.4 LTC - 16 August 2006 - Item 2.4 - Proposal for Car Wash, No. 70-74 George Street and No.3 Macquarie Street, Windsor - DA0385/06 (Hawkesbury) - (79346)

Mr Richard Nej was present for the duration of this report.

REPORT:

The Chairman advised that he had knowledge of this property as he worked in an adjoining property, and also advised Mr T O'Brien's written comment that this property abutted the Hawkesbury Electoral Office.

Introduction

A development application has been received seeking approval for the establishment of a manual car wash and associated café. The development involves the following:

- construction of a covered work area having an area of approximately 134 sqm
- two (2) car wash bays, one (1) last rinse bay and two (2) vacuum bays
- café area situated within existing covered area at the north western portion of car wash area
- ten (10) 90˚ angled car parking spaces situated along south western (side) boundary of site
- widened 11.30m combined entry/exit driveway onto Macquarie Street
- signalized entry signage and business identification signage
- hours of operation being 7.00am - 7.00pm Monday to Sunday

The application was accompanied by a traffic report titled *Traffic Impact Study – Proposed Car Wash at 3 Macquarie Street Windsor* prepared by Jamieson Foley Traffic and Transport Engineers, dated 12 July 2006. A copy of the Traffic Impact Study and plans are attached.

Subject Site

The site is situated within the Windsor Commercial Area being situated at the northern side of Macquarie Street approximately 30 metres to the south west of the signalized intersection of Macquarie Street and Bridge Street.

The site has a total area of 1 530.3sqm, it being noted that approximately half of which is proposed to be utilized for the car wash development, with a 19.79m frontage to Macquarie Street. The site contains existing heritage items consisting of commercial buildings forming part of the Thompson Square Conservation Area (No.s 70-72 George Street). The existing driveway provided from George Street, servicing the existing loading area (proposed to form the proposed café) and car parking area, is not proposed to be utilized as part of the car wash development.

Traffic Issues

The Traffic Impact Study has provided an assessment and examined the access, traffic and parking issues associated with the proposed development. The consultant has assessed the proposal with reference to the existing surrounding road system and has specifically addressed the following matters:

- Traffic Signal Queuing
- Traffic Safety Issues
- Entry Queuing Potential

The report concluded that:

- The proposed facility, limited as it is by the site dimensions would be restricted to three (3) wash bays, two (2) vacuum bays, on-site parking for approximately 11-13 vehicles and stored queuing for approximately 3-4 vehicles.

- Observation at similar sites suggests an egress volume of no more than about one (1) vehicle every few minutes.
- The presence of downstream signals would create queuing of traffic across the frontage of the site restricting access and egress.
- Traffic queuing as a consequence of vehicles entering the site could be addressed through use of a traffic controller with boom gate or two - aspect traffic control signal should such this issue become evident.
- The car wash facility is not in a particularly desirable location from a traffic operations viewpoint. However it poses no unusual traffic safety risk, and with appropriate entry queue management would pose no unusual traffic operations impact.

Assessment

Concerns are raised having regard to the suitability of the site to accommodate an intensive vehicle orientated activity given the location of access being situated in close proximity of the intersection of Macquarie Street and Bridge Street.

In this regard it is considered that vehicle entry movements onto the site will result in interruptions to traffic flow, particularly in relation to left hand turn movements onto Bridge Street. In addition, the entry of vehicles onto the site will create safety concerns as a consequence of these movements not being able to be clearly distinguished between normal left turn traffic movements into Bridge Street within the left turn lane.

It is also noted that exit movements from the site for vehicles wishing to turn right onto Bridge Street will require lane changes in close proximity to the intersection of Macquarie Street and Bridge Street.

It is noted that the traffic report details that a traffic controller is proposed to be provided during all times of operation of the premises with entry boom gate or signals operated by such controller to minimize the potential for queuing on Macquarie Street. It is considered that this would not alleviate adverse impact upon the operation of the adjacent road system.

