



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 26 June 2012

location: council chambers

time: 6:30 p.m.



mission
statement

***“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 generally held on the second Tuesday of each month (except January), and the last Tuesday of each month (except December), meeting dates are listed on Council's website. The meetings start at 6.30pm and are scheduled to conclude by 11:00pm. These meetings are open to the public.

When an Extraordinary Meeting of Council is held, it will usually also be held on a Tuesday and start at 6.30pm. 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 items 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 by 3:00pm on the day of the meeting, of those items they wish to discuss. A list of items for discussion will be displayed at the meeting for the public to view.

At the appropriate stage of the meeting, the Chairperson will move for all those items which have not been listed for discussion (or have registered speakers from the public) to be adopted on block. 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 an item raised in the business paper at the Council meeting. You must register to speak at a Council meeting. To register you must lodge an application form with Council prior to 3:00pm on the day of the meeting. The application form is available on the Council's website, from the Customer Service Unit and by contacting the Manager - Corporate Services and Governance on (02) 4560 4426 or by email at council@hawkesbury.nsw.gov.au.

The Mayor will invite registered persons to address the Council when the item is being considered. Speakers have a maximum of five minutes to present their views. The Code of Meeting Practice allows for three speakers on the Proponent side (i.e. in support) and three for the Respondent side (i.e. in objection). If there are a large number of speakers for one item, speakers will be asked to organise for three representatives to address the Council for either the Proponent or Respondent side (six speakers in total).

Voting

The motion for each item listed for discussion will be displayed for Councillors and public viewing, if it is different to the recommendation in the Business Paper. The Chair will then ask the Councillors to vote, generally by a show of hands or voices. Depending on the vote, a motion will be Carried (passed) or Lost.

Planning Decision

Under Section 375A of the Local Government Act 1993, voting for all Planning decisions must be recorded individually. Hence, the Chairperson will ask Councillors to vote with their electronic controls on planning items and the result will be displayed on a board located above the Minute Clerk. This will enable the names of those Councillors voting For or Against the motion to be recorded in the minutes of the meeting and subsequently included in the required register. This electronic voting system was an innovation in Australian Local Government pioneered by Hawkesbury City Council.

Business Papers

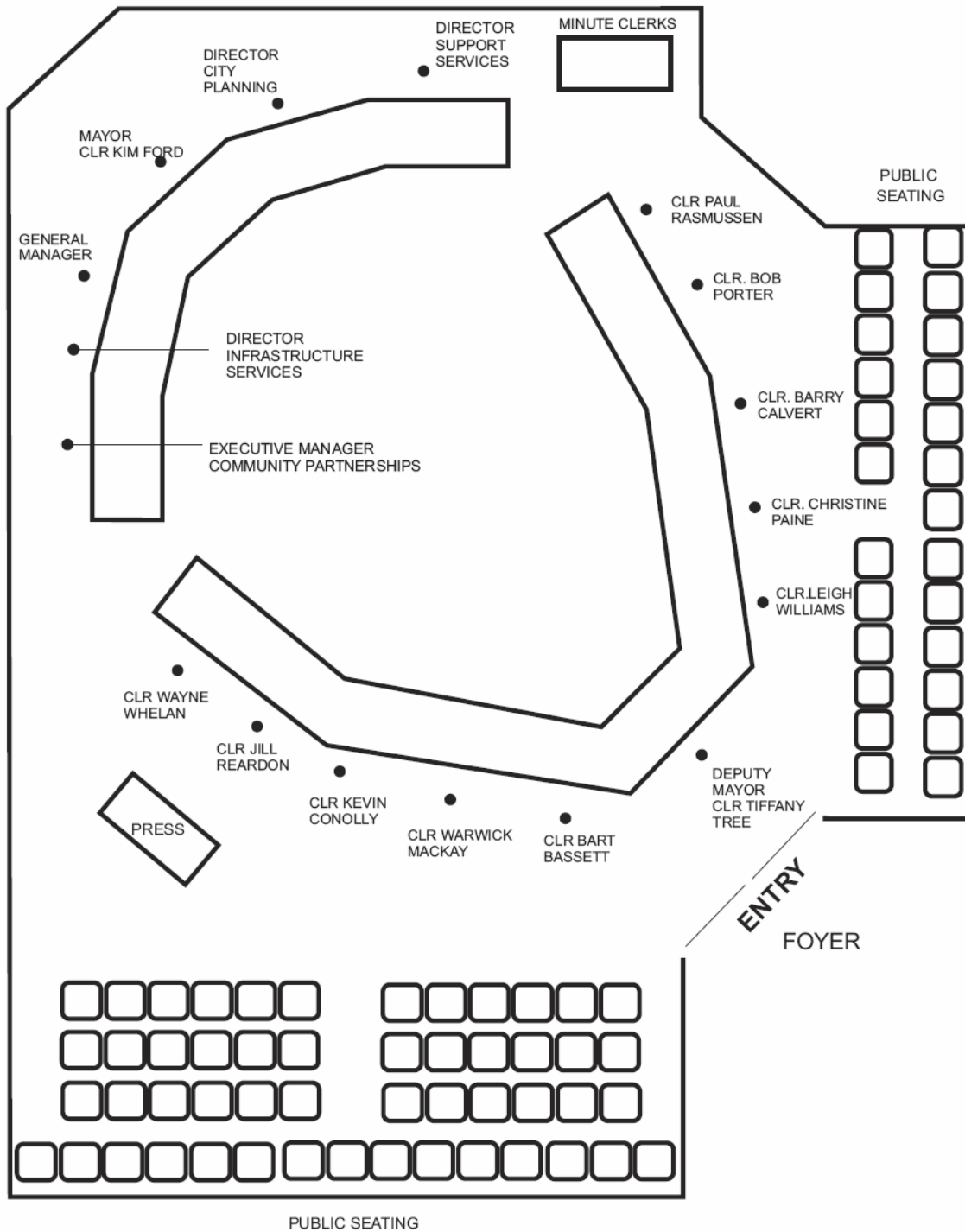
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

Hard copies of the business paper can be viewed at Council's Administration Building and Libraries after 12 noon on the Friday before the meeting, and electronic copies are available on CD to the public after 12 noon from Council's Customer Service Unit. The business paper can also be viewed on the public computers in the foyer of Council's Administration Building.

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



AGENDA

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **QUESTIONS WITH NOTICE**
- **SECTION 3 - Notices of Motion**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 4 - Reports for Determination**
 - General Manager**
 - City Planning**
 - Infrastructure Services**
 - Support Services**
- **SECTION 5 - Reports of Committees**
- **QUESTIONS FOR NEXT MEETING**

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SECTION 3 - Notices of Motion

**NM - Possible Amendment of Hawkesbury Local Environmental Plan Regarding Second Dwellings -
(79351, 90479)**

Submitted by: Councillor B Bassett

NOTICE OF MOTION:

That a report be submitted to Council regarding the possible amendment of the Hawkesbury Local Environmental Plan to incorporate provisions, similar to those utilised by The Hills and Penrith City Councils, allowing second dwellings on appropriately sized lots and the possible implementation of an associated infrastructure levy where a second dwelling is approved to contribute to the cost of upgrading infrastructure, including roads, affected by such approvals.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 91 GM - 2012 Australian Economic Forum (79351)

REPORT:

Executive Summary

The 2012 Australian Economic Forum will be held in Sydney on 19 - 20 July, 2012 and attendance by nominated Councillors and staff as considered appropriate by the General Manager is recommended.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

The 2012 Australian Economic Forum will be held 19 - 20 July, 2012 in Sydney. The Forum brings together international economists, government representatives, business professionals and academics to discuss important current and future economic issues. Now in its fourth year, the Australian Economic Forum has already established itself as a leading forum for economic debate in Australia. The 2012 Forum provides a unique opportunity for delegates and internationally recognised presenters to engage in the analysis of the challenges facing the Australian economy and possible policy prescriptions which will promote economic growth and the future wellbeing of Australians.

Cost of attendance at the 2012 Australian Economic Forum will be approximately \$1,350.00 plus travel expenses per delegate.

It should be noted that cost associated with attendance at the 2012 Australian Economic Forum will be incurred in the delegate expenses budget for the next financial year 2012/2013. The 2012/2013 Budget contains a provision of \$44,000 for Delegates Expenses.

Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Have transparent, accountable and respected leadership and an engaged community.

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Work with other levels of government to ensure an equitable share of taxes.
- Have ongoing engagement and communication with our community, governments and industries.

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Financial Implications

Funding for this proposal will be provided from the 2012/2013 Delegates Expenses Budget.

RECOMMENDATION:

The attendance of nominated Councillors and staff members as considered appropriate by the General Manager, at the 2012 Australian Economic Forum at an approximate cost of \$1,350.00 per delegate, plus travel expenses be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 92 GM - Small Business Week 2012 - (79351)

REPORT:

Executive Summary

In the first week of June 2012, Council hosted a Small Business Week (SBW) under the banner of Small Business Hawkesbury. The SBW included learning and assistance seminars and workshops and networking activities for local business. Program partners and presenters included government agencies, business support agencies, local business groups and business operators.

A total of approximately 130 persons attended activities, which is considered to be a good result for the first SBW. Attendees included people in various stages in the business cycle e.g. looking to start up, start ups, existing businesses, etc.

It is intended to continue SBW next year to build interest and knowledge about it and to support and encourage the local business community. Information regarding the SBW is submitted for Council's information.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

The purpose of the SBW was to provide a range of learning, assistance and networking activities locally to support the business community and was delivered by government agencies, business support agencies, training providers and local business groups who support local business or are involved in business processes.

It was also a trial to test interest in locally provided business activities, knowing that businesses find it unfavourable to travel to Sydney, Parramatta, Blacktown and Penrith for government agency activities. In the past it has been the preference of government agencies to deliver learning and other activities in larger centres, requiring business operators to travel during work hours, which is not conducive to running a business.

SBW partners and activity presenters included: Australian Tax Office, AusIndustry – Small Business Advisory Services, TAFE NSW – Western Sydney Institute, the local Business Enterprise Centre - Penrith Valley and District (BEC); NBN Co, Windsor Business Group (WBG), Hawkesbury Chamber of Commerce (Chamber) and Hawkesbury Radio. The week was packaged around the ATO's new Western Sydney Small Business Assistance Program, which delivers a range of seminars, workshops and one-on-one sessions across western Sydney in the month of June.

Details about the SBW included:

- Activities were held over four days (Monday to Thursday);
- Activities were offered in the morning, afternoon and evening to cater for business operator needs;
- Approximately 130 persons attended the activities;

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- Attendees were mainly from the Hawkesbury LGA, though some came from Penrith, Blue Mountains and The Hills LGAs, demonstrating business connections beyond the LGA boundary;
- Communications included:
 - Print Media Council's public notice and Mayoral Column in local papers; advertisements and editorial in local papers; event program;
 - Digital Media Third party distribution email newsletters (with event program) - training providers, business groups – Chamber, WBG, Hawkesbury BEC; TAFE, ATO.

Learning activities were: Tax Basics, Tax Record Keeping, Customer Service, Keeping your Business Safe and How to use Facebook to Grow your Business.

Assistance activities included: one-on-one tax help for business sessions.

Networking activities included: Business week launch/ networking with Council, WBG, TAFE, NBN Co, and AusIndustry; and After 5 Event with the Chamber and TAFE.

The three most popular activities were: Keep your Business Safe workshop (25 attendees); Tax Basic Seminar (27 attendees for three sessions); How to use Facebook to Grow your Business (29 attendees).

Feedback from attendees at the sessions was overall positive in terms of the packaged business week, learning topics, local delivery, venue (community rooms at Deerubbin centre), opportunity to network at sessions and Council's effort to coordinate an event for businesses. A number of attendees attended all the activities.

The ATO has indicated that it will continue its Western Sydney Small Business Assistance Program in 2013 and wishes to continue to partner with Council. With this in mind Council officers will work with the ATO to ensure it is part of next year's SBW and that other seminars and workshops are provided. Council officers will liaise with the BEC (Australia Government funded) about other activities in the area and the local Business Advisory Centre (State Government funded) concerning its activities in the area (noting that it now comes under the Commissioner for Small Business).

Information regarding the SBW is submitted for Council's information.

Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Offer an increased choice and number of local jobs and training opportunities to meet the needs of Hawkesbury residents and to reduce their travel times.

and is also consistent with the nominated strategies in the Community Strategic Plan being:

- Encourage stronger relationships between the business and community sectors, education and training providers to increase local career options.
- Work with industry and education providers to promote sustainable business practises.

and is also consistent with Supporting Business and Local Jobs Goal in the Community Strategic Plan being:

- Integration of education, training and industry development.

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- Increased patronage of local businesses and attract new residents and visitors.

Financial Implications

SBW costs were met from the budget allocation for Strategic Activities in the 2011/2012 Budget.

RECOMMENDATION:

That the information regarding Small Business Week Hawkesbury 2012 be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 93 GM - Defence Posture Review and Defence White paper 2013 (79351)

Previous Item: Item 22, Ordinary (23 February, 2010)
Item 23, Ordinary (23 February, 2010)
Item 201, Ordinary (13 September, 2011)
Item 46, Ordinary (24 April, 2012)
Item NM1, Ordinary (29 May, 2012)

REPORT:

Executive Summary

A declassified version of the final report of the Australian Defence Force Posture Review (Posture Review) was released by the Defence Minister, Stephen Smith on 3 May 2012. The Posture Review was presented to the Minister on 30 March 2012.

A posture review considers the geographical positioning of the Australian Defence Force (ADF) for the country's current and future strategic and security challenges. It is primarily concerned with the location of ADF bases and estate. The Posture Review is to be part of the next the Defence White Paper process to help inform the strategic context for Defence policy.

The Prime Minister and the Defence Minister announced on 3 May 2012 that the Australian Government will bring forward the next Defence White Paper to 2013, from 2014 (current: Defence White Paper 2009).

The Posture Review and an Australian Defence Force Structure review (considering costed ADF structure options) will both inform the Defence White Paper 2013.

The Posture Review indicates that RAAF Base Richmond is an essential base for the ADF even though the ADF intends to position more of its bases in Australia's North and West for strategic and security needs, there will be a likely Air Force's service level reduction as outlined in Recommendation 26, and there will be a continued need of RAAF Base Richmond for Army Airlift operations for Sydney.

The purpose of this report is to provide an overview of the Posture Review and outline Council's previous resolutions of relevance. Information regarding the Posture Review and the next Defence White Paper is submitted for Council's information and consideration.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

The Posture Review's final report was submitted to the Australian Government on 30 March 2012; and a declassified version was released for public consumption on 3 May 2012. While the Posture Review outlines a range of options for the Australian Government, no decisions will be made on these options until they have been considered as part of the development of the next Defence White Paper 2013 (Defence policy).

A posture review considers the geographical positioning of the Australian Defence Force (ADF) for the country's current and future strategic and security challenges. It is primarily concerned with the location of ADF bases and estate.

