



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 30 April 2019

location: council chambers

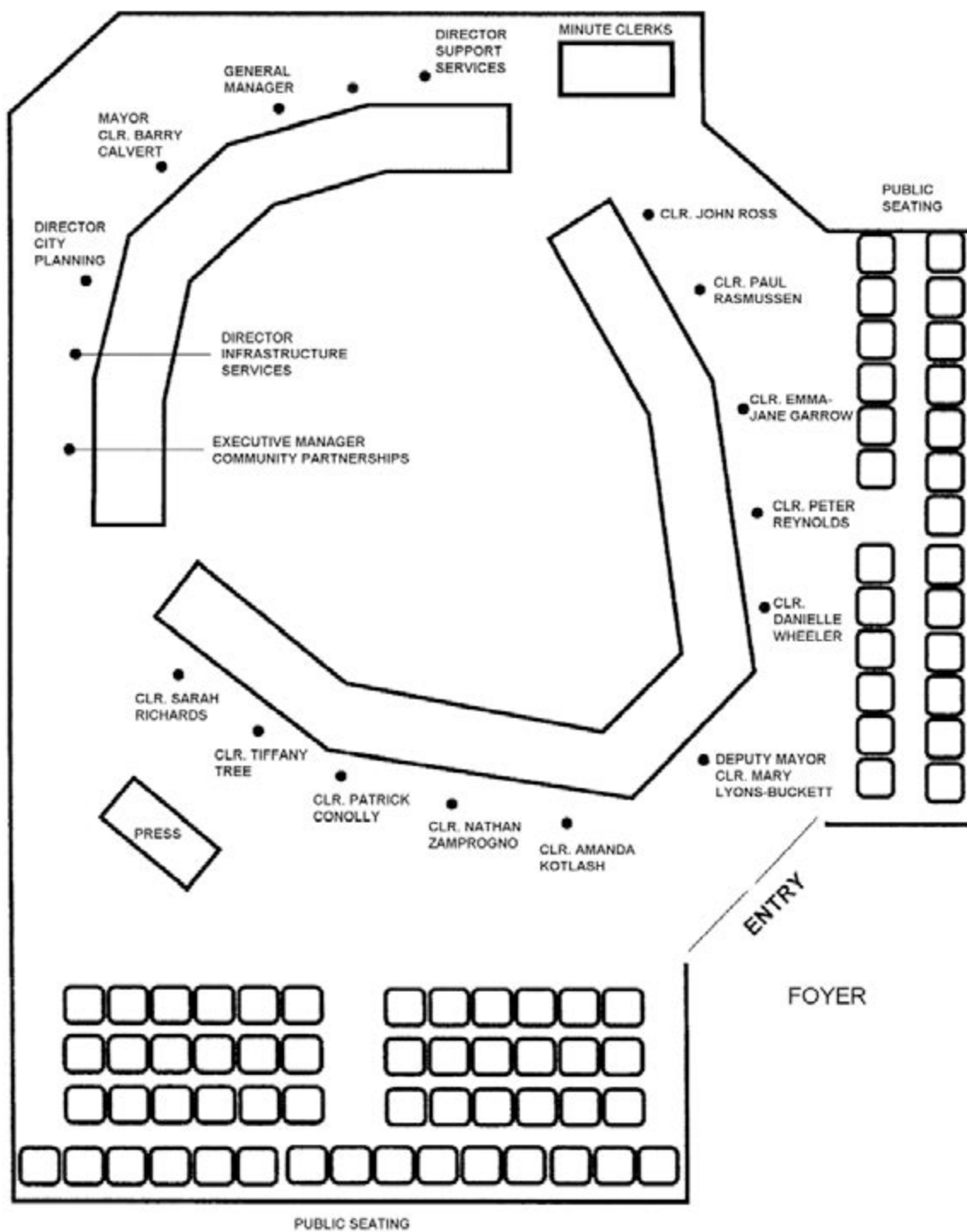
time: 6:30 p.m.



mission statement

***Hawkesbury City Council
leading and working
with our community
to create a healthy
and resilient future.***

Hawkesbury City Council



ORDINARY MEETING**Table of Contents****Meeting Date:** 30 April 2019**TABLE OF CONTENTS**

ITEM	SUBJECT	PAGE
SECTION 1 - Confirmation of Minutes		6
SECTION 2 – Mayoral Minutes		8
SECTION 3 – Reports for Determination		9
SUPPORT SERVICES		11
Item: 066	SS - Monthly Investments Report - March 2019 - (95496, 96332)	11
Item: 067	SS - Asset Management and Depreciation - (95496, 96332)	15
Item: 068	SS - 2018/2019 Community Sponsorship Strategy - (95496, 96328)	22
Item: 069	SS - Fit for the Future Strategy: Council Owned Child Care Centres, Building Renewal Charge and Draft Lease - Outcome of Consultation - (95496)	31
SECTION 4 – Reports of Committees		49
Item: 070	ROC - Audit Committee - 20 March 2019 - (95496, 91369, 79351)	49
Item: 071	ROC - Local Traffic Committee - 08 April 2019 - (95495, 80245)	59
SECTION 5 – Notices of Motion		81
QUESTIONS FOR NEXT MEETING		82
Item: 072	Councillor Questions from Previous Meetings and Responses - 9 April 2019 - (79351)	82
CONFIDENTIAL REPORTS		85
Item: 073	CP - Contract Tender No. 009/FY09 - Provision of Co-mingled Kerbside Recycling Collection and Processing Service - (95498, 96330)	85
Item: 074	IS - Lease from Western Sydney University - Part of South Windsor Waste Management Facility, being Lot 192 in Deposited Plan 729625 - (112106, 95496, 95495, 79541, 112179)	86
Item: 075	SS - Lease to The Minister for Police and Emergency Services (Fire and Rescue NSW) - Unformed Road Reserve adjoining 43 March Street, Richmond - (112106, 95496, 120506)	87
Item: 076	SS - Peppercorn Place: Lease of Vacant Activity Room - (95496, 96328, 28772)	88

ORDINARY MEETING

Table of Contents

Meeting Date: 30 April 2019

ORDINARY MEETING
Procedural Matters
Meeting Date: 30 April 2019

PROCEDURAL MATTERS

Welcome

The Mayor, Councillor Barry Calvert will acknowledge the Indigenous Heritage.

The General Manager will address the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

Attendance

Attending Councillors and Council staff members will be noted for the purposes of the Minutes.

Apologies and Leave of Absence

The Mayor will ask for any Apologies or Leave of Absence Requests to be noted.

Declaration of Interest

The Mayor will ask for any Declaration of Interests from the attending Councillors. These will then be addressed at the relevant item.

Acknowledgement of Official Visitors to the Council

The Mayor will acknowledge and welcome official visitors to the Council and make any relevant presentations as required.

ORDINARY MEETING

Procedural Matters

Meeting Date: 30 April 2019

ordinary

section 1

confirmation of minutes

ORDINARY MEETING
SECTION 1 - Confirmation of Minutes
Meeting Date: 30 April 2019

SECTION 1 - Confirmation of Minutes

1. Extraordinary Meeting - 8 April 2019
2. Ordinary Meeting - 9 April 2019



Hawkesbury City Council

extraordinary meeting minutes

date of meeting: 08 April 2019

location: council chambers

time: 6:30 p.m.

EXTRAORDINARY MEETING

Table of Contents

Meeting Date: 08 April 2019

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	ATTENDANCE	1
	APOLOGIES AND LEAVE OF ABSENCE	1
	DECLARATIONS OF INTEREST	1
	GENERAL MANAGER	2
Item: 057	GM - Draft Operational Plan 2019/2020 - (79351)	2

EXTRAORDINARY MEETING

Minutes: 08 April 2019

Minutes of the Extraordinary Meeting held at the Council Chambers, Windsor, on 8 April 2019, commencing at 6:32pm.

Welcome

The Mayor, Councillor Barry Calvert acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

ATTENDANCE

PRESENT: Councillor Barry Calvert, Mayor, Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Patrick Conolly, Amanda Kotlash, Paul Rasmussen, Peter Reynolds, Sarah Richards, John Ross, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Chief Financial Officer - Emma Galea, Manager Corporate Communication - Suzanne Stuart, Deputy Chief Financial Officer - Vanessa Browning, Manager Corporate Services and Governance - Michael Wearne and Administrative Support Officer - Jodie Tillinghast.

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was previously received and granted to Councillor Tree at the Council Meeting on 26 March 2019.

The General Manager advised that a leave of absence from Council was received from Councillor Garrow for the period from 8 April 2019 to 14 April 2019, inclusive.

65 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett and seconded by Councillor Zamprogno

That:

1. The apology from Councillor Tree be accepted and that leave of absence from the meeting be granted.
2. Leave of absence be granted to Councillor Garrow from Monday, 8 April 2019 to Sunday, 14 April 2019, inclusive, including the Council Meetings on 8 April and 9 April 2019.

DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

EXTRAORDINARY MEETING

Minutes: 08 April 2019

GENERAL MANAGER

Item: 057 **GM - Draft Operational Plan 2019/2020 - (79351)**

Division: General Manager

Mr Peter Ryan and Ms Lorraine Charnas addressed Council speaking against the recommendation.

MOTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Conolly.

That:

1. The General Manager's report regarding the Draft Operational Plan 2019/2020 be received.
2. The Draft Operational Plan 2019/2020 attached as Attachment 1 to the report, be approved for exhibition purposes and be advertised for a minimum of 28 days in accordance with Section 405 of the Local Government Act 1993, subject to the following amendment:
 - a. Project 004766 Windsor Pre-School Fit Out Renewal \$67,970 and project 004782 Wilberforce Long Day Care Refurbishment \$93,337 as listed on page 70 of the Draft Operational Plan 2019/2020 be deleted and replaced with *Child Care Centre Building Renewal Works Program* with an allocated amount of \$161,307.
3. An Extraordinary Meeting of Council be held on Wednesday 12 June 2019 to consider any public submissions received in respect of the Draft Operational Plan 2019/2020 and to consider the adoption of these documents and to make and fix rates and charges for the year ended 30 June 2020.
4. Council review the criteria and methodology of prioritising capital works which:
 - a. Seeks more formal input from Councillors.
 - b. Gives more weight to traffic movements, and addresses any anomaly that caused Brennans Dam Road/ Commercial Road/ Old Stock Route Road to be left off the program.
 - c. Better encompasses requests from individual communities for items to be included in the budget, outside the process of exhibiting draft programs of works.
5. If Council should receive more road funding under the Roads for Recovery program than currently projected, that improving those portions of Old Stock Route Road, Commercial Road and Brennans Dam Road as indicated in page 21 of the Business Paper, and the culvert at that location, be given the highest priority with those funds.

AMENDMENT:

An AMENDMENT was moved by Councillor Lyons - Buckett, seconded by Councillor Wheeler.

That:

1. The General Manager's report regarding the Draft Operational Plan 2019/2020 be received.

EXTRAORDINARY MEETING

Minutes: 08 April 2019

2. The Draft Operational Plan 2019/2020 attached as Attachment 1 to the report, be approved for exhibition purposes and be advertised for a minimum of 28 days in accordance with Section 405 of the Local Government Act 1993, subject to the following amendment:
 - a. Project 004766 Windsor Pre-School Fit Out Renewal \$67,970 and project 004782 Wilberforce Long Day Care Refurbishment \$93,337 as listed on page 70 of the Draft Operational Plan 2019/2020 be deleted and replaced with *Child Care Centre Building Renewal Works Program* with an allocated amount of \$161,307.
3. An Extraordinary Meeting of Council be held on Wednesday 12 June 2019 to consider any public submissions received in respect of the Draft Operational Plan 2019/2020 and to consider the adoption of these documents and to make and fix rates and charges for the year ended 30 June 2020.
4. Council review the criteria applied to the prioritisation of works under the Capital works program in the first half of 2019/2020 financial year.
5. After updating the criteria that Council review the existing works program in consultation with the community as to resetting the priorities.
6. Council investigate any opportunities for funding for road sealing and upgrades in connection to the development of the North West Growth Sector from the State Government.
7. Council consider the sealing of Brennans Dam Road as additional works which may be possible through any increased allocation of Roads To Recovery funding or similar grants received.

The amendment was carried. The amendment then became the motion, which was put and carried.

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

Refer to RESOLUTION

66 RESOLUTION:

That:

1. The General Manager's report regarding the Draft Operational Plan 2019/2020 be received.
2. The Draft Operational Plan 2019/2020 attached as Attachment 1 to the report, be approved for exhibition purposes and be advertised for a minimum of 28 days in accordance with Section 405 of the Local Government Act 1993, subject to the following amendment:
 - a. Project 004766 Windsor Pre-School Fit Out Renewal \$67,970 and project 004782 Wilberforce Long Day Care Refurbishment \$93,337 as listed on page 70 of the Draft Operational Plan 2019/2020 be deleted and replaced with *Child Care Centre Building Renewal Works Program* with an allocated amount of \$161,307.
3. An Extraordinary Meeting of Council be held on Wednesday 12 June 2019 to consider any public submissions received in respect of the Draft Operational Plan 2019/2020 and to consider the adoption of these documents and to make and fix rates and charges for the year ended 30 June 2020.
4. Council review the criteria applied to the prioritisation of works under the Capital works program in the first half of 2019/2020 financial year.
5. After updating the criteria that Council review the existing works program in consultation with the community as to resetting the priorities.

EXTRAORDINARY MEETING

Minutes: 08 April 2019

6. Council investigate any opportunities for funding for road sealing and upgrades in connection to the development of the North West Growth Sector from the State Government.
7. Council consider the sealing of Brennans Dam Road as additional works which may be possible through any increased allocation of Roads To Recovery funding or similar grants received.

The meeting terminated at 7:45pm.

Submitted to and confirmed at the Ordinary meeting held on 30 April 2019.

.....
Mayor



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 09 April 2019

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING**Table of Contents****Minutes:** 09 April 2019**TABLE OF CONTENTS**

ITEM	SUBJECT	PAGE
	ATTENDANCE	1
	APOLOGIES AND LEAVE OF ABSENCE	1
	DECLARATIONS OF INTEREST	1
	SECTION 1 - Confirmation of Minutes	3
	SECTION 3 – Reports for Determination	4
	GENERAL MANAGER	4
Item: 058	GM - 2019 National General Assembly of Local Government (79351, 82046)	4
Item: 059	GM - 2019 Floodplain Management Australia Conference (79351, 80286)	5
Item: 060	GM - Hawkesbury Sister City Association Program - 2019 Student Exchange Program Donation (79351, 73610)	6
	INFRASTRUCTURE SERVICES	7
Item: 061	IS - Hawkesbury Boating Event - Governor Phillip Park Exclusive Use Approval - (95495, 79354, 73829)	7
	SECTION 4 – Reports of Committees	8
Item: 062	ROC - Hawkesbury Tourism Advisory Committee - 30 November 2018 - (79351)	8
Item: 063	ROC - Waste Management Advisory Committee - 27 February 2019 - (95498)	9
	SECTION 5 – Notices of Motion	10
Item: 064	NM - Paramedic Numbers in the Hawkesbury - (79351, 125612)	10
	QUESTIONS FOR NEXT MEETING	11
Item: 065	Councillor Questions from Previous Meetings and Responses - 26 March 2019 - (79351)	11

ORDINARY MEETING

Table of Contents

Minutes: 09 April 2019

ORDINARY MEETING

Minutes: 09 April 2019

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 9 April 2019, commencing at 6:35pm.

Welcome

The Mayor, Councillor Barry Calvert acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

ATTENDANCE

PRESENT: Councillor Barry Calvert, Mayor, Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Patrick Conolly, Amanda Kotlash, Paul Rasmussen, Peter Reynolds, Sarah Richards, John Ross, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Manager Corporate Communication - Suzanne Stuart, Manager Corporate Services and Governance - Michael Wearne and Administrative Support Officer - Jodie Tillinghast.

APOLOGIES AND LEAVE OF ABSENCE

Apologies for absence were previously received from Councillor Tiffany Tree and Councillor Emma-Jane Garrow at the Council Meetings on 26 March 2019 and 8 April 2019.

The General Manager advised that a leave of absence from Council was received from Councillor Tree for the period from 10 April 2019 to 7 May 2019, inclusive, including the Ordinary Meeting on 30 April 2019.

67 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Lyons-Buckett.

That:

1. The apologies from Councillor Tree and Councillor Garrow be accepted and that leave of absence from the meeting be granted.
2. Leave of absence be granted to Councillor Tree from Wednesday, 10 April 2019 to Tuesday, 7 May 2019, including the Council Meeting on 30 April 2019, respectively.

Councillor Reynolds left the meeting at 7:07pm.

DECLARATIONS OF INTEREST

Councillor Reynolds declared an interest on Item 064.

ORDINARY MEETING

Minutes: 09 April 2019

Acknowledgement of Official Visitors to the Council

There were no official visitors to the Council.

ORDINARY MEETING

Minutes: 09 April 2019

SECTION 1 - Confirmation of Minutes

68 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett and seconded by Councillor Conolly that the Minutes of the Ordinary Meeting held on the 26 March 2019, be confirmed.

ORDINARY MEETING

Minutes: 09 April 2019

SECTION 3 – Reports for Determination

GENERAL MANAGER

Item: 058 **GM - 2019 National General Assembly of Local Government (79351, 82046)**

Directorate: General Manager

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Rasmussen.

Refer to RESOLUTION

69 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Rasmussen.

