



# Hawkesbury City Council

## ordinary meeting business paper

date of meeting: 11 July 2017

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 11pm. 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 3pm 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 may address Council on any items in the business paper other than the Confirmation of Minutes; Responses to Questions from Previous Meeting; Mayoral Elections; Deputy Mayoral Elections and Committee Elections.

To register, please lodge an application form with Council prior to 3pm on the day of the meeting. The application form is available on Council's website, from the Customer Service Branch or by contacting the Corporate Services and Governance Manager on (02) 4560 4444 or by email at [council@hawkesbury.nsw.gov.au](mailto:council@hawkesbury.nsw.gov.au)

The Chairperson will invite registered persons to address Council when the relevant item is being considered. Speakers have a maximum of five minutes to present their views. The Code of Meeting Practice allows for three speakers 'for' a recommendation (i.e. in support), and three speakers 'against' a recommendation (i.e. in opposition).

All speakers must state their name, organisation if applicable (after producing written authorisation from that organisation) and their interest in the matter before speaking.

## **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 Chairperson 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 Secretary.

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.

## **Business Papers**

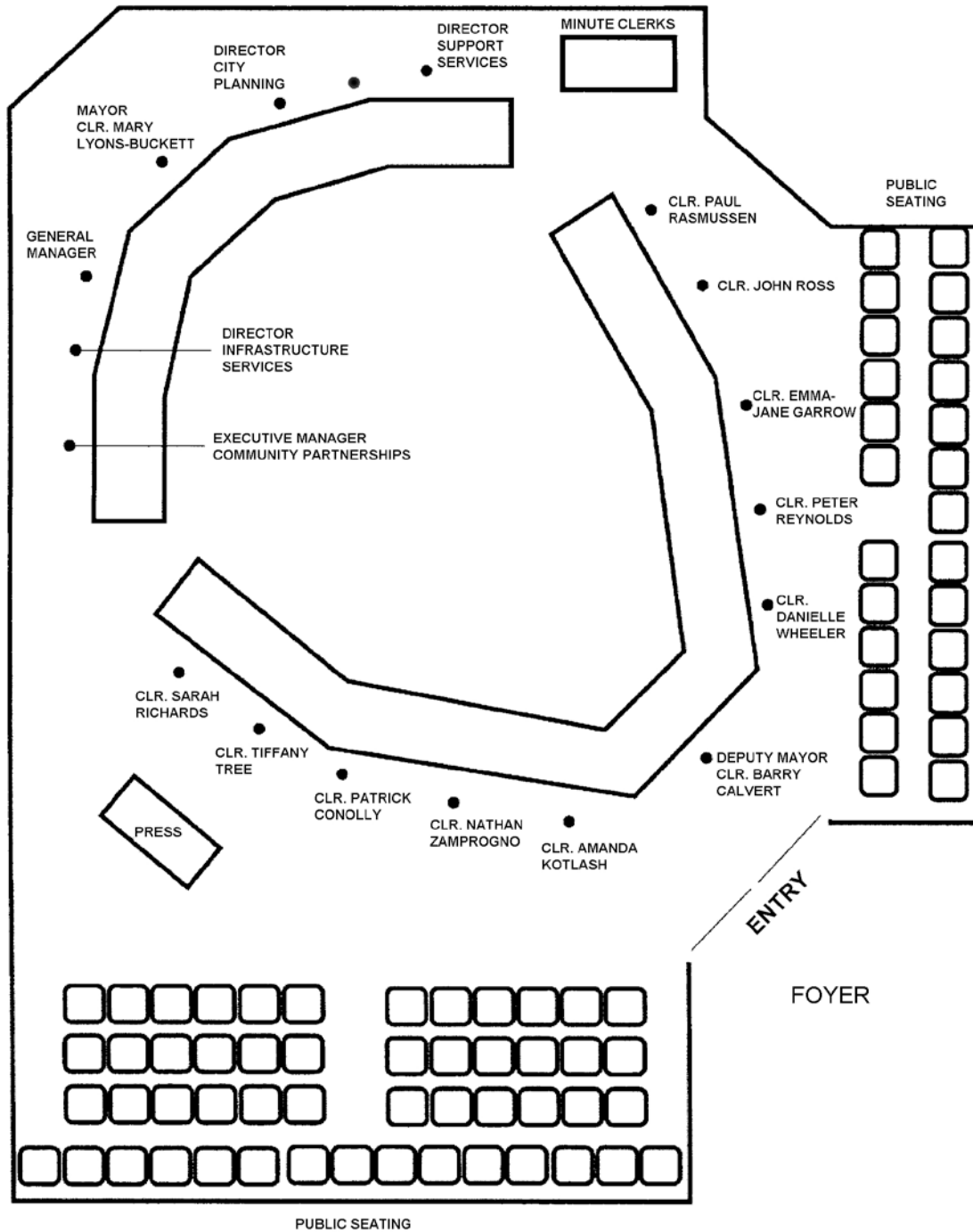
Business papers can be viewed online from 12pm on the Friday before the meeting on Council's website <http://www.hawkesbury.nsw.gov.au>

Hard copies of the business paper can be viewed at Council's Administration Building and Libraries after 12pm on the Friday before the meeting. 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 Corporate Services and Governance Manager on (02) 4560 4444.

# Hawkesbury City Council





**ORDINARY MEETING**

**Table of Contents**

**Meeting Date: 11 July 2017**

**AGENDA**

- **WELCOME**
  - Acknowledgement of Indigenous Heritage**
- **APOLOGIES AND LEAVE OF ABSENCE**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL**
- **AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 3 - Reports for Determination**
  - Planning Decisions**
  - General Manager**
  - City Planning**
  - Infrastructure Services**
  - Support Services**
- **SECTION 4 - Reports of Committees**
- **SECTION 5 - Notices of Motion**
- **QUESTIONS FOR NEXT MEETING**
- **REPORTS TO BE DISCUSSED IN CONFIDENTIAL SESSION**

**ORDINARY MEETING**

**Table of Contents**

**Meeting Date:** 11 July 2017



**ORDINARY MEETING****Table of Contents****Meeting Date:** 11 July 2017**TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
	<b>SECTION 1 - Confirmation of Minutes</b>	<b>3</b>
	<b>SECTION 3 - Reports for Determination</b>	<b>7</b>
	<b>INFRASTRUCTURE SERVICES</b>	<b>7</b>
Item: 121	IS - Exclusive Use of Governor Phillip Park - Power Boat Spectacular Event - (95495, 79354, 73829)	7
Item: 122	IS - Windsor Bridge Replacement Project - Draft Council Submission - (95495, 79354, 73621)	9
	<b>SUPPORT SERVICES</b>	<b>25</b>
Item: 123	SS - Disability Inclusion Action Plan 2017-2021 - (95496, 96328)	25
Item: 124	SS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)	27
	<b>SECTION 5 - Notices of Motion</b>	<b>31</b>
NM1	Reduction in the use of plastic bags - (79351, 105109, 138882)	31
	<b>QUESTIONS FOR NEXT MEETING</b>	<b>34</b>
	Councillor Questions from Previous Meeting and Responses - (79351)	34
	<b>CONFIDENTIAL REPORTS</b>	<b>37</b>
Item: 125	SS - Acquisition of Easement - Part of 69 Wells Street, Pitt Town - (95496, 112106, 37918, 37919) CONFIDENTIAL	37
Item: 126	SS - Property Matter - Lease of Shop 9, Glossodia Shopping Village - (95496, 112106, 73792, 76718) CONFIDENTIAL	38
Item: 127	SS - Property Matter - Lease to Urban City Consulting Pty Ltd - Johnson Wing, 4 Christie Street, Windsor - (112106, 95496, 85782) CONFIDENTIAL	39

**ORDINARY MEETING**

**Table of Contents**

**Meeting Date:** 11 July 2017

ordinary

section 1

confirmation of minutes

**ORDINARY MEETING**  
Confirmation of Minutes

**ORDINARY MEETING**  
Confirmation of Minutes

**SECTION 1 - Confirmation of Minutes**

**ORDINARY MEETING**  
Confirmation of Minutes

ordinary

section

3

reports  
for determination

**ORDINARY MEETING**

**Meeting Date: 11 July 2017**



## ORDINARY MEETING

Meeting Date: 11 July 2017

### SECTION 3 - Reports for Determination

#### INFRASTRUCTURE SERVICES

**Item: 121**                      **IS - Exclusive Use of Governor Phillip Park - Power Boat Spectacular Event - (95495, 79354, 73829)**

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#### **REPORT:**

##### **Executive Summary**

An application has been received from the Upper Hawkesbury Power Boat Club to hold an "exclusive use" event at Governor Phillip Park. The Upper Hawkesbury Power Boat Club is seeking the dates of Saturday, 16 September and Sunday, 17 September 2017 for their Power Boat Spectacular.

