



Hawkesbury City Council

ordinary
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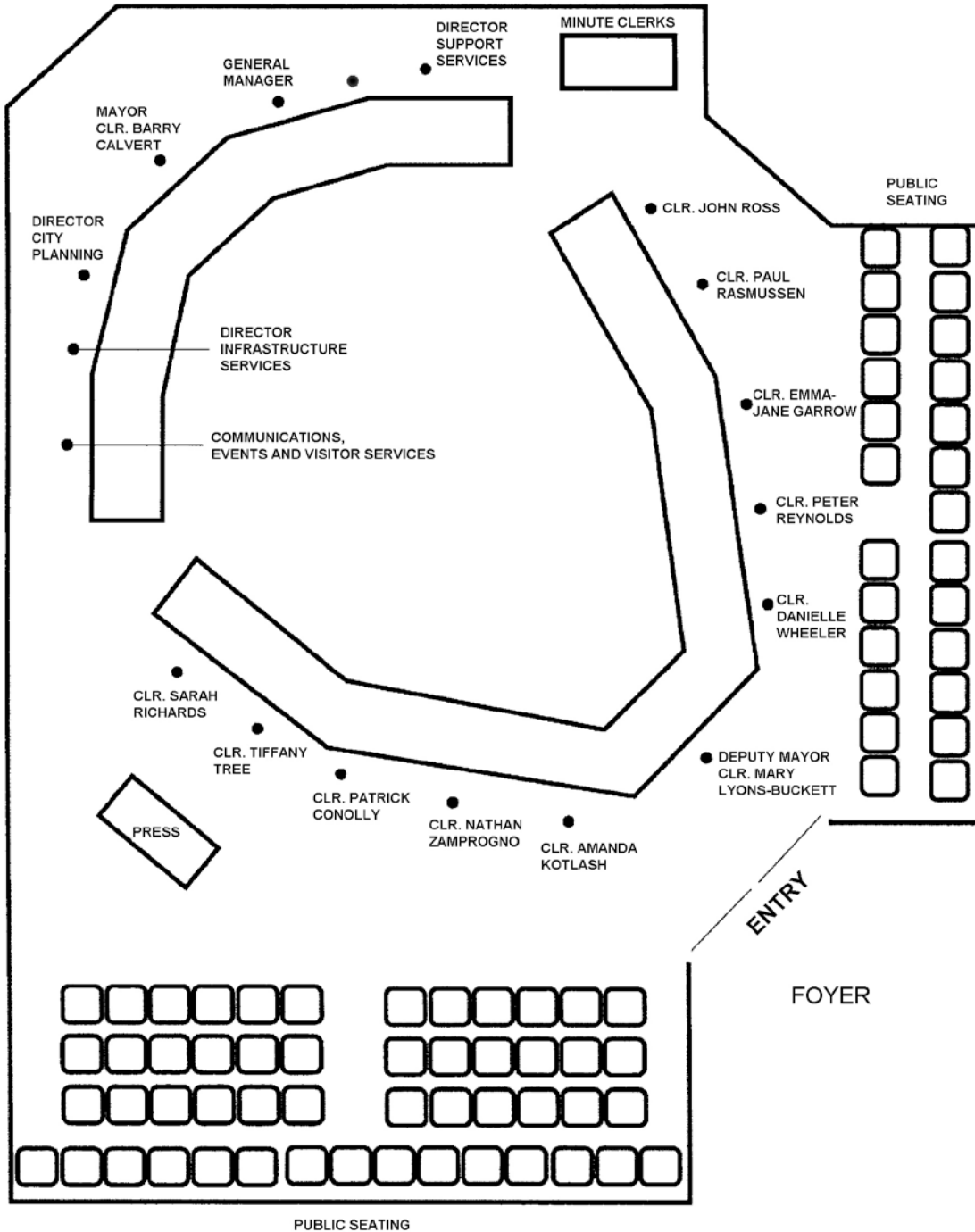
date of meeting: 10 March 2020
location: council chambers
time: 6:30 p.m.



mission statement

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

Hawkesbury City Council



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Meeting Date: 10 March 2020

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ORDINARY MEETING
Procedural Matters
Meeting Date: 10 March 2020

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: 10 March 2020

ordinary

section 1

confirmation of minutes

ORDINARY MEETING

SECTION 1 - Confirmation of Minutes

Meeting Date: 10 March 2020

SECTION 1 - Confirmation of Minutes



Hawkesbury City Council

extraordinary
meeting
minutes

date of meeting: 18 February 2020 and
Reconvened on
25 February 2020
location: council chambers
time: 6:30 p.m.

EXTRAORDINARY MEETING

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Meeting Date: 18 February 2020

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EXTRAORDINARY MEETING

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Meeting Date: 18 February 2020

EXTRAORDINARY MEETING

Minutes: 18 February 2020

Minutes of the Extraordinary Meeting held at the Council Chambers, Windsor, on 18 February 2020, commencing at 6:43pm.

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

I would like to remind all Councillors of the importance of the accurate and complete recording of all of the speakers at the meeting, and ask that prior to speaking Councillors please turn on their microphones, and speak clearly into the microphones.

ATTENDANCE

PRESENT: Councillor Barry Calvert, Mayor, Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Patrick Conolly, Emma-Jane Garrow, Amanda Kotlash, Peter Reynolds, Sarah Richards, John Ross, Tiffany Tree, 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, Chief Financial Officer – Emma Galea, Strategic Planning Manager - Andrew Kearns, Manager Communications, Manager Communications, Events and Visitor Services - Suzanne Stuart, Manager Corporate Services and Governance - Charles McElroy and Administrative Support Officer - Jodie Tillinghast.

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor Paul Rasmussen.

1 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Kotlash that the apology be accepted.