Mr R McHenery and Senior Constable G Crawford expressed concern at the risk of rear-end collisions, as well as traffic delays associated with ingress/egress, given proximity to the signalised intersection at Bridge/Macquarie Streets, Windsor.

RECOMMENDATION:

That the application be referred to the Roads and Traffic Authority for further consideration in accordance with the provisions of SEPP11.

APPENDICES:

AT - 1 Traffic Impact Study – Proposed Car Wash at 3 Macquarie Street Windsor prepared by Jamieson Foley Traffic and Transport Engineers, dated 12 July 2006 (Dataworks Doc.No.2310855).

Item: 2.5 LTC - 16 August 2006 - Item 2.5 - Proposed Alterations and Additions to North Richmond Shopping Village, 16 Riverview Street, North Richmond - DA1100/05 (Hawkesbury) - (79346)

Mr Richard Nej was present for the duration of this report.

REPORT:

The Chairman advised an interest in this matter and left the meeting during consideration of this matter, with Mr C Amit being elected as Acting Chairman.

Introduction

Amended plans have been submitted removing the portion of the original application proposing development on Council's Riverview Street Car Park (situated at the intersection of Riverview Street and Pitt Lane).

The development application seeks approval for alterations and additions to the North Richmond Shopping Village. The development involves the following:

- change of major retail tenant from Bi-Lo to Coles
- additional 751.5sqm of floor space (5 151sqm to 5902.5sqm)
- increase in on-site car parking from 166 to 217 spaces (ie additional 51 spaces) as a result of rationalisation of existing car parking areas and extension of roof top car park on supermarket extension fronting Riverview Street (representing a surplus of 20 spaces above minimum requirement)
- rationalization of services including relocation of plant equipment on roof top car parking area for specialty shops and Coles tenancy including acoustic treatment of new plant rooms and air handler room
- increase in supermarket footprint with majority of additional area provided on existing vacant land situated adjacent to Riverview Street
- new public toilets provided at ground level adjacent to new travellator
- retention of existing Riverview Street driveways servicing the existing roof top car parking area
- new loading/unloading area designed to accommodate large rigid trucks servicing the Coles tenancy
- refurbishment and enlargement of existing loading dock area
- widened traffic aisles, new directional signage and car park surface directional arrows
- rationalization of the shopping village's at-grade car parking area to improve vehicle circulation
- new lighting for car park
- new garbage area within an upgraded unloading bay for Coles tenancy
- provision of travellator from existing Level 1 Car Park to ground level supermarket and specialty shops
- relocation of all existing plant equipment in an acoustically treated and screened area situated adjacent to Riverview Street

The application was also accompanied by a traffic report titled *North Richmond Village Shopping Centre Proposed Refurbishment and Additions - Assessment of Traffic and Parking Implications* prepared by Transport and Traffic Planning Associates Report No. 0517, dated July 2006.

A copy of the Traffic Impact Study and plans are attached.

Subject Site

The site is situated in the North Richmond commercial area on the south-western side of Bells Line of Road approximately 200 metres east of its intersection with Grose Vale Road. The site is bounded by Bells Line of Road, Pitt Lane and Riverview Street and is known as the North Richmond Shopping Village.

Traffic/Car Parking Issues

The Traffic Impact Study has provided an assessment and examined the access, traffic and parking issues with the proposed development. The consultant has assessed the proposal with reference to the existing surrounding road system and has specifically addressed the following matters:

- Road Network and Traffic Conditions
- Parking
- Traffic
- Service Delivery Access

The report concluded the following:

- The proposed parking provision will be adequate and appropriate.
- The vehicle access and circulation arrangements will be suitable and satisfactory.
- There will not be any adverse traffic outcomes.
- The provision for service vehicles will be appropriate.

Assessment

The level of on-site car parking satisfies the minimum requirement contained in Council's Development Control Plan 2002 as detailed in the traffic and car parking assessment submitted in conjunction with the application.

No new customer access points are proposed in conjunction with the application and it is considered that the access strategy associated with the proposed development will be able to satisfactorily accommodate the anticipated additional traffic volume.