This event has been held annually and provides benefits to the community through tourism and visitation and it is recommended that exclusive use of the reserve be granted for this event.

##### **Consultation**

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

##### **Background**

There are a number of exclusive use events that are held at Governor Phillip Park over the year. The Power Boat Spectacular is one of these events.

The Upper Hawkesbury Power Boat Club is seeking the dates Saturday, 16 September and Sunday, 17 September 2017 for their Power Boat Spectacular.

The Event Schedule as advised is:

Saturday, 16 September 2017:

- Circuit power boat race (oval shape) on the Hawkesbury River, adjacent to Governor Phillip Park
- Start and Finish times: 9am to 5pm
- Set Up and Pack Down times: 7:30am to 6pm.

Sunday, 17 September 2017:

- Circuit power boat race (oval shape) on the Hawkesbury River, adjacent to Governor Phillip Park.
- Start and Finish times: 9am to 9pm
- Set Up and Pack Down Times: 7:30am to 10pm.

The event will be much smaller than previous years as some of the usual competitors are travelling overseas. The number of competitors expected is around 80 for the event with approximately 400 spectators. As per previous years, there will be six boats per group competing, per race, in various categories.

A traffic application has not been lodged at this time, therefore approvals for traffic will need to be resolved by the applicant with NSW Police and Roads and Maritime Services.

The Plan of Management for the Windsor Foreshore Parks allows for these types of activities to occur.

This event raises the profile of the Hawkesbury region and increases visitation with benefits to the business community and it is recommended that exclusive use be granted to Upper Hawkesbury Power Boat Club for this event.

**Conformance to the Hawkesbury Community Strategic Plan 2017-2036**

The proposal is consistent with the following Focus Area, Directions and Strategies within the CSP.

Our Future

5.4 Celebrating Our Rivers

5.4.1 Celebrate and use our rivers for a range of recreation, leisure, tourism and event activities.

5.6 Instigating Place Making Programs

5.6.1 Foster and promote an annual program of events, festivals, sporting and cultural activities that allows our communities to connect and celebrate with one another.

**Financial Implications**

Income will be generated through user charges for use of the Park in accordance with the 2017/2018 Adopted Operational Plan.

**RECOMMENDATION:**

That:

1. Approval be granted to the Upper Hawkesbury Power Boat Club for “exclusive use” of Governor Phillip Park for the 2017 Power Boat Spectacular to be held on Saturday, 16 September and Sunday, 17 September 2017.
2. The approval 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 Reserve Exclusive Use Policy
  - e) The Governor Phillip Reserve Noise Policy.
3. It is noted that appropriate approvals need to be obtained from RMS and NSW Police.
4. As the applicant has not advised alternative dates in the event of inclement weather, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

## ORDINARY MEETING

Meeting Date: 11 July 2017

**Item: 122**                      **IS - Windsor Bridge Replacement Project - Draft Council Submission - (95495, 79354, 73621)**

**Previous Item:**            64, Ordinary (28 March 2017)  
                                 90, Ordinary (30 May 2017)  
                                 NM1, Ordinary (27 June 2017)

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### REPORT:

#### Executive Summary

As part of the Windsor Bridge Replacement Project, Roads and Maritime Services (RMS) were required to undertake heritage assessment investigations. This work is embodied in a Strategic Conservation Management Plan (SCMP). The Strategic Conservation Management Plan (SCMP) appears to be an instrument created purely for the purposes of this project and this Condition B1 of the relevant approval.

Council staff and nominated Councillors attended briefings of stakeholders conducted by RMS regarding the SCMP. This report outlines the proposed submission to RMS on the SCMP, and incorporates comments from Council's staff and Heritage Advisor.

#### Consultation

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

This report concerns the preparation of a submission on a third party document and community engagement is the responsibility of that party.

#### Background

RMS, as part of the approval for the Windsor Bridge Replacement Project was required to prepare and submit a SCMP to the Director General of the Department of Planning for the area on the southern side of the project area, being the Windsor side.

The SCMP was to "*include, but not be limited to:*

- a) *identification of the heritage value of the Thompson Square Conservation Area, including statements of significance for the Thompson Square Conservation Area and any individual listings within the conservation area of local, state or national heritage items*
- b) *the development of heritage design principles for the project to retain the significance of the Thompson Square Conservation Area and any individually listed item within the conservation area or in proximity to the site, with the exception of Item 3 (the Thompson Square lower parkland area) and Item 20 (Windsor Bridge) in Table 1 of Appendix 1*
- c) *specific mitigation measures for the Thompson Square Conservation Area and individually listed items to minimise impact and to ensure that final measures selected are appropriate and the least intrusive option*
- d) *changes to the detailed design of the SSI (State Significant Infrastructure - added) to mitigate heritage impacts."*

Source: Condition B1 Application SSI 4951

To fulfil the requirements of this condition RMS engaged Austral AHMS Joint Venture (AAJV) to prepare this SCMP.

## ORDINARY MEETING

Meeting Date: 11 July 2017

It should be noted that the SCMP has been prepared on the understanding that the replacement bridge will be constructed- including its related impacts and that this document will guide the conservation and management of the study area into the future. Volume 2 of the SCMP states:

*"The fundamental constraint which must be acknowledged is the establishment of the new bridge over the Hawkesbury River, the new abutment and approach spans along the eastern edge of Thompson Square and the new road works which will be required north of the river. "These works will have physical, archaeological and visual impacts which are already approved and cannot be completely mitigated or removed."*

The conditions of approval only requires RMS to consult with the Office of Environment and Heritage in preparing the SCMP but RMS have also engaged with other stakeholders including Hawkesbury City Council. The SCMP comprises three volumes as follows:

- Volume 1 is principally a background document, intended to provide information on heritage and history of Thompson Square.
- Volume 2 provides an analysis and assessment of the site significance, in order to identify opportunities, constraints and related requirements for policy and implementation to ensure long term conservation and management of the site.
- Volume 3 is intended to guide the activities of RMS during the project itself.

Volumes 1 and 2 are intended to be the documentation relevant to ongoing management of this historically significant site.

Section 5 of the SCMP Volume 2 sets out policy guidelines for the management of the Study Area in the future and covers the following;

- Policy Discussion/ Vision Statement
- Fabric
- Maintenance
- Aboriginal Cultural Heritage
- Landscape and environs
- Aboriginal Archaeology
- Historical Archaeology
- Maritime Archaeology
- Interpretation
- Vistas, Views and Setting
- Procedural Requirements

This policy framework for future management of the heritage significance of Thompson Square looks at the various elements, uses and associations of the place. The policies are based on the issues raised in the analysis, assessment and procedure sections of this report, with particular emphasis on the significance of the place.