DECLARATIONS OF INTEREST

Councillor Conolly declared an interest on Item 005.
Councillor Lyons-Buckett declared an interest on Item 003.
Councillor Reynolds declared an interest on Item 003.
Councillor Richards declared an interest on Items 003 and 004.

Acknowledgement of Official Visitors to the Council

There were no official visitors to the Council.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

SECTION 1 - Confirmation of Minutes

2 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett and seconded by Councillor Garrow that the Minutes of the Ordinary held on the 10 December 2019, be confirmed.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

SECTION 5 – Notices of Motion

Item: 020 **NM2 - Condolences for Captain Ian H McBeth, First Officer Paul Clyde Hudson and Flight Engineer Rick A De Morgan Jnr - (79351, 125612, 138883, 138880, 80106, 138885, 138882)**

A PROCEDURAL MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Wheeler to have this item brought forward in the agenda to be dealt with.

MOTION:

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

Refer to RESOLUTION

3 RESOLUTION:

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

That Council:

1. Acknowledge the loss of human life during the course of the current bushfire season, with the passing of a total of 33 people.
2. Acknowledge the tragic passing of Captain Ian H McBeth; First Officer Paul Clyde Hudson; and Flight Engineer Rick A. de Morgan Jnr; crew of a Coulson Aviation C130 Hercules air tanker stationed at RAAF Base Richmond whilst assisting with the current national bushfire emergency.
3. Express its condolences and gratitude for service, via letter, to the families of these brave and generous men who lived in our community and lost their lives protecting us and our properties, as well as to Coulson Aviation; and
4. Observe one minute's silence in recognition of this tragic loss of life.

The Chamber observed one minute's silence.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Rasmussen.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

Item: 022 NM4 - Acknowledgement of Hawkesbury Bushfire Services - (138879)

A PROCEDURAL MOTION was moved by Councillor Richards, seconded by Councillor Conolly to have this item brought forward in the agenda to be dealt with.

Mr Lionel Buckett, Ms Margaret Tadrosse and Ms Sue Guymer addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

4 RESOLUTION:

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

That Council:

1. Acknowledge the extraordinary effort of our NSW Rural Fire Service, emergency services, military, volunteers and all who contributed in the Hawkesbury during the 2019/2020 bushfire season;
2. Express our sympathies for the lives lost, properties destroyed and wildlife casualties that resulted during this bushfire crisis;
3. Acknowledge the resilience and community spirit of Hawkesbury residents in combatting the fires and its threats and, as a Council, offer all possible assistance during the recovery phase;
4. Thank our Council staff for their timely coordination of the town meetings at Bilpin, Colo Heights and St Albans regarding recovery and for their compilation of the "Hawkesbury City Council – A Recovery Guide;
5. Acknowledge the NSW Rural Fire Service, Hawkesbury Rural Fire Service and the NSW State Government in its logistical management of the bush fire crisis; and
6. Acknowledge the compensation options available to those affected from the NSW and Commonwealth Governments, including but not limited to, the initial release of \$1 million to fire affected Councils (including Hawkesbury), injection of funds towards tourism, grants and loans for small businesses, assistance for families financially and for funds that will help with the clean-up process.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Rasmussen.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

Item: 023 **NM5 - Update to Councillors of attendance at Roundtable hosted by BizRebuild - (79351, 125612)**

A PROCEDURAL MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Wheeler to have this item brought forward in the agenda to be dealt with.

MOTION:

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

Refer to RESOLUTION

5 RESOLUTION:

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

That Council:

1. Request information from all bushfire-affected properties in our LGA outlining any tools of trade, or equipment lost in the fires, and
2. Submit details to BizRebuild for the provision of tools.
3. Compile a list of such, accompanied by specific information of the potential of such equipment to be used in assisting with the local recovery.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Rasmussen.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

Item: 019 **NM1 - Funding from NSW State Government - Preparation of Planning Documents - (138883, 125612, 138880, 13882)**

A PROCEDURAL MOTION was moved by Councillor Conolly, seconded by Councillor Tree to have this item brought forward in the agenda to be dealt with.

MOTION:

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

Refer to RESOLUTION

6 RESOLUTION:

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

That Council:

1. Requests immediate funding from the NSW State Government to assist with preparation of the planning documents currently under review (LEP, DCP and associated studies), and
2. Invites Blue Mountains City Council to join the call for this funding in light of the recent bushfire crisis which has affected both Local Government Areas.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogn.

Against the Motion: Nil.

Absent: Councillor Rasmussen.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

Item: 024 NM6 - Waiving of Development Application Fees for Bushfire affected Residents - (138885)

A PROCEDURAL MOTION was moved by Councillor Conolly, seconded by Councillor Tree to have this item brought forward in the agenda to be dealt with.

MOTION:

A motion was moved by Councillor Ross, seconded by Councillor Lyons-Buckett.

That Council adopt along with Blue Mountains City Council and Lithgow City Council, the waiving of all fees and charges usually attendant to development applications in cases where the applicant is seeking to reinstate a structure affected by bushfire within the Local Government Area after 26 October 2019 for the remainder of the current "fire season", to be operative for applications lodged up to 4 years post date of occurrence.

For the Motion: Councillors Reynolds and Ross.

Against the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Richards, Tree, Wheeler and Zamprogno.

Absent: Councillor Rasmussen.

The motion was lost.

Item: 021 NM3 - Pitt Town Hindu Temple Consultation Period - (138884)

A PROCEDURAL MOTION was moved by Councillor Zamprogno, seconded by Councillor Ross to have this item brought forward in the agenda to be dealt with.

Ms Jacqueline Taylor addressed Council speaking for the recommendation.

MOTION:

A MOTION was moved by Councillor Zamprogno, seconded by Councillor Conolly.