That:

1. Attendance of nominated Councillors and staff as considered by the General Manager, at the 2019 National General Assembly of Local Government at an approximate cost of \$2,500 plus travel expenses, per delegate be approved.
2. After returning from the Conference, delegates provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Conference relevant to Council business and/or the local community.

70 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Rasmussen.

That Councillors Lyons-Buckett, Wheeler and Zamprogno attend the 2019 National General Assembly of Local Government as Council's nominated delegates.

ORDINARY MEETING

Minutes: 09 April 2019

Item: 059 **GM - 2019 Floodplain Management Australia Conference (79351, 80286)**

Directorate: General Manager

MOTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Lyons-Buckett.

Refer to RESOLUTION

71 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Lyons-Buckett.

That:

1. Attendance of nominated Councilors and/or staff as considered by the General Manager, at the 2019 Floodplain Management Australia National Conference at an approximate cost of \$2,500 plus travel expenses, per delegate be approved.
2. After returning from the Conference, delegates provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Conference relevant to Council business and/or the local community.

72 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Richards.

That Councillors Lyons-Buckett , Rasmussen and Wheeler (alternate) attend the 2019 Floodplain Management Australia National Conference as Council's nominated delegates.

ORDINARY MEETING

Minutes: 09 April 2019

Item: 060 **GM - Hawkesbury Sister City Association Program - 2019 Student Exchange Program Donation (79351, 73610)**

Directorate: General Manager

MOTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Conolly.

Refer to RESOLUTION

73 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Conolly.

That under the provisions of Section 356 of the Local Government Act, 1993, and in accordance with Council's Sister City and Country-Alliance Program Policy, Council donate \$500 to each of the following students participating in the 2019 student exchange program visit to Kyotamba being:

- Ms Luka McIntosh
- Ms Odelle Simmons
- Ms Estelle Vigouroux
- Mr Darcy Brown
- Ms Holly Purcell
- Ms Samantha O'Brien

ORDINARY MEETING

Minutes: 09 April 2019

INFRASTRUCTURE SERVICES

Item: 061 **IS - Hawkesbury Boating Event - Governor Phillip Park Exclusive Use Approval - (95495, 79354, 73829)**

Directorate: Infrastructure Services

MOTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Kotlash.

Refer to RESOLUTION

74 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Kotlash.

That:

1. Approval be granted to Upper Hawkesbury Power Boat Club for “exclusive use” of Governor Phillip Park for their Double Dash event held on Sunday, 5 May 2019.
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 Exclusive Use Policy.
 - e) The Governor Phillip Noise Policy.
 - f) A Traffic Management Plan which has been approved as part of a Special Event Application. It should be noted that the applicant must obtain relevant RMS approvals for both water and road occupation.
3. As the applicant has not advised of alternative dates in the event of inclement weather or other circumstances, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.
4. The applicant's attention be drawn to the need to put arrangements in place to provide public access to the playground and toilet facilities.

ORDINARY MEETING

Minutes: 09 April 2019

SECTION 4 – Reports of Committees

Item: 062 **ROC - Hawkesbury Tourism Advisory Committee - 30 November 2018 - (79351)**

Directorate: General Manager

MOTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Wheeler.

Refer to RESOLUTION

75 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Wheeler.

That:

1. In relation to Section 3 Item 2, the meeting dates be reviewed subsequent to the proposed Round Table events.
2. The balance of the Minutes of the Hawkesbury Tourism Advisory Committee Meeting held on the 30 November 2018, be received and noted.

ORDINARY MEETING

Minutes: 09 April 2019

Item: 063 ROC - Waste Management Advisory Committee - 27 February 2019 - (95498)

Directorate: City Planning

MOTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Rasmussen.

Refer to RESOLUTION

76 RESOLUTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Rasmussen.

That:

1. The Minutes of the Waste Management Advisory Committee Meeting held on 27 February 2019 be received and noted.
2. In relation to Item 2 of the Minutes, Council endorse the recommendation of the Waste Management Advisory Committee, namely that Council:
 - "a) *Endorse the direction outlined in this report that the reuse and repair online database be launched.*
 - b) *Recommends that Council focus on supporting the Hawkesbury Remakery rather than continue to consider options for Council establishing its own large scale repair centre.*
 - c) *Approves that the considerations for improving the Reuse Shed be progressed and that a wider publicity campaign be launched."*
3. In relation to Item 3 of the Minutes, Council endorse the recommendation of the Waste Management Advisory Committee, namely:

"That:

 1. *The report regarding Local Government NSW's Save Our Recycling Campaign be received and noted.*
 2. *Council join the state-wide campaign for an improved funding arrangement between State and Local Government."*

ORDINARY MEETING

Minutes: 09 April 2019

SECTION 5 – Notices of Motion

Item: 064 **NM - Paramedic Numbers in the Hawkesbury - (79351, 125612)**

Councillor Reynolds declared a less than significant non-pecuniary conflict of interest in this matter as one of his children is a paramedic and no further action is required.

Ms Marie-Jeanne Bowyer and Ms Liu Bianchi addressed Council speaking for the recommendation.

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Conolly.

Refer to RESOLUTION

77 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Conolly.

That:

1. Council write to Member for Hawkesbury, Robyn Preston to seek confirmation as to whether Hawkesbury will be allocated any new paramedics over the next four years and to request access to the Hawkesbury paramedic workload data.
2. The response be reported to Council within three months.
3. Council contact the Member for Hawkesbury, Robyn Preston MP to assist the organisation of a meeting between her and Ms Bianchi or a representative of the Australia Paramedics Association (NSW).

ORDINARY MEETING

Minutes: 09 April 2019

QUESTIONS FOR NEXT MEETING

Item: 065

**Councillor Questions from Previous Meetings and Responses - 26 March 2019
- (79351)**

Questions and Responses in relation to previous Questions for the next Meeting - 26 March 2019 were provided.

ORDINARY MEETING**Minutes:** 09 April 2019**Questions – 9 April 2019**

#	Councillor	Question	Response
1	Wheeler	Requested that the toilets in the Deerubbin Centre and Richmond Library be thoroughly cleaned and the graffiti removed.	The Director Infrastructure Services
2	Wheeler	Requested that replacement bins be installed at Colbee Park, McGraths Hill as the previous bins have been burnt out.	The Director Infrastructure Services
3	Wheeler	Requested information as to why areas of fencing at Colbee Park, McGraths Hill have been removed.	The Director Infrastructure Services
4	Lyons-Buckett	Requested a timeframe as to when the works on Beaumont Street, North Richmond near Hanna Park are due to be completed as there are very large potholes that require attention.	The Director Infrastructure Services
5	Lyons-Buckett	Enquired as to the number of tutors using Richmond and Windsor libraries, and specifically, how many are for profit organisations and how much money was collected in fees for the 2018/2019 year.	The Director Support Services
6	Zamprogno	Enquired as to whether the residents surrounding the preschool in Smith Road, Oakville were informed of changes to the Development Application such as the building layout, location, carpark, waste disposal and roadworks outside the development and has any waiver been received by the applicant regarding the roadworks outside the property.	The Director City Planning

The meeting terminated at 7:34pm.

Submitted to and confirmed at the Ordinary meeting held on 30 April 2019.

.....
Mayor

ordinary

section 2

mayoral minutes

ORDINARY MEETING
SECTION 2 – Mayoral Minute
Meeting Date: 30 April 2019

SECTION 2 – Mayoral Minutes

No Mayoral Minutes.

ordinary

section 3

reports
for determination

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 30 April 2019

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

SECTION 3 – Reports for Determination

SUPPORT SERVICES

Item: 066 **SS - Monthly Investments Report - March 2019 - (95496, 96332)**

Previous Item: 150, Ordinary (26 June 2018)

Division: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to 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.

EXECUTIVE SUMMARY:

This report indicates that Council held \$57.09 million in investments at 31 March 2019 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

RECOMMENDATION SUMMARY:

It is recommended that the Monthly Investments Report for March 2019 be received and noted.

REPORT:

Context and Background

The following table indicates that Council held \$57.09 million in investments as at 31 March 2019. Details of the financial institutions with which the investments were made, 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								
CBA	A1+	AA-			1.25%	3,500,000	6.13%	
Tcorp*					2.47%	2,091,580	3.66%	
Total On-call Investments								5,591,580
Term Investments								
Bankwest	A1+	AA-	22-Jun-18	24-Apr-19	2.80%	1,000,000	1.75%	
Bankwest	A1+	AA-	03-Aug-18	03-May-19	2.80%	2,000,000	3.50%	
Bankwest	A1+	AA-	09-May-18	08-May-19	2.70%	500,000	0.88%	
Bankwest	A1+	AA-	09-May-18	08-May-19	2.70%	1,500,000	2.63%	
Bankwest	A1+	AA-	16-Aug-18	15-May-19	2.80%	2,000,000	3.50%	
Bankwest	A1+	AA-	24-Aug-18	22-May-19	2.80%	3,000,000	5.25%	
Bankwest	A1+	AA-	18-Jul-18	17-Jul-19	2.80%	1,000,000	1.75%	
CBA	A1+	AA-	04-Apr-18	04-Apr-19	2.74%	1,000,000	1.75%	

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
CBA	A1+	AA-	14-Jun-18	17-Apr-19	2.74%	1,000,000	1.75%	
CBA	A1+	AA-	06-Mar-19	17-Apr-19	2.25%	1,500,000	2.63%	
CBA	A1+	AA-	14-Mar-19	17-Apr-19	2.25%	1,000,000	1.75%	
CBA	A1+	AA-	24-Aug-17	23-Aug-19	2.72%	3,000,000	5.25%	
CBA	A1+	AA-	02-Mar-18	04-Mar-20	2.79%	1,000,000	1.75%	
CBA	A1+	AA-	04-Apr-18	03-Apr-20	2.85%	1,000,000	1.75%	
NAB	A1+	AA-	16-May-18	15-May-19	2.65%	2,000,000	3.50%	
NAB	A1+	AA-	06-Jun-18	19-Jun-19	2.75%	1,500,000	2.63%	
NAB	A1+	AA-	22-Jun-18	26-Jun-19	2.80%	1,000,000	1.75%	
NAB	A1+	AA-	27-Jun-18	26-Jun-19	2.80%	1,000,000	1.75%	
NAB	A1+	AA-	13-Dec-18	17-Jul-19	2.72%	3,000,000	5.25%	
NAB	A1+	AA-	13-Dec-18	10-Sep-19	2.73%	3,000,000	5.25%	
NAB	A1+	AA-	21-Dec-18	18-Dec-19	2.80%	2,000,000	3.50%	
NAB	A1+	AA-	09-Oct-18	09-Oct-19	2.74%	1,500,000	2.63%	
NAB	A1+	AA-	19-Oct-18	16-Oct-19	2.75%	1,000,000	1.75%	
NAB	A1+	AA-	24-Oct-18	30-Oct-19	2.75%	1,000,000	1.75%	
NAB	A1+	AA-	08-Nov-18	06-Nov-19	2.73%	1,500,000	2.63%	
NAB	A1+	AA-	21-Nov-18	20-Nov-19	2.75%	1,500,000	2.63%	
NAB	A1+	AA-	16-Jan-19	15-Jan-20	2.75%	2,500,000	4.38%	
NAB	A1+	AA-	07-Feb-19	07-Feb-20	2.75%	1,000,000	1.75%	
NAB	A1+	AA-	06-Mar-19	05-Mar-20	2.65%	1,000,000	1.75%	
Westpac	A1+	AA-	04-Apr-18	04-Apr-19	2.75%	1,500,000	2.63%	
Westpac	A1+	AA-	31-May-18	05-Jun-19	2.75%	1,000,000	1.75%	
Westpac	A1+	AA-	31-May-18	05-Jun-19	2.75%	1,000,000	1.75%	
Westpac	A1+	AA-	07-Feb-19	07-Feb-20	2.68%	1,000,000	1.75%	
Westpac	A1+	AA-	22-Feb-19	20-Feb-20	2.62%	1,000,000	1.75%	
Westpac	A1+	AA-	14-Mar-18	13-Mar-20	2.81%	500,000	0.88%	
Westpac	A1+	AA-	18-Apr-18	17-Apr-20	2.93%	500,000	0.88%	
Total Term Investments								51,500,000
TOTAL INVESTMENT AS AT 31 March 2019								57,091,580

*Tcorp is wholly owned by the NSW State Government

Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	5,591,580	1.71%	Reserve Bank Cash Reference Rate	1.50%	0.21%
Term Deposit	51,500,000	2.73%	UBS 90 Day Bank Bill Rate	1.77%	0.96%
Total	57,091,580	2.63%			

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions –S7.11 and S7.12	12,565,829
External Restrictions - Other	12,672,590
Internal Restrictions	17,304,952
Unrestricted	14,548,209
Total	57,091,580

Unrestricted funds, whilst not subject to a restriction for a specific purpose, are fully committed to fund operational and capital expenditure in line with Council's adopted Operational Plan. As there are timing differences between the accounting for income and expenditure in line with the Plan, and the corresponding impact on Council's cash funds, a sufficient level of funds is required to be kept at all times to ensure Council's commitments are met in a timely manner. Council's cash management processes are based on maintaining sufficient cash levels to enable commitments to be met when due, while at the same time ensuring investment returns are maximised through term investments where possible.

In addition to funds being fully allocated to fund the Operational Plan activities, funds relating to closed self-funded programs and that are subject to legislative restrictions, cannot be utilised for any purpose other than that specified. Externally restricted funds include funds relating to Section 7.11 and Section 7.12 Contributions, Domestic Waste Management, Sewerage Management, Stormwater Management and Grants.

Funds subject to an internal restriction refer to funds kept aside for specific purposes, or to meet future known expenses. This allows for significant expenditures to be met in the applicable year without having a significant impact on that year. Internally restricted funds include funds relating to Tip Remediation, Workers Compensation, and Elections.

Detailed History, including previous Council decisions

Council considered and adopted Council's Investment Policy on 26 June 2018.

Policy considerations

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.

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.

Consultation

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

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Our Leadership

1.3 Financial Sustainability - Build strong financial sustainability for now and future generations.

1.3.1 In all of Council's strategies, plans and decision making there will be a strong focus on financial sustainability.

1.3.2 Meet the needs of the community now and into the future by managing Council's assets with a long-term focus.

Discussion

During the reporting period, the investment portfolio decreased by \$1.99 million reflecting funds received, payments made, and redemption of invested funds and lodging of new term deposits, which is driven by cash flow requirements.

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 March 2019, Council's investment portfolio is all invested with major Australian trading banks or wholly owned subsidiaries of major Australian trading banks and in line with Council's Investment Policy.

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.

Financial Implications

The matters raised in this report have direct financial implications. The income applicable is provided for in the 2018/2019 Adopted Operational Plan.

Fit For The Future Strategy Considerations

The proposal is aligned with Council's long term plan to improve and maintain the organisational sustainability and achieve Fit for the Future financial benchmarks.

Conclusion

Council has investments totalling \$57.09 million as at 31 March 2019, invested in accordance with Council's Investment Policy.

RECOMMENDATION:

That the Monthly Investments Report for March 2019 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Ooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Item: 067 **SS - Asset Management and Depreciation - (95496, 96332)**

Previous Item: 45, Ordinary (12 March 2019)

Division: Support Services

PURPOSE OF THE REPORT:

The purpose of this information report is to respond to a Notice of Motion in regard to asset management and depreciation, considered by Council at its Ordinary Meeting on 12 March 2019.

EXECUTIVE SUMMARY:

At its meeting on 12 March 2019, Council considered a Notice of Motion in regard to asset management and depreciation. The Notice of Motion asked for Council Staff to prepare a brief report in respect of Council's current asset management policies and procedures. In particular, an evaluation of their compliance or otherwise was requested, with a number of accounting matters including:

- the recording of assets at "Fair Value",
- "conditioned based" Depreciation,
- asset valuations by independent appropriately qualified valuers, and
- processes associated with the engagement of asset valuers.

In response, Council resolved that a report responding to the matters raised in the Notice of Motion be prepared and submitted to the Audit Committee and to Council.

In accordance with Council's resolution, a report addressing the matters identified in the Notice of Motion was submitted to the Audit Committee at its meeting on 20 March 2019. The Minutes of the Audit Committee Meeting of 20 March 2019 are included as a separate item in this business paper.

The report outlines that the accounting practices followed by Council in regard to assets, including fair valuation and depreciation, is in accordance with stipulated legislative requirements and professional standards.

The same information considered by the Audit Committee is now being submitted for Council's consideration in accordance with Council's resolution.

RECOMMENDATION SUMMARY:

It is recommended that Council receive and note this report.

REPORT:

Context and Background

At its meeting on 12 March 2019, Council considered a Notice of Motion in regard to asset management and depreciation. At that meeting, Council resolved as follows:

"That Council Staff prepare a brief report to the Audit Committee and Council in respect of Council's current Asset Management Policies and Procedures and their compliance or otherwise, with the following principles:

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

1. *All fixed and intangible assets being recorded at “Fair Value”.*
2. *Depreciation charges being “conditioned based.”*
3. *All assets in the above classes being the subject of independent annual valuation, by appropriately qualified valuer(s).*
4. *Appropriate written terms of engagement being provided in each instance, informed by approval of the Auditor General agent charged with conduct of Council's financial audit.*
5. *Terms to include recommended rate(s) of depreciation, to be assigned to each class or sub-class of asset, having regard to the condition, state, efficacy, utilisation, and any other relevant factor of impairment.*
6. *Management arrange for annual engagement of valuer(s), such that their recommendations are able to be reported to Council in time for inclusion in the audited financial reports of Council.*
7. *Council will be informed by this process henceforth, unless a subsequent resolution with contrary intent is adopted.”*

In accordance with Council's resolution, a report addressing the matters identified in the Notice of Motion was submitted to the Audit Committee's at its Meeting on 20 March 2019.