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The Department of Defence undertook the Posture Review and was overseen by a panel made up of two renowned Australian national security specialists: Dr Allan Hawke and Mr Ric Smith. The Posture Review builds on the strategic and capability judgements contained in the Defence White Paper 2009 and considers force posture implications for a range of global, regional and national strategic and security factors. The scope of the review includes reviewing factors associated with:

- the rise of the Asia-Pacific as a region of global strategic significance;
- the rise of the Indian Ocean rim as a region of global strategic significance;
- the growth of military power projection capabilities of countries in the Asia Pacific;
- the growing need for the provision of humanitarian assistance and disaster relief following extreme events in the Asia Pacific region; and
- energy security and security issues associated with expanding offshore resource exploitation in our North West and Northern approaches.

The Posture Review was informed by Defence's assessment of basing requirements and the possible resulting changes to Defence's estate over the next 25 years. It also examined logistics support requirements, training areas for large-scale and joint training exercises, demographic and economic factors, public communications stragglers, and engagement with industry in Australia's North and West. Notably, the finding of the Posture Review has regard to work underway with the United States on its Global Force Posture Review initiatives involving Australia.

A copy of the Posture Review is included as Attachment 1. The executive summary includes 39 recommendations and the chapters of the review are outlined below. More information on the Posture Review can be found at <http://www.defence.gov.au/oscdf/adf-posture-review/>.

The chapters to the Posture Review are:

- One - Force Posture
- Two - Strategic & Capability Judgements
- Three - Economic & Demographic Trends
- Four - Securing Australia's North
- Five - Australia's Offshore Territories
- Six - The Current & Future Force Posture
- Seven - Force Enablers
- Eight - Overseas Partners
- Nine - Resources

Key summary points of the Posture Review are:

1. Although Australia's changing strategic environment does not necessitate widespread changes in the location of the ADF's bases, ADF posture needs to be adjusted to meet current and future needs.
2. While there is much that is commendable in the ADF's current force posture, there are also some significant weaknesses and risks that will become more pressing over coming years in meeting Force 2030 requirements. These mostly relate to the capacity of ADF bases, facilities and training areas to support current and future capabilities, particularly in Australia's North and West, and our ability to sustain high tempo operations in Northern Australia and our approaches, the immediate neighbourhood and the wider Asia-Pacific region.

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3. This Review's recommendations should help to ensure an appropriate focus on the key issues and proposes options for further improvements to our force posture. Defence is already working to address many of the weaknesses and risks we have identified.

The Posture Review is focused on ADF posture and estate in Australia's North and West; and operations in the wider Asia Pacific region and the Indian Ocean Rim. Land and maritime capabilities will be essential. In terms of Air Force, the Posture Review found that while Air Force bases are well-located, many currently lack the capacity to fully support new platforms, and some air bases in Northern Australia face significant logistics constraints. Defence should upgrade bases at Edinburgh, Learmonth, Pearce, Tindal and Townsville to enable unrestricted operations by KC-30 and P-8 aircraft and that Defence should upgrade Curtin, Learmonth, Tindal and Townsville, with Scherger as a lower priority, to support future combat aircraft operations.

RAAF Base Richmond has been considered in the Posture Review; and relevant recommendations and assessments are:

- **Recommendation 26**

Defence should develop options for reducing Air Force's footprint at RAAF Base Richmond after the retirement of the C-130H fleet by 2015 and the C-130J fleet by 2026. Richmond would need to continue to be able to support ADF air capabilities with a Defence precinct that could support domestic security operations in Sydney if required.

- **Assessments**

1.32 *Joint Study on Aviation Capacity for the Sydney Region:* The joint study of aviation capacity issues in the Sydney region recently reported to the Commonwealth and New South Wales Governments. Its report includes two recommendations on civil aviation demand for access to RAAF Base Richmond and RAAF Base Williamstown.

6.1 Although Australia's changing strategic environment does not necessitate widespread changes in the location of the ADF's bases, ADF posture needs to be adjusted to meet current and future needs.

6.2 While there is much that is commendable in the ADF's current force posture, there are also some significant weaknesses and risks that will become more pressing over coming years. These mostly relate to the capacity of ADF bases, facilities and training areas to support current and future capabilities, particularly in Australia's North and West, and our ability to sustain high tempo operations in Northern Australia and our approaches, the immediate neighbourhood and the wider Asia-Pacific region.

6.56 Air Force has bases close to Army's manoeuvre formations in Brisbane, Darwin, Townsville and Adelaide and the Special Operations hubs in Perth and Sydney from which it can deliver airlift for operations. RAAF Amberley and Richmond remain effective permanent bases for generating the majority of Air Force's airlift capability (C-17s and C-130s).

6.57 Current plans for the basing of the future fixed-wing battlefield airlifter envisage interim basing at Richmond before permanent basing at Amberley. While Caribou aircraft were based in Townsville to be nearer to potential operating areas and the Army's ready deployment brigade (under the old pre-'Plan Beersheba' structure), the Caribou's replacement will be faster and have a longer range. As a result, permanent basing in Townsville should not be necessary.

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- 6.69 This Review does not recommend changing Williamstown's status to a joint user airfield. Looking out to 2030 and beyond, Williamstown is likely to face increasing demands for civil aviation access due to increasing air traffic in the Sydney and Hunter regions. This is supported by the recent *Joint Study on Aviation Capacity for the Sydney Region* which points out (in Recommendation 11 of its report) that any expansion of civil air services at Williamstown should not compromise its primary function as an Air Force fighter base. It recommended a joint Australian-NSW Government study to determine Williamstown's capacity for future civil aviation use. This recommendation also stated that Commonwealth and State Government action was needed to protect Williamstown and Newcastle Airport from encroaching urban development.
- 6.72 The joint study on the Sydney region's aviation capacity recommends (in Recommendation 14 of its report) that the Department of Infrastructure and Transport take action to progressively open Richmond to a level of civil air traffic using the existing east-west runway alignment. It would be possible to reduce Air Force's footprint at Richmond after the retirement of the C-130H fleet by 2015 and the C-130J fleet by 2026, and thus allow the Base to be used by a civilian operator. Richmond would continue to support ADF air capabilities as well as Sydney's civil aviation needs and retain a Defence precinct that could support domestic security operations in Sydney if required.

It would appear from the Posture Review that RAAF Base Richmond is an essential base for the ADF even though the ADF intends to position more of its bases in Australia's North and West for strategic and security needs, there will be a likely Air Force's service level reduction in Recommendation 26, and there will be continued need of RAAF Base Richmond for Army Airlift operations for Sydney.

However, at the same time, the Posture Review is flagging a possible new ADF position on civil access to RAAF Base Richmond, which it has not done before, and this may be reflected in the next Defence White Paper. This is interesting given Air Force's recent review of arising issues with civil access to RAAF bases e.g. RAAF Base Williamstown. It is known that the Australian Government has stated it is committed to allowing some access to all Defence airfields and the Joint Study on aviation capacity in the Sydney region (undertaken for the Aviation White Paper) indicated the government is advised to start action to open RAAF Base Richmond to a civil traffic using the existing runway. It would appear that the Australian Government is moving to address the overlap between the Defence White Paper and the Aviation White Paper that applies to RAAF Base Richmond.

As Council has been doing, it is important that the interrelationship between the Defence White Paper (and associated reviews and studies) and the Aviation White Paper (associated studies and reports) are considered concurrently to be aware of the impact on the Hawkesbury area and to inform Council's position on RAAF Base Richmond.

It is not clear what the role of RAAF Base Richmond might be if the site of the second Sydney airport is not resolved.

Council resolutions history

The following Council resolutions track matters related to RAAF Base Richmond.

Council at its meeting held on 2 October 2008, in regard to RAAF Base Richmond, resolved:

"Council continue to support the need for the retention of the Richmond RAAF Base as both an important defence facility for the Nation and as an integral part of the local region's economy and community and the retention and continued operation of the Airlift Group out of RAAF Base Richmond."

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In Council's submission to the Discussion Paper on "Key Questions for Defence in the 21st Century", a step in the Defence White Paper process, the following submission was made:

"Council requests that as an outcome of the National Aviation Policy White Paper that the Government ensures RAAF Base Richmond is not an option in any other policies of Government and is retained as a strategic Defence facility. "

The above Resolution was followed up with a Mayoral Minute on RAAF Base Richmond, at the Council meeting on 24 November 2009, where it was resolved (in part):

"That:

Council once again make representations to the Prime Minister, Minister for Defence, Minister for Infrastructure, Transport, Regional Development and Local Government and Local State and Federal Members of Parliament (Greenway and Macquarie), requesting their continued support for Richmond to continue as a permanent operational facility for defence purposes in line with the commitment that was made prior to the last Federal election."

The above Mayoral Minute was actioned and Council's representations referenced the then Shadow Minister for Defence's advice on RAAF Base Richmond (26 September 2007) being:

"Labour has no plans to alter the status of RAAF Base Richmond, and should we be elected to Government later this year Richmond will continue as a permanent operational facility."

A response to Council's representations was received from The Hon. Anthony Byrne MP, Parliamentary Secretary to the Prime Minister dated 18 January 2010 (amongst others) which states (in part):

"The government will continue to use the Airforce Base Richmond as a Defence operational facility, consistent with its pre-election commitment."

Council at its meeting on 23 February 2010 addressed the Defence White Paper and resolved:

"That:

- 1. The information concerning the Defence White Paper 2009 be received.*
- 2. Council continue to advocate its position on RAAF Base Richmond whenever the opportunity arises and be part of any invited process/ committees to remind the Government of the impact of its decisions on local communities."*

Council at its meeting on 23 February 2010 addressed the National Aviation White Paper and resolved:

"That:

- 1. The information concerning the Aviation White Paper 2009 be received.*
- 2. Council continue to advocate its position on RAAF Base Richmond whenever the opportunity arises and be part of any invited process/committees to remind the Government of the impact of its decisions on local communities."*

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Council at its meeting on 13 September 2011 addressed the Royal Australian Air Force's review into the Civil Aviation Access to Air Force Airfields (RAAF Review) and resolved:

"That:

- 1. The information regarding the Royal Australian Air Force – Review of Civil Aviation Access to Air Force Airfields (RAAF Review) be received.*
- 2. Council make a submission to the RAAF Review in regard to proximity to shared Defence airfields near large urban centres, RAAF Base Richmond and the National Aviation Policy based on the position indicated in previous resolutions in this regard.*
- 3. The Minister for Infrastructure and Transport be requested to advise on how the RAAF Review will be addressed in the National Aviation White Paper to ensure priority military capability at Defence airfields are not compromised by any shared Defence airfields.*
- 4. The Minister for Defence be requested to advise on how the RAAF Review will be addressed in Defence policy and how Defence will progress priority military needs at Defence airfields in the National Aviation White Paper.*
- 5. Any submission made by Council reinforce Council's desire for the Airlift Group to be retained at the RAAF Base Richmond."*

The above resolution was actioned and acknowledgment letters were received from the Ministers Departments.

Council at its meeting on 24 April 2012 addressed the Joint Study on aviation capacity in the Sydney region and the Aviation White Paper 2009 and resolved:

"That the information regarding the Joint Study on the aviation capacity in the Sydney region be received."

Council at its meeting on 29 May 2012 considered a notice of motion on Defence Expenditure Reduction and resolved:

"That Council:

- 1. Write to the Prime Minister, Julia Gillard and Defence Minister, Stephen Smith to seek assurances that the Federal Government will maintain RAAF Richmond as an operational military only facility and retain the Air Lift Group at Richmond following the \$251 million cut backs announced in the budget for the retirement of the C-130h heavy transport fleet based at Richmond and also seeking advice as to proposed timetable for the replacement of the Hercules and investment of funds for the improvement of infrastructure at the Base.*
- 2. Seek assurances that the retirement of the fleet will not result in the loss of local jobs or reduce the ability of our Defence forces to respond to military, humanitarian and peace keeping operations.*
- 3. Also seek the support of the Opposition Spokesperson for Defence, the local Federal Member, and the local Labor Spokesperson for Macquarie in respect of Council's representations in this regard."*

Appropriate correspondence has been forwarded as a result of the above resolution, however, no responses have been received to date.

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Information regarding the Posture Review and the next Defence White Paper is submitted for Council's information and consideration.

Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Maintain its independent identity and voice through strong local government and community institutions.
- Plan a range of industries that build on the strengths of the Hawkesbury to stimulate investment and employment in the region.

and is also consistent with the nominated strategies in the Community Strategic Plan being:

- Have ongoing engagement and communication with our community, governments and industries.
- Develop economic development strategy that promotes local industry in a regional context.

It will also contribute to Goals:

- Work together with community to achieve a balanced set of decisions that integrate jobs, housing, infrastructure, heritage and environment.
- Jobs across a greater range of industry sectors.

Financial Implications

There are no funding implications for considering this report.

RECOMMENDATION:

That the information regarding the Defence Posture Review and the Defence White Paper 2013 be received.

ATTACHMENTS:

- AT - 1 Australian Defence Force Posture Review, 30 March, 2012 (declassified) - *(Distributed Under Separate Cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

CITY PLANNING

Item: 94 CP - Request to revoke Dangerous Dog Declaration - (96330, 95498)

REPORT:

Executive Summary

An application to revoke a Dangerous Dog Declaration, under Section 39(1) of the *Companion Animals Act* that was issued by Hawkesbury City Council on 28 January 2011, has been received from the owner of the dog at Blacktown Road, Freemans Reach.

Under the provisions of the *Companion Animals Act*, the owner of a dog that has been declared dangerous, can apply to the Council of the area in which the dog is ordinarily kept (whether or not it is the Council that made the declaration) for the declaration to be revoked. The application cannot be made until 12 months after the dog was declared dangerous.

It is proposed that the subject dangerous dog declaration not be revoked due to existing inadequate fencing of the property to keep the dogs kept at the premises contained within the boundaries of the property at all times. In this regard there is a risk that the dog may reoffend if allowed to enter public land or adjoining properties.

Consultation

Discussions with Council's Animal Control Officers has confirmed that there have been no other issues with the offending dog since the order was declared, as the dog owner had eventually put all legislative requirements of owning a dangerous dog in place whilst the dog was housed at Freemans Reach.

The owner has previously supplied a temperament assessment certificate from an accredited temperament assessor No. TA0030 dated 10 March 2011, with findings that the subject dog did not exhibit any aggression towards people or other dogs and appeared to be "*a nice friendly family pet*".

A letter was also previously received from Mr John McGarry BVSc. of Richmond Veterinary Hospital, dated 8 February 2011 stating that the subject dog presented as a quiet placid animal, with no aggression and that the dog was highly unlikely to attack a person.

The owner has also supplied a four page petition from friends, family and acquaintances regarding their opinions that the subject dog is not dangerous.

Background

Council placed a Dangerous Dog Order on a dog, being a female Staffordshire Terrier X Bull Terrier on 28 January 2011. The declaration was issued in response to a report of the dog attacking a woman and inflicting bite wounds to her leg on 25 December 2010 which required hospital attention. Police took a statement from the injured party and later provided Council with a report of the incident.

The Police report alleged that the same dog was involved in a similar incident eight months earlier that was the subject of a previous report from them to Council. Council also obtained Statutory Declarations from the victim and the witness prior to issuing the dangerous dog order.

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Subsequent to the issuing of the dangerous dog declaration the owners were issued with two penalty infringements, one for the dog attacking a person, and the other for the dog not being housed in a safe manner after the dangerous dog declaration was made, i.e., whilst the child proof enclosure was being constructed to permanently house the declared dangerous dog.