That Council Staff attend or convene a public meeting to:

1. Provide information related to DA0513/19.
2. Explain how public submissions will continue to be received between now and the consideration of this matter before a Planning Panel.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

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

That:

1. Council Staff attend any public meeting convened to provide information related to DA0513/19, where it is relevant.
2. Council reopen the period of public exhibition of DA0513/19 until 31 March 2020.

For the Amendment: Councillors Lyons-Buckett, Conolly, Garrow, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogno.

Against the Amendment: Councillors Calvert and Kotlash.

Absent: Councillor Rasmussen.

The Amendment was carried.

MOTION:

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

Refer to RESOLUTION

7 RESOLUTION:

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

That:

1. Council Staff attend any public meeting convened to provide information related to DA0513/19, where it is relevant.
2. Council reopen the period of public exhibition of DA0513/19 until 31 March 2020.

For the Motion: Councillors Lyons-Buckett, Conolly, Garrow, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogno.

Against the Motion: Councillors Calvert and Kotlash.

Absent: Councillor Rasmussen.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

SECTION 2 – Mayoral Minutes

Item: 001 **MM - Reflections and Learnings from our Recent Bushfire Tragedy - An Analysis of Councils Policies and Procedures - (80093, 79351)**

Mr Michael Want addressed Council speaking for the recommendation.

MOTION:

RESOLVED on the motion of Councillor Calvert.

Refer to RESOLUTION

8 RESOLUTION:

RESOLVED on the motion of Councillor Calvert.

That:

1. Council conduct an internal review of council's policies, plans and procedures for all disaster/emergency responses.
2. This review might include, but not be limited to, identifying potential grant funding to assist the review and creating a:
 - a) Working Group to assist in this review;
 - b) Disaster/Emergency Management Committee that may include the role of the current Local Bushfire Management Coordination Committee;
 - c) Comprehensive Disaster and Emergency Response Policy;
 - d) Disaster and Emergency Response Team; and
 - e) Developing a Mayoral Appeal mechanism that can be launched at short notice in the case of any future emergency.
3. An update on all outstanding resolutions relating to emergency management be incorporated into this review.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogn.

Against the Motion: Nil.

Absent: Councillor Rasmussen.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 003 **CP - Update on General Amendments to Hawkesbury Local Environment Plan 2012 Planning Proposal - (95498, 124414)**

Previous Item: 41, Ordinary (31 March 2015)
 227, Ordinary (10 December 2019)

Directorate: City Planning

Councillor Lyons-Buckett declared a pecuniary interest in this matter as she has a family member that operates a business that maybe affected by the proposed amendments to the LEP. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor Reynolds declared a pecuniary interest in this matter as his home is impacted by RMS land reservation. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Richards declared a significant non-pecuniary conflict of interest in this matter as she has associations with local residents that fall into items in the categories and also works on local tourism campaigns with people that fall into that zone in the LEP. She left the Chamber and did not take part in voting or discussion on the matter.

Mr Lionel Buckett and Ms Jane Hughes addressed Council speaking against the recommendation.

A PROCEDURAL MOTION was moved by Councillor Conolly, seconded by Councillor Ross to allow Mr Buckett to further address the meeting.

MOTION:

A motion was moved by Councillor Kotlash, seconded by Councillor Wheeler.

That:

1. Council amend the General Amendments (Housekeeping LEP) to reflect the release of the Sydney Region Plan and Western City District Plan.
2. Council amend the General Amendments (Housekeeping LEP) to address the public agency comments received from RFS with respect to Bed and Breakfast Accommodation, namely:
 - a) Insert additional controls for Bed and Breakfast Accommodation to ensure consistency with relevant SEPP controls
 - b) Insert a new clause into the LEP Amendment specifying requirements for this type of development.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

3. Based on public agency consultation and consideration of the policy position of the NSW State Government through the Sydney Region Plan and Western City District Plan, Council separate the following elements from the General Amendment (Housekeeping LEP):
 - a) Extension of number of days of Temporary Use
 - b) Function Centres in Rural and Environmental Living Zones
 - c) Eco Tourist Facilities in Rural, Residential and Environmental Zones

and continue to process the remaining elements of the planning proposal, whilst working to resolve the separated elements through discussion with the Greater Sydney Commission, Department of Planning and Environment and other relevant state agencies. This to include *exploring with the Minister for Planning, and the Department of Planning Industry and Environment the opportunity to amend the LEP Standard Instrument to distinguish between rural lands affected by flood and rural lands not affected by flood.*

4. Council meet with the local State Member to gain support for the proposed amendment to the LEP Standard Instrument to distinguish between rural lands affected by flood and rural lands not affected by flood

An AMENDMENT was moved by Councillor Conolly, seconded by Councillor Tree.

That Council proceed with processing of the current General Amendments (Housekeeping) LEP Amendment with all elements, but with the following amendments:

1. Council amend the General Amendments (Housekeeping LEP) to reflect the release of the Sydney Region Plan and Western City District Plan.
2. Council amend the General Amendments (Housekeeping LEP) to address the public agency comments received from RFS with respect to Bed and Breakfast Accommodation, namely:
 - a) Insert additional controls for Bed and Breakfast Accommodation to ensure consistency with relevant SEPP controls
 - b) Insert a new clause into the LEP Amendment specifying requirements for this type of development.

For the Amendment: Councillors Calvert, Conolly, Tree, and Zamprogno.

Against the Amendment: Councillors Garrow, Kotlash, Ross and Wheeler.

Absent: Councillor Lyons-Buckett, Rasmussen, Reynolds and Richards.

The AMENDMENT was carried on the casting vote of the Mayor.