## ORDINARY MEETING

Meeting Date: 11 July 2017

### Council's Position

Council resolved at its meeting of 25 October 2016:

*That:*

1. *Council request the Premier urgently order the cessation of the project known as the Option 1 replacement for the bridge at Windsor.*
2. *Council request allocated funding be committed to the renovation of historic Windsor Bridge for light and local traffic and the construction of an additional river crossing near Windsor which can appropriately meet current and future traffic needs of the wider community while allowing preservation and enhancement of the natural and heritage landmarks of Windsor.*
3. *The location of the new, additional river crossing on a town bypass be determined in consultation with Council and the Community: and recognise and integrate with the Government 's longer term plans for another bridge and associated road corridor connecting to the Motorway network."*

Council has more recently resolved on 27 June 2017

*"That:*

1. *The Mayor write to the National Trust of Australia, the Royal Australian Historical Society, Engineers Australia and the NSW Heritage Council to request their support for the refurbishment and ongoing care of the historic Windsor Bridge.*
2. *A report be presented to Council, detailing any responses received from the National Trust of Australia, the Royal Australian Historical Society, Engineers Australia and the NSW Heritage Council.*
3. *Subsequent to receipt of any advice of support from the National Trust of Australia, the Royal Australian Historical Society, Engineers Australia and the NSW Heritage Council, Council advise the RMS that it will take possession of the State Significant Windsor Bridge, refurbished for use by pedestrians and cyclists, in the event the planned Option One bridge is constructed."*

Notwithstanding the position of Council in opposing the project Council has been consulted by RMS regarding its position and advice on the SCMP. RMS undertook two briefing sessions, attended by invited stakeholders, including Councillors, Council staff and Council's Heritage Advisor.

Council staff have previously advised RMS that its submission would require the endorsement of Council, and RMS agreed to provide additional time for such advice to be received, to align with the timing of Council meetings.

Council staff have reviewed the documentation, providing detailed commentary, for inclusion in a submission.

Council's Heritage Advisor was also engaged to provide commentary and advice on the documentation provided, and provide a draft submission for Council's consideration.

All advice has been incorporated into the draft submission attached to this report.

A summary of key issues and commentary is provided below:

## Key Issues

Council's staff comments on key issues are as follows:

- The SCMP recommends that the extent of the boundaries of the Thompson Square Conservation Area be expanded. Council concurs with the need for the area to be unambiguously recognised based on the heritage value. This will involve consultation and possible LEP amendment.
- There is inconsistency between the SCMP content/direction and the actual design e.g. retention of sandstone kerb is recommended but not shown in design documentation.
- The SCMP Volume 2 refers to a series of policies related to the conservation of the study area as a whole. The SCMP states that these are to provide guidance and are "prescriptive with respect to management of heritage values and fabric" (page 166). It is however unclear as to the ultimate role/status of the SCMP i.e. does its submission to, and acceptance by, the Department of Planning, make it a document that is binding on Council? The SCMP extends beyond the immediate project extent (in order to inform the study fully). The adoption of policies however may have significant impact on others, without the benefit of full consultation. By way of example, the SCMP identifies policies relating to the outdoor dining areas on George Street, seeking to reduce their bulk and scale and provide design guidelines. Whilst this has merit, there may be impacts on affected businesses. Clarification on the status/applicability of the SCMP to Council is therefore sought.

Council's Heritage Advisor has:

- Identified that the heritage assessment process followed by RMS differs from standard practice, specifically in the lack of consultation and the articulation of heritage values and significance prior to a decision on project approval i.e. only a statement of Heritage Impact was made rather than a normal Conservation Management Plan (CMP) as outlined in the *Burra Charter*.
- Queried the actual purpose of the SCMP, if an approval decision has been made that is not based on heritage significance.
- Identified substantial inconsistencies between the values identified in Volume 1 for Thompson Square and the physical analysis of the site then detailed in Volume 2.
- Notes that the SCMP authors did not have a senior architectural consultant on their team resulting in a lack of assessment of building fabric and character. Again this results in inconsistencies between Volumes 1 and 2.
- Commented that Volume 3 content is inconsistent with the requirements of a normal CMP, and makes no detailed analysis of the square's buildings, function and material palette (as outlined in the *Burra Charter*).
- Suggests that Council prepare its own CMP and advise the State Government that additional time should be given to do so. This issue is addressed later in this report.

## Preparation of a Conservation Management Plan (CMP) by Council

Council's Heritage Advisor has recommended that Council consider advising the State Government that Council needs additional time to prepare its own CMP, that would include heritage buildings.

Council has previously programmed the preparation of its own CMP, however given the proposed works by RMS and the associated research and documentation in relation to heritage and conservation, work was placed on hold.

## ORDINARY MEETING

Meeting Date: 11 July 2017

This work on the CMP can recommence shortly, utilising any relevant research and studies undertaken by RMS. This should be done, regardless of any approval by the State Government or its agencies of the RMS SCMP.

As per normal practice, a Council CMP would seek to consult all stakeholders, would be in accordance with the relevant guidelines and would identify appropriate policies for both Council activities and its regulatory role.

### Discussion

The preparation of SCMP documentation by RMS has provided a substantial amount of valuable technical information relating to heritage, archaeology and conservation issues related to the Thompson Square Conservation Area.

However, this appears to have been prepared from the narrow perspective of fulfilling a condition of approval. There are a number of inconsistencies in the documentation relating to recommendations made and their incorporation in the actual project.

Further it is unclear as to what the status and force of the SCMP will have in regard to ongoing conservation management of the area. The SCMP makes 89 policy statements, many of which impact on Council and potentially other land owners. Whilst the document states that future conservation will require cooperation of all stakeholders, clarification is sought on the status of the SCMP, once it is submitted to the Department of Planning by RMS.

Council should therefore prepare its own CMP for the area. This would utilise and build on much of the research and analysis carried out by RMS, and should form the basis of an enduring and robust plan to conserve this high heritage value site.

The draft submission on the SCMP incorporates Council's adopted position of seeking cessation of the current project, however, it also provides commentary on the documentation that has been exhibited.

The draft submission also outlines the concerns relating to the status of the SCMP, as articulated previously.

### Financial Implications

There are no direct financial implications arising from this report. Costs associated with obtaining Council's Heritage Advisor's report will be met from within the relevant operational budget.

### RECOMMENDATION:

That the draft submission regarding the Strategic Conservation Management Plan (SCMP) Study Area attached to this report as Attachment 1 be submitted to RMS, noting that such submission is not to be taken as endorsement of the Windsor Bridge Replacement Project nor of the SCMP itself.

### ATTACHMENTS:

AT - 1 Draft Submission

## ORDINARY MEETING

Meeting Date: 11 July 2017

### AT - 1 Draft Submission

Hawkesbury City Council provides the following submission in relation to the Strategic Conservation Management Plan for Study Area, prepared by RMS and dated May 2017.

The submission should not be considered an endorsement of the Windsor Bridge Replacement Project, for which Council has sought its cessation.

A significant issue for Council is the status and force of the SCMP. The SCMP makes a series of policy statements in Volume 2 and it is unclear what the status of the SCMP will be after it is submitted to and considered by the Director-General.

Council as the owner/custodian of much of the conservation area is preparing its own Conservation Management Plan, and whilst it will incorporate relevant information and research from the RMS body of work, it will also include full community consultation to ensure issues and impacts are appropriately addressed.

Accordingly Council seeks a clear statement within the SCMP detailing its purpose and authority.

Council's Heritage Advisor has raised concerns over the procedure that has been followed, specifically the relationship between the project approval in the absence of the SCMP. This is at variance to accepted heritage significance assessment. The complete commentary of the Heritage Advisor is incorporated in this submission as an attachment.

The following table articulates specific issues with the SCMP and Council's response.