Both of these infringements were disputed by the dog owner who elected to have them heard before a magistrate at our Local Court.

Both these matters were defended by Council, represented by one of Council's contracted law firms, which resulted in the infringement for the dog "not being safely housed in a suitable temporary enclosure whilst the child proof enclosure was being constructed", being dismissed. In this regard the Magistrate considered that the dog being kept in the house satisfied this requirement, even though visitors to the premises would be exposed to what was declared a dangerous dog.

The matter of the infringement for the dog attacking a person was also dismissed with Council's lawyers submitting the following reasons for such dismissal:-

"His Honour noted that the charge required the prosecution to prove beyond reasonable doubt that the dog "....." was responsible for the attack. His Honour referred to the transcript of the evidence of the victim and the other witness, and indicated that he had doubts that the dog responsible had been correctly identified. His Honour referred to the difficulties that the victim had in identifying the dog responsible and also the evidence of the witness. His Honour observed that both witnesses had conceded in evidence they could have been mistaken about the identification of the dog responsible.

*In such circumstances, His Honour indicated that where such doubts existed, the burden of proof was not made out and the charge accordingly was dismissed. **His Honour did remark however, that if the onus of proof was the civil test of "balance of probabilities", a Court would have found the dog "....." was responsible for the attack.***

(Bold inserted for this report).

These decisions have resulted in the owner of the subject dog believing that dog is innocent and was not responsible for the attack. However, it should be noted that from "His Honours" last statement shown above in bold text, that it was a matter of the evidence being "beyond reasonable doubt" that caused the infringement to be dismissed in relation to the attack on the victim. From his statement it appears that all the other evidence put before the Court in relation to this matter, apart from the witnesses having difficulties identifying the dog that did the attacking from photos produced in Court on the day of the trial, that the charge may have been proven under the "balance of probabilities".

Recommendations from the Animal Control staff who have dealt with this matter have concluded that if the Declaration was lifted there is an unacceptable risk that another person may be attacked and injured by the subject dog. This conclusion is based on the previous history, NSW Police reports and Statutory Declarations from a person who has previously been affected by dogs owned by the applicant and her partner.

Animal Control staff are also dealing with matters relating to other dogs kept on the property in recent times that have resulted in a "Nuisance Order" being served upon the landowner's partner in relation to another dog as there is inadequate fencing surrounding the premises to cause the dogs kept on the property, to remain on the property, when not under the direct supervision of their owners. It seems evident that the only reason there have not been any further issues with the dog is due to her being kept in a suitable child proof enclosure and governed by strict control requirements whilst outside of this enclosure.

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It is important that Council considers its duty of care to the community when contemplating applications to revoke Dangerous Dog Declarations. As much as it needs to consider the rights of the dog and its owner, based upon the "balance of probabilities" that exist from past experiences with dogs owned by the applicant and her partner, there is an overwhelming need to err on the side of caution, and until such time as the fencing is upgraded to prevent the dogs leaving the premises the application to revoke the Dangerous Dog Declaration is recommended for refusal.

However, it is suggested that should the property be suitably fenced to prevent all dogs on the property from accessing a public place, Council could then consider another application for the revocation of the Dangerous Dog Order. The current concern is that the property is inadequately fenced to ensure that all animals are retained on the land.

Section 9.7.2. of the 2010 Guideline on the Exercise of Functions under the *Companion Animals Act*, stipulates that a dangerous dog order can only be revoked by a resolution of Council.

Conformance to Community Strategic Plan

The proposal is consistent with the Looking After People and Place Directions statement;

- *Have friendly neighbourhoods, connected communities, and supported households and families.*

Financial Implications

No financial implications associated with this report

RECOMMENDATION:

That:

1. The dangerous dog declaration placed on the dog, a female Staffordshire Terrier X Bull Terrier on 28 January 2011 not be revoked until such time as the owner of the dog can demonstrate to Council's Animal Control Officers, that dogs kept on the property can be contained on the property, by installing suitable and adequate perimeter fencing of the house yard, to prevent them escaping into adjoining properties and public land.
2. The applicant be invited to make a further application to revoke the Dangerous Dog Declaration, once the fencing required by Part 1 above has been completed and approved by Council's Companion Animal Officer supervisor.
3. The applicant be notified in writing of the reasons for refusal of the revocation application of the Dangerous Dog Declaration and invited to reapply for further consideration of this decision in accordance with Part 2 above.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 95 CP - Proposed Policy - Desexing of all Cats and Dogs Sold through Hawkesbury City Companion Animal Shelter - (96330)

REPORT:

Executive Summary

It is proposed to create a new Policy of Council that would require all cats and dogs sold from the Council's Animal Shelter to be desexed prior to the purchaser taking possession of the animal.

The co-operation of local Veterinary Practices in the Hawkesbury has been sought to provide low cost desexing and health services at a set price across all participating practices. This has received favourable written responses from nine out of the ten practices that operate in the Hawkesbury Local Government Area (LGA) that they are willing to be part of the program.

It is proposed that the Policy and new pricing structure, be placed on public exhibition for 28 days, in accordance with the requirements of the *Local Government Act 1993*, to allow public consultation prior to the introduction of the new Policy and associated pricing structure.

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. The community engagement process proposed in this report meets the criteria for community engagement required under Council's Policy.

The new fees for the purchase of a cat or dog from the Hawkesbury City Companion Animal Shelter for the 2012/2013 financial year, together with the policy proposal, will be advertised for public comment for a period of 28 days in accordance with Sections 610F and 705 of the *Local Government Act 1993*.

A meeting with all participating Veterinary Surgeons will be organised to ensure all parties are satisfied with how the program is to operate once the public consultation process has been completed, and the decision to commence the program has been made.

Background

Council staff have over the past few months been considering a number of requests from animal welfare agencies and associates that assist in rehoming unwanted cats and dogs from Council's Animal Shelter, to have Council set a policy of only selling desexed cats and dogs from the Shelter. These agencies strongly believe that there would be a major reduction in the number of unwanted animals needing homes if this Policy were adopted.

The purpose of introducing this new Policy is to address the growing concern of these agencies that by providing undesexed animals for sale at the Animal Shelter it is contributing to the issues surrounding what are commonly called "puppy farms" or backyard breeders. It is felt that "back yard" and "puppy farm" breeders are gaining their breeding stock from facilities that don't have such a Policy in place. These operations are known to breed excessive numbers of animals for financial gain whilst creating unsatisfactory housing conditions for the breeding cats and dogs which suffer as a result of these inhumane practices.

With the recent introduction of a similar Policy by Blacktown City Council for all animals sold from their animal shelter, there is a greater need for Council to consider the introduction of such a Policy, as there has already been an increase in the number of enquiries at Council's Shelter, for undesexed dogs from persons who may be involved in "back yard breeding" or "puppy farming".

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Council has recently sent out information to all Veterinary Practices in the Hawkesbury LGA explaining how the program could operate and proposing a set fee for particular services. An expression of interest form was also provided to complete and return to Council indicating whether they would, or would not, be interested in participating in the program under the predetermined services and charges.

Nine out of the ten practices that were given the opportunity to submit an expression of interest have returned the form indicating that they wished to participate in the proposed program, and were accepting of the fees proposed for the services to be provided.

The proposed methodology of how the program would operate is as follows:-

- a) A person wishing to purchase a cat or dog from the Shelter makes the full payment to Council which covers the veterinary costs that will be administered by one of the participating Vets.
- b) The person selects, from a list of participating Vets, which practice they would like to use.
- c) The animal is "fasted" that night and delivered to the Vet the next morning by Shelter staff or volunteer of the Shelter.
- d) The veterinary services required are carried out by the Vet. The animal would be ready for collection by the purchaser in the afternoon and given instructions by the Vet's staff on how to care for the animal after surgery or other treatment.
- e) The Vet sends through, via email or fax, the desexing certificate so that Council can process the animal's registration at the reduced statutory cost.
- f) The Vet sends an invoice weekly for the cost of the veterinary work they have performed on behalf of Council for payment.

The above are the basic principles under which the program would operate. However, there are other situations, such as animals too young to be desexed, which will be administered by a voucher system, or animals "on heat" that will require alternate methods of care and treatment which is currently being discussed with participating Vets should the program commence.

Whilst the cost to purchase a cat or dog from the Shelter will rise, evidence from other facilities that have introduced similar programs, shows that purchasers are happy to pay the additional costs, knowing that the animal has been vet checked, immunised, and desexed for much less than it would cost for these procedures to be undertaken independent of this proposed program.

It is envisaged that the program may have some impact on Council's current rehoming rate of dogs from the Shelter, which is currently between 80% and 90% per month. Whether this impact is negative or positive will only be proven from the statistics over a period of time. Subsequently, it is proposed that a review of the program be undertaken in twelve months from the time of commencement, to gauge any positive or negative effects of the program on rehoming numbers of cats and dogs, any budgetary impacts for Council or the Vets, and if there is a reduction in the number of homeless animals being delivered to the shelter. Should any of these aspects require adjustments, then these could be addressed at that time.

Conformance to Community Strategic Plan

The proposal is consistent with the Looking After People and Place Directions statement;

- Have friendly neighbourhoods, connected communities, and supported households and families.

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The proposal is also consistent with the Shaping Our Future Together Directions statement;

- Have constructive and productive partnerships with residents, community groups and institutions.

The proposal is also consistent with the following Strategy of the Strategic Plan:

- Work with public and private sectors to ensure funding and delivery of improved services and infrastructure.

Financial Implications

The costs to run the program will be covered by the new fees and charges associated with the purchase of an animal from the Hawkesbury City Companion Animal Shelter.

Comparison of Existing Fees to New Fees Proposed

**Current Total Cost Dog	Proposed Sale Fee for Dogs		**Current Total Cost Cats	Proposed Sale Fee for Cats	
	*Sale Fee	\$295.00		*Sale fee	\$200.00
	Pensioner Concession Sale Fee	\$270.00		Pensioner Concession Sale Fee	\$175.00
\$93.00 to \$228.00			\$46.00 to \$181.00		

NOTES:

- * Sale Fee includes registration of animal and desexing charges:
 \$15 (pensioner),
 \$40 (non pensioner).
- ** Current fee is affected by cost of registration which varies between \$15 (pensioner desexed animal),
 \$40.00 (non pensioner desexed animal),
 \$150 (non pensioner non desexed animal).

RECOMMENDATION:

That:

1. The following Policy Statement be placed on public exhibition for a period of 28 days:

“That all companion animals sold from the Hawkesbury City Council Companion Animal Shelter, are to be desexed prior to the new owner taking possession, with the exception of a puppy or kitten that is too young for such a procedure.

Companion animals will only be released from the Hawkesbury City Council Companion Animal Shelter to rehoming organisations that have a compulsory desexing policy in place.”

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2. The following proposed new fees to purchase an animal from the Hawkesbury City Council Animal Shelter be publicly advertised for a period of 28 days;

Dogs	\$ Fee	Cats	\$ Fee
Sale Fee	\$295.00	Sale fee	\$200.00
Pensioner Concession Sale Fee	\$270.00	Pensioner Concession Sale Fee	\$175.00

3. Should submissions be received to the proposed Policy and/or fees following the public consultation a further report will be submitted to Council addressing the issues raised, prior to adoption of the Policy.
4. Should there be no submissions to the proposed Policy and fees following the public consultation process, the Policy be adopted, Council's Fees and Charges be amended and the program commenced, without the need for a further report to Council.
5. A program review be conducted 12 months after commencement and the review is to involve consultation with the participating Veterinary Practices and Animal Shelter staff to gauge the effects of the new program on budgets, rehoming rates and surrender rates of animals to the shelter. The review is to be reported to Council should any adjustments to the program be required.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 96 CP - Use of SEPP 1 Variation Report - January 2012 - March 2012 - (95498)

Previous Item: Item 21, Ordinary (28 February 2012)

REPORT:

Executive Summary

In accordance with the Department of Planning and Infrastructure's (DPI) Planning Circular PS 08-14, all councils are required to report variations to development standards for development applications approved, which relied upon State Environmental Planning Policy No. 1 - Development Standards (SEPP 1).

This report is an information report for the period January 2012 - March 2012.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

The background to the reporting requirement for SEPP 1 variations was fully detailed in the report to Council dated 28 February 2012.

As Council does not deal with many of these matters to warrant a monthly report to Council, it was determined that the quarterly reporting to the Department will be undertaken as required (ie, a "Nil" report if required). It was also agreed that a report will be provided to Council quarterly, or as required, (ie, no "Nil" reports) of any SEPP 1 variations granted either by Council or under delegated authority.

Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Have transparent, accountable and respected leadership and an engaged community

Financial Implications

No financial implications applicable to this report.

RECOMMENDATION:

That the report regarding the Reporting SEPP 1 Variations to Development Standards - January 2012 - March 2012 be received and noted.

ATTACHMENTS:

AT - 1 Reporting SEPP 1 Variations to Development Standards January 2012 - March 2012

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AT - 1 Reporting SEPP 1 Variations to Development Standards January 2012 - March 2012

Council DA reference number	Lot number	DP number	Street number	Street name	Suburb/Town	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Date DA determined dd/mm/yyyy
DA0018/12	7	249442	33	Griffins Road	TENNYSON	Mixed Agriculture	Clause 11 - minimum lot size - rural subdivision	DA REFUSED - SEPP 1 not supported - Council Meeting 27/03/2012 - Item 39	18.8% and 80%	27/03/2012
DA0059/12	2	803727	27	Branders Lane	NORTH RICHMOND	Mixed Agriculture	Clause 11 - minimum lot size - rural subdivision	DA REFUSED - SEPP 1 not supported - Council Meeting 08/05/2012 - Item 57	28.2%	8/5/2012
DA0740/11	205	752061	303	Windsor Road	VINEYARD	Rural Living	Clause 25 (2) - minimum land level - new building, Clause 25 (4)	Non-habitable, not in floodway, designed to withstand prolonged immersion. Building is roof and supports only with no enclosed walls. Council Meeting 29/05/2012 - Item 71	35-77%	29/5/2012

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 97 **CP - Provision of Containerised Organics and Processing Service - (96330, 95498)**

REPORT:

Executive Summary

The State Government has set a target of 66% of municipal waste to be diverted from landfill by 2014. Council currently diverts approximately 22% of waste from landfill which means that an additional 44% of municipal waste would be required to be diverted from landfill if Council wishes to achieve the 66% waste diversion target.

For Council to improve waste diversion from the South Windsor Waste Management Facility various options of organic waste reduction to landfill were considered either through dedicated organics collections or through mixed waste processing.

Based on these considerations it is recommended that tenders be called for the provision of an organics collection service.

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. Thus public consultation was undertaken to determine the willingness of residents to accept additional charges for an organics collection service and how much they would be willing to pay if such a service was provided.

The consultation ran from 25 October 2011 to 6 December 2011.

Background

The State Government has set a target of 66% of municipal waste to be diverted from landfill by 2014. Council currently diverts approximately 22% of waste from landfill which means that an additional 44% of municipal waste would be required to be diverted from landfill if Council wishes to achieve the 66% waste diversion target.

The current domestic waste stream is approximately 60% organic and therefore the next opportunity for Council to improve waste diversion is to assess the options for diverting organic waste either through dedicated organics collections or through mixed waste processing.