The Audit Committee resolved to receive and note the report. The Minutes of the Audit Committee Meeting of 20 March 2019 are included as a separate item in this business paper.

Detailed History, including previous Council decisions

This report is submitted for Council's consideration in accordance with the Council Resolution of 12 March 2019 in regard to Notice of Motion 3 – Asset Management and Depreciation.

Policy considerations

The information as considered by the Audit Committee and submitted for Council's consideration has been prepared within the context of applicable policies and legislative requirements.

Council adopted the latest Asset Management Policy on 28 November 2017, which is available on Council's website at [Council's Asset Management Policy](#). The Policy addresses legislative requirements under the Local Government Amendment (Planning and Reporting) Act, 2009. The purpose of the Asset Management Policy is to provide direction for sustainable delivery of services of Council controlled assets. The Policy supports asset management involving managing performance, risk and expenditure on infrastructure in an optimal and sustainable manner throughout their lifecycle including planning design, development, operation, maintenance and disposal. Accounting practices associated with assets is outside the scope of this Policy.

Accounting and financial reporting requirements associated with the recording of asset values and depreciation are dictated by:

- the Local Government Act, 1993 (NSW) and the Regulations made thereunder,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board, and
- the Local Government Code of Accounting Practice and Financial Reporting.

Compliance with those requirements is assessed annually through the audit process undertaken by the NSW Audit Office.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Consultation

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

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

1.6 Corporate Services - Support the operation of the organisation through the provision of effective and efficient corporate support services.

1.6.2 Council's workforce, systems and processes will support high performance and optimal service delivery for our community.

Discussion

Accounting and financial reporting requirements associated with the recording of asset values and depreciation are dictated by:

- the Local Government Act 1993 (NSW) and the Regulations made thereunder,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board, and
- the Local Government Code of Accounting Practice and Financial Reporting.

Compliance with those requirements is assessed annually through the audit process undertaken by the NSW Audit Office.

Table 1 below provides a response to each respective matter raised in the Notice of Motion considered by Council at its meeting on 12 March 2019.

Table 1 – Asset Accounting Practices compliance with applicable legislative and other requirements

Matter for consideration	Legislative and Accounting Standards requirements, and NSW Audit Office Requirements	Assessment of Council's compliance against requirements and other comments
1. All fixed and intangible assets being recorded at "Fair Value".	<ul style="list-style-type: none"> • Councils are required to report specified assets at Fair Value in accordance with <i>AASB13 Fair Value Measurement</i> and the Local Government Code of Accounting Practice and Financial Reporting • AASB13 defines Fair Value Measurement as: 'the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date'. • The Local Government Code of Accounting Practice and Financial Reporting specifies that infrastructure assets are required to be Fair Valued at least every five years. 	<ul style="list-style-type: none"> • Council has been reporting assets at Fair Value since 2010. • Note 21 in Council's Annual Financial Statements details all assets valued at fair value, and details on valuations of each asset class. Council's Statements are externally audited by the NSW Audit Office. • As part of the 2017/2018 Audit, the NSW Audit Office identified that Council needs to <i>"formalise its annual assessment of whether there is any indication that an asset class is materially different from fair value at reporting date."</i> This recommendation is included in the Management letter issued to

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Matter for consideration	Legislative and Accounting Standards requirements, and NSW Audit Office Requirements	Assessment of Council's compliance against requirements and other comments
	<ul style="list-style-type: none"> The Local Government Code of Accounting Practice and Financial Reporting specifies that Investment properties are Fair Valued annually. The Local Government Code of Accounting Practice and Financial Reporting specifies that Sewerage assets are required to be indexed in the interim years. For all Fair Valued Assets not valued or indexed annually in the interim years, councils are required to assess whether there has been a material change in fair value. A full revaluation during the interim period is not required unless there has been a material change. Councils should document their annual assessment of fair value including reasons why council concluded that carrying value was not materially different from fair value, where applicable. If a council determines that an asset is required to be fair valued then the whole class is subject to revaluation. 	<p>Council on the 2017/2018 Audit, as previously submitted to the Audit Committee.</p> <ul style="list-style-type: none"> Council staff are currently in the process of documenting the procedure in assessing whether there is any indication that an asset class is materially different from fair value at reporting date.
2. Depreciation charges being "condition based."	<ul style="list-style-type: none"> AASB 116 – Property Plant & Equipment (that includes Infrastructure Assets) provides guidance on the acceptable methods of depreciation, being: <ul style="list-style-type: none"> Straight line Diminishing balance Units of Production The Local Government Code of Accounting Practice and Financial Reporting Code states as follows: <ul style="list-style-type: none"> Depreciation is the systematic allocation of the depreciable amount of an asset over its useful life. The purpose of depreciation is to record the value (or cost) of the asset that has been consumed during the accounting period so that users can obtain an understanding of the Council's asset and their performance. The Straight Line method of depreciation reduces the cost of the asset uniformly over the useful life of the asset which is considered the method that most closely reflects the expected pattern of consumption of 	<ul style="list-style-type: none"> Council uses the straight line method of Depreciation in accordance with AASB 116 and Local Government Code of Accounting Practice and Financial Reporting Code. The calculation of Depreciation using the straight line method is based on the replacement cost of the asset and the remaining useful life. The remaining life is generally a reflection of the asset's condition. In conducting the 2017/2018 Audit, the NSW Audit Office did not identify any issues associated with Council's practices in relation to the matter. It is recommended that Council continues to use the straight line method of Depreciation in accordance with AASB 116 and the recommendation within the Local Government Code of Accounting Practice and Financial Reporting Code.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Matter for consideration	Legislative and Accounting Standards requirements, and NSW Audit Office Requirements	Assessment of Council's compliance against requirements and other comments
	<p>the future economic benefits embodied in the assets of councils. The straight-line method of depreciation is applied consistently from period to period.</p> <ul style="list-style-type: none"> The preference is for all councils to use straight-line method for depreciation of IPPE 	
<p>3. All assets in the above classes being the subject of independent annual valuation, by appropriately qualified valuer(s).</p>	<ul style="list-style-type: none"> The Local Government Code of Accounting Practice and Financial Reporting Code requires that Independent comprehensive valuations are performed. 	<ul style="list-style-type: none"> Council uses a mix of internal appropriately qualified staff, independent of Finance staff, and external valuers to undertake Fair valuation of its assets. This approach has been accepted by the NSW Audit Office and is a common practice in local government. The revaluation of road assets, footpaths, drainage and bridges is generally undertaken by Council's own appropriately qualified engineers. Valuation of Sewerage infrastructure, Buildings and Investment properties is done by appropriately qualified external valuers. The cost of Council engaging external appropriately qualified valuers to undertake the fair valuation of relevant asset classes will vary depending on the asset class. For assets other than road infrastructure assets, the cost is approximately \$20,000 to \$30,000 per asset class. For roads infrastructure assets, the cost is estimated to be in excess of \$50,000. If Council were to externally value all its asset classes annually through an external valuer, the cost will be in excess of \$200,000 per year. Where the appropriate qualifications and expertise are available in-house, it is more cost-effective for Council's staff to undertake the fair valuation process. In addition to a lower cost, staff are often able to be more thorough by undertaking more physical site inspections and applying their knowledge of the asset and the area. In conducting the 2017/2018 Audit, the NSW Audit Office did not identify

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Matter for consideration	Legislative and Accounting Standards requirements, and NSW Audit Office Requirements	Assessment of Council's compliance against requirements and other comments
		<p>any issues associated with Council's practices in relation to the matter.</p> <ul style="list-style-type: none"> It is recommended that Council continues to use its staff to undertake fair valuation of assets where the appropriate qualifications and expertise are available in-house. In other instances where the necessary qualifications and expertise are not available in-house, Council is required to continue to engage external valuers.
<p>4. Appropriate written terms of engagement being provided in each instance, informed by approval of the Auditor General agent charged with conduct of Council's financial audit.</p>	<ul style="list-style-type: none"> The NSW Audit Office recommends that a formal process should be in place to manage valuation engagements. 	<ul style="list-style-type: none"> As part of the 2017/2018 Audit, the NSW Audit Office identified that Council needs to <i>“ensure the terms of reference are reviewed by management and those charged with governance to assess the appropriateness of the valuation methodology and approach.”</i> This recommendation is included in the Management letter issued to Council on the 2017/2018 Audit, as previously submitted to the Audit Committee. Council staff are in the process of formalising the process to manage valuation engagements. The process will include a review of the Terms of Reference and valuation methodology proposed by the NSW Audit Office prior to engagement.
<p>6. Management arrange for annual engagement of valuer(s), such that their recommendations are able to be reported to Council in time for inclusion in the audited financial reports of Council.</p>	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Council staff are in the process of formalising the process to manage valuation engagements. The process will include a review of the Terms of Reference and valuation methodology proposed by the NSW Audit Office prior to engagement. Valuers provide a professional assessment, rather than a recommendation of the fair value of the relevant asset class. In conducting the 2017/2018 Audit, the NSW Audit Office did not identify any issues associated with Council's practices in relation to the matter. At its June 2019 meeting, the Audit Committee will be provided with an update as to the status of engagement for relevant valuers applicable to the 2018/2019 financial year.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

The Audit Committee at its meeting on 20 March 2019 considered a report including Table 1 above, and resolved to receive and note the report.

Financial Implications

There are no financial implications arising from this report.

Fit For The Future Strategy Considerations

The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal has no resourcing implications, outside of Council's adopted 2018/2019 Operational Plan, which will adversely impact on Council's financial sustainability.

Conclusion

As detailed in this report, accounting practices followed by Council in regard to assets, including fair valuation and Depreciation, is in accordance with the stipulated legislated requirements and professional standards. Adherence to all relevant requirements is confirmed on an annual basis as part of the audit undertaken by the NSW Audit Office.

RECOMMENDATION:

That Council receive and note this report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Ooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Item: 068 **SS - 2018/2019 Community Sponsorship Strategy - (95496, 96328)**

Previous Item: 211 Ordinary (28 August 2018)
 212 Ordinary (28 August 2018)

Division: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of the outcome of the review of the Community Sponsorship Program, and the drafting of a revised Community Sponsorship Strategy. The report seeks Council's approval to place the Draft Community Sponsorship Strategy on public exhibition. The report also proposes that Council consider adopting guidelines under which Council can consider requests for sponsorship and patronage of national fundraising appeals and/or awareness days from charitable organisations.

EXECUTIVE SUMMARY:

The NSW Local Government Act includes provision for councils to provide financial assistance to support community activities. Council has put into place a Community Sponsorship Program to provide a framework for the consideration and approval of sponsorship requests.

In August 2018, Council resolved to review its Community Sponsorship Program. This review was intended to assess the potential to realign the focus of the Community Sponsorship Program to better support the key directions and intent of the Hawkesbury Community Strategic Plan.

This report outlines the outcome of the review and highlights a number of key issues impacting on the administrative integrity of the Community Sponsorship Program and the proposed responses to these issues. The report tables a Draft Community Sponsorship Strategy to refocus and realign the Community Sponsorship Program and proposes that the Draft Strategy be placed on public exhibition.

The report also proposes that Council give consideration to a number of matters linked to Council's financial sponsorship activities. These include:

- the ongoing funding of the Hawkesbury Eisteddfod and the Womens Cottage.
- the adoption of guidelines for assessing requests from charitable organisations for sponsorship and patronage of national fundraising appeals and/or awareness days.

RECOMMENDATION SUMMARY:

The report recommends that Council place the Draft Community Sponsorship Strategy on public exhibition and determine the most appropriate vehicle for the ongoing sponsorship of the Hawkesbury Eisteddfod and the Womens Cottage. The report also recommends that Council adopt guidelines for assessing requests from charitable organisations for sponsorship and patronage of national fundraising appeals and/or awareness days.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

REPORT:

Context and Background - Section 356 Financial Assistance Programs

Section 356 of the Local Government Act, 1993 enables a council to grant financial assistance to residents and organisations. To meet the requirements of the Act, councils generally distribute Section 356 financial assistance by way of a discrete grant or donations program.

Historically, Council has administered a number of grants and sponsorship programs. In March 2006, Council commenced a review of these programs. To facilitate this review, a Discussion Paper was prepared and placed on public exhibition. The Discussion Paper evaluated the administration, equity, and financial sustainability of the programs. The major findings of the review were that:

- Council's grant programs had evolved into fixed programs of annual financial assistance supporting the operations of a small pool of community groups;
- 10 organisations (4% of recipients) accounted for 53% of funds with funds tied up in ongoing and open ended commitments;
- programs favoured incumbent recipients with limited scope to support new proposals;
- while grant programs were application based, 50% of funding allocated under the programs were provided on basis of representations made directly to Council outside of application processes.

The Discussion Paper identified 15 principles to restore the administrative integrity, equity and financial sustainability of Council's financial assistance programs. The outcome of the public exhibition process indicated that respondents were supportive of the intent of the principles which advocated the need to:

- consolidate grant programs and establish common administrative requirements;
- move away from the provision of annual operating subsidies towards funding specific projects consistent with the community priorities identified in Council plans;
- give priority to local community groups with limited access to other sources of funding and provide all groups with the same opportunity to apply for financial assistance;
- discourage open-ended and long term funding commitments.

Community Sponsorship Program

Council's current Community Sponsorship Program was established in 2007 based on the outcome of the 2006 review. The shape of the Community Sponsorship Program was also informed by public sector sponsorship guidelines issued by the Independent Commission Against Corruption.

Detailed History, including previous Council decisions

At its meeting of 28 August 2018, Council resolved to review the eligibility and assessment criteria for the Community Sponsorship Program and requested the preparation of a Discussion Paper to this effect. The review was to assess the potential to realign the focus of the Community Sponsorship Program to better support the key directions and intent of the Hawkesbury Community Strategic Plan.

At the same Council meeting, Council also considered a report into continued sponsorship of the Hawkesbury Eisteddfod. In considering this report, Council resolved to renew its sponsorship of the Hawkesbury Eisteddfod for one year (2018/2019), pending the outcome of the review of the Community Sponsorship Program. On this point, provision has been made in Council's Draft 2019/2020 Operational

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Plan for a further 12 months sponsorship for the Hawkesbury Eisteddfod for the 2019/2020 financial year to cover the event for a further year while Council determines its position regarding the continued sponsorship of the Eisteddfod.

On 27 March 2018, Council considered a Mayoral Minute in relation to Council support for the Salvation Army's Red Shield Appeal. In view of the issues surrounding Council's patronage and support of this signature national fund raising event, Council resolved (in part) to request the development of guidelines for 'working with charitable organisations who are seeking Council support and assistance in the promotion of their activities'. As this matter relates to Council sponsorship, it has also been addressed within this report.

Review of Community Sponsorship Program

The Community Sponsorship Program combined a number of grants programs previously administered by different Branches into a single Program. The Program commenced in 2007 with four categories of financial assistance. Since that time four additional categories have been added to the Program and one category transferred to the Corporate Communications Branch.

Since 2007, 533 applications have been received under the Program from 287 applicants. 498 (93%) of applications were approved by Council for sponsorship, with 35 applications (7%) not approved. In total \$827,749 has been distributed under the Program since 2007. Table 1 details the number and value of grants approved by Council under each category.

sponsorship category	approved applicants	no. of grants	total allocated	description	funding provided
Minor assistance	74	107	\$13,950	Support individual/groups representing Hawkesbury in state/national sporting, cultural and other events.	\$150 per individual \$750 per group
Seeding + Activity Grants	157	239	\$282,547	Fund community & cultural programs and activities, community resources and minor capital works	Up to \$3,000
Access to Community Facilities	13	32	\$10,488	Dollar for dollar financial contribution to cost of hiring community facility	Maximum Council contribution of \$500
Event Sponsorship	23	85	\$180,943	Contribution to staging of community events (In 2017 transferred to Events Sponsorship Program administered by Corporate Communications)	
Improvements to Community Facilities	4	4	\$1,752	Refund of Council component of DA fees for building works to Council owned buildings	Up to \$800
Accessibility Improvements	0	0	\$0	Dollar for dollar contribution for works to improve accessibility of business and services	Up to \$3,000
Macquarie 2010 Celebrations	14	14	\$25,500	Support community activities and events to coincide with Macquarie 2010 Celebrations	As determined by Council (\$500 to \$7,500)
Special Category	2	17	\$312,570	Out of policy annual grant supporting Eisteddfod and Womens Cottage (as approved by Council).	As resolved by Council (approx. \$22,000 each)
TOTAL	287	498	\$827,749		

Table 1: Community Sponsorship Program : Categories by value and number of grants approved by Council (Jul 2007 to Nov 2018)

Under the Program, applications are received and reported to Council on a regular basis. Generally there are three rounds of sponsorship conducted during the financial year (July, November and March). Total annual budget allocations under the Community Sponsorship Program are generally spent, with the majority of funds allocated in the first round of approvals. A further round of applications under the existing Community Sponsorship Program will be reported to Council in mid 2019 for determination.

The review of the Program has highlighted the following key issues:

- There is no acquittal process embedded in the current Program and the outcomes of sponsored activities are not effectively measured and reported.
- The community outcomes that the Program is seeking to deliver are not clearly defined.
- Almost 50% of the funding under the Program is allocated on an ongoing basis to two projects – the Hawkesbury Eisteddfod and a rental subsidy for the Womens Cottage. These two

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

projects would appear to fall outside the scope and eligibility criteria for the Program but have been approved via Council resolutions.