SCMP Item		Response
	<i>Condition B1. Refers to both "The Site" and the "Study Area".</i>	Whilst noting advice given during the briefing formal clarification should be provided regarding: <ul style="list-style-type: none"><li>• "the Site,"</li><li>• the "Study Area" and</li><li>• how and why the SCMP Study Area has been varied from Condition B1.</li></ul>
Pg 151	<b>3.9 Conclusion</b> <i>The curtilage For Thompson Square and the surrounding is recommended to be expanded and altered as per the plan (pg152).</i> <i>Justification for inclusion of these additional areas is the presence of significant archaeological remains, the potential for improved outcomes through future development of structures of little significance, the need to retain control of foreshore area to retain views and the potential future impacts of infrastructure maintenance and upgrades to the area.</i>	As thereone differing boundaries of the Thompson Square conservation area between the LEP and OEH, a review of the curtilage would reduce any confusion.  Council generally concurs and will consider the curtilage adjustment and amendment to the LEP accordingly following completion of Council's SCMP for Thompson Square and community consultation.



**ORDINARY MEETING**

**Meeting Date: 11 July 2017**

SCMP Item		Response
Pg 165	<p><b>4.8 Opportunities, Issues and Constraints – Long Term Management of Thompson Square</b></p> <p><i>The report strongly recommends setting up a Steering Committee for the management of the site. Representative include;</i></p> <ul style="list-style-type: none"> <li>• Council</li> <li>• OEH</li> <li>• Community Representatives</li> <li>• Owners</li> <li>• Public Authorities</li> </ul>	<p>As Council is the primary custodian of Thompson Square, it would need to take the lead in the development of this committee. This group will need to set out the long term vision for the place and develop an action plan accordingly.</p>
Pg 159	<p><b>4.7.2 Maintenance</b></p> <p><i>The need for continual maintenance is a significant constraint for owners, both financially and on future works to the site. It is important to provide an effective manageable maintenance system.</i></p> <p><i>As an update to existing maintenance plans, a revised maintenance plan should be prepared for the study area, which identifies the nature of fabric (whether historic or modern) and the techniques for its maintenance. This should clearly delineate the frequency of maintenance and the responsibility for maintenance.</i></p> <p><i>Where possible, a Schedule of Exemptions for routine maintenance works for infrastructure and public space within the study area should be developed and submitted to the Heritage Council for endorsement and gazettal.</i></p>	<p>Council's current maintenance practices will need to change with the increase of open space infrastructure and thus will increase the cost to the community.</p> <p>The maintenance schedules will need to account for Council's current service levels and the cost of establishing new open space infrastructure (gardens, turfed areas, embankment stabilisation).</p> <p>Council seeks RMS to provide Council with detailed maintenance schedules and funding for any increased maintenance cost and responsibility in order to fulfil conservation obligations created by the project.</p>
Pg 161	<p><b>The palette of tree species has been expanded to include species which are not compatible with the formative period of Thompson Square.</b></p> <p><i>Mitigation: Avoid new species. When choosing species for planting, preference existing species as seen in the earliest plantings which include Brachychiton populneus, Araucaria cunninghamii and Grevillea robusta.</i></p> <p><i>Use Casuarina glauca and Casuarina cunninghamiana for riverbank stabilisation.</i></p>	<p>Agreed that the use of new species within the square should be avoided.</p> <p>The use of <i>Casuarina glauca</i> and <i>Casuarina cunninghamiana</i> for riverbank stabilisation should be limited due to the species creating monocultures and shadowing out other native species. A combination of native riverbank species should be used.</p>

## ORDINARY MEETING

Meeting Date: 11 July 2017

### Policy Statements

The following items relate to policy statements contained in Volume 2. As a matter of principle, the status of a SCMP prepared by RMS as the project proponent for specific works, is unclear. Clarification is sought on whether such policy statements bind other parties, such as Council or are reliant upon those parties formally adopting the policies. The following comments are therefore made generally and subject to such clarification.

SCMP Item		Response
Pg 173	<b>Policy 36</b> - <i>Existing road surfaces and paths should be reviewed with the aim of eliminating all harsh modern surface finishes within and adjacent to Thompson Square. Any replacement road surfaces and paths should relate more closely to the traditional gravel and honey-coloured crushed coarse aggregate-rich bitumen surfaces. (e.g. using aggregate derived from Nepean River gravel or similar).</i>	It is noted that in the Urban Design and Landscape Detailed Design shows that Bridge Street, George Street are to remain asphalt which is contradictory to policy 36.  RMS to explain variation to SCMP Policy.
Pg 173	<b>Policy 37</b> - <i>Concrete kerbs and gutters should be considered for replacement with sandstone kerb and gutter except where they have a vital function in preventing erosion and managing storm water.</i>	The removal of late 19 <sup>th</sup> early 20 <sup>th</sup> century kerb and gutter should be avoided and any replacement should be of like material. This is inconsistent with current design for RMS project.  RMS to explain variation to SCMP Policy.
Pg 174	<b>Policy 42</b> - <i>Do not use 'mock heritage' public domain elements (e.g. faux gas lights).</i>	Agree with policy recommendation, the installation of new elements should be sympathetic to the square and not detract from the surrounding curtilage.
Pg 174	<b>Policy 44</b> - <i>Investigate the realignment of the western edge of Thompson Square to its earlier alignment.</i>  <i>Responsibility</i> <ul style="list-style-type: none"><li>• <i>Future public domain design and management - HCC</i></li><li>• <i>Realignment of west side of Thompson Square - HCC</i></li></ul>	Consideration of the re-alignment of the western section should have been considered within the overall context of the Urban Design and Landscape Detailed Design, however falling outside the RMS scope of works shows a lack of strategic planning of Thompson Square and its curtilage.

**ORDINARY MEETING**

**Meeting Date: 11 July 2017**

SCMP Item		Response
Pg 175	<p><b>Policy 45</b> - <i>Reduce the scale and bulk of the outdoor dining facilities along George Street, as these detract from the historic streetscape character and obscure the facades of the heritage items.</i></p> <p><b>Policy 46</b> - <i>Establish consistent guidelines and approaches for any new outdoor dining facilities within the study area, with a high baseline of design which is sympathetic to the heritage values of the site.</i></p> <p><b>Policy 47</b> - <i>Commercial activities within Thompson Square itself should be restricted to short-term activities (i.e. a weekend) which require no permanent infrastructure.</i></p> <p><b>Actions</b></p> <ul style="list-style-type: none"> <li>• <i>Liaise with the business owners along George Street to discuss alternative approaches to outdoor dining</i></li> <li>• <i>Consider minimalist approaches to outdoor dining facilities, such as a shared lightweight pavilion, retractable awnings or permanent but sympathetic awning extensions to restaurant buildings.</i></li> </ul>	<p>These are policy items potentially affecting other parties, and should be subject to full consultation prior to policy adoption.</p>
Pg 176	<p><b>Policy 50</b> - <i>Any activities that require ground disturbance to &gt;30cm (e.g. watering systems, utilities) would require archaeological assessment and investigation by an Aboriginal heritage specialist. Where significant cultural deposits are identified, re-designing the activity to avoid impacts is recommended.</i></p>	<p>The policy outlines the need for additional archaeological assessment and investigation that places significant impost on Council considering RMS has undertaken significant investigations already.</p> <p>The development of an Archaeological Management Plan for the site should be prepared by RMS.</p>
Pg 177	<p><b>Policy 57</b> - <i>Thompson Square should be assessed for potential listing as an Aboriginal Place under the National Parks and Wildlife Act 1974 to ensure its future protection and management.</i></p>	<p>Noted. The listing of Thompson Square as an Aboriginal Place will ensure protection of site; however has possible impacts on future commercial and operational activity.</p>
Pg 181	<p><b>Policy 70</b> - <i>An interpretation plan should be prepared as part of major future works which affect the public domain. Future interpretation should take a consistent approach to interpreting the site.</i></p>	<p>RMS has already developed an Interpretation Strategy for Thompson Square which can be followed and incorporated with Council's Interpretation/Signage Policy.</p>