MOTION:

A motion was moved by Councillor Kotlash, seconded by Councillor Wheeler.

That Council proceed with processing of the current General Amendments (Housekeeping) LEP Amendment with all elements, but with the following amendments:

1. Council amend the General Amendments (Housekeeping LEP) to reflect the release of the Sydney Region Plan and Western City District Plan.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

2. Council amend the General Amendments (Housekeeping LEP) to address the public agency comments received from RFS with respect to Bed and Breakfast Accommodation, namely:
 - a) Insert additional controls for Bed and Breakfast Accommodation to ensure consistency with relevant SEPP controls
 - b) Insert a new clause into the LEP Amendment specifying requirements for this type of development.

Due to an electrical blackout in the Council Administration Building the Meeting adjourned at 10:33pm and will be reconvened on Tuesday, 25 February 2020 at 6:30pm in the Council Chambers.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

The meeting reconvened on Tuesday, 25 February 2020 at 6:30pm.

Minutes of the Extraordinary Meeting held at the Council Chambers, Windsor, on 25 February 2020, commencing at 6:34pm.

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, Emma-Jane Garrow, Amanda Kotlash, Peter Reynolds, Sarah Richards, John Ross, Tiffany Tree, 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, Chief Financial Officer – Emma Galea, Strategic Planning Manager - Andrew Kearns, Manager Corporate Communication - Suzanne Stuart, Manager Corporate Services and Risk - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE

No apologies or leave of absence were received from Councillors.

Councillor Tree left the meeting at 10:30pm.

DECLARATIONS OF INTEREST

Councillor Conolly declared an interest on Item 005.
Councillor Lyons-Buckett an interest on Item 003.
Councillor Rasmussen declared an interest on Item 004.
Councillor Reynolds declared an interest on Item 003.
Councillor Richards declared interests on Items 003, 004, 016 and 018.

Acknowledgement of Official Visitors to the Council

There were no official visitors to the Council.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

A MOTION of Dissent was moved by Councillor Ross.

That:

1. The ruling as expressed by the Mayor fails to consider the termination of the Extraordinary Meeting on 18 February 2020, which was required to comply with Code of Meeting Practice under clauses 18.14 and 18.15
2. The meeting was not concluded by a resolution of Council.
3. The moving forward of business from 18 February 2020 to this meeting has neither been properly notified nor subject to notification of which parts of the business for the meeting are to be dealt with which would normally be notified.
4. In reference to point 3 reference is made to Code of Meeting Practice Clauses 3.10, 3.12 and 3.15 as justification for the reason for the dissent.

For the Motion: Councillor Ross.

Against the Motion: Councillors Calvert, Conolly, Garrow, Kotlash, Rasmussen, Tree, Wheeler and Zamprogno.

Absent: Councillors Lyons-Buckett, Reynolds and Richards.

The Motion of Dissent was lost.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 003 **CP - Update on General Amendments to Hawkesbury Local Environment Plan 2012 Planning Proposal - (95498, 124414)**

An AMENDMENT was moved by Councillor Wheeler, seconded by Councillor Garrow.

That:

1. Council amend the General Amendments (Housekeeping LEP) to reflect the release of the Sydney Region Plan and Western City District Plan.
2. Council amend the General Amendments (Housekeeping LEP) to address the public agency comments received from RFS with respect to Bed and Breakfast Accommodation, namely:
 - a) Insert additional controls for Bed and Breakfast Accommodation to ensure consistency with relevant SEPP controls
 - b) Insert a new clause into the LEP Amendment specifying requirements for this type of development.
3. Based on public agency consultation, consideration of the policy position of the NSW State Government through the Sydney Region Plan and Western City District Plan, and Council's concerns about intensification of use on the Floodplain, Council separate the following elements from the General Amendment (Housekeeping LEP):
 - a) Extension of number of days of Temporary Use
 - b) Function Centres in Rural and Environmental Living Zones

and continue to process the remaining elements of the planning proposal, whilst working to resolve the separated elements through discussion with the Greater Sydney Commission, Department of Planning and Environment and other relevant state agencies.

For the Amendment: Councillors Garrow, Rasmussen and Wheeler.

Against the Amendment: Councillors Calvert, Conolly, Kotlash, Ross, Tree and Zamprogno.

Absent: Councillors Lyons-Buckett, Reynolds and Richards.

The Amendment was lost.

MOTION:

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

Refer to RESOLUTION

9 RESOLUTION:

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

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That Council proceed with processing of the current General Amendments (Housekeeping) LEP Amendment with all elements, but with the following amendments:

1. Council amend the General Amendments (Housekeeping LEP) to reflect the release of the Sydney Region Plan and Western City District Plan.
2. Council amend the General Amendments (Housekeeping LEP) to address the public agency comments received from RFS with respect to Bed and Breakfast Accommodation, namely:
 - a) Insert additional controls for Bed and Breakfast Accommodation to ensure consistency with relevant SEPP controls
 - b) Insert a new clause into the LEP Amendment specifying requirements for this type of development.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion: Councillors Calvert, Conolly, Kotlash, Rasmussen, Tree, and Zamprogno.

Against the Motion: Councillors Garrow, Ross and Wheeler.

Absent: Councillors Lyons-Buckett, Reynolds and Richards.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

CITY PLANNING

Item: 008 **CP - Bushfire Recovery - (95498, 124414)**

Directorate: City Planning

A PROCEDURAL MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Wheeler to have this item brought forward in the agenda to be dealt with.

Mr Stephen Kavanagh addressed Council speaking for the recommendation.

Ms Sue Guymer and Mr Lionel Buckett addressed Council speaking against the recommendation.

A PROCEDURAL MOTION was moved by Councillor Garrow, seconded by Councillor Rasmussen to allow Ms Joan Opbroek to address Council to speak for the recommendation.