- There have been some issues regarding the types of projects funded under the Program – a result of its broad remit and the complexity of the different categories of financial assistance available.
- The assessment of applications received under the Program is based on meeting rudimentary eligibility criteria.

Draft Community Sponsorship Strategy

In response to the findings of the review, a Draft Community Sponsorship Strategy has been developed and is attached as Attachment 1 to this report. The information in the Draft Strategy covers the following territory:

- It identifies a broad objective linked directly to the 'Our Community' focus area in the Hawkesbury Community Strategic Plan. It positions the Community Sponsorship Program as a vehicle 'to support opportunities for Council to partner with residents and services providers to build a connected, healthy, inclusive and resilient community'.
- It outlines the rationale behind Council's community sponsorship activities and highlights the range of activities that have been supported through Council's sponsorship.
- It reaffirms the principles that the community has previously endorsed to underwrite Council sponsorship, and highlights the outcomes that Council sponsorship should be achieving to deliver on the community's key aspirations.
- It documents Council's potential role in supporting sponsored activities.
- It establishes a proposed evaluation framework for the Community Sponsorship Program and identifies the measures that the Program will be assessed against.
- It proposes that the existing categories under the current Program be collapsed into two sponsorship streams:
 - a 'Participation and Access sponsorship stream' where residents can apply for \$150 and up to \$750 to support participation in a representative events or as a contribution to the cost of hiring community facilities, and
 - a 'Building a Connected, Health, Inclusive and Resilient Hawkesbury sponsorship stream' where applicants can apply for up to \$3,000 as a contribution to the cost of an activity or project that brings residents together to plan and deliver activities that support a connected, healthy, inclusive and resilient Hawkesbury.
- It sets out the eligibility and assessment criteria for each sponsorship stream and how the Program is proposed to be administered and includes an Assessment Criteria Matrix for evaluating sponsorship applications.

Guidelines for Working with Charitable Organisations

The Draft Community Sponsorship Strategy, also makes reference to 'Guidelines for Working with Charitable Organisations' under which Council can consider requests for sponsorship and patronage of national fundraising appeals and/or awareness days.

The aim of the draft Guidelines is to give effect to Council's resolution of 27 March 2018, requesting the drafting of guidelines outlining how Council can assist a community group or a local club or chapter of a

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Registered Charitable Organisation, to organise and promote a nation-wide or state-wide fundraising appeal or awareness day within the Hawkesbury Local Government Area.

The draft Guidelines set out the scope of Council sponsorship, the type of assistance that can be provided, the eligibility criteria for accepting sponsorship proposals and the assessment process. The draft Guidelines have been attached to this report as Attachment 2.

Sponsorship of Hawkesbury Eisteddfod and Womens Cottage rental subsidy

Council has previously resolved to provide ongoing funding to support the Hawkesbury Eisteddfod and to provide an ongoing rental subsidy for the Womens Cottage, by way of renewable five year sponsorship agreements. These funding arrangements have been identified as 'special categories' under the Community Sponsorship Program and account for almost 50% of the funding allocated under the Program.

Whatever way the Community Sponsorship Program is constructed, the ongoing funding of these organisations would appear to fall outside the scope and eligibility criteria for the Program. Under current funding arrangements, Council's sponsorship of these organisations is largely 'invisible' in that they occur by way of an internal transfer from Council to the Windsor Function Centre for the Eisteddfod, and from the Community Partnership Branch to Council's Property Services Section, for the Women's Cottage rental subsidy.

The funding relationship between Council and the Hawkesbury Eisteddfod and Women's Cottage is more akin to an ongoing third party relationship, as currently occurs with Hawkesbury River County Council, Hawkesbury Sports Council and Peppercorn Services. This type of arrangement may provide a more appropriate vehicle for Council's ongoing sponsorship of these organisations.

Under such an arrangement, Council would negotiate a service level agreement which would identify agreed program outcomes, and a more fit-for-purpose reporting and evaluation framework. This would be particularly in keeping with the rationale for the Womens Cottage rental subsidy, which was to free up funds for the Cottage to expand and enhance its family and domestic violence and other programs.

Accordingly, it is proposed that the funding of these two ongoing projects be transferred out of the Community Sponsorship Program and the budget for the Community Sponsorship Program be adjusted accordingly. Council would then enter into a third party service agreement with these organisations and continue to fund both entities with funding subject to the delivery of negotiated outcomes.

Policy considerations

The Council Policy relevant to Council's decision in this matter is the Community Sponsorship Policy. The recommendations within this report are consistent with the Policy.

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. It is proposed that Council undertake the community engagement process in compliance with Council's policy by the placement of the Draft Community Sponsorship Strategy on public exhibition.

Following public exhibition and Council's consideration of any amendments to the Draft Community Sponsorship Strategy, it is proposed that application and acquittal forms be developed and distributed to stakeholders and past sponsorship applicants for review and comment.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Our Community

- 2.1 Community safety is improved
 - 2.1.2 Make the Hawkesbury a friendly place where people feel safe.
- 2.2 Participation in recreational and lifestyle activities is increased
 - 2.2.1 Healthy, active ageing programs are promoted in partnership with government agencies and community organisations.
 - 2.2.2 Encourage active participation in a range of sporting and recreational pursuits.
- 2.3 Community partnerships continue to evolve
 - 2.3.1 Encourage and facilitate community partnerships.
 - 2.3.2 Support and expand active volunteering.
 - 2.3.3 Advocate and facilitate constructive and productive partnerships with residents, community groups and institutions.
 - 2.3.4 Develop opportunities for active involvement of residents in the management of parks and public spaces in the Hawkesbury.
- 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.
 - 2.4.2 Provide flexible services that can adapt to changing community needs and service demands.

Financial Implications

There are no financial implications applicable to this report.

Fit For The Future Strategy Considerations

The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal has no resourcing implications, outside of Council's adopted Long Term Financial Plan.

Conclusion

The Draft Community Sponsorship Strategy has been prepared to give effect to Council's Resolution of 28 August 2018. The Draft Strategy has been prepared to provide a framework for a more coordinated and targeted approach to the provision of financial assistance for activities which are consistent with the directions and aims of the Hawkesbury Community Strategic Plan. The proposed public exhibition of the Draft Strategy will provide the opportunity for the community to comment on the proposed realignment of the Community Sponsorship Program.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

RECOMMENDATION:

That

1. The Draft Community Sponsorship Strategy, attached as Attachment 1 to the report, be placed on public exhibition for a period of not less than 28 days.
2. At the expiry of the exhibition period the following action be taken:
 - (a) Should any submissions be received, a further report be submitted to Council summarising the submissions together with a response to the matters raised in the submissions;
 - (b) Should no submissions be received, Council adopt the Draft Community Sponsorship Strategy, attached as Attachment 1 to the report.
3. Council endorse the proposed draft 'Guidelines for Working with Charitable Organisations', as attached as Attachment 2 to the report.
4. Council commence consultation with the Hawkesbury Eisteddfod and the Hawkesbury Area Women and Kids Collective (The Womens Cottage) with a view to negotiating a third party service agreement for the ongoing sponsorship of these organisations.

ATTACHMENTS:

- AT - 1** Draft Community Sponsorship Strategy - (*Distributed under separate cover*)
- AT - 2** Draft Guidelines for Working with Charitable Organisations

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

AT - 2 Draft Guidelines for Working with Charitable Organisations

Guidelines for Working with Charitable Organisations

1. Definitions

Registered Charitable Organisation	An organisation listed on the Australian Charities and Not-for Profits Commission (ACNC) Charity Register .
Signature Fundraising Appeal	A nation-wide or state-wide public appeal soliciting donations for a charitable purpose or for the support of an organisation having a charitable object. Examples would include Red Shield Appeal, Red Nose Day, Movember, Jeans for Genes Day, Pink Ribbon Day etc.
National Awareness Day Event	A coordinated, nation-wide event or activity seeking to raise community awareness of a health related or community well-being issue. Examples would include White Ribbon Day, Child Protection Week, Dementia Awareness Month, Mental Health Month.

2. Aim

To assist a community group or a local club or chapter of a Registered Charitable Organisation to organise and promote a nation-wide or state-wide fundraising appeal or awareness day within the Hawkesbury Local Government Area.

3. Scope

Council will provide one-off financial and/or in kind contribution to support small-scale activities associated with nation-wide or state-wide fundraising appeals or community awareness days. Up to \$1,000 in financial and in-kind assistance will be made available.

Council has the capacity to support proposals from community groups or local clubs or chapters of a Registered Charitable Organisation for up to five separate nation-wide or state-wide fundraising appeals or community awareness days in any one financial year.

4. Type of Assistance

Council can provide the following assistance:

- Promotional and Marketing Collateral
- Mayoral Patronage
- Mayoral Reception/Launch
- Donation in lieu of purchase of group table or individual seat at a fundraising or awareness event.
- Subsidised hire of Council facilities

5. Eligibility

Council will accept proposals from:

- Local not-for-profit community agencies or local clubs or chapters of Registered Charitable Organisations;
- For the purpose of conducting an activity or event allied to a nation-wide or state-wide fundraising appeal or community awareness day;
- Where the proceeds of the fundraising or awareness event will be donated to a Registered Charitable Organisation who are the primary sponsor and organiser of a nation-wide or state-wide fundraising appeal or community awareness day;

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

- Where the event or activity is to be held in the Hawkesbury Local Government Area;
- Where the event or activity has resonance and significance for the Hawkesbury community.

6. Assessment Process

Applicant to submit sponsorship proposal using the “Request for Sponsorship of Fundraising or Community Awareness Event or Activity”.

Sponsorship proposal will be assessed by Council based on the Eligibility Criteria.

Outcome of the appraisal of sponsorship proposals against the eligibility criteria will be reported to Council for determination (in conjunction with the reporting of Event Sponsorship or Community Sponsorship Applications).

oooO END OF REPORT Ooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Item: 069 **SS - Fit for the Future Strategy: Council Owned Child Care Centres, Building Renewal Charge and Draft Lease - Outcome of Consultation - (95496)**

Previous Item: 259 Ordinary (30 October 2018)
 143 Extraordinary (13 June 2018)
 84 Extraordinary (9 April 2018)
 212 Ordinary (28 November 2017)
 186 Ordinary (10 October 2017)
 172 Ordinary (26 September 2017)
 159 Ordinary (12 September 2017)
 241 Ordinary (8 November 2016)
 211 Ordinary (11 October 2016)
 146 Ordinary (26 July 2016)
 138 Ordinary (12 July 2016)
 MM Ordinary (27 October 2015)
 RM Ordinary (30 June 2015)
 185 Extraordinary (23 June 2015)
 182 Ordinary (30 September 2014)

Division: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of the outcome of consultations with child care services operating from Council owned buildings regarding the execution of leases for the continued use of these buildings with the lease provisions to include a proposed building renewal charge.

EXECUTIVE SUMMARY:

Council's adopted Fit for the Future Plan outlines 20 expenditure and revenue measures aimed at enabling Council to increase its investment in the maintenance and renewal of its assets. One of the strategies in the Fit for the Future Plan proposes the introduction of a building renewal charge levied on nine child care services operating from Council owned buildings.

The implementation of the proposed charge was reported to Council on 30 October 2018, with Council resolving to defer the implementation of the charge pending further consultations with the affected centres. This report outlines the outcome of these consultations.

The report advises Council that an agreed schedule for the staged implementation of the proposed charge has been negotiated with the nine child care services, subject to Council's consideration of amendments to the provisions of a draft lease to be entered into between Council and the nine centres. The report provides a summary of these amendments together with their impact and suggested responses to the proposed amendments.

The report also provided further details of the timing and implementation of the consultation strategy leading up to the preparation of the initial Council Report of 30 October 2018.

This information has been provided to address Part 3 of Council's Resolution of 30 October 2018 seeking an explanation as to why consultation with child care centres did not commence until October 2018.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

RECOMMENDATION SUMMARY:

That Council approve the execution of three year leases with the nine Long Day Care and Pre-school Child Care Services operating from Council Owned buildings, in accordance with the proposed lease conditions outlined within this report.

REPORT:

Context and Background

In September 2014, the NSW Government released details of its Fit for the Future Reform Program. Under this Program, all councils in NSW were required to validate their future sustainability and submit proposals to demonstrate that they were fit for the future.

In June 2015, Council submitted a Fit for the Future Proposal for assessment by the Independent Pricing and Regulatory Tribunal (IPART). Council's proposal outlined 20 expenditure and revenue measures which were primarily aimed at enabling Council to increase its investment in the maintenance and renewal of assets to address long term infrastructure needs.

One of the strategies in the adopted Fit for the Future Plan committed Council to the introduction of a building renewal charge to raise revenue as a co-contribution to the long term cost of maintaining and renewing Council owned child care centres.

Fit for the Future Plan - Implementation

The scope and timing of the implementation of the measures in Council's Fit for the Future Plan have been adjusted in response to a number of factors, and these included:

- the public enquiry into the proposed merger of Hawkesbury City Council and part of The Hills Shire Council which was finalised in May 2016;
- the review and refinement of Fit for the Future measures through Councillor Briefing Sessions and Council reports between May and November 2016;
- the requirement for Council to submit a revised Fit for the Future Proposal to the Office of Local Government which was submitted in November 2016 and approved for implementation by the Minister for Local Government in August 2017;
- Council's resolution of 31 January 2017 to amend its rating structure commencing in the 2017/2018 financial year; and
- Council's resolution of 28 November 2017 to apply for a Special Rate Variation to take effect from the 2018/2019 financial year

Council's initial 2015 Fit for the Future Plan, projected that the building renewal charge would be implemented from 2016/2017. However, as a result of the factors outlined above, the implementation time frame for the proposed charge was deferred. Council subsequently approved the implementation of the proposed charge to take effect from 1 January 2019, following the adoption of the 2018/2019 Operational Plan and Financial Estimates on 13 June 2018.

Detailed History, including previous Council decisions

Council adopted its initial Fit for the Future Proposal in June 2015.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Council approved amendments to Council's original Fit for the Future Proposal which were developed in consultation with Councillors. The revised Fit for the Future Proposal was reported to Council on 26 July 2016 and adopted.

At its meeting of 11 October 2016, Council considered a report into the review of the local government rating system in NSW. In considering this report, Council resolved (in part) to investigate options for reviewing Council's current rating structure. Council was advised that the resolution to review its current rating structure would require elements of Council's revised Fit for the Future proposal to be amended. Accordingly, Council resolved to prepare an amended revised Fit for the Future Proposal.

A revised Proposal was approved by Council in November 2016 and submitted to the Office of Local Government.

Council's revised proposal was approved for implementation by the Office of Local Government in August 2017. Following this approval, Council resolved to prepare an application for a Special Rate Variation which was finalised in January 2018. The application for a Special Rate Variation was approved by the Independent Pricing and Regulatory Tribunal in May 2018.

In June 2018, Council adopted its 2018/2019 Operational Plan and Financial Estimates based on the approved Special Rate Variation. The Financial Estimates also included provision for the introduction of a building renewal charge for child care centres to take effect from 1 January 2019. This Fit for the Future measure was projected to raise \$41,000 in 2018/2019.

Information in relation to the proposed charge was presented to the Councillor Briefing Session on 16 October 2018 and reported to Council on 30 October 2018. In considering this report, Council resolved as follows:

"That:

- 1. Council proceed to consult with the relevant parties regarding the execution of a lease with child care service providers operating from Council owned building in accordance with the framework outlined in this report*
- 2. The outcome of the consultation to be further reported in February 2019*
- 3. A report be brought back to Council to explain why consultation did not occur with the Child Care Centres until October 2018, given Council had committed to the levy in 2016."*

The framework outlined in the Council Report proposed the finalisation of a draft lease based on a standard lease instrument. The draft lease was to:

- clarify respective responsibilities for the maintenance of the leased area;
- permit child care operators to directly engage licensed contractors provided that the contractors have been approved by Council;
- outline requirements for a plant and equipment inspection and certification regime;
- include provision for a building renewal charge;
- identify a 10 year building renewal works program to which the building renewal charge would be applied;
- outline respective WHS responsibilities;
- propose a five year lease term

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Outcome of Consultations with Child Care Services

Initial Proposals from Child Care Centres

Council staff met with the Directors of the nine child care centres on 1 November 2018 to discuss the proposed draft lease and building renewal charge. The meeting provided an opportunity to review the provisions of the draft lease and the clarification of issues.

The outcome of the meeting was an agreement that the child care centres would provide advice to Council by 21 December 2018 on the following matters:

- assessment of an initial affordable building renewal charge and its staged escalation;
- a review of the proposed works program to identify any amendments to the proposed works or their scheduling;
- a review of lease content to identify issues requiring further clarification and/or possible amendments for Council's consideration

On 28 November 2018, the centres requested an extension of the time frame for the provision of information to Council to mid-January 2019.

A proposal was subsequently e-mailed directly to Councillors and received by Council on 22 February 2019. The proposal was prepared on behalf of eight of the nine centres by Dr. Sebastian Holmes. The group of eight child care centres included: Golden Valley Childrens Centre, Greenhills Child Care Centre, Hobartville Long Day Pre-School, McGraths Hill Childrens Centre, Elizabeth St Extended Hours Pre-School, Richmond Preschool Kindergarten, Wilberforce Early Learning Centre, and Windsor Pre-School.

Wilberforce Pre-School opted to submit a separate proposal which was received on 5 April 2019.