# ORDINARY MEETING

Meeting Date: 11 July 2017

SCMP Item		Response
Pg 183	<p><b>Policy 83</b> - Consider rationalising the State Heritage Register and Local Environmental Plan curtilages to the same boundary.</p> <p><b>Policy 84</b> - Consider expanding the boundaries of the Thompson Square Conservation Area north to incorporate the southern embankment and maritime heritage zone, and to incorporate the opportunity sites identified along the boundaries of Thompson Square, to provide greater control of future development outcomes. Develop a Schedule of Exemptions to accommodate future routine maintenance work to infrastructure and public space within the Conservation Area.</p>	As identified previously a change in the curtilages will require Council to undertake community consultation for changes to the LEP. This work has already been identified by Council resulting in Council recommencing the preparation of a SCMP for Thompson Square.
Pg 10	<b>Study Area</b>	<p>The Study boundaries do not align with the Conservation Area, specifically terminating at the building facades.</p> <p>This is poor practice and the whole of the Conservation Area and buildings should be addressed in the SCMP. An example of the consequence of not examining impacts beyond the project boundaries can be seen in the previous isolation of the Windsor Toll House by the Fitzroy Bridge construction.</p>

Finally, the RMS and other State Government Authorities should review previous government decisions and practices in particular:

- The Windsor Toll House and the challenges of locating new infrastructure adjacent to existing heritage items.
- The problems associated with the long term management of heritage items and the benefits of considering heritage items beyond their façade.

## Referral Response

Otto Cserhalmi (OC) – Heritage Advisor

Address	Thompson Square WINDSOR
Application No.	NA
Proposal / Issue	Review of RMS Conservation Management Plan

Date: 3 July 2017
By: Otto Cserhalmi

**Heritage Advisor's Comments:**

Council has been requested to give advice re the RMS's Strategic Conservation Management Plan.

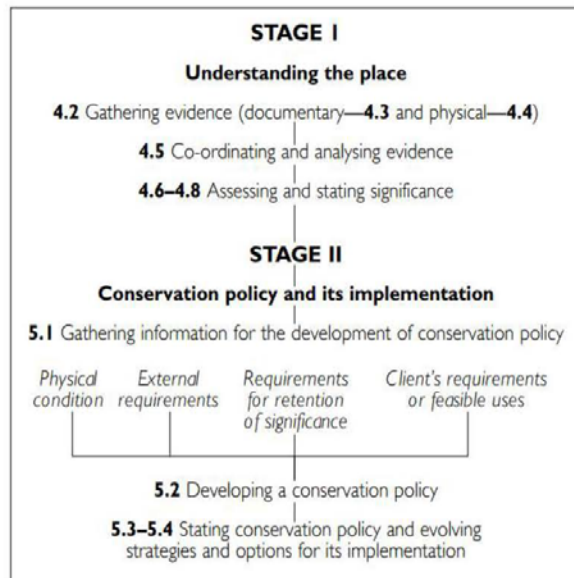
1. The preparation of a Strategic Conservation Management Plan was a specific requirement set in December 2103 by the Minister for Planning (Application NoSSI-4951).
2. The purpose of the Strategic Conservation Plan seems to be different from that of a normal Conservation Management Plan.

The normal Conservation Management Plan procedure is as follows.

The *Burra Charter* (2013), James Semple Kerr's *The Conservation Plan* (7<sup>th</sup> edition 2013) and the NSW Heritage Office's *Assessing Heritage Significance and Conservation Management Documents* (2009), and *Conservation Management Plan: A checklist* (2003) – all outline the same procedure.

That is as follows: before you can make a logical decision on the appropriate development on a site you need to understand its heritage significance, i.e. its "value". This is undertaken by a study of the historical records and the site's surviving heritage fabric. This is the normal Stage 1 of a Conservation Management Plan.

The following chart from James Semple Kerr's *The Conservation Plan* below makes clear the need for two stages in assessing heritage sites:



Stage 1 consists of careful research and documentation, so that the real significance of a place is known, understood and articulated. At this stage, there is generally community consultation so that the widest agreement of values are set by the whole community.

Only then is Stage 2 started i.e. questions as to what are the options for the site, which is least disruptive to heritage values, what are the costs, what are the building regulations etc.

3. The RMS heritage assessment differs from the abovementioned normal standard practice.

A review that has occurred at Thompson Square by RMS is as follows:

In 2012 when the Minister made a decision on the proposed bridge replacement, the heritage documents relied on a Statement of Heritage Impact report only, and there was no detailed Conservation Plan prepared.

Nor was the two-staged approach followed. This is clearly outlined in the 2012 Environmental Impact Statement page 29 (see below) whereby of the nine (9No) options, the RMS preferred three:

- Option 1 - New downstream high-level bridge via Old Bridge Street
- Option 2 - New downstream low-level bridge via Old Bridge Street
- Option 6 - New bridge at Palmer Street, Windsor

The current scheme Option 1 is in fact under "Minimising impact on Aboriginal and non- Aboriginal heritage and conservation area" scored the least favourable rating.

Also, for "Protecting the town built heritage and its setting" it is scored very poorly. Likewise, it is scored poorly for "minimising visual impact and impacts on the character of local area".

It is notable that the Heritage Council of NSW's preferred option (page 31 same document) was for refurbishment of the existing bridge, and their second option was by-passing of Windsor (options 6 or 8)

Hence, the current high bridge through Thompson Square (RMS's option 1) scored very poorly on heritage grounds. On page 63 the following summary noted:

**"In selecting option 1 as the preferred option for the bridge alignment, it was recognised that it would adversely impact on the significance of the State Heritage Registered-listed Thompson Square heritage conservation area and the overall historic vistas and values of Windsor"**

**ORDINARY MEETING**  
**Meeting Date: 11 July 2017**

So why was this option chosen? The same 2012 Environmental Impact Statement, on page 38, outlines that the main determining factor was "This option would have a low cost in comparison to other options".

The page 49 summary chart shows this graphically:

**Table 4-2 Performance of the options against the project objectives**

Objectives (in bold) and component criteria	Performance against the project objectives			
	1	2	6	Do nothing
<b>To improve safety for motorists, pedestrians and cyclists</b>				
Meets the various design codes	★★	★★	★★	
Meets a road speed of 60 km/h*	★★	★★	★★	
Ensures pedestrian safety	★★	★★	★★	★
<b>To improve traffic and transport efficiency</b>				
Minimises queue length/delays	★★	★★	★★★★	
Improves performance of road network	★★	★★	★★	
Enables two heavy vehicles to pass on the bridge without waiting	★★	★★	★★	
Improves load capacity of the crossing to meet current load standards	★★	★★	★★	
<b>To improve the level of flood immunity</b>				
Provides a crossing that has a higher level of flood immunity than the existing bridge	★★★	★★	★★	
Provides a crossing with a flood immunity that is compatible with the surrounding approach roads	★★★★	★★	★★	
<b>To meet long term community needs</b>				
Provides an efficient connection for local traffic	★★★	★★★	★★	★★
Provides an efficient connection for regional traffic	★★	★★	★★★★	★
Provides a pedestrian and cyclist connection to surrounding locations	★★★	★★★	★★	★★★
Minimises impacts on recreational spaces	★★	★★	★★	★★
Minimises impacts of noise	★★★	★★★	★	★★★
Minimises impacts to businesses and the shopping environment	★★	★★	★★	★★
Minimises impacts on property access	★★	★★	★★★★	★★★★
Minimises need for acquisition	★★★	★★★	★★	★★★★
Provides a 100 year life span for the bridge	★★	★★	★★	
<b>To minimise the impact on heritage and the character of the local area</b>				
Minimises impact on Aboriginal and non-Aboriginal heritage and conservation areas			★★	★★
Protects the town built heritage and its setting	★	★	★★★	★★★
Minimises visual impact and impacts on the character of local area	★	★	★★	★★★
<b>To be a cost effective and an affordable outcome</b>				
Provides a cost effective solution - capital cost	★★★	★★★	★	★★★★
Provides a cost effective solution - maintenance	★★★	★★★	★★★	
Provides a cost effective solution - investment on return	★★★	★★★	★★★	
Minimises the impact of construction in regards to length and timing	★★★	★★★	★★★	★★

Worse performance		Better performance		
	★	★★	★★★	★★★★

\*Note: The design speed limit was changed to 50 kilometres per hour to allow a reduction in the height of the bridge (see Section 4.3.1).