In accordance with the resolution of Council on 26 July 2011, the tender for the Provision of Containerised Organics and Processing Service was postponed and public consultation was undertaken to determine the willingness of residents to accept additional charges for an organics collection service and how much they would be willing to pay if such a service was provided. Quotes were sought for this public consultation and APC Environmental Management was engaged to develop, implement and report on a community consultation program to determine the willingness of residents to pay for a kerbside garden waste collection service.

In summary, the consultation ran from 25 October 2011 to 6 December 2011 and included:

- 201 Phone surveys
- 582 Web surveys
- 39 Written surveys

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- Three Focus groups, attended by 40 people.
- Council website page and focus group link
- Two articles in the local newspapers

The consultation included residents that live in the urban and rural areas of the Hawkesbury Local Government Area. During the consultation, 83% of respondents indicated that would use a garden waste collection service (which does not include food waste) with 54% preferring a fortnightly service, 20% weekly, 15% monthly and 11% indicating they wouldn't use the service.

51% of respondents indicated that they would use a weekly food waste service with 12% unsure as to whether they would use such a service. It should be noted that a service that contains food waste would need to be a weekly service and would be more expensive than garden waste only as the collection and processing requirements for a food service are much more onerous.

The consultation found that residents are generally willing to pay up to \$3 per household per fortnight (\$78/hhld/year) for a garden organics service. This is consistent with the expected cost for Council to deliver such a service not containing food waste, based on the costs incurred by other Councils to deliver similar services.

Based on the results of the public consultation, APC Environmental Management have recommended that:

1. Council implement a fortnightly garden organics service to all residents with a garbage service.
2. Smaller garbage bins (140L) be made the default option as part of the garden organics roll out, and where the premises is currently using a large garbage bin (240L) and it is still in a suitable condition for extended use, have the black lid changed to a green lid and be used as the green waste bin.
3. A comprehensive education campaign be implemented prior to, during and after implementation of the new scheme.
4. Subsidised compost bins and worm farms be offered to residents for food scraps.
5. A second garden organics service be considered as an option, at an extra annual cost to the resident, as part of the contract for those that require a weekly garden organics service.
6. If residents require a larger garbage bin, this could be provided as an option at additional annual cost to the resident.

The report from APC Environmental Management was presented and discussed at the Waste Management Advisory Committee meeting of 18 April 2012 and the resolution of that meeting was reported to Council as part of the Committee meeting minutes on 29 May 2012 and is reflected in the recommendation in this report.

It is recommended that a Tender be called for the service which includes a number of options for collection and processing to obtain an effective and financially sustainable waste management system.

Conformance to Community Strategic Plan

The proposal is consistent with the Caring for Our Environment Directions statement;

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- Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment

and is also consistent with the nominated strategy in the Community Strategic Plan being:

- Develop and implement waste and recycling strategies.

The proposed implementation timeframe for this matter, as specified in the CSP Milestones is 2010 - 2012.

Financial Implications

Should a garden organics collection service be implemented by Council it would be proposed to fund the service through the domestic waste service charge (Component 81 - Domestic Waste).

Depending on the costings of the options discussed in the report, some of the additional costs to the residents for the implementation of the service would be offset by the reduced cost to the resident for downsizing the existing waste bin from 240 litre to 120/140 litre sized bin.

RECOMMENDATION:

That a Tender for the provision of a garden organics collection service be prepared generally as follows:

1. Tenders be called for the provision of an organics collection service based upon the following combinations of providing the service:
 - (a) Collection service be provided to properties in the urban areas of the LGA only, approximately 12,000 services.
 - (b) Collection service be provided to all properties in the LGA currently receiving a domestic waste service, approximately 21,000 services.
2. The tender process also include, for both of the above, options that the successful contractor:
 - (a) Collects, processes and disposes of the organics at a site of their choosing.
 - (b) Collects, processes and disposes of the organics at their own site with Council receiving a share of the product (that share being determined prior to Tendering and to be based on Council's current and projected needs for Parks, etc).
 - (c) Collects and delivers organics to Council's waste management facility for processing and disposal by others.
 - (d) Collects and processes the organics within a leased area of Council's waste management facility.
3. As part of the tender and evaluation process, consideration should be given to the results of the public consultation, environmental responsibility, and cost effectiveness for the Hawkesbury community.

ATTACHMENTS:

- AT - 1** Community Consultation for Garden Waste Service Options for Hawkesbury City Council - December 2011 - APC Environmental Management - *(Distributed Under Separate Cover)*.

oooO END OF REPORT Oooo

Item: 98 CP - Natural Hazards Resilience Study - (95498)

REPORT:

Executive Summary

Council is undertaking a Natural Hazards Resilience Study. The objective of this Study is to improve Council's capacity to reduce potential social and economic losses due to the likelihood and severity of extreme climatic events. It is anticipated the Study will consist of the following parts:

1. Describing the natural hazards that may arise.
2. Assessment of risks for Council operations and how these would impact on physical assets or result in hazardous or undesirable events.
3. Develop adaption measures, how Council and the community will mitigate against these risks.
4. Economic modelling on the implementation of the recommended measures.

Key drivers for this Study is the requirement under the NSW Government's Waste and Sustainability Improvement Payment (WaSIP) program 2011/2012, to undertake a Climate Change Risk Assessment and develop an Adaptation Plan. The project is fully funded under this Program.

Council has engaged GHD Pty Ltd to undertake parts 1, 2 and 3 of this Study. Further investigation is required to identify future opportunities for the implementation of measures identified in the report.

It is recommended that the attached report be adopted by Council and forwarded to the Office of Environment and Heritage (OEH), Waste and Sustainability Improvement Payment (WaSIP) program as the original timeframe (extended by OEH) to comply with their standard was 31 May 2012.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. The work undertaken to date is to identify potential risks and to then identify adaption strategies and options. Consultation with the community and other stakeholders will be required in future stages prior to the implementation of some of the adaption actions.

Background

Council staff have been working collaboratively with regional groups and councils, such as The Hills Shire Council, sharing resources on the procurement services. Staff have also supported the work undertaken by the UWS - Hawkesbury in their recent Expression Of Interest to the NSW Trust entitled "Re-thinking Peri-Urban Governance: Management of Extreme Events". Support actions may/have include attending group forums to explore the feasibility of the suggested options for reform, to confirm preferences and to propose steps to achieve positive change. Council staff also work in partnership with the WSROC Environment and Sustainability Officers Working Group on Climate Change strategies. Investigations into the economic modelling undertaken by Ku-ring-gai Council in determining where and how to invest in future adaptation and mitigation measures discovered a process to effectively prioritise measures in accordance with a quadruple bottom line cost analysis. Staff are currently discussing with Ku-ring-gai Council the sharing of this modelling process when required.

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History

Hawkesbury City Council received funding from the Office of Environment and Heritage under Part 5A of the Protection of the Environment Operations (Waste) Regulation 2005 (known as the WaSIP program) to complete a Climate Change Risk Assessment and Adaptation Plan for Council operations

The Plan is to address the following:

1. Identify and assess the risks that a changing climate may pose on the way to meeting its roles and obligations as a local government organisation on the way to meeting the objectives and aspirations that are set out in the Hawkesbury Community Strategic Plan 2010-2030 and elsewhere.
2. Determine the adaptation options and approaches that may be adopted and implemented by Council so as to manage the risks that may arise in association with a changing climate.

The attached "Draft Hawkesbury City Council Planning for Climate and Natural Hazards Risk Management Report, GHD Pty Ltd May 2012", is required to be adopted by Council and forward to the Office of Environment and Heritage to achieve compliance to their Waste and Sustainability Improvement Payment (WaSIP) program standard. The original timeframe for this standard was 31 May 2012. However, Council was granted an extension to this timeframe to the end of June 2012 so that the matter could be presented and discussed at the Councillor Briefing Session on Tuesday 5 June 2012.

The Preparation of a Climate Change Adaptation Plan including actions to moderate harm or harness benefits is not due until 31 May 2013. Further investigation is required to undertake economic modelling to prioritise the measures identified in this current report in accordance with quadruple bottom line financial modelling to identify future opportunities for implementation.

In the spirit of collaboration Council and The Hills Shire Council combined procurement resources for this project as many of the impacts and risks would be similar. However, each Council required separate workshops and reports to be developed so that the information is specific to each Council. The "Request for Quotation" process was undertaken by The Hills Shire Council with this Council's staff providing comment on documentation and the evaluation panel review. Thirteen expressions of interest were received and based on the assessment criteria the contract was awarded to GHD Pty Ltd.

Risk Assessment Methodology

GHD has developed its own climate change risk and adaptation planning framework, which aligns with the Australian Government's Climate Change Impacts and Risk Management: a Guide for Business and Government and the AS/NZS ISO31000.

The risk management assessment involved:

- A review of the current literature and research surrounding change scenarios and the likely impacts, with particular focus on those that may be relevant to the two Local Government Areas (Note: This work only collated climate data that currently exists and did not include the preparation of projection data or qualification of risks or adaptation management costs).
- A review of the current best practice risk management assessment techniques applied to climate impacts.
- Thorough stakeholder engagement to identify the perceived and potential impacts to the Local Government Area, and to have input into the risk management process.

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- Expert input to ensure credibility and accuracy of the change scenarios and risk assessment.
- The production of a Risk Management Report

GHD Pty Ltd conducted a workshop with Council staff on the 18 April 2012 to ensure that the risks are able to be identified through a process of:

1. Describing the changes to climate that may arise.
2. Understanding how these would impact on physical assets or result in hazardous or undesirable events.
3. Linking these in regards to how they may pose a risk against Council's visions and objectives.
4. Develop possible adaptation measures.

To adequately respond to the pressures of natural hazards, local government needs to embrace both mitigation and adaptation to reduce the risk exposure and subsequent costs of that exposure. A process, or tool, is required to allow decision makers to effectively prioritise measures for implementation based on the social, ecological, economic and governance criteria. Adaptation must increasingly allow for divergent possible futures and the need for transformation. In the absence of this information further investigation is required to undertake part four of the study "Economic Modelling", on the implementation of measures in accordance with a quadruple bottom line cost analysis for Councils consideration.

Risk Management Report

The natural hazards risk assessment workshop held on 18 April 2012 identified twenty seven hazards/risks and were assessed as having either 'low', 'medium', 'high' or 'extreme' potential impacts. (Refer to Appendix C of the attachment to this report). The assessments of each risk were undertaken three times, to estimate the level of risk that may be associated with today's climate, a near-term (2030) 'moderate' change scenario, and a long-term (2070) 'extreme' change scenario.

Following the workshop, the identified risks were evaluated and nine adaptation planning themes emerged that captured, in a concise way, the details of each of the twenty seven hazard/risk descriptions. In principle, the priority for acting on the adaptation themes can be determined through a consideration of the total number of identified risks that related to it together with the combined severity of the assessed impacts of the risks (both today and under future scenarios).

The Risk Management Report identified priority level, identified risk (adaptation planning themes) and suggested adaptation measures or actions are as follows:

Priority One

1. *Flooding of Urban and Built Areas*

Adaption Measures

- *Understand extent of flood risk: Continue to undertake flood plain studies on the core drainage systems in the LGA and test sensitivity of 1% Annual Exceedance Probability flood levels to changes in assumptions about rainfall intensity (NB): The upcoming new addition of Australian Rainfall and Runoff will provide guidance on this).*

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- *Review Council positions and options for engineered solutions and/or transferring risk from the community via financial support for adaptation measures: House raising, purchase and property protection via levees or detention and/or raising of bridge levels.*
- *Review development controls: Continue to apply development controls in flood affected areas and Council to review future Development Control Plan, particularly to assess whether flood planning levels are acceptable as a benchmark for future development. Liaise with State Government and lobby for resolution or guidance on this issue.*
- *Educate: Increase awareness of the community about details related to flooding event management and community expectations and participation in flood risk management. Work with State Emergency Service and others to educate and equip property owners/occupiers in readiness for impacts.*
- *Examine risks associated with wastewater treatment plants: at McGraths Hill and South Windsor, and understand contingencies for managing pollution and health risks in the event of inundation.*

2. Building Resilience and Co-ordinated Emergency Management

Adaption Measures

- *Educate: the general community and create awareness of the roles and responsibilities identified within the Emergency Management Plan and to encourage new members to volunteer emergency management organisations. To have a wider community and organisational understanding in relation to the role Council plays in assisting emergency services managing disasters. This could be achieved through internal policy development and wider community education programs.*
- *Test and review Emergency Management Procedures: Implement a program of Emergency Management Drills to assess the capacity of emergency organisations to deal with heat, rain, storm events etc.*
- *Strategic Asset Management: Identify critical infrastructure and services and develop a plan to ensure these critical needs can be maintained during emergency scenarios.*
- *Partnership: Work with State Emergency Services regarding preparedness for incidents and work through recovery plans, including allocation and confirmation of responsibilities. Similarly work with services regarding allocation of resources across the LGA, reflective of expected risks and responsiveness requirements.*
- *Understand the economic drivers of the community and resilience to climate hazards: Map the dependency of the local economy to key industries and activities and develop a detailed understanding of how resilient or otherwise these key economic drivers may be to a changing climate.*

3. Managing Development to Consider Climate Changes in Growth Centres

Adaption Measures

- *Understand and educate: Develop and implement a policy on how to manage/integrate climate change impacts for growth centres. Communicate this to the community to enhance their understanding of the challenges/opportunities and how they're being met/realised.*
- *Better understand climate projections: Facilitate formal down-scaled mapping and climate projection data for the LGA.*

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- *Match development controls to risk and consider climate effects: Continue to ensure that development is matched to risk and that development in floodplain and fire risk areas is strictly limited. Changes to Development Control Plans and Local Environment Plans to manage and mitigate against the future impacts of climate change risks. For example this could include:*
 - *changes to flood detention systems;*
 - *changes to engineering specifications for the construction of storm water management infrastructure;*
 - *the widening of Asset Protection Zones to mitigate against the risk of bushfire.*
- *Identify and adopt the latest codes, standards and guidelines: Design/construct all new buildings to the latest standards and engineering specifications that include climate change considerations.*
- *Liaise with/lobby State Government: To identify the requirements for development controls, particularly for flood mitigation and liability issues, and introduce these into standards, planning controls, etc.*

Priority Two

4. Bushfire Risk Management

Adaption Measures

- *Advocacy: Continue Council's involvement and input into regional bushfire hazard mapping and management initiatives.*
- *Hazard Reduction: Review current processes around fuel reduction and evaluate current and future effectiveness given climate change projections.*
- *Controlled Planning: Areas where significant populations are highly exposed to bushfire risk are limited. Planned growth will change this mix over time increasing primarily where there is an urban/bushland interface. Retain and strengthen current planning controls. Changes implemented in the design of new subdivision in relation to Asset Protection Zones, especially in risk areas surrounded by dense bush land or woodlands*