Council Response to Initial Proposals and Submission of Revised Proposals

Group of Eight Child Care Centres

Council staff prepared a preliminary response to the initial proposal prepared on behalf of the group of eight child care centres. The response was e-mailed to the child care centres on 28 February 2019. The staff response was based on an assessment of the initial proposal against the lease framework approved by Council on 30 October 2018. The staff response identified which provisions within the group of eight child care centres initial proposal which:

- were consistent with the approved framework and could be agreed to,
- could be further negotiated subject to Council concurrence, and
- could not be agreed to.

An outline of the group of eight child care centres initial proposal, and the staff response, was presented to the Councillor Briefing Session on 5 March 2019. Council endorsed the elements of the staff response as the basis for subsequent negotiations with the eight child care centres. A further meeting with the Directors of the eight centres and Dr Holmes was held on 7 March 2019. Following this meeting Council staff prepared modelling outlining a number of building renewal charge options for consideration by the group of eight centres.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

A Revised Proposal from eight of the nine Centres was received on 21 March 2019, as reproduced below.

21 March, 2019

The eight preschool/centres (Golden Valley Childrens Centre, Greenhills Child Care Centre, Hobartville Long Day Pre-School, McGraths Hill Childrens Centre, Elizabeth St Pre-School, Richmond Preschool Kindergarten, Wilberforce Early Learning Centre, Windsor Pre-School) have agreed that they would like to proceed with model 5 (as below) for three years with the first contribution (\$7,500 per centre) to be made in July 2019. This is subject to a guarantee by the council, that after three years all centres will be moved to a 21 year lease whereupon they will become responsible for all maintenance at their cost for the period of the lease. That is, they will become entirely self-funding in terms of maintenance and refits etc. and no further contribution will be made to any council fund.

At a 10 year and 20 year period from the start of the 21 year lease, the centres will ensure that the centres are at the same standard as they were when the lease took effect. To be clear, if a centre is in a poor state at the start of the 21 year lease, then the centre only has to ensure it is in the same state at 10 and 20 years.

The centres would like a well-defined, efficient and transparent pathway to get their own contractors registered with the council. Furthermore for the first 3 years where the centres will contribute to a renewal fund, rationalisation of those funds and expenditure should occur in consultation with all eight centres.

Please note that all centres need to seek the approval of their boards, before they can move forward with this.

I would be grateful if you could let us know, when you plan to present this to council so we can attend the meeting in person.

With best wishes,

Wilberforce Pre-School

A separate proposal from Wilberforce Pre-School was received on 5 April 2019. The proposal was generally consistent with the draft lease terms approved by Council but fell short of the requirement for the building renewal charge to achieve a recovery of 50% of the annual depreciation charge on the building occupied by Wilberforce Pre-School (the Proposal set the charge at 43% of the annual depreciation charge).

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

The proposal received on 5 April 2019, is reproduced below:

Friday 5th April 2019

I have attached a copy of the draft Child Care Centre Lease. We have made minimal changes to this draft.

With regards to the amount payable each year, we propose the 100% amount to be \$9,500 with payments made increments as follows:

July 2019 \$2,375
 July 2020 \$4,750
 July 2021 \$7,125
 July 2022 \$9,500

This amount has been devised through calculating the extra costs that we will incur including water bill, gutter cleaning and air condition maintenance. Having looked over the Building Renewal Works schedule we do feel that some of the costings may be higher than the actual costs particularly the air conditioning renewals (unless ducted is to be installed), floor coverings and bathroom & kitchen fit outs.

The amount we would contribute over a ten year period would be \$90,250. This is only \$11,404 less than the amount that is being requested by Council.

We would like to commence with an initial three year lease, then negotiate with Council towards the end of the three years for either a five or ten year lease. However, during both leases we will continue to pay into the sinking fund and work as a partnership with Council both contributing to expenses as outlined in the Building Works Renewal.

All items listed above are to be written into the lease. I hope this proposal meets with Council's approval and look forward to hearing from you in due course.

Kind Regards

A revised proposal prepared by staff, which varied the Proposal submitted by the Wilberforce Pre-School to achieve the 50% recovery target, was e-mailed to the Wilberforce Pre-School on 8 April 2019. Staff met with the Wilberforce Pre-School on Wednesday 10 April 2019 and the Revised Proposal was endorsed by the Wilberforce Pre-School for submission to Council.

Table 1 summarises the agreed schedule for the staged implementation of the proposed building renewal contribution based on the revised proposals, as negotiated with child care centres.

Child Care Centre	Building Renewal Contribution												
	Annual Deprec.	Annual Charge	2019 - 2020	2020 - 2021	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	2028 - 2029	10 year TOTAL
Golden Valley Childrens Centre	42,083	21,042	7,500	9,770	12,040	14,310	16,580	18,850	21,120	21,648	22,189	22,744	166,751
Greenhills Child Care Centre	46,933	23,467	7,500	9,770	12,040	14,310	16,580	18,850	21,120	21,648	22,189	22,744	166,751
Hobartville Long Day Pre-School	38,553	19,277	7,500	9,770	12,040	14,310	16,580	18,850	21,120	21,648	22,189	22,744	166,751
McGraths Hill Childrens Centre	40,993	20,497	7,500	9,770	12,040	14,310	16,580	18,850	21,120	21,648	22,189	22,744	166,751
Elizabeth St Pre-School	39,902	19,951	7,500	9,770	12,040	14,310	16,580	18,850	21,120	21,648	22,189	22,744	166,751
Richmond Preschool Kindergarten	29,110	14,555	7,500	9,770	12,040	14,310	16,580	18,850	21,120	21,648	22,189	22,744	166,751
Wilberforce Early Learning Centre	35,131	17,566	7,500	9,770	12,040	14,310	16,580	18,850	21,120	21,648	22,189	22,744	166,751
Wilberforce Pre School	21,938	10,969	2,500	4,000	5,500	7,000	8,500	10,000	11,500	11,788	12,082	12,384	85,254
Windsor Pre-School	33,750	16,875	7,500	9,770	12,040	14,310	16,580	18,850	21,120	21,648	22,189	22,744	166,751
TOTAL	328,393	164,197	62,500	82,160	101,820	121,480	141,140	160,800	180,460	184,972	189,596	194,336	1,419,263

Table 1: Agreed Schedule for Staged Implementation of Building Renewal Contribution

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Assessment of Revised Proposals

The significant issues flowing from the lease negotiations and the revised proposals are summarised below.

1. Building Renewal Charge

The impact of the revised proposals, if implemented, would reduce the income to be collected from the proposed building renewal charge over 10 years by \$102,406. As originally proposed, the building renewal charge was projected to raise a child care centre co-contribution of \$1.52M over 10 years; the revised proposals will raise a co-contribution of just under \$1.42M over 10 years.

This reduction in revenue can be offset through an adjustment of the 10 year Child Care Centre Building Renewal Works Program. As originally proposed, the total value of the Child Care Centre Building Renewal Program was costed at \$3.43M over 10 years. The total value of the Program over 10 years would be reduced by \$204,126 (representing the \$102,406 reduction in contribution from child care centres and Council's matching contribution). The total value of the adjusted works program would therefore be reduced from \$3,426,373 to \$3,221,561.

2. Lease Term

Council originally proposed a five year lease term. The child care centres have proposed an initial three year lease subject to Council agreeing to enter into a longer term lease of up to 21 years to be negotiated after the initial three year term.

The proposal for an initial three year lease term would provide Council with sufficient time to deal with and resolve the different property title and land classification matters across the nine centres which would enable Council to give future consideration to longer term lease arrangements.

In its consideration of longer term lease arrangements which would deliver maximum community benefits from the lease of child care centre land and buildings, Council will need to determine the most appropriate leasing configuration for an initial lease period and lease renewal option (e.g. 5x5x5 or 10X10 lease). These issues could be considered in conjunction with the development of Council's Property Strategy with the outcomes informing future lease negotiations with the child care centres.

Child care centres have been advised that any longer term lease will include provision for child care centres to be solely responsible for all building maintenance and renewal costs, including the requirement for periodic refurbishment of each building to a standard agreed to by both parties. Under this arrangement, any longer term lease would dispense with a requirement for the collection of building renewal charges from the child care centres.

3. Annual Review of Child Care Centre Building Renewal Works Program

As part of the negotiations, a 10 year Child Care Centre Building Renewal Works Program was developed based on asset condition assessments undertaken by Council's Building Services Branch.

The Works Program itemised renewal works to be undertaken in each year over the next ten years for each child care centre and was distributed to the nine child care centres. The child care centres have requested the insertion of a mechanism within the draft lease to provide for annual review of this program.

This mechanism would provide the opportunity for Council and child care centres to review the status of works undertaken in a current year, and where necessary, adjust the timing and scope of proposed works for the coming year where this may be required to take into account operational and other issues within the centres, as well as grant opportunities available to both Council and the centres.

This request can be accommodated on the proviso that the Works Program would remain principally informed by Council's Asset Management System with provision for adjustments to take into account operational knowledge held by centres.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

To provide the flexibility required to implement this annual review mechanism, it would be proposed that the existing itemised Child Care Works Program be folded into a consolidated Child Care Centre Building Renewal Works Program. An annual amount would be provided for in Council's financial estimates (Capital Works Program) for child care centre building renewal works based on a pro-rata allocation of the \$3,221,561 building renewal charge to be collected from child care centres, together with Council's matching contribution over the next 10 year period. Based on this pro-rata annual allocation, a provisional Works Program would be developed informed by Council's asset management system, for consultation with child care centres.

4. Engagement of Contractors

Council's draft lease allowed child care centres to engage independent contractors to undertake building repairs and maintenance, provided that contractors have been approved by Council. To facilitate this provision, the child care centres have requested that Council put into place a simple process for Council to approve independent contractors to be engaged by the child care centres.

In response to this request, it is proposed that Council furnish the centres with the list of its pre-qualified tradespersons/ contractors who have been approved by Council to carry out maintenance and upgrade works on Council buildings, for the five year period to 2023. Centres would be free to engage these contractors independently of Council. Where centres are seeking to engage other contractors outside of this list, the centres would need to certify in writing to Council that they have undertaken the required due diligence to satisfy themselves that the contractors are appropriately licensed and accredited; have the requisite Work Health & Safety Systems in place; and have been made aware of the centres HAZMAT survey.

Proposed Lease Provisions

Based on the outcome of lease negotiations and the revised proposals submitted by the nine child care centres, the following lease provisions are proposed for adoption by Council to enable the preparation of a revised draft lease.

Lessor:	Hawkesbury City Council (Council)
Lessee:	<i>(each child care to be identified)</i>
Licensed Area:	<i>(Land or part thereof as defined in Lease Plan to be annexed to Lease).</i>
Permitted Use:	Activities related to and incidental to the operation of a licensed child care centre.
Term of Lease:	3 years
Commencement Date:	1 July 2019
Further Term:	Upon execution of lease, Council to enter into discussions with child care centres to negotiate a further term of up to 21 years.
Rental:	\$1 per annum
Insurance:	\$20M Public Liability Insurance, Building and Contents Insurance and Workers Compensation Insurance. All insurance policies should note Council's interest in the property as the Lessor.
Outgoings:	100% payable by Centre.
Maintenance:	The Lessee will, to the satisfaction of the Lessor, maintain the premises in good repair and properly maintained in all respects at their own cost. The Lessee will implement a periodic building testing and maintenance program as devised by the Lessor, and provide evidence to the satisfaction of the Lessor of the completion of the program.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

Engagement of Contractors:	<p>The Lessee may, independently of Council, engage contractors to carry out maintenance and repair works on the leased area at their own cost provided that the contractors has:</p> <ol style="list-style-type: none">been approved by Council to carry out maintenance and repair works on Council buildings, orthe Lessee has certified in writing to Council that the contractor is accredited and has the requisite work health and safety systems in place to safely undertake works in the leased area.
Capital Works	<p>The Lessor is responsible for structural and capital works to maintain the structural integrity and safety of the buildings within the Leased Area and for carrying out works in accordance with the annual works schedule.</p> <p>The Lessee is responsible for structural and capital works, where those works are required for the purpose of the Lessee's licensing and accreditation.</p>
Annual Sinking Fund	<p>The Lessee to make following co-contributions to annual sinking fund:</p> <p>Year 1 <i>(based on implementation schedule as per Table 1)</i> Year 2 <i>(based on implementation schedule as per Table 1)</i> Year 3 <i>(based on implementation schedule as per Table 1)</i></p>
Works Program	<p>The Lessor will identify an annual works schedule based on the Lessor's Asset Management System and consult with Lessee on the implementation of the works schedule.</p>
Work Health and Safety	<p>The Lessee will operate in full accordance with all WHS legislative requirements identified in the WHS Act and WHS Regulations (2017) and associated Codes of Practice and Australian Standards, and will remain responsible for ensuring a safe place of work and safe systems of work as detailed in WHS legislation.</p>

The Timing of Consultation with Child Care Centres

With respect to Part 3 of Council's resolution of 30 October 2018, the following information is provided.

The proposed building renewal charge was included in Council's initial Fit for the Future Plan in July 2015, with implementation to commence on 1 July 2016. Due to a number of factors (council merger enquiry, the preparation of revised Fit for the Future proposal, implementation of revised rating structure and application for a Special Rate Variation) its implementation was deferred.

The implementation of this Fit for the Future measure effectively commenced following Council's adoption of the 2018/2019 Operational Plan on 13 June 2018, with the implementation of the building renewal charge levy to commence on 1 January 2019.

Council staff were conscious that the implementation of a building renewal charge for child care services would be contentious, given that under the existing child care centre tenancy framework, child care services had not been required to remit any funds to Council for the use of Council's centres for the past 25 to 30 years.

Accordingly, staff judged that it would be important to undertake a due diligence analysis of the feasibility and impact of the proposed building renewal charge. The analysis would also assist in providing detailed and accurate information to inform child care services of the context, rationale, cost and application of the renewal charge as a pre-requisite to negotiations and consultation about its design and implementation.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

As part of this process, Council would also need to be briefed about the implementation of the charge prior to advice being forwarded to the centres.

Accordingly, following Council's adoption of the 2018/2019 Operational Plan, the following steps were undertaken between 13 June 2018 and 16 October 2018 to collate the information required to brief Council and inform the subsequent negotiations with the child care services:

- *Preparation of Draft Lease*

The November 2017 external audit of Council's property management function recommended that Council formalise its tenancy arrangements through the execution of a lease agreement between Council and child care service providers. Based on these audit findings, Council requested its solicitors to review and update the preliminary draft lease which had been prepared in December 2016. Following a number of revisions the final draft lease was received by Council on 3 October 2018.

- *Child Care Centre 10 Year Works Program*

Based on the projected income from the building renewal charge within Council's Long Term Financial Plan, Council's Building Services Branch was requested to update its condition assessments of the child care centres. This step was necessary to facilitate the preparation of a revised 10 year works program to be funded by the building renewal charge and Council's equivalent contribution. The proposed works program was finalised on 12 October 2018.

- *Child Care Centre Financial Information*

In order to project the capacity of the child care services to meet the cost of the building renewal charge, Council requested from the Department of Fair Trading the most recent audited financial statements for the nine child care centres. Audited financial statements for 2015/2016 and 2016/2017 were received on 15 October 2018.

- *Child Care Centre Asset Maintenance Expenditure*

To estimate Council's indirect operating subsidy to the 9 child care services operating from Council buildings, Council's Financial Services Branch were requested to provide details of Council maintenance and capital expenditures over the last 10 years updated with figures for 2018/2019. This information was received on 11 October 2018.

- *Child Care Fees*

To calculate the likely impact of the proposed building renewal charge on child care fees, Council staff accessed data on the www.mychild.gov.au website and where necessary contacted child care centres directly to validate this information.

The above information was collated and presented to the Councillor Briefing Session held on 16 October 2018. At the Briefing Session, Council's 'in principle' endorsement was requested to distribute the information to the child care centres. In response to questions, Council was advised that while the child care centres were aware of the proposed draft lease and possible changes to building maintenance arrangements, detailed consultation on these matters was yet to occur. These were to commence subject to Council's decision to proceed with the draft lease which was to be reported to Council on 30 October 2018.

Following the Councillor Briefing Session, detailed information on the proposed draft lease and building renewal charge was prepared and e-mailed to the child care centres on the 23 October 2018, together with a covering letter which indicated that the Council Report to be considered by Council on 30 October 2018, 'would recommend that Council commence lease negotiations with child care services operating from Council owned buildings, with the outcome of these negotiations to be further reported to Council'. The

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

covering letter stressed that Council would not be making a final determination on the draft lease on 30 October 2018.

The documents forwarded to the child care centres on 23 October 2018 included:

- Covering Letter (Attachment 1)
- Background Paper – Child Care Centre Lease and Building Renewal Fund
- Child Care Centre Building Works Renewal Program
- Final Draft Lease

Policy considerations

Council should have regard to the provisions of its adopted Fit for the Future Plan, as well as the recommendations of the internal audit of Council's property management functions, in determining its position in relation to the proposals outlined in this report. The report recommendations are consistent with these documents.

Consultation

As identified in the report, Council has consulted with child care centres to inform the preparation of the information within this report. Council staff have met with the Directors of the centres on two occasions (1 November 2018 and 7 March 2019) and also met separately with the Director of the Wilberforce Pre-School on 10 April 2019. In addition to these face-to-face meetings, Council Staff had also responded to questions and issues raised by the centres, and where required, provided additional information in writing in response to these matters.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Leadership

- 1.3 Financial Sustainability - Build strong financial sustainability for now and future generations.
 - 1.3.1 In all of Council's strategies, plans and decision making there will be a strong focus on financial sustainability.
 - 1.3.2 Meet the needs of the community now and into the future by managing Council's assets with a long-term focus.
 - 1.3.3 Decisions relating to determining priorities will be made in the long term interests of the community.