MOTION:

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

Refer to RESOLUTION

10 RESOLUTION:

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

That Council:

1. Endorse the proposed bushfire recovery and renewal program as outlined in the report indicating how the \$1 million Commonwealth grant will be expended with the following amendment;
 - a) Allocate \$50,000 to Business, Tourism and Industry;
 - b) Reduce Contingency by \$50,000.
2. Authorise works and expenditure on private properties impacted by the bushfires.
3. Note the General Manager's delegations and authority to waive fees, in this instance the delegation will be used in relation to matters involving the bushfire recovery and bushfire affected properties.
4. Note that a further report will be submitted to Council in March 2020.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Nil.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 004 **CP - Redbank Voluntary Planning Agreement and Grose River Crossing - (95498, 79351)**

Previous Item: 230, Ordinary (10 December 2019)
 294, Ordinary (11 December 2018)
 124, Ordinary (29 May 2018)
 118, Ordinary (27 June 2017)
 99, Ordinary (24 June 2014 - *deferred* 1 July 2014)
 54, Ordinary (25 March 2014)
 223, Ordinary (12 November 2013)

Directorate: City Planning

Councillor Rasmussen declared a pecuniary interest in this matter as he is an owner of a property directly affected by the Grose River Bridge. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Richards declared a less than significant non-pecuniary conflict of interest in this matter as she lives in Redbank, only currently renting and no further action is required.

Mr Michael Want addressed Council speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

11 RESOLUTION:

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

That:

1. The report be received and noted.
2. Council confirm its "In Principle" support for the proposed "Alternative Route" based on:
 - a) The fact that it does not involve any loss of public open space
 - b) The contribution it will make towards providing an alternative flood route for local residents
 - c) The offer of Roads and Maritime Services to acquire and fund land required for the alternative route.
3. Council staff work with the Developer and Roads and Maritime Services to draft a Memorandum of Understanding to confirm way forward, the key features of such a document to include:
 - a) Limiting Redbank's financial contribution to the cost of original "Navua" alignment (Grose River Road from Grose Vally Road to Springwood Road, via Navua Reserve) less expenditure (surveys, studies, plans, applications etc) to date

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- b) Finalising a new design, new costings, approval process, supporting documentation and revised timetable
 - c) Confirmation that Roads and Maritime Services will both acquire and fund the acquisition of land required for the revised crossing/alignment
 - d) Confirmation that Roads and Maritime Services will commence acquisition after July 2020.
4. Council staff initiate discussion with Roads and Maritime Services and other relevant State Agencies to establish a process for ensuring that the balance of the route between Grose Vale Road and Springwood is above the 1:100 flood level.
5. Council staff advise the community of the points outlined in points 1-4 above and confirm that subject to the execution of the Memorandum of Understanding Council will be working with the Developer and Roads and Maritime Services to:
- a) Develop detailed documentation including plans, studies, and a Draft Amended Voluntary Planning Agreement
 - b) Submit a relevant application and formally notify the local community, seeking community feedback
 - c) Arrange for the "Independent" assessment and determination of the application and Draft Amended Voluntary Planning Agreement.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillor Rasmussen.

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Item: 005 **SS - Reclassification of Birk Place Reserve, 8 Birk Place, Bligh Park - (95496, 24101)**

Previous Item: 129, Ordinary (29 July 2014)
 27, Ordinary (10 March 2015)

Division: Support Services

Councillor Conolly declared a pecuniary interest in this matter as the reserve is close to his home. He left the Chamber and did not take part in voting or discussion on the matter.

Mr Bruce Grimes, Mr Dayne Parker and Ms Kristen Roche addressed Council speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

12 RESOLUTION:

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

That:

1. The classification Birk Place Reserve, 8 Birk Place, Bligh Park remain as 'Community' land under the Local Government Act 1993.
2. The issue of pocket parks and Wentworth Community Housing be the subject of a Councillor Workshop.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion: Councillors Calvert, Lyons-Buckett, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillor Conolly.

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SECTION 4 – Reports of Committees

Item: 018 ROC - Local Traffic Committee - 13 January 2020 - (80245, 95495)

Directorate: Infrastructure Services

Councillor Richards declared a significant non-pecuniary conflict of interest in this matter as she discussed these roundabouts in her Federal Campaign. She left the Chamber and did not take part in voting or discussion on the matter.

Mr William Sneddon addressed Council speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

13 RESOLUTION:

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

That the Minutes of the Local Traffic Committee meeting held on 13 January 2020 be received and noted.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillors Richards and Tree.

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SECTION 3 – Reports for Determination

GENERAL MANAGER

Item: 006 **GM - 2020 Australian Local Government Women's Association (NSW Branch) Annual Conference (79351, 95655)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

14 RESOLUTION:

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

That:

1. The report be received and noted.
2. Attendance of nominated Councillors and/or staff as considered by the General Manager, at the Australian Local Government Women's Association (NSW Branch) Annual Conference at an approximate cost of \$1,835, plus travel expenses, per delegate be considered.
3. 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.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillor Tree.

No attendees were nominated to attend the Conference.

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Item: 007 **GM - Local Government NSW 2020 Annual Tourism Conference (79351, 79633)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

15 RESOLUTION:

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

That:

1. The report be received and noted.
2. Attendance of nominated Councillors and/or staff as considered by the General Manager, at the Local Government NSW 2020 Annual Tourism Conference at an approximate cost of \$1,650, plus travel expenses, per delegate be considered.
3. After returning from the Conference, delegates are requested to 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.

16 RESOLUTION:

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

That Councillors Garrow and Rasmussen attend the 2020 Annual Tourism Conference as Council's nominated delegates.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprognó.