## ORDINARY MEETING

Meeting Date: 11 July 2017

The Minister, following his approval, asked for the preparation of a Strategic Conservation Management Plan, which was a specific requirement set in December 2103 by the Minister for Planning (Application NoSSI-4951).

Normally preparation of a Conservation Management Plan as shown above in James Semple Kerr's *The Conservation Plan*, is undertaken to assess significance prior to formulating options, not after a choice has already been made. So, one may ask, what exactly is the purpose of the current Strategic Conservation Management Plan, if the choice has already been made that is not based on heritage significance?

The current RMS Strategic Conservation Management Plan is a three-volumed document.

**Volume 1** is a compilation of detailed historical research.

The document is thorough and reinforces the heritage value of Thompson Square with the following:

- **"...the civic square was fixed in form before the end of the eighteenth century and, from comparative evidence presented in next section of this history, is the only eighteenth-century civic square remaining in Australia"** (page 61)
- **"The Reverend Samuel Marsden was very much associated with Thomson Square from its earliest days. He had visited it just six months after its beginnings, when in October 1795..."** (page 65)
- **"After the Battle of Vinegar Hill, the Irish leader, Phillip Cunningham, was "to be publicly executed on the Stair Case of the Public Store [at Green Hills]..."**  
Note: Public Square was in Thompson Square) (page 69)
- "Andrew Thomson's appointment as the first ex-convict in the Colony to become a magistrate marks Thompson off from all ex-convicts as the primary example of Macquarie's controversial policy of benevolent governing ... Macquarie's ex-convict policy has been a much-debated feature of this country's early march toward nationhood, and its application, especially in this first instance, gives both Thompson and the square named after him, rare status in our historical record." (page 72)
- "Macquarie recognised the existing civic square, incorporating it into the town plan, and formally naming it Thompson Square, in honour of Andrew Thomson" .....  
"Thomson Square had existed for fifteen years before new urban squares were created in Sydney," .....(page 73)
- "... Macquarie himself from his Journal entry in January 1811", used the term "present square", thereby confirming it predated his governorship. (page 75)
- "Thompson Square does not consist solely of the public space but also the built environment which grew up on three sides." (page 80)
- ( Thompson Square) ... "remains a place with a rich history and is valued highly by the community, for both its physical amenity and what it represents about the history of Windsor and the early colony of New south Wales" ( page 175)

**Volume 2** presents a physical analysis of the Square. The clear historical values of Volume 1 are not supported and at times Volume 1 is contradicted e.g:

- "Thompson Square was designated as an open space are by Governor Macquarie ...."  
(page 76)  
Thus, contradicting Volume 1 historical evidence that the square, even in Macquarie's journal entry, existed well before Macquarie's governorship.
- Its summary (page 67) outlines under 2.2.5 landscaping and archaeological values of the park. However, there is no discussion of the values of the rare surviving early colonial architecture surrounding and forming the park.
- The discussions in Volume 2 appear to contradict Volume 1 further by statements such as the following:
- "The Thompson Square area has been very heavily disturbed" (page 102)  
"The overall presentation of Thompson Square is of a modified 19<sup>th</sup> Century public space and surrounding landscape. While many of the buildings on the edges of the Square are



## ORDINARY MEETING

Meeting Date: 11 July 2017

early to late 20<sup>th</sup> Century which means the architectural character of the Square is at best mixed". Whereas Volume 1 outlines an intact, rare, surviving, and very early colonial square.

- Volume 2 in fact does not use the term Square and does not discuss the use of the square in the pre-Macquarie era. It associates the Square with Macquarie's establishment of six Macquarie towns. Arguing that it was only a "cleared space" (Page 113) prior to Macquarie. Again, this contradicts Volume 1.
- Volume 2 argues that Thompson Square "as a public space is secondary now to its more primary function as a vehicle thoroughfare" (Page 114).
- Volume 2 also indicates that the current Strategic Conservation Management Plans "stops at the front boundaries of the buildings adjoining Thompson Square" (page 119)  
This is in contradiction with Volume 1, which argues that the Square's architecture is integral to the park.

It is notable that the Strategic Conservation Management Plan's authors are historians, landscape and archaeological consultants. It appears not to have a senior architectural consultant as part of the team. This is not consistent with the Minister's 20 December 2013 requirement that the Strategic Conservation Management Plan "be prepared by appropriately qualified and /or experienced heritage consultants. The nominated heritage consultant (s) is to have appropriate experience and skills including land and marine archaeology, landscape, engineering and built heritage expertise etc."

### **Volume 3 Provides information on Windsor Bridge Replacement Project.**

- This document has been argued by the consultants not to be a Statement of Heritage Impact Report, yet in fact it appears to be, as it will become redundant (according to the consultants) after the bridge is built.
- This is a curious inclusion in a Conservation Management Plan.
- It lacks detail for example re Built Heritage item 8, 9, 10, 11 (of Minister's requirements) it just states "Not applicable – outside the scope of the WBRP"  
This is a serious fault as the Square's buildings are not analysed in any depth, either in terms of cultural values or in the effect of the large high bridge that will be raised within the square.
- There is also no discussion re the fact that the bridge's material language of concrete and bitumen are questionably consistent with a more appropriate historic appropriate language, i.e. the bridge takes on the language of a park not a main highway.
- Similarly Item 19, 23 re need of Maintenance Plans for the Thompson Square it notes "outside the scope of the WBRP"
- Under Item 37 It argues that the historic stone gutters in the Square are to be replaced by concrete, without justification.

### **Summary:**

The original 2012 approval by the Minister lacked any in-depth historical and heritage value analysis as there had been no Conservation Management Plan prepared.

Hence, the decision to build a high-level bridge was not made on primary normal Stage 1 (Conservation Plan's heritage considerations) but on secondary economic considerations.

The current Strategic Conservation Management Plan, has good solid historical research which gives Thompson Square, not only local, but state and even Commonwealth heritage significance as being the earliest surviving public Square in Australia, dating back to the 1790s.

Based on this research, the choice of a new high-scaled bridge that dominates by its sheer scale, the Thompson Square Park and its fine predominantly colonial Georgian Buildings and 19<sup>th</sup> Century buildings is very questionable.

Volume 2 of the Strategic Conservation Management Plan does not follow from Volume 1's analysis, and contradicts it on important points. Volume 3 does not address the current scheme in any critical or in-depth manner.

## ORDINARY MEETING

Meeting Date: 11 July 2017

That the study does not address the built heritage around the park, and that the authors have no apparent heritage architectural expertise is a serious flaw.