Discussion

The report outlines the information that Council should consider in the determining its position in relation to the proposed building renewal charge. In summary, the charge:

- has been approved for implementation within Council's Fit for the Future Plan;
- will be levied on child care services that derive a financial benefit from the use of rent-free facilities;
- will fund an enhanced 10 year building works program that will directly benefit service users;
- maintains Council's support of affordable child care;

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

- will be phased in over seven years to minimise its financial impact; and
- has been based on further consultation and negotiation with the affected child care centres who have provided written confirmation of their acceptance of the proposed charge

Financial Implications

The matters raised in this report have direct financial implications. The income applicable is provided for in the Draft 2019/2020 Operational Plan. If implemented from 1 July 2019, the proposed building renewal charge will raise \$62,500 in revenue to be quarantined for building works in Council owned child care centres. This is \$2,500 less than provided for in the Draft 2019/2020 Operational Plan and an adjustment will be required to the Draft 2019/2020 Operational Plan prior to its adoption.

Fit For The Future Strategy Considerations

The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal will enable Council to sustainably manage community assets in accordance with the scheduled program of works in the Long-Term Financial Plan.

The proposal has been identified as a strategy within Council's adopted Fit for the Future Plan to direct the additional resources to infrastructure renewal required to stabilise and address Council's infrastructure backlog.

Conclusion

The introduction of a building renewal charge has been identified as a strategy within Council's Fit for the Future Plan that will contribute to Council's long term financial sustainability through the raising of additional revenue required for asset renewal.

The report outlines the outcome of negotiations and consultations with the affected child care centres on an agreed implementation schedule for the introduction of the building renewal charge, as well as proposed amendments to the draft lease. The affected centres have provided written confirmation of their acceptance of the proposed schedule for the staged implementation of the proposed charges, subject to Council's consideration of the amendments to the draft lease provisions, as outlined in this report.

RECOMMENDATION:

That:

1. Council approve the execution of three year leases with the Golden Valley Childrens Centre, Greenhills Child Care Centre, Hobartville Long Day Pre-School, McGraths Hill Childrens Centre, Elizabeth St Extended Hours Pre-School, Richmond Preschool Kindergarten, Wilberforce Early Learning Centre, Windsor Pre-School, and Wilberforce Pre-School, in accordance with the proposed lease conditions outlined within this report.
2. Authority be given for the leases and any other documentation in association with the matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessees, together with the advice that Council is not, and will not, be bound by the terms of the resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

ATTACHMENTS:

AT - 1 Covering Letter to Child Care Centres dated 23 October 2018

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

AT - 1 Covering Letter to Child Care Centres dated 23 October 2018

Sent: Tuesday, 23 October 2018 3:02 PM

To: Elizabeth Street EHP ; Wilberforce Pre-School; Golden Valley Children's Learning Centre (Business Fax); Greenhills; Hobartville Long Day Preschool; Director Richmond Preschool; Windsor Pre School Association; McGraths Hill Child Care; Wilberforce Early Learning Centre

Subject: Hawkesbury City Council - Draft Child Care Centre Lease

Dear Director and Chairperson,

Early last year, Council wrote to the child care services operating from Council owned facilities to advise that Council was undertaking a review of some of Council's contracted maintenance arrangements for its community facilities. The review was prompted by concerns expressed by some of the committees managing Council facilities regarding the cost and quality of services being delivered by Council's appointed contractors.

At that time, Council also advised that it had commenced investigating options to formalise current tenancy arrangements with a view to developing a lease agreement between Council and child care centres. The draft final lease, which was initially scheduled to be available by the end of 2017, has only now been completed. Unfortunately the work involved in preparing Council's application for a Special Rate Variation and the community consultations that preceded this had delayed the preparation of the draft final lease.

A copy of the final draft lease is attached. The draft lease includes provision for a building renewal charge (referred to in the lease as an annual sinking fund). The charge is proposed to be phased in over four years commencing from January 1 2019, with the full charge applied from 2021/22.

The proposed building renewal charge will raise the balance of funds required to deliver an expanded \$3.43M child care centre building renewal works program over the next 10 years. In simple terms it represents a request for a co-contribution from child care operators to meet the cost of maintaining and renewing the buildings they occupy.

I have attached a background paper which outlines the purpose and justification for the building renewal charge, as well as the proposed framework for a 5 year lease which will formalise our existing tenancy arrangements.

The background paper touches on the issues and information which will be included in the report to Council's Ordinary Meeting of 30 October 2018 about the draft lease and building renewal charge. The report to Council will recommend that Council commence lease negotiations with child care services operating from Council owned buildings, with the outcome of these negotiations to be further reported to Council.

I would stress that at the Council Meeting on 30 October 2018, Council will not be making a final determination on the draft lease. This determination will only be made following a further report to Council later this year.

I appreciate that the draft lease and the proposed building renewal charge will raise questions for you and the users of your service. I would encourage you to read through the background paper to gain an understanding of the broader financial context underlying this matter as well as Council's position in relation to the draft lease.

Council staff are available to meet with you to discuss and clarify the terms of the draft lease. Please feel free to contact Trisha Sundin on 4560 4576 to arrange a convenient time for a meeting.

If you would like to clarify any issues regarding this letter please contact me on 4560 4428.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 30 April 2019

I will forward you further advice on Friday 26 October 2018 when the Council Business Paper for the 30 October 2018 meeting is publicly available, including the process for addressing the Council should you wish to do this.

Regards

oooO END OF REPORT Ooo

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 30 April 2019

ordinary

section 4

reports
of committees

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

SECTION 4 – Reports of Committees

Item: 070 **ROC - Audit Committee - 20 March 2019 - (95496, 91369, 79351)**

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Audit Committee, held on 20 March 2019.

RECOMMENDATION SUMMARY:

The matters contained within the attached minutes of the Audit Committee have no policy or financial implications to Council and therefore, are presented to Council to receive and note.

REPORT:

Discussion

The Audit Committee met on 20 March 2019 and discussed the following items:

Report

- Item: 1 2017/2018 and 2018/2019 Internal Audit Programs Update
- Item: 2 Fraud Control Action Plan
- Item: 3 Internal Audit Management Action List and Summary Report - February 2019
- Item: 4 Review of Provision of Information to the Public
- Item: 5 Financial Reports
- Item: 6 Audit Committee Meeting Dates for 2019
- Item: 7 NSW Auditor-General Report on Local Government 2018
- Item: 8 Asset Management and Depreciation

General Business

- Item: A External Auditor - Grant Thornton
- Item: B Tabled Correspondence - Audit Committee Operations

RECOMMENDATION:

That the minutes of the Audit Committee Meeting held on 20 March 2019 be received and noted.

ATTACHMENTS:

AT - 1 Minutes - Audit Committee - 20 March 2019.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

AT - 1 Minutes - Audit Committee - 20 March 2019

Minutes of the Meeting of the Audit Committee meeting held in the Large Committee Room, Windsor, on Monday, 20 March 2019, commencing at 4.16pm.

Present: Councillor Paul Rasmussen, Hawkesbury City Council
Councillor John Ross, Hawkesbury City Council
Mr Craig Bennett, Community Representative
Ms Nisha Maheshwari, (Chair) Community Representative

Apologies: Ms Ellen Hegarty, Community Representative

In Attendance: Mr Peter Conroy, Hawkesbury City Council
Mr Laurie Mifsud, Hawkesbury City Council
Ms Emma Galea, Hawkesbury City Council
Mr Michael Wearne - Hawkesbury City Council
Ms Shirley Huang, Grant Thornton
Mr James Winter, Grant Thornton
Ms Lynne Bruce, The Centium Group
Ms Megan TeBay, The Centium Group
Ms Somaiya Ahmed, NSW Audit Office - By Conference Call
Ms Amanda Carroll, Committee Officer, Hawkesbury City Council

REPORT:

RESOLVED on the motion of Councillor Paul Rasmussen and seconded by Mr Craig Bennett that the apology be accepted.

Member	05/12/2018	20/03/2019	19/06/2019	11/09/2019
Councillor Paul Rasmussen	✓	✓		
Councillor John Ross	✓	✓		
Councillor Patrick Conolly (Alternate)	N/A	N/A		
Mr Craig Bennett	A	✓		
Ms Ellen Hegarty	A	A		
Ms Nisha Maheshwari (Chair)	✓	✓		

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

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Paul Rasmussen and seconded by Ms Nisha Maheshwari that the Minutes of the Audit Committee held on 5 December 2018, be confirmed.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

Item: 1 AC - 2017/2018 and 2018/2019 Internal Audit Programs Update (95496, 79351, 91369)

Division: Support Services

DISCUSSION:

2017/2018 Internal Audit Program

- The Committee was informed that all eleven audits in the 2017/2018 Internal Audit Program have now been completed.

2018/2019 Internal Audit Program

- The Committee was informed that there are four audits currently underway in this Program. One audit is finalised, one is at management action development stage, one at the fieldwork stage and terms of reference for the final project will be developed in late March 2019.

OFFICER'S RECOMMENDATION:

That:

1. The progress against the 2017/2018 Internal Audit Program as attached in Attachment 1 to this report be received and noted.
2. The progress against the 2018/2019 Internal Audit Program as attached in Attachment 2 to this report be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Paul Rasmussen and seconded by Mr Craig Bennett

That:

1. The progress against the 2017/2018 Internal Audit Program as attached in Attachment 1 to this report be received and noted.
2. The progress against the 2018/2019 Internal Audit Program as attached in Attachment 2 to this report be received and noted.

Item: 2 AC - Fraud Control Action Plan (112106, 96596)

Division: Support Services

DISCUSSION:

- Council participated in a Voluntary Fraud Control Practice Survey that was conducted by the Audit Office of New South Wales. The Survey consisted of 86 Survey questions and Council complied with 70 of 86 of the questions. There is now a plan in place to address the outstanding 16 identified recommendations.
- It was noted that this was a voluntary Survey and not a mandatory response and as such was an internal process. It was also noted that participating in the Survey has proved beneficial in identifying areas for improvement.

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

- The Model Code of Conduct for Local Councils in NSW has been adopted by Council. It will be introduced through Council in the coming weeks.
- The External Auditors from Grant Thornton were asked if there would be any specific fraud control procedures directed at Council for this year's audit. The Committee was advised that there were not specific areas to be targeted this year and the audits will be a broader implementation across all Local Government Council areas.
- The Committee was informed that the matter of a new fraud risk assessment process will be addressed as part of the Risk Register Review and will form part of broader Enterprise Risk Management Framework implementation.
- It was noted that a package of pre-employment checks will be implemented in due course. These checks will be independent of the mandatory pre-employment checks currently undertaken.

OFFICER'S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Craig Bennett, and seconded by Councillor Paul Rasmussen.

That the information be received and noted.

Item: 3 AC - Internal Audit Action List and Summary Report - February 2019 - (95496, 91369, 79351)

Division: Support Services

DISCUSSION:

- It was noted that at the end of February 2019, 114 Management Actions that had been identified from audits carried out as part of the 2017/2018 Internal Audit Program are yet to be completed. A number of other Actions are underway.
- The overdue Management Actions are now attached for the information of the Audit Committee.
- There was discussion in regard to:
 - the overdue Management Actions that were of either extreme or high risk in particular the actions relating to the Commercial Leases and Property Management Review.
 - the revised sequence of actions based on the Commercial Leases and Property Management Review Project Plan.
- The question was raised as to Council having enough resources to ensure good governance and ethical requirements in identifying future risks and completing management actions. It was agreed that there may be a need for additional resources into the future.

OFFICER'S RECOMMENDATION

That the attached Internal Audit Action List and Summary Report be received and noted.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

COMMITTEE RECOMMENDATION

RESOLVED on the motion of Councillor Paul Rasmussen and seconded by Mr Craig Bennett

That the attached Internal Audit Action List and Summary Report be received and noted.

Item: 4 AC - Review of Provision of Information to the Public (95496, 91369, 79351)

Division: Support Services

DISCUSSION:

- The Committee was given an outline of the review of Provision of Information to the Public and advised of the key positive findings and the key areas of improvement.
- It was noted that the Access to Information Policy is due for review. It was further noted that many of the policy implications around GIPA and privacy are included in other policies.
- Further clarification around roles and responsibilities and managing the GIPA process is required. There is currently high reliance on limited staff members. However, training will be provided in the staff induction process, and refresher courses will be provided to staff.
- It was agreed that staff at various levels within Council need to be provided with different levels of information that is Senior Staff versus Customer Service Staff require a different level of knowledge/training on GIPA requirements. In particular, record keeping can be critical in capturing information and staff should be informed of their responsibility in keeping emails and notes on telephone calls and the like.
- A consistent approach must be taken across the Council and business rules around how information must be saved are required.

OFFICER'S RECOMMENDATION:

That the Internal Audit Report prepared by The Centium Group on the Provision of Information to the Public included as Attachment 1 to this report, be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Paul Rasmussen, seconded by Mr Craig Bennett.

That the Internal Audit Report prepared by The Centium Group on the Provision of Information to the Public included as Attachment 1 to this report, be received and noted.

Item: 5 AC - Finance Reports (95496, 79351, 91369)

Division: Support Services

DISCUSSION:

- The Committee was advised that the December 2018 Quarterly Budget Review Statement was submitted to and adopted by Council at the Ordinary Meeting on 26 February 2019.

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

- The January 2019 Monthly Investment Report was submitted to and received and noted by Council at the Ordinary Meeting on 12 March 2019.
- General discussion ensued regarding the Contingency Reserve and how funds are allocated to this Reserve. Funds surplus to needs at the end of each financial year are considered for placement in this Reserve. The Contingency Reserve provides a buffer for funding of unforeseen events and the associated adverse financial impacts.

OFFICER'S RECOMMENDATION:

That the information regarding the December 2018 Quarterly Budget Review Statement and the January 2019 Investment Report be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Paul Rasmussen and seconded by Mr Craig Bennett

That the information regarding the December 2018 Quarterly Budget Review Statement and the January 2019 Investment Report be received and noted.

Item: 6 AC - Audit Committee Meeting Dates for 2019 (95496, 79351, 91369)

Division: Support Services

DISCUSSION:

It was agreed that the meeting scheduled for Wednesday, 12 June 2019 be rescheduled to Wednesday, 19 June 2019 at 4.00 pm.

OFFICER'S RECOMMENDATION:

That the following Audit Committee meetings for 2019 be approved: -

- Wednesday - 4.00 pm - 20 March 2019
- Wednesday - 4.00 pm - 19 June 2019
- Wednesday - 4.00 pm - 11 September 2019
- Wednesday - 4.00 pm - 4 December 2019

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Paul Rasmussen and seconded by Mr Craig Bennett.

That the following Audit Committee meetings for 2019 be approved: -

- Wednesday - 4.00 pm - 20 March 2019
- Wednesday - 4.00 pm - 19 June 2019
- Wednesday - 4.00 pm - 11 September 2019
- Wednesday - 4.00 pm - 4 December 2019

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

Item: 7 AC - NSW Auditor -General Report on Local Government 2018 - (95496,79351,91369)

Division: Support Services

DISCUSSION:

- Ms Maheshwari noted that this was the second year that the Auditor General publishes results of statutory financial audits of councils in NSW.
- The financial audits identified 83 high risk findings across the local government sector. The high risks were to determine whether they could significantly affect the council's financial statements.
- The Committee was advised by the Audit Office that there were no significant areas of concern for Council.
- Key issues for Council were common issues across the majority of councils in NSW.

OFFICER'S RECOMMENDATION:

That the information regarding the NSW Auditor - General Report on Local Government 2018 be received and noted.

COMMITTEE RECOMMENDATION

RESOLVED on the motion of Councillor Paul Rasmussen and seconded by Mr Craig Bennett

That the information regarding the NSW Auditor - General Report on Local Government 2018 be received and noted.

Item: 8 AC - Asset Management and Depreciation (95496, 91369, 79351)

Division: Support Services

DISCUSSION:

- It was highlighted that this is a late Item due to the timing of a relevant Council resolution and the report not having been finalised in time to be issued with the business paper, and having regard to the urgency of this report being submitted to the Audit Committee.
- The Committee was asked if they were comfortable to continue with this item. It was agreed discussion would continue.
- A question was raised about the terminology "condition based" depreciation. Some other terms used are also confusing. It was recommended that consideration be given to use terminology that is more commonly understood in reporting.
- Clarification of other terminology such as "useful life" could also be reported in a more meaningful way.
- Clarification was requested on the contracts with The Centium Group in regard to the provision of internal audit services. The Committee was advised that Council currently has two contracts with The Centium Group in regard to internal audit. The first contract is for The Centium Group to carry out the administrative duties of internal audit. To this end an Internal Audit Coordinator is engaged to

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

carry out these duties. This contract expires on 30 June 2019. This contract will be further reviewed in the coming months. The second contract with The Centium Group is for a period of three years to conduct internal audits at Council. This Contract will expire on 30 June 2020.

OFFICER'S RECOMMENDATION:

That the Audit Committee receive and note the information provided in regard to Accounting Practices relating to assets.

COMMITTEE RECOMMENDATION

RESOLVED on the motion of Mr Bennett and seconded by Councillor Rasmussen.

That the Audit Committee receive and note the information provided in regard to Accounting Practices relating to assets.