Against the Motion: Councillor Ross.

Absent: Councillor Tree.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

INFRASTRUCTURE SERVICES

Item: 009 **IS - Road Naming Proposal Associated with DA0332/16 (396 Bells Line Of Road) Kurmond - (95495, 79346)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

17 RESOLUTION:

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

That Council:

1. In accordance with the requirements of the NSW Roads Act 1993, in respect of the road naming proposal connected to DA0332/16, the proposed names Amara Drive, Angophora Place, Olearia Place, Prunina Place and Villosa Place in the suburb of Kurmond, be publically advertised for a period of 28 days, seeking comment on the proposed names.
2. The matter be reported back to Council following the public exhibition process.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Tree.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

SUPPORT SERVICES

Item: 010 **SS - Monthly Investments Report - November 2019 - (95496)**

Previous Item: 150, Ordinary (26 June 2018)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

18 RESOLUTION:

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

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

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Tree.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

SECTION 4 – Reports of Committees

Item: 017 **ROC - Environmental Sustainability Advisory Committee - 9 December 2019 - (126363, 124414)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

19 RESOLUTION:

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

That:

1. The Minutes of the Environmental Sustainability Advisory Committee held on 9 December 2019 be received and noted.
2. In relation to Item 2 of the Minutes, Council endorse the recommendation of the Environmental Sustainability Advisory Committee, namely that:
 - a) Council investigate the use of data, performance targets and measures that are provided in climate resilience strategies such as Bega Valley Shire Council.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Tree.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 002 **CP - Proposed Modification of Existing Restriction - Restriction on Use of Land on Lot 121, DP 1067098 - 144 Mountain View Close, Kurrajong Hills - (95498)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

20 RESOLUTION:

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

That:

1. Council agree to modify the covenant on the use of the land over Lot 121 in DP 1067098 in swapping the dwelling house location for the effluent disposal area location on the site.
2. The wording of the modified covenant to effect this resolution be determined by the General Manager in consultation with Council's Legal Advisors as is necessary, to ensure compliance with the technical, administrative, and legal requirements of NSW Land Registry Services.
3. Authority be given for the Section 88E 'Variation or Modification of Restriction on the Use of Land' to be executed under delegation.
4. All costs associated with the preparation and drafting of necessary documentation and plans and any registration and lodgement fees be borne by the owner of Lot 121 in DP 1067098.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprognio.

Against the Motion: Councillor Ross.

Absent: Councillor Tree.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

SUPPORT SERVICES

Item: 011 **SS - Monthly Investments Report - December 2019 - (95496, 96332)**

Previous Item: 150, Ordinary (26 June 2018)

Division: Support Services

MOTION:

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

Refer to RESOLUTION

21 RESOLUTION:

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

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

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Ross and Tree.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

Item: 012 **SS - Audit Committee Annual Report - September 2019 - (95496, 91369, 79351)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

22 RESOLUTION:

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

That the Audit Committee's Annual Report for the period ending 11 September 2019, attached as Attachment 1 to this report, be received and noted.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Ross and Tree.

EXTRAORDINARY MEETING

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Item: 013 **SS - Code of Meeting Practice - (95496, 96333, 79351)**

Previous Item: 226, Ordinary (26 November 2019)
 171, Ordinary (10 September 2019)
 92, Ordinary (28 May 2019)
 41, Ordinary (12 March 2019)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

23 RESOLUTION:

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

That:

1. The Code of Meeting Practice, attached as Attachment 1 to this report, be adopted.
2. The person who made the submission in response to the exhibition of the Code of Meeting Practice be advised of Council's decision in this regard and the relevant comments in the report.

An AMENDMENT was moved by Councillor Ross, seconded by Councillor Reynolds.

That:

1. The Code of Meeting Practice, attached as Attachment 1 to this report, be adopted.
2. The person who made the submission in response to the exhibition of the Code of Meeting Practice be advised of Council's decision in this regard and the relevant comments in the report.
3. Council write to the Minister for Local Government requesting removal of clauses 9.14 to 9.19 of the Code of Meeting Practice as now in operation on the following grounds:
 - a) Both Federal and State Parliaments enable the raising of questions "without notice" by elected members when convened.
 - b) Those clauses may be "Ultra Vires" in view of a decision of the High Court of Australia relating to the right of political discourse implied within the Australian Constitution, as amended.

For the Amendment: Councillors Reynolds and Ross.

Against the Amendment: Councillors Ross Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprogno.

Absent: Councillor Tree.

The amendment was lost.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

MOTION:

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

Refer to RESOLUTION

24 RESOLUTION:

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

That:

1. The Code of Meeting Practice, attached as Attachment 1 to this report, be adopted.
2. The person who made the submission in response to the exhibition of the Code of Meeting Practice be advised of Council's decision in this regard and the relevant comments in the report.

For the Motion: Councillors Calvert, Lyons-Buckett, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillor Tree.

25 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Lyons-Buckett, that the meeting continue past 11pm to allow the Business Paper to be completed.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

Item: 014 **SS - Dementia Friendly Hawkesbury Plan 2020-2022 - (95496, 96328)**

Previous Item: 207, Ordinary (12 November 2019)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

26 RESOLUTION:

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

That:

1. Council adopt the Dementia Friendly Hawkesbury Plan 2020-2022, attached as Attachment 1 to the report.
2. Council commission the Access and Inclusion Advisory Committee to establish a Dementia Working Group to oversee implementation of the Dementia Friendly Hawkesbury Plan 2020-2022.
3. The person who made the submission in response to the exhibition of the Draft Dementia Friendly Hawkesbury Plan be advised at Council's decision in this regard and the relevant comments in the report.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillor Tree

EXTRAORDINARY MEETING

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SECTION 4 – Reports of Committees

Item: 015 **ROC - Audit Committee - 4 December 2019 - (95496, 91369, 79351)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

27 RESOLUTION:

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

That the minutes of the Audit Committee Meeting held on 4 December 2019 be received and noted.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillor Tree.