5. Maintaining Roads and Bridges

Adaption Measures

- *Strategic Asset Management: Population growth within the local government area will increase Council's roads and bridge asset base. It is critical that appropriate increases to both Capital and Operation budgets are made to manage not only this growth but also the higher risk of extreme climate change on these assets.*
- *Review: Upgrade design and construction specifications to reflect a changing climate and embed these into requirements consistently over time. Consider design life of pavement and assets and determine appropriate specifications that can be modified during routine maintenance to keep pace with altering temperature patterns or rainfall patterns. Upgrade asset management capability, including repeatable condition assessments to track over time, and ensure that roads are constructed in an adequate manner and minimise the likely risk of damage from flooding, but also extreme temperatures.*

6. The Natural Environment Response to Temperature, Rainfall and other Climatic Changes

Adaption Measures

- *Study and assess benefits and costs: Study changes to vegetation and water quality that may arise under drier and warmer conditions in the sensitive riparian corridors and bushland areas of the LGA. Undertake a benefit-cost assessment of management options.*
- *Monitor water quality and warning/notification systems: Deteriorations in water quality will require increased surveillance for microbial pathogens and algae, and will require a review of effectiveness of current recreational water quality management strategies.*
- *Continue invasive weed species management: Develop and implement a pest, weed and invasive species management policy/ strategy that take into account changed climatic conditions.*

7. Protecting the Region's Heritage and Community Infrastructure, especially from Storms

Adaption Measures

- *Increase reliability of water supplies for parks: Four main options to consider in reducing irrigation mains water use -
 - i) *choosing areas to receive less irrigation,*
 - ii) *efficient irrigation,*
 - iii) *water efficient landscaping,*
 - iv) *using alternative supplies of water such as rainwater tanks, aquifer storage and recovery, greywater and backwater, reclaimed effluent and groundwater.**
- *Audit: Understand the exposure and potential for storm damages to community heritage items and ensure sufficient protection/insurances are in place to protect or rebuild following damage.*
- *Strategic Asset Management: Heritage items by default have higher lifecycle costs to manage (before even considering natural climatic events); as local and state governments become more aware of asset management planning and whole of life costs to managing and owning assets 'discourse' to the local community on costs of maintaining these assets will eventually become an issue.*

8. Stormwater drainage, infrastructure and water quality

Adaption Measures

- *Strategic Asset Management: Based on flooding and climate change data - stormwater management (design / construct and maintenance) will need to cater for more extreme patterns and have the ability to fully function to design intent - this may also require a redesign / upgrade of existing assets and higher operational budgets to maintain and clean and upgrade assets to cater for higher storm intensities. Review the extent of impacts in the LGA under future climate scenarios/projections. Upgrading existing culverts, bridges, and other infrastructure to accommodate greater design flows may also provide benefits. A benefit-cost assessment should inform the need to undertake significant capital works.*

- *New systems to accommodate increased flows and changes to stormwater quality: Design wastewater systems to prevent overflow events from wetter than normal weather, based on climate change scenarios. Develop policies and design guidelines.*
- *Consider stormwater harvesting options: Investigate flood management options whereby stormwater can be captured to reduce peak flows in creek/urban systems and stored for alternate uses following rainfall events.*

Priority Three

9. The Built Environment's Response to Temperature, Rainfall and other Climatic Changes

Adaption Measures

- *Further research: Further research into building codes and civil/structural engineering practices for salinity or soil (wetting, drying, subsistence risk) issues.*

The Report's Recommendations

Given the initial nature of this risk assessment, the Report highlights that the next step for Council is to reconcile how it will embed the outcomes from this study into its routine management, planning and risk management processes. The report recommends that Council:

- *Is guided by this risk assessment study to implement more detailed climate adaptation planning and management activities.*
- *Remains engaged and aware of developments in the allocated relationships, roles and responsibilities among federal, state and local governments in regard to managing a changing climate.*
- *Develops a policy position on climate change, how it is to be planned for and managed, and what components of the Council organisation will be responsible for implementing it.*
- *Reviews its strategic plans in light of the identified climate change risks and integrate potential controls and adaptation actions within them.*
- *Develops a plan that explicitly addresses the implementation of the adaptation planning options that Council determines as a priority, including the allocation of resources, funding and specifying the timeframes required.*
- *Further develops the collection and evaluation of climate change forecasts and local measurements, for the purposes of strategic planning and ongoing adaptation of community development and asset planning and operational procedures.*
- *Develops a "plan, monitor and respond" climate change adaptation process. This would involve:*
 - (i) *a monitoring program of the local assets and values identified in this project that are sensitive to climate change;*
 - (ii) *determining a set of thresholds related either to climate or weather patterns, or to asset or value functioning; and*
 - (iii) *when monitoring determines that a threshold has been met, this could trigger the need to implement any of the "accommodate", "retreat" or "protect" adaptation options that Council develops through its iterative climate change risk management approach.*

- *Ensures ongoing climate change risk assessment is incorporated into strategic planning and operational and other management plans.*

Further Investigation

In addition to the above recommendations a Natural Hazards Resilience Study should integrate a whole of government approach and make provisions for further cost/benefit analysis to apply adaptation measures to understand the balance of Council's liabilities and funding opportunities to implement the actions required to moderate harm. A process, or tool, is required to effectively prioritise measures for implementation based on the social, ecological, economic and governance criteria. These four factors can be interpreted using the Principles of Ecological Sustainable Development as cited in the Local Government Amendment (ESD) Act 1997 (NSW). Applying these Principles as a means to interpret and put into effect a quadruple bottom line filter has many benefits including adopting a precautionary approach to implementing adaptation measures.

The Productivity Commission (PC, 2012) has recently reviewed the challenges at various levels of planning to adapt to climate changes and offers the following statement in regard to local government:

"A number of potential barriers exist that could be limiting local governments' ability to plan for and implement adaptation measures. These are not unique to adaptation and are barriers to effective service delivery by local government in the current climate."

- *There is a lack of clarity regarding the roles and responsibilities for adaptation of councils, including in the areas of land-use planning and emergency management.*
- *Legal liability concerns appear to be hindering adaptation for many councils. There is a case for state governments to clarify the legal liability of councils and the processes required to manage that liability.*
- *Many councils do not have the capacity to effectively plan for and implement adaptation responses - some face financial constraints and shortages of professional and technical expertise."*

It is noted that at both risk workshops Council participants expressed the same concerns; particularly those surrounding an understanding of clarity of roles and legal liability, and other local councils have similar concerns. The Productivity Commission report only recommends that among all tiers of government the issue of roles and liability need to be addressed, but as yet there is no specific solution identified.

Despite this, having undertaken the risk assessment component of the study, Council now has an initial understanding of where its key vulnerabilities and exposures to a changing climate reside.

Cost/Benefit Analysis

A Journal available by LAWBOOK CO. (2008) 14 LGLJ 52 by Jennifer Scott, Louise Hayward and Andrew Joyce, *"Climate change adaptation - socialising the science"*, describes that planning adaptations to offset the impacts of climate change to a small geographic area requires an understanding of the current physical, social and financial situation of that area. It also suggests that decision makers need a means to rank climate change risk on the basis of probability and consequence, and analyse the proportionality of various responses in an iterative process that responds to emerging information regarding the scale and nature of the threat.

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The document references a locally, qualitative benefit/cost assessment tool that appears capable of explanation of the costs and benefits associated with particular adaptation strategy and guides investment priorities. Application of the Environmentally Sustainable Development principles may need to be slightly modified to meet the needs of a local area within a Quadruple Bottom Line matrix. The document quotes the matrix as an instructive means for summarising the complexity around the interrelationships and interdependencies between the four pillars of sustainability. This process can be used for environmental and land-use planning, financial planning, social planning, operational responses and community involvement and action.

Ku-ring-gai Council has adopted this risk analysis strategy to all facets of climate change that may affect their Council area. This analysis will provide Council with direction to efficiently manage its adaptation and mitigation responsibilities and clearly demonstrate responsible due diligence in regard to the Precautionary Principle.

In the absence of this information it is recommended to assume the Ku-ring-gai Model to undertake a process to effectively prioritise measures in accordance with a quadruple bottom line cost analysis for Councils consideration. This has been discussed with Ku-ring-gai Council staff and it is agreed in principle to share that model. In addition to the above it would also be beneficial to engage the services of the consultant that developed the Ku-ring-gai model for the instruction and use of the model.

Conformance to Community Strategic Plan

The proposal is consistent with the Caring for Our Environment Directions statement;

- To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural eco-systems, rural and cultural landscape.
- Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment.

And is a nominated strategy in the Community Strategic Plan being:

- Participate with regional groups to develop a climate change strategy that identifies targets which balance benefits and costs.

Participation with regional groups includes but not limited to working with:-

1. The Hills Shire Council on the procurement of consultancy services.
2. Supporting the work undertaken by the UWS- Hawkesbury in their recent Expression Of Interest to the NSW Trust entitled "Re-thinking Peri-Urban Governance: Management of Extreme Events". The University earlier this year was designated a Regional Centre of Expertise (REC) in Sustainability Education for Greater Western Sydney by the United Nations University. Support will be provided in attending group forums to explore the feasibility of the suggested options for reform, to confirm preferences and to propose steps to achieve positive change.
3. WSROC Environment and Sustainability Officers Working Group.
4. Discussions with Ku-ring-gai Council on the methodology in applying a locally, qualitative benefit/cost assessment tool that effectively prioritises measures for implementation based on the social, ecological, economic and governance criteria.

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The proposed implementation timeframe for this matter, as specified in the CSP Milestones is 2010 - 2012.

Financial Implications

The Natural Hazards Resilience Study is wholly grant funded under Component 43 - NSW Government's Waste and Sustainability Improvement Payment (WaSIP) program 2011/2012.

The expansion of the Climate Change Risk Assessment and Adaptation Study to a whole of government approach "Natural Hazard Resilience Study" was made possible by the collaboration with The Hills Shire Council. This provided a 50% reduction in consultancy fees.

This saving will permit further economic modelling to analyse the financial implications in determining the adaptation options that may be adopted and implemented by Council so as to manage the risks to Council and the community that may arise in association with a changing climate.

Ku-ring-gai Council have expressed that the use of the model would be free. It is suggested that a one day planning workshop is required on the model implementation. After this support would be based on demand and would be supplied at the normal consulting rate of approximately \$200 per hour. It is envisaged that the total consulting for this matter would be approximately \$4,000 which can be provided by the existing grant funded WaSIP program.

RECOMMENDATION:

That:-

1. The report titled "Draft Hawkesbury City Council Planning for Climate and Natural Hazards Initial Risk Assessment" be adopted by Council and forwarded to the Office of Environment and Heritage, in accordance with the Waste and Sustainability Improvement Payment (WaSIP) Program, to comply with their funding standard.
2. A formal letter of request be forwarded to Ku-ring-gai Council requesting the use of their cost benefit analysis model and support services to effectively prioritise measures in accordance with the quadruple bottom line principle.
3. Council provide a formal letter to the UWS- Hawkesbury to reinforce our support for their recent NSW Trust grant application entitled "Re-thinking Peri-Urban Governance: Management of Extreme Events".

ATTACHMENTS:

- AT - 1 "Draft Hawkesbury City Council Planning for Climate and Natural Hazards Initial Risk Assessment"- GHD Pty Ltd, May 2012 - *(Distributed Under Separate Cover)*

oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 99 **IS - Community Banner Poles Policy - (79354)**

Previous Item: 76 Ordinary (12 April 2011)

REPORT:

Executive Summary

Council adopted the Community Banner Poles Policy at its meeting of 12 April 2011. The Policy has now been in operation for just over one year.

The Banner Policy is working well with the banner poles being well utilised at all three sites. The process to book a second banner is however time consuming for groups and could be streamlined.

Correspondence has also been received from a community group regarding the impediments to placement of banners and, in particular, additional banners in the Hawkesbury. This report identifies possible ways of amending or streamlining bookings for additional banners.

This report recommends that the Banner Policy not be amended however, the process for booking a second banner be streamlined.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

Council adopted the Community Banner Poles Policy on 12 April 2011 and the Policy has now been in operation for just over one year. The banners poles have been well utilised over the last year with North Richmond being the most popular site with approximately a 90% usage rate. Clarendon is the next utilised site with approximately a 70% usage and McGraths Hill at approximately 60% usage.

Correspondence has been received from a community group raising the issue of limited options for community groups to advertise their events within the Hawkesbury.

In adopting the Policy, Council sought to provide access to the widest possible range of community organisations, and allowed for only one location to be booked in advance, with additional sites only being made available if other sites remained unbooked three weeks prior to an event.

An analysis of the effects of allowing groups to book two sites at the time of their original booking, the usage over the last year shows that this would have meant that some community groups would have missed out on even one booking. This would defeat the purpose of the Policy which was to allow as many community groups as possible having access to these poles.

It is considered that the Policy is working effectively and it is recommended that Banner Policy not be amended.

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To make a second banner booking, the applicant currently has to refill out a second booking form making it difficult and time consuming for groups. This process could be streamlined and it was identified that Council staff could take a second booking by phone (no more than three weeks prior to their event, as per current arrangements). Staff would be able to quickly see if a spot was available and the booking could then be taken at that time. No paper work would be required as staff would already have all the groups' information and insurances (from their first banner booking). Payment for this second site could be made over the phone at that time. This would simplify the booking process making it easier for groups seeking a second banner site.

Council staff are also investigating an online booking system through funds provided by the National Broadband Network (NBN) and this would further streamline the entire booking process.

The process for booking a second banner will be amended to implement these changes.

Conformance to Community Strategic Plan

The proposal is consistent with the Supporting Business and Local Jobs Directions statement;

- Have constructive and productive partnerships with residents, community groups and institutions.

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Have ongoing engagement and communication with our community, governments and industries

Financial Implications

No financial implications resulting applicable to this report.

RECOMMENDATION:

That Council receive the report on the Community Banner Poles Policy and note the proposed action to streamline the booking process.

ATTACHMENTS:

There are no supporting documents for this report.

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Meeting Date: 26 June 2012

Item: 100 **IS - Street Tree Removals within Towns and Villages - (95454)**

Previous Item: Item 142, Ordinary (29 June 2010)
 Item NM, Ordinary (22 February 2005)

REPORT:

Executive Summary

In February 2005 Council resolved that prior to the removal of any trees in the streets of the Hawkesbury's town and villages that the proposed removal of such trees be advertised seeking comments from the public.

In 2010 a report was considered by Council recommending that the current process of advertising village street tree removal be discontinued. This was recommended due to a very small number of comments received from the public. Council resolved at this meeting:

"That:

- 1. The current process of advertising village street tree removal be retained and the matter be reported back to Council within two years particularly in relation to advertising costs.*
- 2. Council undertake negotiations with the Hawkesbury Courier with a view to reducing advertising costs."*

Advertising of village street tree removals has now been undertaken for seven years and during this time 110 trees have been advertised with only three comments received.