SECTION 4 - GENERAL BUSINESS

External Audit - Grant Thornton

Ms Shirley Huang and Mr James Winter from Grant Thornton were officially introduced to the Committee.

- The Committee was advised that Grant Thornton has been appointed to conduct Audits for five Councils for the current financial year on behalf of The Audit Office of NSW. While this is the first year of working with Hawkesbury City Council, Grant Thornton has been conducting audits on behalf of The Audit Office of NSW for a number of years. While they will conduct the audits, The Audit Office of NSW will be the responsible authority for sign off.
- An engagement plan will be completed and signed between Council and Grant Thornton on behalf of The Audit Office of NSW. This plan, which will be agreed between The Audit Office of NSW and management will identify the scope of audits, expected deliverables, the timetable, the approach to be taken and the team that will be allocated to undertake the Audit process.
- It has been identified through briefings with The Audit Office of NSW and that the use of credit cards will be of key concern in this year's audit plan.
- The key issues will include but not limited to:
 - Normal audit processes
 - Assessing accounts for completeness and accuracy
 - The identification of Crown Land
 - Information technology general controls
 - Financial reporting, in particular:
 - ✓ Adherence to New Accounting Standards
 - ✓ Financial instruments
 - ✓ Revenue Standards
 - ✓ Leasing Standards
- Ms Maheshwari thanked Ms Huang and Mr Winter and Ms Ahmed for the update.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

Tabled Correspondence - Audit Committee Operations

The Committee received a copy of letter from Councillor Ross addressed to the General Manager. The issues raised and responses are provided below.

Internal Audit Committee Rules:

It was noted that the Audit Committee Charter states that Committee Meeting Papers must be delivered no later than one week prior to the meeting. Further, it was noted that the production of minutes following meetings need to be timely and complete.

On this occasion the meeting papers were circulated six days prior to the meeting, and that one Item (being Item 8) was not included in the meeting papers. It was further noted that the reason for the lateness of the delivery of the papers was to include current information in regard to Asset Management and Depreciation, however as the information necessary for Item 8 was further delayed, a decision to circulate the Business Papers with Item 8 to follow later was made. The Report *Asset Management and Depreciation* was included in the electronic copy of the Business Papers forwarded two days prior to the meeting.

It was considered important to include the late report due to the importance of the information contained in the report and that the delay in reporting this information to the Audit Committee until the June meeting would be a flawed approach.

Further discussion ensued and it was agreed that in future late items depending on the content and urgency of the report, could be included in the Business Paper.

Internal Audit Resourcing Arrangements

Concern was raised in the letter from Councillor Ross regarding the appointment of an external organisation in regard to the provision of internal audit functions. It was stated that the initiative and the business arrangements entered into with Blue Mountains Council had not received Council endorsement.

It was noted that Council at its meeting on 29 August 2017 resolved to accept the tender from The Centium Group to provide internal audit services to Council for a period of three years. Also at the Council meeting on 29 August 2017, Council noted the resource sharing arrangement with Blue Mountains Council in regard to internal audit.

At the Audit Committee Meeting held on 12 September 2018 the Committee was advised that the shared resourcing arrangement with Blue Mountains Council was now withdrawn. It was further noted that The Centium Group had been appointed to carry out internal audit administration duties.

The Role of the Audit Committee

- Response to questions raised by Councillor Ross:
 - It is widely recognised as best practice that there must be a functional separation between management and audit processes.
 - It was noted that the Audit Committee Charter states that the Committee is to act as a forum for communication between Council and Senior Management and internal and external audit. It was noted that the Committee will review all external plans and reports in respect of planned or completed external audits.
 - It was asked if the Committee could receive a copy of the Best Practice resources available through The Audit Office of NSW.

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

- It was agreed that questions relating to specific matters in Council's Financial Statements audits should be addressed to the Chief Financial Officer, who will address such issues separately, outside the Audit Committee meetings.

The meeting terminated at 7:10pm

Submitted to and confirmed at the meeting of the Audit Committee held on 19 June 2019.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

Item: 071 **ROC - Local Traffic Committee - 08 April 2019 - (95495, 80245)**

Directorate: Infrastructure Services

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Local Traffic Committee, held on 08 April 2019. The Local Traffic Committee is not a Committee of Council but a Statutory Committee.

RECOMMENDATION SUMMARY:

The matters contained within the attached minutes of the Local Traffic Committee have no policy or financial implications to Council. The recommendations contained in the attached minutes are to be adopted by Council.

REPORT:

Discussion

The Local Traffic Committee met on 08 April 2019 and discussed the following items:

- Special Event Traffic - Bilpin Bush Run 2019
- Special Event Traffic - Winterfest 2019

RECOMMENDATION:

That the minutes of the Local Traffic Committee held on 08 April 2019 be received and the recommendations therein be adopted and noted.

ATTACHMENTS:

AT - 1 Minutes - Local Traffic Committee - 08 April 2019

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

AT - 1 Minutes - Local Traffic Committee - 08 April 2019

Minutes of the Meeting of the Local Traffic Committee held in the Small Committee Room, Windsor, on Monday, 08 April 2019, commencing at 3pm.

ATTENDANCE

Present: Mr Christopher Amit, Hawkesbury City Council, (Chair)
Mr David Lance, Roads and Maritime Services
Mr Mohammed Irfan, Roads and Maritime Services
Mr Steve Grady, Busways

Apologies: Councillor Peter Reynolds, Hawkesbury City Council
Inspector Peter Jenkins, NSW Police Force
Senior Constable Damien Mitchell, NSW Police Force

In Attendance: Ms Judy Wong, Hawkesbury City Council
Ms Kaysie Cordi, Hawkesbury City Council

Mr Christopher Amit advised the Committee that the position of Chair is to be undertaken in accordance with RMS (formerly RTA) Guidelines "Delegation to Councils for Regulation of Traffic" Section 5.3 which states that the meeting is to be convened by a Council Representative, either voting or non-voting. On this basis Mr Amit is to take up the position of the Chair for this meeting as agreed to with Councillor Reynolds.

The Chairman tendered an apology on behalf of Councillor Peter Reynolds advising that Councillor Peter Reynolds concurred with the recommendations as contained in the formal agenda and had granted proxy to himself to cast vote(s) on his behalf.

RESOLVED on the motion of Mr David Lance seconded by Mr Christopher Amit that the apologies be accepted.

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Mr David Lance, seconded by Mr Christopher Amit, that the minutes from the previous meeting held Monday, 11 March 2019 be confirmed.

Item 1.2 Business Arising

There was no Business Arising from the previous minutes.

SECTION 2 - Reports for Determination

Item: 2.1 LTC - Bilpin Bush Run 2019, Bilpin - (Hawkesbury) - (80245, 73582)

REPORT:

Introduction

An application has been received from the Bilpin Rural Fire Service seeking approval (in traffic management terms) to conduct the Bilpin Bush Run 2019 on Saturday, 24 August 2019.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

The event organiser has advised:

- This is an annual event which has been held since 1996 and previously undertaken along a different course.
- Since 2014 the events have been undertaken along a new course which is to be utilised for the 2019 event.
- The event is a race which is both for fundraising and training and is organised by the Bilpin RFS.
- The event will be conducted between 9am and 3pm. The event set up will commence from 5am with progressive shutdown of each site as the last participants pass each checkpoint.
- The start and finish of the event will be at Bilpin District Hall located at No. 2596 Bells Line of Road, Bilpin.
- The route of the Bush Run is within the Hawkesbury Local Government area and will be predominantly along fire trails, national park trails, Telstra trails, power line trails and easements, private property tracks and paddocks, along short sections of Mt Tootie Road and Bells Line of Road and cross Mt Tootie Road at several locations.
- The 34 kilometre Bush Run will be undertaken along the following route;
 - Commence at the Bilpin District Hall and proceed in a westerly direction along the road verge area on Bells Line of Road for an approximate distance of 600 metres.
 - Turn right into the fire trail (Crown Road Reserve) and proceed along the fire trail into the National Park and follow the trail until it crosses Mt Tootie Road (race distance 1.8 kilometres). The crossing point in Mt Tootie Road is in the vicinity of No. 66 Mt Tootie Road (approximately 800 metres from Bells Line of Road).
 - After crossing Mt Tootie Road, proceed along a Telstra trail that runs parallel to and west of the road 20 to 30 metres off the Mt Tootie Road.
 - After 3.5 kilometres of existing trails, the runners cross Mt Tootie Road on two occasions 100 metres apart below the loop in the road.
 - The runners will then enter a series of trails and power line tracks before emerging for a short distance along Mt Tootie Road (approximately 200 metres), before entering a Telstra trail that runs parallel to Mt Tootie Road.
 - At this point the runners will enter private property and follow a course over paddocks, property tracks and fire trails which will bring them back to Mt Tootie Road.
 - The return course follows the same tracks as the outbound course until approximately three kilometres from the finish.
 - At this point the runners will cross Mt Tootie Road and follow a power line easement until they enter the fire trail 1.8 kilometres from the start.
 - On entry to the fire trail, runners return along the same out bound course, finishing at the Bilpin District Hall.
- The runners have the option to undertake the full length of the course or complete a shorter 16 kilometre length of the course.
- Traffic Controllers will be positioned at all Mt Tootie Road crossing points.
- Mt Tootie Road is a very low traffic gravel road (ADT < 50).
- Some disruption will occur to a small number of residents along Bells Line of Road and Mt Tootie Road.
- The runners will utilise a 600 metre section along the northern verge of Bells Line of Road, which is a State Road. Vehicular traffic and participants are separated by a verge of approximately 10 metres

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

wide along this section of Bells Line of Road. The shoulder of Bells Line of Road (on the section between Mt Tootie Road and Bilpin District Hall) will not be used at all by any runners.

- There will be approximately 400 runners participating in the run.
- Approximately 100 spectators are expected to attend.
- Off street parking is available at Bilpin District Hall for over 200 cars. If the car park area becomes full, additional car parking is available on adjoining properties.

Details of the Event Course for the Bilpin Bush Run 2019, is contained in Attachment 1.

Discussion

It would be appropriate to classify the event as a “Class 2” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA) as the event may impact on minor traffic and transport systems and there may be low scale disruption to the non-event community.

Mt Tootie Road is a dead end road which extends from Bells Line of Road for a distance of 8.75 kilometres. The road is sealed for an approximate distance of 230 metres from Bells Line of Road with the remaining length being unsealed. The traffic volume previously recorded in the vicinity of No. 66 Mt Tootie Road was 31 vehicles per day. It has an entering speed limit of 50km/h.

The Crossing Points along Mt Tootie Road will be administered by the Event Organiser by providing Traffic Control at these locations to ensure the safety of motorists and the participants.

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document Set ID No: 6523772):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Transport Management Plan – referred to in the application as Traffic Management Plan (TMP) and Traffic Control Plans (TCP),
5. Copy of Insurance Policy which is valid to 14 July 2019,
6. Copy of the correspondence to be forwarded to the Residents,
7. Copies of correspondence forwarded to the NSW Police Force, NSW Ambulance Service, Fire and Rescue NSW, NSW Department of Industries – Lands, Office of Environment and Heritage – NSW National Parks and Wildlife Service (NPWS) and SES.

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council’s web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package.

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

2. The Bilpin Bush Run 2019 event planned for Saturday, 24 August 2019, be classified as a “Class 2” special event, in terms of traffic management, under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation’s web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4e. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road.
- 4f. the event organiser is to ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants are mitigated by providing a water cart for the duration of the event. The method and frequency of is to be addressed and outlined in writing and added to the TMP;
- 4g. the event organiser is to obtain approval from the NSW National Parks and Wildlife Service (Office of Environment and Heritage) for the use of the Wollemi National Park; a copy of this approval to be submitted to Council;
- 4h. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4i. the event organiser is to obtain approval from the NSW Department of Industries - Lands for

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

- the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
 - 4k. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
 - 4l. the event organiser is to notify the details of the event to the NSW Rural Fire Service at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
 - 4m. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
 - 4n. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to the residents has been submitted to Council;
 - 4o. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4p. access is to be maintained for businesses, residents and their visitors;
- 4q. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4r. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4s. the runners are to be made aware of and are to follow all the general road user rules whilst running on public roads;
- 4t. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4u. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

- 4v. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4w. the event organiser is to ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

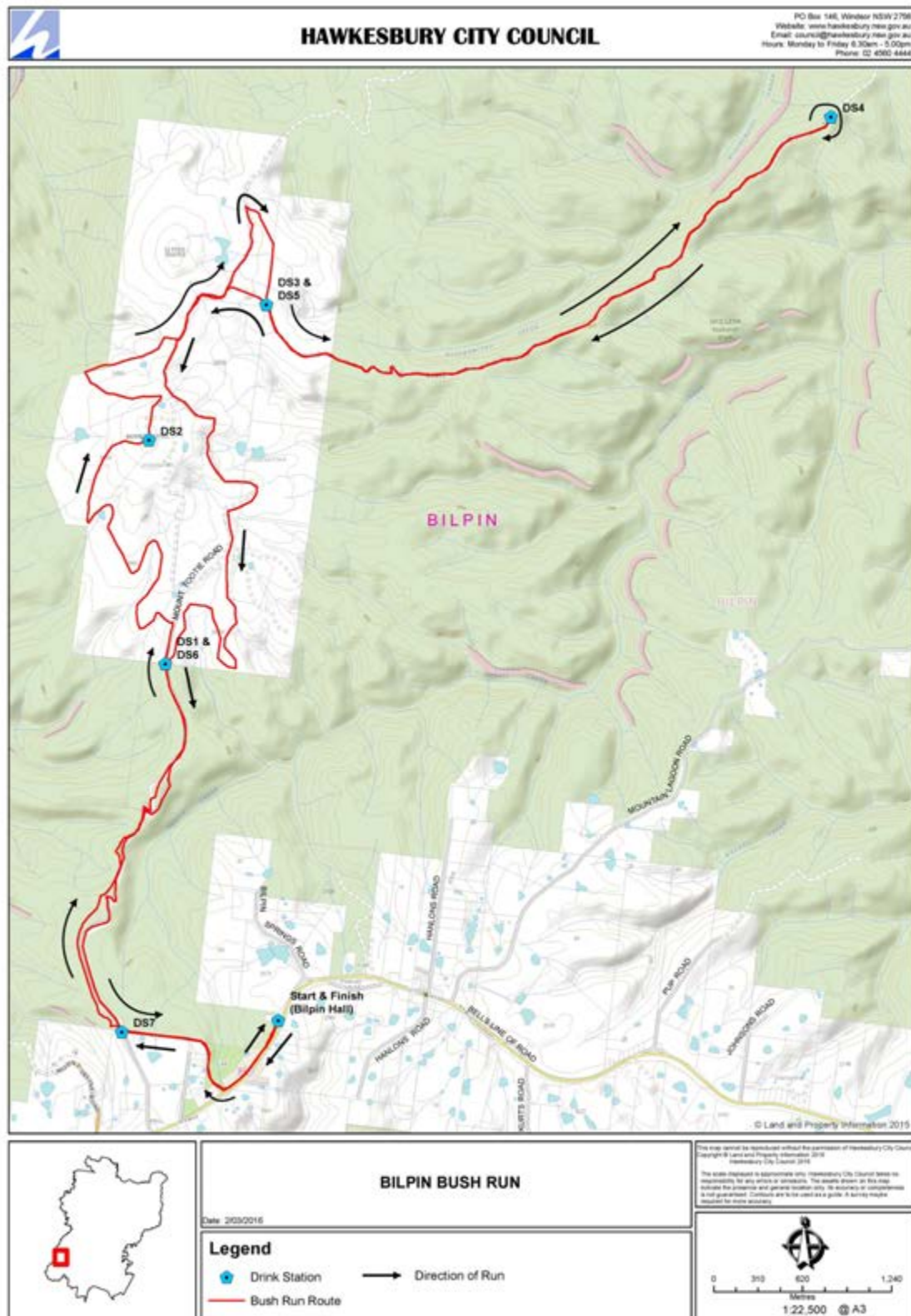
APPENDICES:

AT - 1 Event Course Map for the Bilpin Bush Run 2019.

AT - 2 Special Event Application - (ECM Document Set ID No: 6523772) - *see attached*.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

AT - 1 Event Course Map for the Bilpin Bush Run 2019



ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr David Lance, seconded by Mr Christopher Amit.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Bilpin Bush Run 2019 event planned for Saturday, 24 August 2019, be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

- 4d. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4e. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road.
- 4f. the event organiser is to ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants are mitigated by providing a water cart for the duration of the event. The method and frequency of is to be addressed and outlined in writing and added to the TMP;
- 4g. the event organiser is to obtain approval from the NSW National Parks and Wildlife Service (Office of Environment and Heritage) for the use of the Wollemi National Park; a copy of this approval to be submitted to Council;
- 4h. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4i. the event organiser is to obtain approval from the NSW Department of Industries - Lands for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4l. the event organiser is to notify the details of the event to the NSW Rural Fire Service at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4m. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4n. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to the residents has been submitted to Council;
- 4o. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4p. access is to be maintained for businesses, residents and their visitors;
- 4q. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4r. all traffic controllers / marshals operating within the public road network or road related area,

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);

- 4s. the runners are to be made aware of and are to follow all the general road user rules whilst running on public roads;
- 4t. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4u. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4v. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4w. the event organiser is to ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

Item: 2.2 LTC - Winterfest 2019 - Hawkesbury Showground, Clarendon - (Hawkesbury) - (80245, 99871)

REPORT:

Introduction

An application has been received seeking approval (in traffic management terms) to conduct the Winterfest 2019 event within the Hawkesbury Showground, Clarendon to be held on Saturday, 6 and Sunday, 7 July 2019.