EXTRAORDINARY MEETING

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Item: 016 **ROC - Floodplain Risk Management Advisory Committee - (86589, 124414) - 5 December 2019**

Directorate: City Planning

Councillor Richards declared a significant non-pecuniary conflict of interest in this matter as the duplication of North Richmond Bridge this was an election commitment of hers at the Federal Election. She left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

28 RESOLUTION:

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

RECOMMENDATION:

That this matter be deferred to the next Floodplain Risk Management Advisory Committee Meeting.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillors Richards and Tree.

EXTRAORDINARY MEETING

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QUESTIONS FOR NEXT MEETING

Item: 025 **Councillor Questions with Notice**

There were no responses to Questions in relation to previous Questions for Next Meeting.

EXTRAORDINARY MEETING

Minutes: 18 February 2020

Item: 026 **SS - License Agreements - 1 Dight Street, Windsor - (126231, 138919, 136331, 133248, 136756, 136338, 132045, 142831, 134725, 95489, 95496, 112106)**

Previous Item: Ordinary, (30 January 2018)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

29 RESOLUTION:

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

That this matter be deferred to the next Council Meeting.

The meeting terminated at 11:20pm.

Submitted to and confirmed at the Ordinary meeting held on 10 March 2020.

.....
Mayor



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 25 February 2020

location: council chambers

time: 11:33pm

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ORDINARY MEETING

Minutes: 25 February 2020

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 25 February 2020, commencing at 11:35pm.

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, Emma-Jane Garrow, 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, Strategic Planning Manager - Andrew Kearns, Chief Financial Officer - Emma Galea, Manager Communications, Events and Visitor Services - Suzanne Stuart, Manager Corporate Services and Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor Tree.

Councillor Garrow left the meeting at 1:30am.

30 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Rasmussen that the apology be accepted and that leave of absence from the meeting be granted.

DECLARATIONS OF INTEREST

Councillor Reynolds declared an interest on Item 030.
Councillor Wheeler declared an interest on Item 034.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

ORDINARY MEETING

Minutes: 25 February 2020

MATTER OF URGENCY

Councillor Lyons-Buckett moved a Motion for Council to consider business of which notice had not been given to Councillors, and sought a ruling from the Chairperson that the business be considered to be urgent.

The Mayor, Councillor Calvert ruled the business to be of urgency.

A PROCEDURAL MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Rasmussen, that urgent business be brought forward and dealt with.

Item: 037 UM - Removal of Rubbish in Flood Affected Areas - (95495, 125612)

MOTION:

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

Refer to RESOLUTION

31 RESOLUTION:

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

That Council:

1. Commence flood related rubbish removal immediately in flood affected areas, particularly Colo, for those residents who have already requested assistance, as a matter of urgency, due to the health and safety risks associated with large piles of rubbish, by providing a mode of collection such as suitable vehicles being despatched to the area to collect and remove rubbish.
2. Fund the program from Council's Contingency Reserve.
3. Continue with the current initiative in place of contacting residents with the aim of identifying further assistance required both for flood related rubbish collection and for property clean up of properties in fire and flood affected areas. There is the expectation that clean up from fires and floods will be done over a period of time.
4. Due to the urgency of this motion, and the delays experienced completing what is the initial Council meeting of 2020, take action immediately to assist flood affected Hawkesbury residents as soon as possible, rather than waiting for the next Council meeting on 10 March 2020. In the event this is not possible, that Council designate additional facilities to the Colo area during Clean Up Australia Day events which have been organised by community groups in flood-affected areas to try and assist in the interim.
5. Authorise works and expenditure on private properties impacted by flood

For the Motion: Councillors Calvert, Lyons-Buckett, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Tree.

ORDINARY MEETING

Minutes: 25 February 2020

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 027 **CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 9 Industry Road, Vineyard, 7 Fernadell Drive Pitt Town, 312 Windsor Road, Vineyard - (95498, 124414)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

32 RESOLUTION:

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

That this matter be deferred for consideration at the Ordinary Council Meeting on Tuesday, 10 March 2020.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprognio.

Against the Motion: Nil.

Absent: Councillors Garrow and Tree.

ORDINARY MEETING

Minutes: 25 February 2020

CITY PLANNING

Item: 028 **CP - Draft Progress Report on the 2019/2020 Operational Plan for the period July - December 2019 - (95498)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

33 RESOLUTION:

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

That Council receive and note the Six-Month Progress Update on the 2019-2020 Operational Plan.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillors Garrow and Tree.

ORDINARY MEETING

Minutes: 25 February 2020

Item: 029 **CP - Draft Hawkesbury Local Strategic Planning Statement (LSPS) 2040 - (95498, 124414)**

Previous Item: 170, Ordinary (24 September 2019)
 232, Ordinary (10 December 2019)

Directorate: City Planning

Ms Sue Guymer addressed Council speaking against the recommendation.

A MOTION was moved by Councillor Rasmussen, seconded by Councillor Zamprogno.

That Council endorse the submission of the Draft Hawkesbury Local Strategic Planning Statement 2040 contained within Attachment 1 to this report for the Greater Sydney Commission’s review and assurance process prior to being considered by Council for final adoption.

For the Motion: Councillors Rasmussen and Zamprogno.

Against the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, Reynolds, Richards, Ross and Wheeler.

Absent: Councillor Tree.