Due to the cost, both financially and in staff time, to advertise the removal of trees, it is recommended that the current process of advertising village street tree removal cease, and that issue specific consultation with the community be undertaken in accordance with Council's Community Engagement Policy.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

In response to a Notice of Motion, Council at its meeting of 22 February 2005 resolved that:

"A. Prior to the removal of any trees in the streets of the Hawkesbury's town and villages:

- 1. A notice inviting public comment be put in the Council's notices page of the Hawkesbury Gazette for a period of 2 (two) weeks.*
- 2. A notice explaining why the intended tree is to be removed and inviting public comment be attached to the tree of concern for 2 (two) weeks.*
- 3. Trees deemed to be in a dangerous condition, as assessed by a qualified expert, be exempt from points 1 and 2 above."*

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Council at its meeting of 29 June 2010 further resolved

"That:

- 1. The current process of advertising village street tree removal be retained and the matter be reported back to Council within two years particularly in relation to advertising costs.*
- 2. Council undertake negotiations with the Hawkesbury Courier with a view to reducing advertising costs."*

Requests for tree removals vary, from issues relating to access, to aesthetic reasons, but the majority are due to the trees being inappropriate species and causing damage to private and public infrastructure. When a request is received, an inspection is carried out and if removal is warranted the advertising process is undertaken.

Since this resolution, 110 village tree removals have been advertised. A total of three objecting submissions have been received. The first submission was in relation to a development application that was not approved and therefore permission to remove the tree was not required. The remaining two objections were reported to Council, where it was determined that the reasons for removing the trees were justified and the trees were subsequently removed.

The proposed removal of street trees are advertised within the Council notices display advertisement. This is the most cost effective means of advertising. Council has a negotiated agreement for newspaper advertising on a rate per column centimetre basis.

The cost of placing advertisements in local papers for the removal of street trees is approximately between \$170 and \$190 for each advertisement. Therefore, it is estimated that over the last seven years the total advertising expenditure is approximately \$18,700 to \$20,900. In addition, the administration which includes receiving payment for the application, an initial site inspection, placement of a sign on the tree, writing and placing an advertisement, dealing with correspondence if necessary, and writing a permission/ rejection once the process is completed is a significant internal cost. There are strong internal review processes to ensure that trees are not removed without justification.

Due to the cost and the low level of submissions received from previous proposals, it is recommended that the current process of advertising village street tree removal cease. Advertising would still occur in circumstances such as where there are avenues of mature trees that may be regarded as significant. Where other circumstances or community interests are identified, consultation and engagement within the community can be carried out as appropriate and in accordance with the community engagement policy. Where individual trees are to be removed residents in the immediate vicinity would be notified of the proposed removal.

Conformance to Community Strategic Plan

The proposal is consistent with the Caring for Our Environment Directions statement;

- Take active steps to encourage lifestyle choices that minimise our ecological footprint

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Encourage and educate the community to care for their environment

Financial Implications

By removing the advertising process there will be a saving, both financially and in staff time.

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RECOMMENDATION:

That the current process of advertising village street tree removal be discontinued, noting that appropriate consultation and engagement will continue to be carried out in accordance with Councils Community Engagement Policy.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 101 **IS - Exclusive Use of Governor Phillip Reserve - Upper Hawkesbury Power Boat Club and Ski Racing NSW Inc. - (95495, 79354)**

REPORT:

Executive Summary

As requested in previous years, Ski Racing NSW Inc and the Upper Hawkesbury Power Boat Club are seeking exclusive use of Governor Phillip Reserve for events to be held in 2012.

There are four regular exclusive use boating events held annually at Governor Phillip Reserve.

Due to the significant flow-on benefits to the community and business, it is recommended that exclusive use be given.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. However, community notification will be undertaken by the applicants as part of the conditions of consent.

Background

Ski Racing NSW Inc and Upper Hawkesbury Power Boat Club are seeking exclusive use of Governor Phillip Reserve in 2012.

Ski Racing NSW Inc. have requested exclusive use of Governor Phillip Reserve on Sunday 26 August 2012 to conduct the annual Hawkesbury 120 Water Ski Classic. The Upper Hawkesbury Power Boat Club are seeking exclusive use of Governor Phillip Reserve on Saturday 15 and Sunday 16 September 2012 to conduct the annual Windsor Spectacular event.

Both event organisers are requesting exclusive use for the evenings prior to the events, from 6.00pm till 7.00am the following morning, to assist with set up, cleaning of grounds and to provide security in accordance with the Governor Phillip Exclusive Use Policy.

Both events are regular fixtures at Governor Phillip Reserve. The events are well coordinated and received good attendance, and are considered to provide significant flow on benefits to both the community and local businesses.

Both events will be required to obtain approval for traffic management, which is to be undertaken as part of the Special Event Application.

Due to the significant flow-on benefits to the business community it is recommended that exclusive use be granted for both events.

It should be noted investigations are being undertaken regarding the Exclusive Use Policy for Governor Phillip Reserve examining the potential for amendments to enable better management of the area during events and allow for growth of the events. Contact will be made with these and other event organisers to discuss suitable arrangements.

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Conformance to Community Strategic Plan

The proposal is consistent with the Supporting Business and Local Jobs Directions statement;

- Help create thriving town centres, each with its own character that attract residents, visitors and business.

Financial Implications

Income will be generated through user charges for use of the Reserve.

RECOMMENDATION:

That:

1. Approval be granted to the Ski Racing NSW Inc. for "Exclusive Use" of Governor Phillip Reserve for the Hawkesbury 120 Water Ski Classic on Sunday, 28 August 2012.
2. Approval be granted to the Upper Hawkesbury Power Boat Club for "Exclusive Use" of Governor Phillip Reserve for the 2012 Windsor Spectacular on Saturday, 15 and Sunday, 16 September and 'non exclusive' use on Friday, 14 September 2012
3. The approvals be subject to the following conditions/documents:
 - a) Council's general park conditions.
 - b) Council's Fees and Charges.
 - c) The Windsor Foreshore Plan of Management.
 - d) The Governor Phillip Exclusive Use Policy.
 - e) Governor Phillip Noise Policy.
 - f) A Traffic Management Plan which has been approved as part of the Special Event Application.
4. As the applicants have not advised alternative dates in the event of inclement weather, the General Manager be given delegated authority to negotiate exclusive use on an alternate date, if required by the applicants.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 102 IS - Future of the Lower Portland Ferry - (95495)

Previous Item: Item 159, Ordinary (10 May 2011)

REPORT:

Executive Summary

Council operates a ferry service across the Hawkesbury River at Lower Portland providing access between The Hills Shire and Hawkesbury Council areas. Following a recent survey inspection by Roads and Maritime Services (RMS), a limited certification was given to the existing vessel, and urgent consideration for replacement of the vessel and/or continuation of the service is required. Given the estimated cost of a new ferry is in excess of \$1.5million, plus operational costs of over \$450,000 per annum, consideration of a range of options is necessary.

It is recommended that a Joint Working Party be established comprising representatives from both The Hills Shire Council and Hawkesbury City Council to consider the future operation of the Lower Portland Ferry as outlined within the report.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. Subject to the outcome, community consultation may be required at a later stage.

Background

The operation of the Lower Portland Ferry is based on an equal funding arrangement between The Hills Shire Council and Hawkesbury City Council. It should be noted that the Lower Portland Ferry is a timber vessel with an internal structure estimated to be 90 to 100 years old.

The service to convey the public across the Hawkesbury River is reliant upon a valid licence, being issued by RMS on a three year cycle. Having regard to the age of the vessel and serviceability, the RMS has advised that the licence to operate this vessel will be withdrawn sometime between November 2012 and May 2014, subject to the results of current monitoring of the bilge pump usage. RMS have indicated that licence renewal from November 2012 will in part depend on there being a strategy in place for replacement.

Therefore, the future of the Lower Portland Ferry Service requires urgent consideration by both Councils, as the licence may be cancelled as early as November this year. It is considered preferable for both Councils to adopt a unified approach, particularly if the service is to continue. A number of possible options and variations have been listed for Council's consideration as follows:

A. Continue a Lower Portland Ferry Service:

- Both Council's purchase a replacement ferry and continue the service as per the current arrangement.
- The Hills Shire Council purchase a replacement ferry and the ongoing operating cost be apportioned on a 50:50 basis between Councils. The Hills Shire Council retain ownership of the ferry.

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- Hawkesbury City Council purchase a replacement ferry and the ongoing operating cost be apportioned on a 50:50 basis between Councils. Hawkesbury City Council retain ownership of the ferry.
- The Hills Shire Council assume responsibility for the entire operation with Hawkesbury Council withdrawing its share of the funding.
- Both Councils jointly contract out the entire operation including the supply of a suitable ferry on a long term contract/lease.
- Both Councils seek to enter into negotiations with the RMS to continue the service on a cost sharing basis to be determined.
- Make representations seeking RMS to accept sole responsibility for the entire operation, including the purchase of a replacement ferry in conjunction with its other ferry commitments.

B. Close the Lower Portland Ferry Service:

- Terminate the service in consultation with the community

This is not an exhaustive list of options and other options may also be identified for consideration.

Consideration also needs to be given to the existing contract with Hawkesbury Ferry Services Pty Ltd. The three year contract for the operation of the Lower Portland Ferry will expire on 29 June 2014 and in accordance with *Clause 7.4 Termination Without Default* "the contract may be terminated at any time by either party giving not less than 90 days notice".

Conformance to Community Strategic Plan

The proposal is consistent with the Linking the Hawkesbury Directions statement;

- Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connections for the benefit of residents, visitors and businesses.

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Establish partnership with neighbouring Councils and transport providers to service the Hawkesbury.

Financial Implications

Subject to the final outcome, the financial implications can be summarised as follows:

Replacement cost of a new ferry	\$1,500,000.00 *
Yearly Contract Rate	\$400,000.00 *
Yearly Maintenance	\$50,000.00 *
Major Overhaul every third year averaged over life of vessel (includes transport costs)	\$440,000.00 *

* The amount represents the total cost prior to any distribution between Councils and/or other parties.

It should be noted that Council does not have the funding to contribute towards the cost of a new ferry at this stage and that will be a significant issue in considering available options.

ORDINARY MEETING

Meeting Date: 26 June 2012

RECOMMENDATION:

That Council seek to establish a joint working party with The Hills Shire Council, to investigate and assess options relating to the future operation of the Lower Portland Ferry.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

SUPPORT SERVICES

Item: 103 SS - Monthly Investments Report - May 2012 - (96332, 95496)

REPORT:

Executive Summary

According to Clause 212 of the Local Government (General) Regulation 2005, the Responsible Accounting Officer must provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must include a certificate as to whether or not investments have been made in accordance with the Act, the Regulation and the Council's Investment Policy.

This report indicates that Council held \$40.63 million in investments at 31 May 2012.

It is recommended that this report be received and noted.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

The following table indicates that Council held \$40.63 million in investments as at 31 May 2012. Details of the financial institutions with which the investments were made, date investments were taken out, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, and the percentage of the total portfolio, are provided below:

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
On Call								
ANZ	A1+	AA-	31-May-12		5.25%	2,600,000	6.40%	
ANZ	A1+	AA-	31-May-12		5.25%	1,900,000	4.68%	
CBA	A1+	AA-	31-May-12		4.25%	180,000	0.44%	4,680,000
Term Investments								
ANZ	A1+	AA-	23-Mar-12	17-Oct-12	6.00%	400,000	0.98%	
Bankwest	A1+	AA-	11-Apr-12	25-Jul-12	5.75%	1,500,000	3.69%	
Bankwest	A1+	AA-	22-Feb-12	22-Aug-12	5.85%	1,200,000	2.99%	
Bankwest	A1+	AA-	07-Mar-12	05-Sep-12	5.85%	2,000,000	4.92%	

ORDINARY MEETING

Meeting Date: 26 June 2012

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
Bankwest	A1+	AA-	21-Mar-12	05-Sep-12	5.90%	500,000	1.23%	
CBA	A1+	AA-	29-May-12	27-Aug-12	5.30%	500,000	1.23%	
CBA	A1+	AA-	31-May-12	27-Aug-12	5.30%	1,000,000	2.46%	
CUA	A-2	BBB	07-Mar-12	06-Feb-13	6.05%	250,000	0.62%	
NAB	A1+	AA-	22-Feb-12	22-Aug-12	5.85%	1,000,000	2.46%	
NAB	A1+	AA-	27-Jul-11	25-Jul-12	6.29%	1,000,000	2.46%	
NAB	A1+	AA-	06-Jul-11	05-Jul-12	6.25%	2,000,000	4.92%	
NAB	A1+	AA-	25-Jan-12	25-Jul-12	5.91%	2,000,000	4.92%	
NAB	A1+	AA-	25-Jan-12	25-Jul-12	5.91%	1,800,000	4.43%	
NAB	A1+	AA-	11-Apr-12	10-Oct-12	5.72%	2,000,000	4.92%	
NAB	A1+	AA-	16-May-12	20-Nov-12	5.35%	2,000,000	4.92%	
NAB	A1+	AA-	16-May-12	20-Nov-12	5.35%	1,000,000	2.46%	
St George	A1+	AA-	09-Feb-12	08-Aug-12	5.93%	1,000,000	2.46%	
St George	A1+	AA-	24-Feb-12	05-Sep-12	6.01%	800,000	1.97%	
St George	A1+	AA-	17-May-12	20-Nov-12	5.35%	1,000,000	2.46%	
Westpac	A1+	AA-	10-Aug-11	08-Aug-12	6.00%	2,000,000	4.92%	
Westpac	A1+	AA-	17-Aug-11	15-Aug-12	6.00%	1,000,000	2.46%	
Westpac	A1+	AA-	09-May-12	07-Nov-12	5.55%	3,000,000	7.38%	
Westpac	A1+	AA-	06-Dec-11	06-Jun-12	6.00%	2,500,000	6.15%	
Westpac	A1+	AA-	06-Dec-11	20-Jun-12	6.00%	3,000,000	7.38%	
Westpac	A1+	AA-	26-Apr-12	24-Oct-12	5.70%	500,000	1.23%	
Westpac	A1+	AA-	26-Apr-12	24-Oct-12	5.70%	1,000,000	2.46%	35,950,000
TOTAL INVESTMENT AS AT 31 MAY 2012								40,630,000

Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	4,680,000	5.21%	Reserve Bank Cash Reference Rate	3.75%	1.46%
Term Deposit	35,950,000	5.81%	UBS 90 Day Bank Bill Rate	3.36%	2.45%
Total	40,630,000	5.75%			

ORDINARY MEETING

Meeting Date: 26 June 2012

Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions -S94	7,516,284
External Restrictions - Other	9,697,893
Internal Restrictions	13,103,843
Unrestricted	10,311,980
Total	40,630,000

Funds subject to external restrictions cannot be utilised for any purpose other than that specified, in line with legislative requirements. Externally restricted funds include funds relating to S94 Contributions, Domestic Waste Management, Stormwater Management and Grants.

Internal restrictions refer to funds allocated through a Council Resolution for specific purposes, or to meet future known expenses. Whilst it would 'technically' be possible for these funds to be utilised for other purposes, such a course of action, unless done on a temporary internal loan basis, would not be recommended, nor would it be 'good business practice'. Internally restricted funds include funds relating to Tip Remediation, Plant Replacement, Risk Management and Election.

Unrestricted funds may be used for general purposes in line with Council's adopted budget.

Investment Commentary

The investment portfolio increased by \$1.73 million for the month of May 2012. During May, income was received totalling \$7.43 million, including rate payments amounting to \$3.97 million, while payments to suppliers and staff costs amounted to \$5.32 million.

The investment portfolio currently involves a number of term deposits and on-call accounts. Council's current investment portfolio is not subject to share market volatility.