Consequently, it is recommended that Hawkesbury City Council consider advising the State Government that due to the high sensitivity of the oldest public Square in Australia and the shortcomings of the current study, that it needs time to prepare its own Conservation Management Plan of the total heritage values of Thompson Square, including its heritage buildings; and an appropriate Statement of Heritage Impact report on the current bridge scheme following the completion of the Council's Conservation Management Plan.

oooO END OF REPORT Oooo

## ORDINARY MEETING

Meeting Date: 11 July 2017

### SUPPORT SERVICES

**Item: 123**                      **SS - Disability Inclusion Action Plan 2017-2021 - (95496, 96328)**

**Previous Item:**            91, Ordinary (30 May 2017)  
                                 134, Ordinary (29 July 2014)  
                                 61, Ordinary (25 March 2014)  
                                 35, Ordinary (13 March 2012)  
                                 266, Ordinary (29 November 2011)  
                                 87, Ordinary (10 May 2011)

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#### **REPORT:**

##### **Executive Summary**

This report has been prepared following the public exhibition of the Draft Disability Inclusion Action Plan 2017–2021 (the Plan). The report recommends that Council adopt the Plan. The report also outlines the proposed framework for the implementation of the Plan.

##### **Consultation**

The Draft Disability Inclusion Action Plan 2017–2021 was placed on public exhibition between 31 May 2017 and 28 June 2017. The Draft Plan was placed on Council's website, made available in hard copy at Council's office and libraries, promoted through community service networks and forums and large print versions distributed to vision impaired user groups. The Draft Plan was also reported to the Access and Inclusion Advisory Committee on 22 June 2017.

##### **Background**

The Draft Disability Inclusion Action Plan was reported to the Council Meeting on 30 May 2017. At that meeting, Council resolved to place the Draft Plan on public exhibition for a minimum of 28 days.

No submissions were received in response to the public exhibition of the Draft Plan. It is therefore proposed that Council adopt the Disability Inclusion Action Plan 2017–2021, attached to this report as Attachment 1.

##### **Implementation of the Disability Inclusion Action Plan 2017-2021**

The Disability Inclusion Action Plan 2017-2021 does not list individuals who will be responsible for delivering on the actions within the Plan. This is a conscious approach as achieving an accessible built environment and an inclusive community is a complex and challenging undertaking. Networks and partnership between agencies will be integral to achieving the actions and objectives within the Plan. To this end, the Plan proposes that Council commission the Hawkesbury Access and Inclusion Advisory Committee to oversee and report on the implementation of the Plan.

Under this framework the Committee will liaise and consult with Council staff and stakeholders about each of the actions within the Plan and how they can best be achieved. In doing this, the Committee may be required to prepare advice for Council's consideration or request that Council staff undertake the necessary steps to complete an action. To track progress in the implementation of the Plan, it is proposed that the Committee, in conjunction with Council staff, prepare an annual progress report to be reported to Council.

**Conformance to the Hawkesbury Community Strategic Plan 2017-2036**

The proposal is consistent with the following Focus Area, Direction and Strategy within the CSP.

Our Community

2.4 Community wellbeing and local services

- 2.4.1 Work in partnership with government and community organisations to improve services and facilities for disadvantaged and vulnerable groups, and to build stronger and more cohesive communities.

**Financial Implications**

There are no direct financial implications arising out of this report. Implementation of the Disability Inclusion Action Plan will require the allocation of staff hours and resources which will be negotiated in conjunction with the development of work plans, and within Council's budget planning processes.

**RECOMMENDATION:**

That Council:

1. Adopt the Disability Inclusion Action Plan 2017-2021, attached as Attachment 1 to the report.
2. Delegate to the Hawkesbury Access and Inclusion Advisory Committee the responsibility for coordinating and reporting on the implementation of the Disability Inclusion Action Plan 2017-2021.

**ATTACHMENTS:**

**AT - 1** Draft Disability Inclusion Action Plan 2017-2021 - *(Distributed under separate cover)*.

**oooO END OF REPORT Oooo**

## ORDINARY MEETING

Meeting Date: 11 July 2017

Item: 124

SS - Pecuniary Interest Returns - Designated Persons - (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 Returns recently lodged with the General Manager by 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:

- "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 subsections (a), (b) and (c).

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

Position	Return Date	Date Lodged
Building Services Officer	27 March 2017	27 June 2017
Design Investigation Coordinator	10 April 2017	13 June 2017

The above Designated Persons have lodged their Section 449(1) Returns prior to the due dates (being three months after the Return Dates), as required by the Act for the receipt of the Returns.

The above details are now tabled in accordance with Section 450A(2)(a) of the Act, and the abovementioned Returns are available for inspection if requested.

**Conformance to the Hawkesbury Community Strategic Plan 2017-2036**

The proposal is consistent with the following Focus Area, Direction and Strategy within the CSP.

Our Leadership

- 1.5 Regulation and Compliance - Encourage a shared responsibility for effective local compliance.
  - 1.5.2 Best practice, sustainability principles, accountability and good governance are incorporated in all activities undertaken by Council.

**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

section 5

notices of motion

**ORDINARY MEETING**

Notices of Motion



**SECTION 5 - Notices of Motion****NM1                      Reduction in the use of plastic bags - (79351, 105109, 138882)**

**Submitted by:** Councillor Wheeler

**NOTICE OF MOTION:**

That Council:

1. Write to the NSW Premier Gladys Berejiklian, NSW Environment Minister Gabrielle Upton, NSW Treasurer and Member for Hawkesbury Dominic Perrottet and the Federal Member for Macquarie, Susan Templeman, advocating for a ban on single use plastic bags.
2. Staff investigate and report back to Council in relation to:
  - a) A program of education and assistance for local businesses and the community to reduce the use of disposable plastic items, in conjunction with local groups like Boomerang Bags
  - b) The costs and benefits of phasing out single use plastics in Councils own operations
  - c) The interest of local businesses and local business groups, including but not limited to Windsor Business Group, Richmond Mainstreet, Kurrajong Community Forum, Richmond Marketplace, Windsor Riverview, and Coles and Woolworths, in participating in a 12 month moratorium on single-use plastic bag use in the Hawkesbury LGA
  - d) Options for promoting the positive steps being taken in the community to reduce the use of single use plastic bags.
  - e) The implementation of Council's existing Sustainable Events Management Policy, in particular as it relates to the use of disposable plastic items.

**Background**

More than four billion single-use plastic bags are used in Australia each year; 10 million per day or 20,000 tonnes. More than 75% are used only once. Some of them end up in landfill but many end up in the environment where they can cause great harm to bird, animal and aquatic life. As well as being mistaken for food, plastic bags break up into smaller fragments that release toxins and absorb other chemicals in sea water, such as pesticides and detergents, creating highly toxic particles that can enter the food chain. Single use plastic bags are a major source of litter and water pollution in the Hawkesbury. Given our large expanse of National Parks, State Forests and riparian zones, as well as the Hawkesbury's link to the Pacific Ocean, it is important that Council does its part to reduce plastic use and the environmental devastation caused by plastic pollution.

Plastic bags can become serial killers. Once a bag is ingested, the animal dies and decomposes, releasing the bag back into the environment to kill again. Around the world, about eight million tonnes of rubbish makes its way into the world's oceans. An estimated 80% of this is plastic, and 10% is plastic bags. Plastic is responsible for killing one million sea birds and over 100,000 sea mammals each year. Turtles, whales and sea birds mistake plastic bags for food or get entangled in them, resulting in painful injuries or even death.

It is estimated that it costs governments, businesses and community groups in Australia over \$4 million per annum to clean up littered plastic shopping bags. Tasmania, the Northern Territory, ACT and South Australia have already introduced a ban on single-use plastic bags which has been very successful in reducing the use of plastic bags. Many NSW towns, often known for their environmental and cultural tourism, have already banned the bag. These towns include Mogo, Blackheath, Bundanoon, Tilba and Kangaroo Valley.