The proposed loading dock area is considered satisfactory subject to adequate demonstration being provided that it will be capable of accommodating the turning paths of an articulated vehicle anticipated to service the site.

Original Notification

The plans submitted in conjunction with the original application were notified to adjoining property owners and occupiers. In response to this notification correspondence from Mrs J Ross, received 9 January 2006, (copy attached) was submitted raising a number of traffic related issues in relation to existing and proposed development on the subject site and requesting that these matters be considered by Council's Traffic Committee.

The principal issues raised in this correspondence are summarized below:

1. Traffic changes at the intersection of Kurrajong Road/Bells Line of Road have increased traffic flow on Pitt Lane (traffic count undertaken by Council for three (3) weeks commencing on 23 August 2005 provided that in excess of 1900 vehicles per day utilize Pitt Lane).
2. West bound traffic along Bells Line of Road is impeded due to queuing of vehicles turning right onto Terrace Road during peak periods.
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.
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.
5. Traffic flow will increase on roads adjoining the shopping centre with proposed changes.
6. The vehicle size restriction (3 tonne limit) is not being observed in Pitt Lane.
7. Insufficient manoeuvring 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.
8. Vehicles disobey the existing "give way" sign at intersection of Pitt Lane and Riverview Street.
9. Heavy vehicle movements left along Riverview Street from existing loading dock result in turning manoeuvres in Pitt Lane and Flinders Place impeding traffic flows.

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

In addressing the issues raised by Mrs J Rose (10 points above), the following summary is provided.

Points 1, 2 & 4 - currently with the RTA
Points 3, 5, 7, 9 & 10 - to be investigated by the Applicant
Points 6 & 7 - Refer to NSW Police Service.

RECOMMENDATION:

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.

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

APPENDICES:

AT - 1 Assessment of Traffic and Parking Implications, prepared by Transport and Traffic Planning Associates Report No. 0517, dated July 2006 (Dataworks Doc.No.2310854).

AT - 2 Architectural Drawings for North Richmond Village Upgrade (Dataworks Doc.No.2310854).

SECTION 3 - Reports for Information

Item: 3.1 LTC - 16 August 2006 - Item 3.1 - Lennox Street, Richmond - Regulatory Signage (Londonderry) - (80245)

REPORT:

In reference to Item 3.3 of the Local Traffic Committee held on 15 March 2006, in response to representations regarding disparity between "No Standing/No Stopping" signage on the northern side of Lennox Street, Richmond, immediately west of Page Street, the Committee resolved that the Roads and Traffic Authority be requested to investigate this matter and undertake any necessary works.

Correspondence (Dataworks Doc. No.2265401) has been received from the Authority advising:

"The Authority has investigated the matter and did not find any disparity between the existing signage along the northern side of Lennox Street nor were any 'No Standing' signs identified. A 'No Parking' sign was identified as missing on the southern side of Lennox Street immediately west of the intersection with

Paget Street. The RTA will arrange for appropriate action to be taken to have the missing sign replaced as soon as possible."

RECOMMENDATION:

That the information be received.

APPENDICES:

There are no supporting documents for this report.

SECTION 4 - General Business

Item: 4.1 LTC - 16 August 2006 - Item 4.1 QWN (80245)

Mr J Christie

REPORT:

Advised of excessive speed of motorists in approaching the Howes Creek Causeway, Tennyson Road, East Kurrajong, with many vehicles crossing the centre-line, as well as the need to upgrade warning signage on approaches to the Causeway.

RECOMMENDATION:

That:

1. this matter be referred to the Construction & Maintenance Section for investigation and installation of required warning signage.

2. the issue of speeding vehicles be referred to the NSW Police Service for inclusion of the location as part of its routine patrols.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Wednesday, 20 September 2006 at 3.00pm in the Large Committee Room, Council Chambers.

The meeting terminated at 5.07pm.

oooO END OF REPORT Oooo

ordinary meeting

end of business paper

This business paper has been produced electronically to reduce costs, improve efficiency and reduce the use of paper. Internal control systems ensure it is an accurate reproduction of Council's official copy of the business paper.