As at 31 May 2012, Council has invested \$8.0 million with 2nd tier financial institutions, that are wholly owned subsidiaries of major trading banks, and \$0.25 million invested with a 2nd tier institution that is not a wholly owned subsidiary of a major Australian trading bank, with the remaining funds being invested with 1st tier institutions. Council's adopted Investment Policy allows Council to invest funds with 2nd tier Authorised Deposit-taking Institutions that are wholly owned subsidiaries of major Australian trading banks, subject to conditions stipulated in the Policy. Investments in 2nd tier financial institutions, that are not wholly owned subsidiaries of major trading banks, are limited to the amount guaranteed under the Financial Claims Scheme (FCS) for Authorised Deposit-taking Institutions (ADIs), in line with Council's Investment Policy.

The FCS protects depositors by guaranteeing deposits (up to the cap) held in ADIs incorporated in Australia, and allows quick access to deposits if an ADI becomes insolvent. A permanent guarantee cap, per account holder, per ADI, of \$250,000, has been in place since 1 February 2012.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Independent advice is sought on new investment opportunities, and Council's investment portfolio is independently reviewed by Council's investment advisor each calendar quarter.

Council's investment portfolio complies with Council's Investment Policy, adopted on 28 June 2011.

Investment Certification

I, Emma Galea (Responsible Accounting Officer), hereby certify that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

ORDINARY MEETING

Meeting Date: 26 June 2012

Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Be financially sustainable to meet the current and future needs of the community based on a diversified income base, affordable and viable services

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Maintain and review a sustainable long term financial framework.

Financial Implications

Funds have been invested with the aim of achieving budgeted income in 2011/2012.

RECOMMENDATION:

The report regarding the monthly investments for May 2012 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 104 SS - Pecuniary Interest Returns - (95496, 96333)

REPORT:

Executive Summary

The Local Government Act, 1993 details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Returns by Councillors and Designated Persons. This Report provides information regarding two Returns recently lodged with the General Manager by two Designated Persons. It is recommended that Council note that the Disclosure of Pecuniary Interests and Other Matters Returns lodged with the General Manager have been tabled.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

Section 450A of the Local Government Act, 1993 relates to the register of Pecuniary Interest Returns and the tabling of these Returns, which have been lodged by Councillors and Designated Persons. Section 450A of the Act is as follows:

"450A Register and tabling of returns:

1. *The general manager must keep a register of returns required to be lodged with the general manager under section 449.*
2. *Returns required to be lodged with the general manager under section 449 must be tabled at a meeting of the council, being:*
 - (a) *in the case of a return lodged in accordance with section 449 (1)—the first meeting held after the last day for lodgement under that subsection, or*
 - (b) *in the case of a return lodged in accordance with section 449 (3)—the first meeting held after the last day for lodgement under that subsection, or*
 - (c) *in the case of a return otherwise lodged with the general manager—the first meeting after lodgement."*

With regard to Section 450A(1), a register of all Returns lodged by Councillors and Designated Persons in accordance with Section 449 of the Act is currently kept by Council, as required by this part of the Act.

With regard to Section 450A(2), all Returns lodged by Councillors and Designated Persons under Section 449 of the Act must be tabled at a Council Meeting, as outlined in Sections 450A(2)(a), (b) and (c) above.

With regard to Section 450A(2)(a), the following Section 449(1) Returns have been lodged:

Position	Return Date	Date Lodged
P/T Subdivision and Development Engineer	12 March 2012	18 June 2012
Supply Coordinator	12 March 2012	12 April 2012

ORDINARY MEETING

Meeting Date: 26 June 2012

The Returns have been lodged and are now tabled in accordance with Section 450A(2)(a) of the Act and the Returns are available for inspection if requested.

Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Have transparent, accountable and respected leadership and an engaged community
- and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:
- Have ongoing engagement and communication with our community, governments and industries.

Financial Implications

No financial implications applicable to this report.

RECOMMENDATION:

That the information be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 105 **SS - Review of Council's Draft Investment Policy and Appointment of Investment Advisor - (96332, 95496)**

Previous Item: 140, Ordinary (28 June 2011)

REPORT:

Executive Summary

Council's current Investment Policy was adopted by Council at the meeting of 28 June 2011. The Investment Policy is to be reviewed at least once a year or as required in the event of legislative changes. The Investment Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of the Policy. Any amendment to the Investment Policy must be by way of Council resolution.

The Investment Policy adopted on 28 June 2011 has been reviewed to ensure applicable legislative changes are taken into account and addressed if necessary. There are no amendments recommended to the current Investment Policy.

This report is being submitted to satisfy the requirements of the Division of Local Government (DLG) Guidelines, issued in May 2010, with regard to the annual review of Council's Investment Policy. Also, in line with the DLG Guidelines, Council's approval is sought to appoint Council's Independent Investment Advisor.

This report recommends that the Investment Policy be adopted and that Spectra Financial Services Pty Ltd be appointed as Council's Independent Investment Advisor.

Consultation

The Policy which is the subject of this report is being reported to Council in accordance with legislative requirements. The report recommends no changes to the Investment Policy adopted on 28 June 2011. Under these circumstances it is considered that public consultation is not required.

Background

On 25 May 2010, the Division of Local Government (DLG) issued Investment Policy Guidelines to assist councils with the preparation of an Investment Policy and the prudent and appropriate management of Council's surplus funds. The Guidelines, issued under Section 23A of the Local Government Act 1993 (the Act), apply to all general purpose and special purpose councils in New South Wales. On 17 February 2011, Circular No.11-01 was issued by the DLG advising that a revised Investment Order pursuant to Section 625 of the Local Government Act 1993 had been issued.

Council's current Investment Policy, adopted 28 June 2011, is in line with the Guidelines and the subsequent legislative changes referred to above.

At the time of adopting the current Policy, the Federal Government had issued a Consultation Paper regarding the Financial Claims Scheme (FCS). This Paper proposed changes to the Government Guarantee limit of \$1million per Authorised Deposit Taking Institution (ADI) in place at the time. The current Investment Policy was reviewed at the time to allow for the potential impact of the proposed changes in the FCS. The FCS protects depositors by guaranteeing deposits (up to the cap) held in ADIs incorporated in Australia, and allows quick access to deposits if an ADI becomes insolvent.

ORDINARY MEETING

Meeting Date: 26 June 2012

Subsequent to the adoption of the current Investment Policy, the proposed change to the Government Guarantee limit of \$1million per ADI in place at the time was implemented. A permanent guarantee cap, per account holder, per ADI, of \$250,000, has been in place since 1 February 2012.

This legislative change has been taken into consideration as part of the review of the current Investment Policy.

Investment Policy

The purpose of the Investment Policy is to establish the guidelines that Council adopts in investing its surplus funds. The objectives of this Policy are:

1. To comply with the legislative requirements and regulations relevant to the management of Council's investments;
2. To maximise returns to Council consistent with all requirements of the Policy;
3. To preserve the capital of the investment portfolio. Investments are to be placed in a manner that seeks to ensure the security and safeguarding of the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters;
4. To ensure the investment portfolio has sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment;
5. To establish a framework for monitoring the investments. The investment portfolio is expected to achieve a predetermined market average rate of return that takes into account Council's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles; and
6. To confirm delegations and other relevant governance matters in relation to Council's investments.

Under Council's Investment Policy all investments are made in accordance with:

- The Local Government Act 1993 - Section 625
- The Local Government (General) Regulation 2005 – Clause 212
- The Local Government Act 1993 - Order (of the Minister) dated 12 January 2011 and gazetted 11 February 2011
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2)
- The Local Government Code of Accounting Practice and Financial Reporting
- Division of Local Government Circulars
- Australian Accounting Standards
- Council resolutions

The current Investment Policy has been reviewed to take into account legislative changes occurring since the adoption of the Policy in June 2011. The only relevant change occurring was the implementation of the proposed changes to the Government Guarantee limit detailed earlier in the report.

Council's current Investment Policy, Clause 7, stipulates what constitutes approved investments. This Clause also specifies the limits applicable to investments with ADIs which are not major trading Australian Banks or a wholly owned subsidiary thereof. The Policy allows investments with ADIs falling within this category up to the limit covered by the FCS.

ORDINARY MEETING

Meeting Date: 26 June 2012

The changes occurring after the current Investment Policy was adopted in June 2011 do not impact on the relevance and/or suitability of the Policy. Consequently the review of the Investment Policy results in no recommended changes.

The Draft Investment Policy is attached as Attachment 1 to this report.

The attached Investment Policy provides a framework within which investment decisions are made. Permitted investments, risk management, diversification, term, and liquidity considerations are addressed within the attached Policy. The requirements regarding measurement, benchmarking, reporting and reviewing of Council's Investments are also addressed.

Council's Independent Investment Advisor, Spectra Financial Services, has reviewed and endorsed the attached Investment Policy. Written confirmation dated 14 June 2012, has been received as follows:

"I have reviewed the draft Investment Policy that is proposed to be adopted by Council at its June meeting and confirm that it accords with current Department of Local Government Guidelines and that it is an appropriate policy for Council's use.

In our view, the policy is consistent with the conservative approach required for the stewardship of the restricted and unrestricted reserve monies council is responsible for."

Appointment of Investment Advisor

Council appointed its current Investment Advisor, Spectra Financial Services Pty Ltd at its meeting on 28 June 2011. Council has been provided with the relevant documentation with regard to the Advisor's licensing requirements and independence requirements.

Spectra Financial Services Pty Ltd was granted the Australian Financial Services Licence (AFS Licence) on 10 March 2004 by ASIC. The licence is current as of June 2012.

In June 2012, Spectra Financial Services Pty Ltd also provided Council with a written confirmation stating that they meet the criteria for an independent financial advisor as defined by the DLG Circular 10-11. Spectra Financial Services Pty Ltd confirmed that they have no direct or indirect association with any institution, product provider or third party that would create a direct, indirect or potential conflict of interest in the execution of their advisory services for council.

Spectra Financial Services representatives meet with Council senior staff on a regular basis to review and discuss Council's investment portfolio, as well as provide advice on the strategy for future investments. Spectra Financial Services have been of great assistance to Council's staff in ensuring that Council's investments are compliant with relevant legislation and policy at all times, whilst achieving an appropriate balance between risk and return when placing investments.

It is recommended that the current appointment of the Investment Advisor, Spectra Financial Services Pty Ltd., continues for the 2012/2013 financial year.

Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Be financially sustainable to meet the current and future needs of the community based on a diversified income base, affordable and viable services

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Maintain and review a sustainable long term financial framework

ORDINARY MEETING

Meeting Date: 26 June 2012

Financial Implications

The appointment of an Independent Investment Advisor for the financial year ending 30 June 2013 would be funded from the Financial Services Budget currently in the adopted 2012/2013 Operational Plan.

RECOMMENDATION:

That Council:

1. Adopt the Investment Policy attached as Attachment 1 to the report.
2. Appoint Spectra Financial Services Pty Ltd. as its Independent Investment Advisor for the financial year ending 30 June 2013.

ATTACHMENTS:

AT - 1 Draft Investment Policy - *(Distributed Under Separate Cover)*

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 106 SS - Outstanding Receivables - Bad Debts Write Off - (96332, 95496)

REPORT:

Executive Summary

Council has reviewed outstanding sundry debtors for 2011/2012 which have been unable to be recovered.

The debts owed to Council have been subject to recovery action and all avenues have been exhausted in recovering these debts with no success.

Council's Writing Off of Rates and Charges and Other Receivables Policy allows for any debts under the amount of \$500.00 to be written off by the General Manager or the Responsible Accounting Officer under delegated authority. Any debts over the amount of \$500.00 may only be written off by resolution of Council.

It is recommended that Council write off one bad debt for 2011/2012 that is over the amount of \$500.00.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

Clause 213 of the Local Government (General) Regulation 2005 (the Regulation) provides restrictions on writing off bad debts owed to a council. Clause 213 does not relate to debts in relation to rates or other charges for which other specific provisions exist.

This report deals with a debt raised by Council which is unable or unlikely to be recovered.

Council provides credit to individuals and businesses in the enforcement of laws and regulations or for the provision of services. As with all suppliers of credit, some debtors fail to meet their obligations to pay, despite the best efforts of officers to recover outstanding payments.

Council has appropriate debt recovery and collection procedures to ensure adequate controls are in place to minimise bad debts.

Details on the debt proposed to be written off have been provided below in a form compliant with Clause 213(4) of the Regulation.

The bad debt over \$500.00, which cannot be dealt with under Clause 213(3) of the Regulation by order in writing of Council's General Manager under delegated authority, is as follows:

Debtor Account No.	Amount	Details
7301053	\$3,473.14	Property Rental and Repairs

In accordance with Clause 213(5) (c) of the Regulation, "A debt can be written off, if the council or general manager believes on reasonable grounds that an attempt to recover the debt would not be cost effective."

ORDINARY MEETING

Meeting Date: 26 June 2012

The above debt owed to Council has been subject to recovery action and all avenues have been exhausted in recovering this debt with no success. There comes a point where it is uneconomical to pursue further recovery action.

Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Be financially sustainable to meet the current and future needs of the community based on a diversified income base, affordable and viable services.

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Maintain and review a sustainable long term financial framework.

Financial Implications

If the proposed debt is written off, the amount will be funded from the existing Council's provision for doubtful debts.

RECOMMENDATION:

That Council write off the debt due in the amount of \$3,473.14 from Debtor Account No. 7301053.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

CONFIDENTIAL REPORTS

Item: 107 **IS - Tender FY004/09 - Cleaning of Various Council Buildings - Proposed
Extension of Contract - (79340, 95495) CONFIDENTIAL**

Previous Item: 67, Ordinary (31 March 2009)

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 108 **IS - Tender No. 00412 - Pitt Street Roadworks & Stormwater Drainage Construction - (95495, 79344) CONFIDENTIAL**

Previous Item: 31, Ordinary (28 February 2012)

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 26 June 2012

**Item: 109 IS - Tender No.00914 - Supply of Bulk Materials for Civil Construction -
(95495, 79344) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 110 **SS - Tender No. 00915 - Supply of Banking Services (95496, 96332)**
CONFIDENTIAL

Previous Item: Item 117, Ordinary (31 May 2011)

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 111 SS - Property Matter - Lease to Y Ghet Cang - Shop 2 McGraths Hill Shopping Centre - (112106, 95496, 111656) 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 MEETING

Meeting Date: 26 June 2012

ITEM: 112

SS – Property Matter – Hawkesbury Living Pty Limited – Lease of Former Hawkesbury Hospital Building and Johnson Wing Building – Part of Lot 50 Deposited Plan 1035291 George Street, Windsor (95496, 112106, 100848)

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

ORDINARY MEETING

Meeting Date: 26 June 2012

ORDINARY MEETING

Meeting Date: 26 June 2012

SECTION 5 - Reports of Committees

ROC - Human Services Committee Minutes - 17 May 2012 - (123486)

The meeting commenced at 9.35am in Council Chambers.