The event organiser has advised:

- The event has been held previously for 13 years at various locations including the Hawkesbury Showground, and this is the first year that the application has been submitted to Council relating to traffic management.
- The event is a nationally recognised Medieval Historical and Fantasy event with a focus on education, history and folk entertainment.
- The event will be conducted between 10am and 5pm for both days.
- The Showground is located on Racecourse Road, with the Hawkesbury Racecourse and the Clarendon Railway Station located opposite.
- The event is located within the Hawkesbury Showground only.
- The event is expected to attract approximately 10,000 spectators over the two days.
- It is anticipated that most visitors will travel by car. They will park within the Hawkesbury Showground car parking area, and will be directed into the site via Gate 4, by accredited traffic controllers. Pedestrian Access will be restricted to Gate 1 only.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

Discussion

Racecourse Road intersects with Hawkesbury Valley Way near the northern boundary of the showground site, and intersects with Blacktown Road approximately 3.5 kilometres to the south. Racecourse Road is a minor rural road of approximately 3.5 kilometres in length with the full length being sealed. The event organiser is anticipating that a high proportion of traffic is expected from the Hawkesbury Valley Way intersection. Both Hawkesbury Valley Way and Blacktown Road are main arterial roads.

Traffic congestion is likely to be concentrated in Hawkesbury Valley Way, from where the majority of vehicles will queue to enter Racecourse Road, and in Racecourse Road, as vehicles queue to enter parking areas. It is likely that some vehicles, to avoid the congestion at Hawkesbury Valley Way, will travel towards the showground along Racecourse Road from the Blacktown Road intersection.

It would be appropriate to classify the event as a “Class 2” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA) as the event may impact on major traffic and transport systems and there may be low scale disruption to the non-event community.

The event organiser has submitted the following items in relation to the event: Attachment 3 (ECM Document Set ID No: 6536830):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Event Management Plan and Safety Report,
5. Event Layout Plan and Traffic Movement Plan,
6. Copy of the application to the NSW Police Force.

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council’s web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Winterfest 2019 event within the Hawkesbury Showground, Clarendon, to be held on Saturday, 6 July 2019 and Sunday, 7 July 2019 be classified as a “Class 2” special event, in terms of traffic management, under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit a Transport Management Plan (TMP) for the entire event incorporating a Traffic Control Plan (TCP) to Council for acknowledgement and the Roads and Maritime Services - RMS (formerly RTA) for concurrence. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4e. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4f. as the event requires traffic control on a public road, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4h. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4i. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4j. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

- 4k. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4l. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4o. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4p. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed for the event, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4q. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4r. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

APPENDICES:

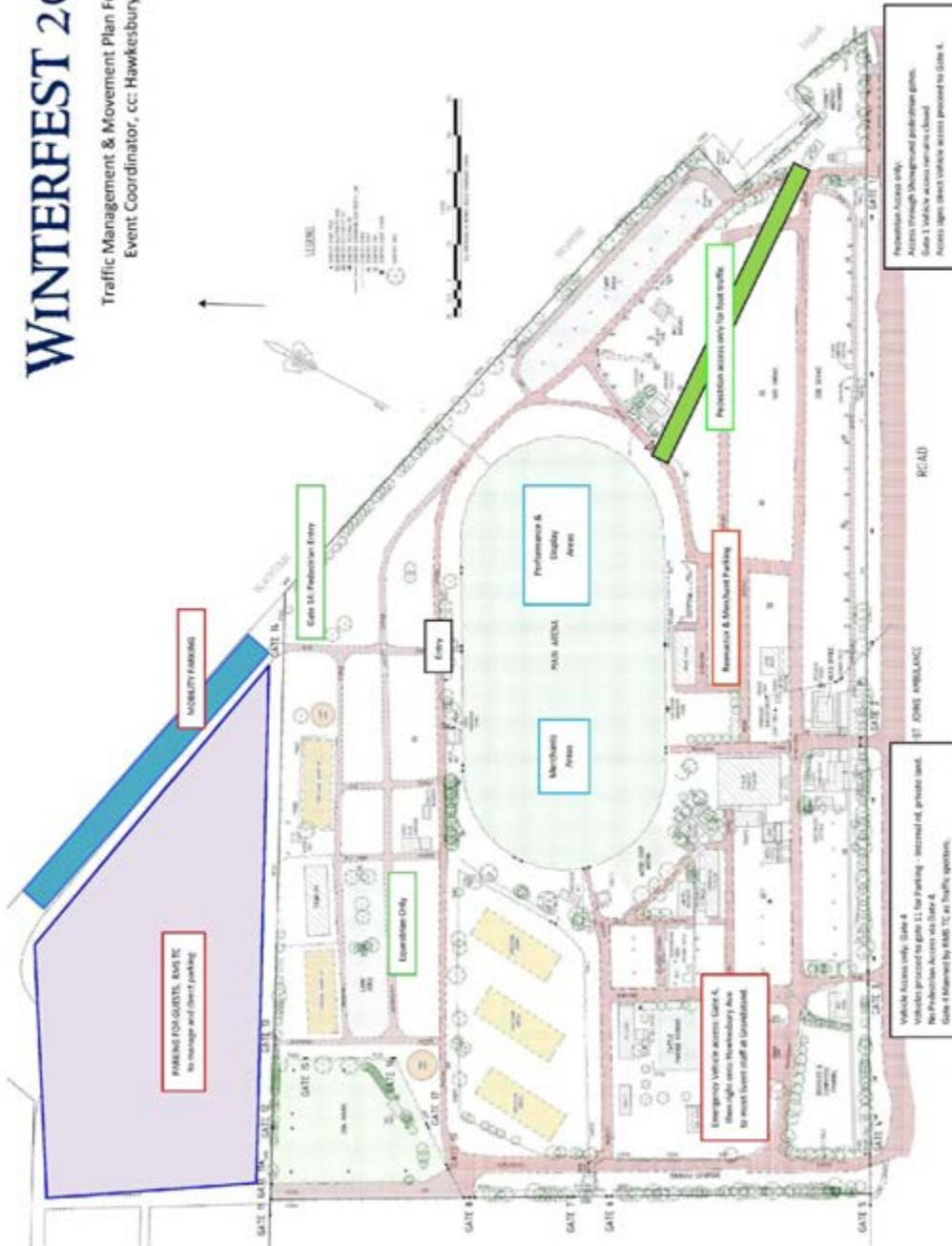
AT - 1 Winterfest 2019 - Event Layout Plan.

AT - 2 Winterfest 2019 – Traffic Movement Plan

AT - 3 Special Event Application – (ECM Document Set ID No: 6536830) - *see attached*

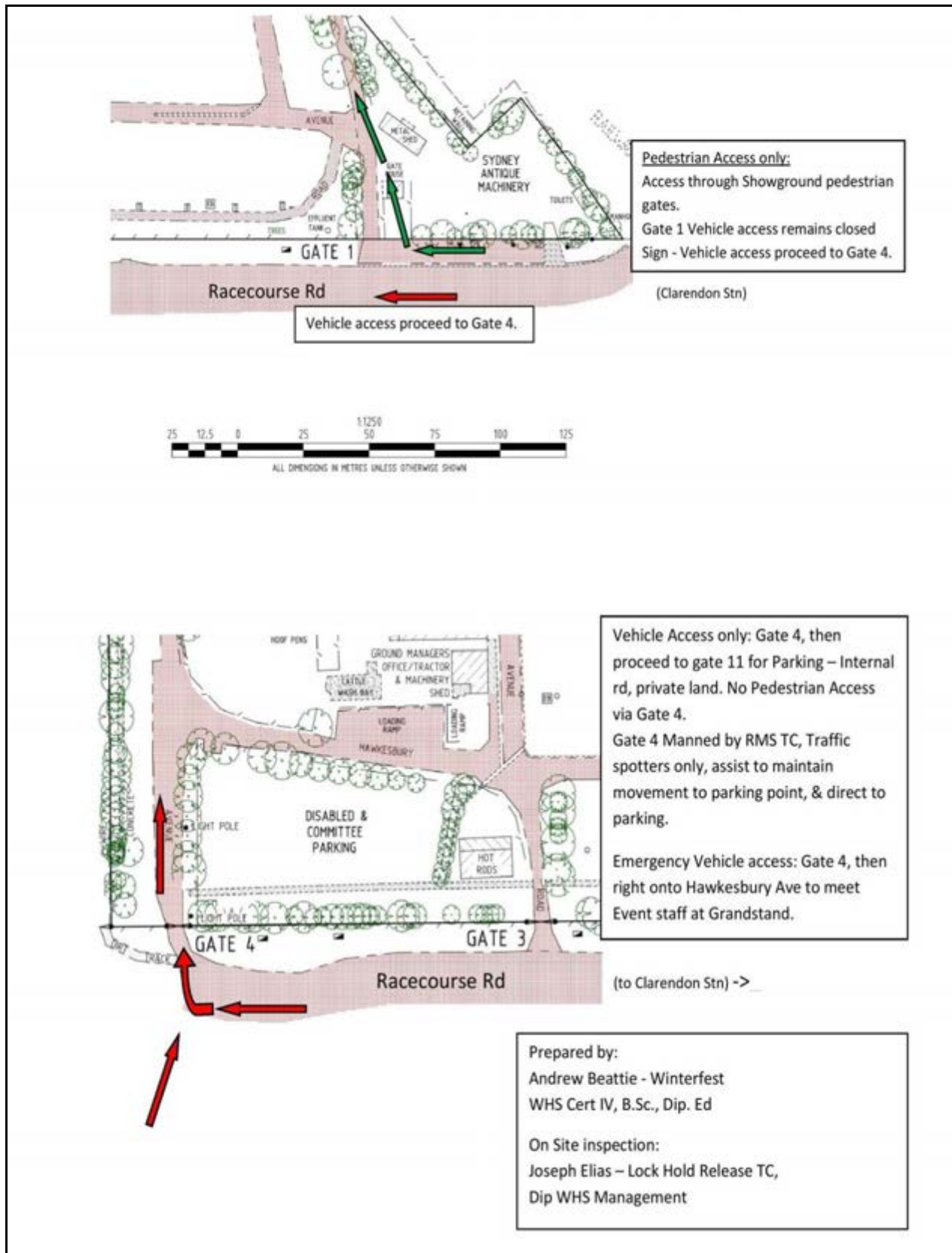
Meeting Date: 30 April 2019

AT - 1 Winterfest 2019 - Event Layout Plan



ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

AT - 2 Winterfest 2019 – Traffic Movement Plan



ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr David Lance, seconded by Mr Christopher Amit.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Winterfest 2019 event within the Hawkesbury Showground, Clarendon, to be held on Saturday, 6 July 2019 and Sunday, 7 July 2019 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

- 4d. the event organiser is to submit a Transport Management Plan (TMP) for the entire event incorporating a Traffic Control Plan (TCP) to Council for acknowledgement and the Roads and Maritime Services - RMS (formerly RTA) for concurrence. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4e. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4f. as the event requires traffic control on a public road, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4h. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4i. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4j. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4k. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4l. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4o. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4p. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed for the event, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 30 April 2019

- 4q. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4r. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

SECTION 3 - Reports for Information

There were no Reports for Information.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Monday, 13 May 2019 at 3pm in the Small Committee Room.

The meeting terminated at 3:45pm.

oooO END OF REPORT Oooo

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 30 April 2019

ordinary

section 5

notices of motion

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 30 April 2019

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 30 April 2019

SECTION 5 – Notices of Motion

No Notices of Motion.

ORDINARY MEETING
Questions for Next Meeting
Meeting Date: 30 April 2019

QUESTIONS FOR NEXT MEETING

Item: 072 **Councillor Questions from Previous Meetings and Responses - 9 April 2019 - (79351)**

REPORT:

Questions – 9 April 2019

#	Councillor	Question	Response
1	Wheeler	Requested that the toilets in the Deerubbin Centre and Richmond Library be thoroughly cleaned and the graffiti removed.	The Director Infrastructure Services advised that instructions had been given for the removal of graffiti and cleaning of the amenities.
2	Wheeler	Requested that replacement bins be installed at Colbee Park, McGraths Hill as the previous bins have been burnt out.	The Director Infrastructure Services advised that instructions had been given for the installation of replacement bin.
3	Wheeler	Requested information as to why areas of fencing at Colbee Park, McGraths Hill have been removed.	The Director Infrastructure Services advised that this matter was being investigated and further advice will be provided to Council.
4	Lyons-Buckett	Requested a timeframe as to when the works on Beaumont Avenue, North Richmond near Hanna Park are due to be completed as there are very large potholes that require attention.	The Director Infrastructure Services advised that repairs to the road and carpark surface would be completed with road rehabilitation of Beaumont Avenue included in Council's draft program for 2019/2020. Improvements to and extension of the carpark is in the tender phase, and subject to that process works are anticipated to commence in June.
5	Lyons-Buckett	Enquired as to the number of tutors using Richmond and Windsor libraries, and specifically, how many are for profit organisations and how much money was collected in fees for the 2018/2019 year.	The Director Support Services advised that currently no declared commercial tutors are using the Richmond Branch Library or the Hawkesbury Central Library. For the 2018/2019 year, no fees have been collected in relation to tutors. The Community rooms in the Deerubbin Centre are available for hire by people conducting commercial tutoring. However, the three study rooms at the Hawkesbury Central Library are not to be used for commercial tutoring. These rooms have been locked and clearly sign posted stating that they are not to be used for commercial purposes, including commercial tutoring.

ORDINARY MEETING
Questions for Next Meeting
Meeting Date: 30 April 2019

#	Councillor	Question	Response
6	Zamprognio	Enquired as to whether the residents surrounding the preschool in Smith Road, Oakville were informed of changes to the Development Application such as the building layout, location, carpark, waste disposal and roadworks outside the development and has any waiver been received by the applicant regarding the roadworks outside the property.	<p>The Director City Planning advised that DA0107/17 was presented to Council at the Ordinary Meeting held on 28 August 2017. Council resolved as follows:</p> <p>"That consideration of this matter be deferred to allow the applicant to be consulted about:</p> <ul style="list-style-type: none"> a) Increasing the number of car parking spaces from 25 to 37. b) Moving the development further away from the common fence with 1 Smith Road, Oakville and further back into the site to better accommodate the extra parking. c) Ensuring that the rubbish storage location be on the northern side of the building. d) Additional noise mitigation devices be investigated to allow the outdoor play area to be utilised for more than two hours per day." <p>Changes were made by the applicant to satisfy these requirements and a report was presented to Council at the meeting of 30 January 2018. Council approved the amended application after being addressed by both the Applicant and local resident.</p> <p>Council is currently in receipt of a Section 4.55 modification application to delete condition 18 of the approval.</p>

ORDINARY MEETING
Questions for Next Meeting
Meeting Date: 30 April 2019

#	Councillor	Question	Response
Cont 6			<p>The condition that is sought to be deleted provides as follows:</p> <p><i>“The western side of Smith Road shall be constructed for a length of approximately 90m to have kerb and gutter, laybacks and road widening from the existing kerb and gutter within the vicinity of the roundabout to a location 2m north of the existing driveway for the dwelling house at 7 Smith Road (Lot 7 DP 532334). The road widening is to be constructed to facilitate vehicle parking, turning movements into the site and pedestrian safety. In this respect the road must have a final minimum half road pavement width of 5.8m from the road centreline to the face of kerb. The existing kerb must reach this width and be maintained for the length of works fronting the subject site (Lot 7 DP 532334). Works must incorporate adequate drainage infrastructure to prevent ponding or impact on adjoining properties. Road verge regrading and layback construction in front of 1 Smith Road (Lot 11 DP 803218), road line marking, any works to utilities and the relocation of any affected road signs must be undertaken by the developer at no cost to Council. Plans and details demonstrating compliance with the above requirements must be submitted to and approved by Council prior the issue of a Design Compliance Certificate”.</i></p> <p>The application can be viewed on DA Tracking. The application is to be notified and will be determined in due course.</p> <p>Council has no record of any appeal lodged regarding this matter.</p>

oooO END OF REPORT Oooo

ORDINARY MEETING

Confidential Reports

Meeting Date: 30 April 2019

CONFIDENTIAL REPORTS

Item: 073 **CP - Contract Tender No. 009/FY09 - Provision of Co-mingled Kerbside Recycling Collection and Processing Service - (95498, 96330)**

Previous Item: 95, Ordinary (12 May 2009)
 214, Ordinary (11 October 2016)

Directorate: City Planning

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

Confidential Reports

Meeting Date: 30 April 2019

Item: 074 IS - Lease from Western Sydney University - Part of South Windsor Waste Management Facility, being Lot 192 in Deposited Plan 729625 - (112106, 95496, 95495, 79541, 112179)

Directorate: Infrastructure Services

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 property by 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

Meeting Date: 30 April 2019

Item: 075 **SS - Lease to The Minister for Police and Emergency Services (Fire and Rescue NSW) - Unformed Road Reserve adjoining 43 March Street, Richmond - (112106, 95496, 120506)**

Previous Item: 147, Ordinary (14 August 2014)

Directorate: Support Services

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
Meeting Date: 30 April 2019

Item: 076 **SS - Peppercorn Place: Lease of Vacant Activity Room - (95496, 96328, 28772)**

Previous Item: 181, Ordinary (26 September 2017)

Directorate: Support Services

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

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.