## ORDINARY MEETING

### Notices of Motion

There are two types of plastic bags:

1. Light weight bags (<35 microns) which are predominantly used as check-out bags in supermarkets and for fresh produce, take-away food and other non-branded applications. These are cheap to produce and are predominately used only once before being discarded.
2. Heavier, boutique style bags that are generally branded and used to carry higher value goods. These are often only used once, use more resources to produce and take longer to break down. They should not be considered a reasonable replacement for light-weight bags. Neither should so called 'biodegradable bags' which simply break down into thousands of tiny, long-lived toxic particles more quickly.

Light-weight plastic bags are given out at no cost at checkouts. They are, however, not free. The cost of plastic bags adds \$10-\$15 per year per family. Retailers build the cost into their sales price even though they may seem to be 'free' over the counter. Disposal of plastic bags also costs Council – our landfill site is not infinite, and landfill and collection costs are expensive.

The Federal and State Governments and the Australian Retailers Association (ARA) agreed to cut plastic check-out bag usage by 50 per cent by the end of 2005. The targets for reduction in plastic bag use were almost achieved with a 41% reduction by supermarkets and an overall reduction of 34% - from 5.95 billion down to 3.92 billion bags per year. The Code included education and commitments to make 'green bags' widely available in stores. However, according to the NSW EPA, since the end of the Plastic Shopping Bag Code of Practice, it appears that the trend of reduction in plastic shopping bag usage has reversed. In order to reduce plastic use further, leadership at local, State and Federal levels is needed.

Community education programs can be highly successful. Most town and village scale bans start at a community level. Council can assist through leading by example and through workshops run by our Waste Management Officer or community groups. These have the added benefit of increasing community engagement.

Ultimately, the most simple and effective solution to plastic pollution would be a ban on single use plastic bags. This would create a level playing field where no retailer will be disadvantaged and all customers could be educated with a standard message. Council is not in a position to enforce a regional ban on single use plastic bags on our own. A Hawkesbury-wide ban would only be possible with the voluntary participation of all the retail outlets in the region. Experience has shown this can be achieved on a smaller scale in retail precincts or villages and Council should support this. However, it would be very challenging to replicate this at a larger scale, particularly when national and international companies are involved. National companies may not allow a local outlet to ban single use plastic bags. Facilitating a voluntary ban amongst local businesses would also take considerable time and resources. For these reasons a NSW or Australian wide ban on single use plastic bags is a far simpler and more practical solution.

The NSW Government recognises the growing evidence on the impacts that plastic shopping bags have on the environment. In 2015, the NSW Environment Protection Agency investigated options for addressing the impacts of plastic bags in NSW and nationally. These options were presented at the Meeting of the Environment Ministers in December 2015. The Ministers agreed that NSW and Queensland would convene this Ministerial Roundtable to inform a harmonised approach to reducing the environmental impacts of plastic shopping bags and review experiences of jurisdictions who have implemented plastic shopping bags bans. No further progress has been made since then from the NSW Government. The Australian Government has been involved in these discussions with State Environment Ministers. No directive has been set by the Australian Government on this issue at this stage.

## **ORDINARY MEETING**

### **Notices of Motion**

#### **Conclusion**

Single use plastic bags remain highly prolific in NSW and can cause significant damage to the environment. Council should support efforts to reduce the use of disposable plastic bags in its own operations and in the community. A state wide or national ban on single use plastic bags would be the most effective way to address this issue and Council should advocate strongly for this.

#### **ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**  
Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

**Councillor Questions from Previous Meeting and Responses - (79351)**

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**REPORT:**

**Questions - 27 June 2017**

#	Councillor	Question	Response
1	Ross	Enquired if the proposed road, Sandstone Place, Richmond, as presented in Item 110 of the business paper is situated in flood prone land.	<p>The Director City Planning advised that DA0637/15 was for a 15 Lot subdivision and construction of a road on land that is predominately flood prone.</p> <p>All the proposed lots, with the exception of lots 1 and 13 are flood prone and have been created for the purposes of primary production under the provisions of Clause 4.2 Rural subdivision of the Hawkesbury LEP 2012. This Clause permits a subdivision of allotments below the minimum size specified in Clause 4.1 of the LEP, but, does not permit the erection of a dwelling on those allotments. As such the flood restrictions for residential development would not apply to those allotments.</p> <p>Lots 1 and 13 only have been approved for dwellings as those proposed allotments have a building area not flood prone and meet the requirements of Council's Flood Policy and LEP 2012.</p>
2	Kotlash	Requested an update in relation to her question from the Ordinary Meeting of 15 February 2017, which requested " <i>an indication from Sydney Water regarding the number of complaints for the Kurmond-Kurrajong Investigation Area in relation to water pressure over the past two to three years</i> ".	The Director City Planning advised that this matter was previously raised and discussed with Sydney Water in relation to development in the area. A formal response from Sydney Water is being followed up.

## ORDINARY MEETING

### Questions for Next Meeting

#	Councillor	Question	Response
3	Kotlash	Requested an update in relation to her question from the Ordinary Meeting of 14 March 2017, which enquired if " <i>Council is aware of any plans for an ambulance depot west of the river and requested that Council enquire as to how Ambulance NSW plan for such a service and how Council could be involved to augment the process</i> ".	The Director Infrastructure Services advised that a response had been received from NSW Ambulance and a copy of that advice has been distributed to all Councillors. Notwithstanding the above, Council Staff will continue to pursue this matter and related matters as part of the Hawkesbury Horizon Initiative and review of the Residential Land Strategy.
4	Zamprogno	Enquired as to the percentage of rate payers' mobile phone and email address details that Council collects and if any data matching and cross referencing is carried out between Council databases.	The Director Support Services advised that in regard to Council's rates database, Council has mobile phone details for 26% of ratepayers and email details for 11% of ratepayers.  Council also collects these details for other databases including library membership and community contact list.  Council does not carry out any data matching and cross referencing between the various databases.  In regard to later point, it is noted that the collection of personal details can only be used for the purpose for which the details are collected.
5	Conolly	Enquired if Council has any information available to give an indication of the ongoing maintenance costs that Council would be liable for if it took possession of the Windsor Bridge as suggested in NM1 of the Business Paper.	The Director Infrastructure Services advised that at this time Council does not have any information regarding ongoing maintenance costs Council would be liable for if it took possession of the Windsor Bridge. Determining the maintenance costs of major infrastructure is a highly specialised and technical field and therefore; Council would need to commission its own engineering study in order to accurately identify ongoing inspection and maintenance costs. Council staff are therefore contacting the RMS to ascertain what base data they have in relation to the condition of the Bridge.

**ORDINARY MEETING****Questions for Next Meeting**

#	Councillor	Question	Response
6	Richards	Requested an estimate on the costs involved to purchase and install race timing touch pads at the indoor and outdoor pools at the Oasis Aquatic and Leisure Centre.	The Director Infrastructure Services advised that this information would be distributed to all Councillors when available.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**CONFIDENTIAL REPORTS**

**CONFIDENTIAL REPORTS**

**Item: 125**                      **SS - Acquisition of Easement - Part of 69 Wells Street, Pitt Town - (95496, 112106, 37918, 37919) CONFIDENTIAL**

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**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 compulsory acquisition of an easement by the Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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

**ORDINARY MEETING**  
**CONFIDENTIAL REPORTS**

**Item: 126**                      **SS - Property Matter - Lease of Shop 9, Glossodia Shopping Village - (95496, 112106, 73792, 76718) CONFIDENTIAL**

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**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**  
**CONFIDENTIAL REPORTS**

**Item: 127**                      **SS - Property Matter - Lease to Urban City Consulting Pty Ltd - Johnson Wing,  
4 Christie Street, Windsor - (112106, 95496, 85782) CONFIDENTIAL**

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**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**  
**CONFIDENTIAL REPORTS**



ordinary  
meeting

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business  
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