Present:	Councillor Barry Calvert Councillor Jill Reardon Ms Vickie Shackley Mr Chris McAlpine	Chairperson Deputy Chairperson Community Representative Community Representative
Apologies:	Mr Glenn Power Mr Nick Sabel Mr Matthew Owens	Community Representative Wentworth Community Housing Hawkesbury City Council
In Attendance:	Mr Joseph Litwin Mr Michael Laing Ms Megan Ang Ms Robyn Kozjak - Minute Taker	Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council

REPORT:

RESOLVED on the motion of Ms Vickie Shackley and seconded by Mr Chris McAlpine that the apologies be accepted.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Ms Vickie Shackley and seconded by Mr Chris McAlpine that the Minutes of the Human Services Advisory Committee held on the 23 February 2012, be confirmed.

Attendance Register of Human Services Advisory Committee

Member	23.02.12	17.05.12			
Councillor Barry Calvert - Chair	✓	✓			
Councillor Jill Reardon	A	✓			
Ms Vickie Shackley	✓	✓			
Mr Nick Sabel	A	A			
Mr Chris McAlpine	✓	✓			
Mr Glen Powers	✓	A			

Key: A = Formal Apology ✓ = Present X -= Absent - no apology

ORDINARY MEETING

Meeting Date: 26 June 2012

BUSINESS ARISING

Item 1: Community Builders Funding Round Opening 28 May 2012

Previous Item: Community Builders Program and 2011/2012 Funding Round

DISCUSSION:

- Mr Laing advised unfortunately to date no response had been received in relation to the NSW Grants Networks submission, however, was pleased to confirm the Community Builders funding Round has finally been announced. Mr Laing further advised applications for funding would be available on the (communitybuilders.nsw) website once the funding rounds opened on 28 May 2012.

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Mr Chris McAlpine.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the information be received.

SECTION 4 - Reports for Information

Item 2: Objectives of the HSAC Constitution and Summary of Current Issues of Concern

DISCUSSION:

- The Chair referred to the attachment to this report - *Scoping Paper - Planning for Community Well Being* and congratulated staff for their efforts in the preparation of the paper.
- Mr Litwin provided an overview of the rationale for preparing the paper, advising the objective was to identify what planning framework currently existed within Council and to then undertake a gap analysis to identify possible omissions within the human service domain in the Community Strategic Plan.
- Mr Litwin advised it was the Committee's role to co-ordinate the process and working groups would be enlisted to undergo an analysis to identify key strategies. The Chair advised he believed it was important the working parties comprised of 'forward looking' groups, and suggested a brief be set for the working parties in this regard.
- It was determined initial priorities and key areas need to be identified and the Chair invited the Committee to provide input. Issues including affordable housing, health, community services facilities, sport and recreation were discussed.

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- The Committee identified Health as a priority project and agreed the term "Healthy Cities" was dated, however suggested the name be used as an interim working title.
- Mr Litwin suggested members view Bega Shire Council's website where members can view the Shire's 'State of the Shire Report', a document which identifies key themes which will be utilised to progress the Council's Community Strategic Plan.
- The Committee was reminded the Results Based Accountability (RBA) training was scheduled for 6 June, 2012 in Council Chambers, commencing at 9.00am.

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Mr Chris McAlpine.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. The information be received.
2. A further report be prepared and brought back to the Committee outlining the framework to implement the proposed actions identified in the scoping papers.
3. Health be identified as a priority project and consideration be given to an alternate title to "Healthy Cities".

SECTION 5 - General Business

- Mr Laing advised he had attended the 'VI Big Brunch' on Friday 11 May at Penrith, a community brunch held by the Nepean / Blacktown Regional Taskforce on Homelessness in association with the '50 Lives 50 Homes Campaign'. Mr Laing reported the event was held to provide feedback of the outcomes and identified needs from the Vulnerability Index Survey. Mr Laing advised the VI Survey was more than a street count, but an evidence based needs assessment tool. Mr Laing reported the information from the Survey would assist in identifying the needs of the chronically homeless in Western Sydney.

The Chair asked Mr Laing to bring further updates back to the Committee for discussion.

- Ms Ang made reference to the Access and Inclusion Plan currently under development and advised as part of the process Council had invited comments from the community about their experience of living in the Hawkesbury. Ms Ang advised in this regard an on-line survey was being conducted, closing on 1 June 2012 with subsequent community forums to be held on 26 and 27 June. Ms Ang advised she would report feedback from the survey and forums at the next meeting.

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- Mr Laing reported Micromex has been engaged by Council to undertake a Research Program Proposal - "Defining The Hawkesbury Character". Mr Laing advised the program was designed to further explore the attitudes of residents towards the Hawkesbury LGA, the outcomes of which would indicate specific components of the LGA that residents wanted to preserve and promote. Mr Laing advised the results of the survey would be reported back to Council.
- The Chair acknowledged the need to recruit more members of the Committee and suggested this issue be addressed by the new Committee (post Council elections in September). The Chair also advised meeting times would be reviewed and suggested it was likely future meetings would commence of an evening.

The meeting closed at 11.08 am.

oooO END OF REPORT Oooo

ORDINARY MEETING
Meeting Date: 26 June 2012

ROC - Heritage Advisory Committee Minutes - 31 May 2012 - (80242)

The meeting commenced at 5.05pm in Council Chambers.

Present:	Professor Ian Jack Mr Graham Edds Councillor Jill Reardon Ms Michelle Nichols Mr Jonathan Auld Ms Deborah Hallam	Chairperson Deputy Chairperson Hawkesbury City Council Community Member Community Member Community Member
Apologies:	Mr Jan Barkley Jack Ms Danielle Wheeler	Community Member Community Member
In Attendance:	Mr Matthew Owens Mrs Shari Hussein Mr Robyn Kozjak	Hawkesbury City Council Hawkesbury City Council Minute Taker, Hawkesbury City Council

REPORT:

RESOLVED on the motion of Councillor Reardon and seconded by Mr Jonathan Auld that the apologies be accepted.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Reardon and seconded by Ms Michelle Nichols that the Minutes of the Heritage Advisory Committee held on the 8 March 2012, be confirmed.

Attendance Register of Heritage Advisory Committee

Member	18/08/11	09/02/12	08/03/12	31/05/12
Councillor Jill Reardon– (HCC)	✓	✓	✓	✓
Mr Graham Edds	A	✓	✓	✓
Ms Deborah Hallam	✓	A	A	✓
Professor Ian Jack	✓	✓	✓	✓
Ms Jan Barkley Jack	A	✓	✓	A
Mr Jonathan Auld	✓	✓	✓	✓
Ms Michelle Nichols	✓	✓	✓	✓
Ms Danielle Wheeler	✓	A	✓	A

Key: A = Formal Apology ✓ = Present X = Absent - no apology

SECTION 3 - Reports for Determination

ORDINARY MEETING

Meeting Date: 26 June 2012

Item: 1 3 year Heritage Strategy - Status Report

DISCUSSION:

- The Chair enquired as to the status of the draft LEP. Mr Owens responded finalisation of the document was imminent; advising it was envisaged the document would be gazetted in the next few weeks.
- Mr Edds referred to item 1 of the "Agreed Priorities for 2012" table on page 11 of the business paper, and made enquiry as to the reason the Heritage Listing Schedule review and engagement of a consultant could not commence until the draft LEP was gazetted. Mr Owens advised the officer working on the LEP was also working on the internal review of the Heritage Listing Schedule as staff resources were limited.
- The line of discussion relating to lack of staff resources evoked Ms Nichols to report she understood training in heritage matters may be available through the Heritage Office and suggested volunteers at the Museum/Gallery/Library may be a source of assistance, with the appropriate training, to check existing Listing Sheets. Ms Hussein responded favourably to Ms Nichols suggestion, advising she would investigate that avenue as a potential source of assistance.
- Mr Owens reported the project of checking existing Listings had already commenced as part of the process of tidying up the LEP. Mr Owens advised the next stage would be to identify additional listings.
- The Chair asked when the position for the Heritage Advisor was to be advertised and Ms Hussein responded it was expected the position would be advertised end June/July. Ms Hussein acknowledged the Chair's observation regarding a former resolution which determined that either he, the Deputy Chair or another representative of the Committee was to be included in the selection process.
- Mr Edds referred to Item 7 of the "Agreed Priorities" list which related to achieving support for the Town Layout concept and expressed disappointment communications with the Heritage Branch appeared to have lost momentum. The Chair subsequently asked staff if the Department could be further approached to ascertain the status of the matter. Mr Owens responded he would pursue the Department for a response to correspondence he had previously forwarded. Ms Hussein added she had provided commentary in Recommendation 6 of the Heritage Strategy Annual Report template, expressing disappointment at the inability to list the Macquarie Towns Layout Plan on the State Heritage Register.
- The Committee entered into discussion re the selection of an appropriate heritage theme and it was agreed a theme which would align with education should be chosen. Ms Hussein added she understood there may be an opportunity to acquire research assistance from students at the UWS and Ms Nichols responded she had been liaising with the Uni regarding certain student projects and would provide Ms Hussein with a contact at the Uni for her assistance.
- In accordance with Part 2 of the recommendation in the business paper, Ms Nichols offered to prepare a short discussion paper to promote awareness of cemeteries in the Hawkesbury area. Ms Nichols advised she would email the paper to members to ascertain feedback.

ORDINARY MEETING

Meeting Date: 26 June 2012

RECOMMENDATION TO COMMITTEE:

That:

1. The status report be received.
2. A Heritage Advisory Sub-Committee analyse and prepare a discussion paper in relation to Item 4 "*Promote Awareness of Cemeteries in the Hawkesbury Area*" for the next meeting.

MOTION:

RESOLVED on the motion of Ms Michelle Nichols, seconded by Mr Graham Edds

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. The status report be received.
2. The Committee propose Ms Nichols prepare a short discussion paper in relation to Item 4 "*Promote Awareness of Cemeteries in the Hawkesbury Area*", circulate to Committee members and to bring back for discussion at the next meeting.

SECTION 4 - Reports for Information

Item: 2 Heritage Advisory Committee Annual Report - 2011/12

DISCUSSION:

- Ms Hussein made reference to the completed draft template for the Heritage Strategy Annual Report 2011/12 to be submitted to the OEH as one of the requirements for grant funding, advising the Annual Report was to be endorsed by Council prior to forwarding to the Department.
- The Key actions proposed for 2012/2013 outlined in the business paper report were considered and Mr Owens drew attention to No. 13 which referenced a review of Council's sustainability website. Mr Owens reported the Sustainability Living guide on Council's website was initially set up through the Waste and Sustainability Improvement Payments Program. Ms Hussein invited comments and suggestions from Committee members on sustainable heritage management as a potential addition to the website. Mr Owens suggested members view the Sustainability Living guide on Council's website, gather some ideas and bring back for discussion at the next meeting.
- Ms Nichols advised the Living Sustainably Guides were also supported by various other Councils and suggested members view other Council websites to gather some ideas on sustainable heritage management.

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

ORDINARY MEETING

Meeting Date: 26 June 2012

RESOLVED on the motion of Councillor Reardon, seconded by Mr Graham Edds.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the

1. Information be received.
2. Heritage Strategy Annual Report for the financial year 2011/12 be recommended for adoption by Council.

The meeting closed at 6.05pm.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012

QUESTIONS FOR NEXT MEETING**Councillors Questions from Previous Meetings and Responses - (105109)****REPORT:****Questions – 29 May 2012**

#	Councillor	Question	Response
1	Mackay	Advised that the occupiers of No.5 Ti Tree Place, Wilberforce experienced a large volume of water entering their business during a large rain event as a result of run off from No.3 Ti Tree Place and asked if Council staff could investigate the issue.	The Director City Planning advised that this matter is currently being investigated by Compliance staff and the appropriate action will be taken to resolve the matter.
2	Bassett	Referred to a Rezoning Applications that was forwarded to the Gateway Process and asked what the timeframe was for the application to leave Council's office and arrive at the Department of Planning.	The Director City Planning advised that there is no set timeframe for sending Planning Proposals (Rezoning) to the Department as the information required following Council resolution varies with each matter. The timeframes for the past six rezonings varied from 10 weeks to 11 Months (applicant delay of 10 months). The most recent matter at North Richmond took 5 weeks between Council resolution and forwarding to the Department.
3	Tree	Asked if it would be at all possible to move forward into a paperless system with regards to meetings and invitations, which Councillors are asked to RSVP	The General Manager advised that the introduction of an appropriate process will be investigated.
4	Tree	Asked if it was possible to have access to equipment that works in relation to where they live, in terms of their service provider.	Director Infrastructure Services advised that action is being taken to provide improved service.
5	Tree	Referred to a flyer, offering fill to Hawkesbury residents. The flyer suggested that it is not clean fill and therefore there is a high risk of dirty fill being used in the area. Councillor Tree asked that the matter be investigated.	The Director City Planning advised that an investigation into this flyer commenced previously and is the subject of an ongoing investigation. The investigation of unauthorised filling as well as the certification of authorised fill is the subject of continuing surveillance.

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#	Councillor	Question	Response
6	Paine	Asked if there is a clause in the lease with KFC for the property at, Mulgrave regarding who is responsible for demolishing the building if it were to become vacant.	Director Support Services advised that under the lease between Fishfood Trading Pty Limited and Council for 246 Windsor Road, Vineyard, the building remains in the ownership of the Lessee during the term of the lease, however at the end of the lease the ownership of the building is transferred to Council. The lease also indicates that the Lessee must maintain the building and will refurbish the building every ten years.
7	Paine	Asked if the Old Hospital and Johnson Wing Building have been leased as yet.	Director Support Services advised that a proposal to lease both the Old Hospital and Johnson Wing Buildings is the subject of a report on the business paper for the Council Meeting on 26 June 2012.
8	Porter	<p>Advised that the Cenotaphs at Wilberforce, Freemans Reach and Colo War Memorials are in need of an upgrade. Councillor Porter asked Council staff to restore the names on the Cenotaphs as this would vastly improve the look of the War Memorial and suggested that grant funding could be used to undertake these repairs.</p> <p>Further more the keys that were supplied for the gate and flag pole at Wilberforce didn't work at the ANZAC Day ceremony. Can Council staff please arrange to have the correct keys supplied for future use.</p>	<p>Director Infrastructure Services advised that costings for lettering and other enhancements were being obtained and grant applications would be made where appropriate.</p> <p>Processes will be put in place to ensure all access and operational issues are addressed.</p>
9	Porter	Referred to the successful Ski Boat Races conducted on the weekend of 26 and 27 May 2012 by the Upper Colo Hawkesbury Boat Club.	The General Manager advised that the matter has been noted.
10	Rasmussen	Asked if Council was aware of the current status of the review at Warragamba Dam operations following the recent floods.	The Director City Planning advised that Council is aware that the review was to proceed but, as it is not a party to that review, is unsure of the progress to date.
11	Rasmussen	Request Council's staff write to the State Government seeking their view in relation to a domestic airport at the RAAF Richmond.	The General Manager advised that an appropriate letter will be sent and Council subsequently advised of a response when received.
12	Rasmussen	Advised that there are pot holes on Putty Road, near Colo Road Bridge and asked Council staff to contact RMS asking that the section be repaired.	Director Infrastructure Services advised that the RMS has been notified of the pot holes.

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#	Councillor	Question	Response
13	Rasmussen	Advised that Telstra recently installed a mobile signal repeater in his home which substantially improved his reception. Councillor Rasmussen suggested a signal repeater could be installed in all Councillors homes in the hope that it will improve their reception.	Director Infrastructure Services advised that action is being taken to provide improved service.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 June 2012



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.