MOTION:

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

Refer to RESOLUTION

34 RESOLUTION:

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

That:

1. This matter be deferred and the Draft Hawkesbury Local Strategic Planning Statement 2040 be addressed by Councillors providing editorial changes to Council staff.
2. Councillors forward their comments and edits to Council staff and that the Director City Planning run a briefing session with Councillors to resolve any suggested amendments that relate to the broader objectives or vision of the Local Strategic Planning Statement

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Tree.

ORDINARY MEETING

Minutes: 25 February 2020

Item: 030 **CP - Windsor Bridge Replacement Project Heritage Issues - (95498, 147666)**

Previous Item: Ordinary (27 June 2017)
 Ordinary (14 September 2010)

Directorate: City Planning

Councillor Reynolds declared a less than significant non-pecuniary conflict of interest in this matter as he lives adjacent to the area under discussion and no further action is required.

Mr Graham Edds and Mr Harry Terry addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

35 RESOLUTION:

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

That:

1. Council note the contents of this report including the status of actions in relation to previous resolutions regarding heritage issues in relation to the Windsor Bridge. Council rejects the Draft Heritage Interpretation Plan, noting serious concerns over inaccuracies in the document, the downplaying of Thompson Square's importance in Australia's history, and the suitability of the Draft Heritage Interpretation Plan.
2. Council endorse in principle the acceptance and retention of significant artefacts for display in the Hawkesbury, noting concerns with lack of display space and ongoing costs to Council, and requesting that TfNSW works with Council to find and fund suitable display and storage that does justice to this important collection.
3. Council endorse the comments received from the Heritage Advisory Committee on the Draft Heritage Interpretation Plan for the Windsor Bridge Replacement Project and note they are to be forwarded to Transport for NSW.
4. A formal Heritage Advisory Committee meeting be organised with Transport for NSW to work through each of the Committee's comments. The Heritage Advisory Committee meeting minutes will be sent to Council.
5. Council request that TfNSW amend and resubmit the Draft Heritage Interpretation Plan to Council based on Council's feedback.

For the Motion: Councillors Calvert, Lyons-Buckett, Garrow, Kotlash, Rasmussen, Reynolds, Ross, Wheeler and Zamprogno.

Against the Motion: Councillor Conolly and Richards.

Absent: Councillors Garrow and Tree.

ORDINARY MEETING

Minutes: 25 February 2020

SUPPORT SERVICES

Item: 031 **SS - December 2019 Quarterly Budget Review Statement - (95496)**

Previous Item: 098, Extraordinary (12 June 2019)

Directorate: Support Services

MOTION:

A MOTION was moved by Councillor Conolly, seconded by Councillor Zamprogno.

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – December 2019, attached as Attachment 1 to this report, be adopted.
3. Council note the \$8.7 million budget deficit and calls for a report detailing how the situation has been arrived at considering the Special Rate Variation.
4. Council receive a report on the impact of cost shifting.

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

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – December 2019, attached as Attachment 1 to this report, be adopted.

For the Amendment: Councillors Calvert, Lyons-Buckett, Kotlash, Rasmussen, Reynolds and Wheeler.

Against the Amendment: Councillors Conolly, Richards, Ross and Zamprogno.

Absent: Councillors Garrow and Tree.

The amendment was carried.

ORDINARY MEETING

Minutes: 25 February 2020

MOTION:

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

Refer to RESOLUTION

36 RESOLUTION:

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

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – December 2019, attached as Attachment 1 to this report, be adopted.

For the Motion: Councillors Calvert, Lyons-Buckett, Kotlash, Rasmussen, Reynolds and Wheeler.

Against the Motion: Councillors Conolly, Richards, Ross and Zamprogno.

Absent: Councillors Garrow and Tree.

ORDINARY MEETING

Minutes: 25 February 2020

Item: 032 **SS - Monthly Investments Report - January 2020 - (95496)**

Previous Item: 150, Ordinary (26 June 2018)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

37 RESOLUTION:

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

That this matter be deferred for consideration at the Ordinary Council Meeting on Tuesday, 10 March 2020.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Garrow and Tree.

ORDINARY MEETING

Minutes: 25 February 2020

Item: 033 **SS - Land Revaluation 2019 - (95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

38 RESOLUTION:

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

That this matter be deferred for consideration at the Ordinary Council Meeting on Tuesday, 10 March 2020.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Garrow and Tree.

ORDINARY MEETING

Minutes: 25 February 2020

Item: 034 **SS - State Government Funding for NSW Public Libraries - (79351, 80248, 95496, 82780)**

Previous Item: 166, Ordinary (10 July 2018)
 186, Ordinary (31 July 2018)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

39 RESOLUTION:

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

That this matter be deferred for consideration at the Ordinary Council Meeting on Tuesday, 10 March 2020.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Garrow and Tree.

ORDINARY MEETING

Minutes: 25 February 2020

SECTION 4 – Reports of Committees

Item: 035 **ROC - Local Traffic Committee - 10 February 2020 - (80245, 95495)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

40 RESOLUTION:

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

That the Minutes of the Local Traffic Committee meeting held on 10 February 2020 be received and noted.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Garrow and Tree.

ORDINARY MEETING

Minutes: 25 February 2020

Item: 036 **SS - Acquisition of Crown Land under Council's Management by Roads and Maritime Services - (14893, 100920, 95496)**

Previous Item: 32, Ordinary (23 February 2016)
 302, Ordinary (11 December 2018)
 210, Ordinary (12 November 2019)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

41 RESOLUTION:

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

That this matter be deferred for consideration at the Ordinary Council Meeting on Tuesday, 10 March 2020.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogn.

Against the Motion: Nil.

Absent: Councillors Garrow and Tree.

The meeting terminated on Wednesday, 26 February 2020 at 2:17am.

Submitted to and confirmed at the Ordinary meeting held on 10 March 2020.

.....
Mayor

ordinary

section 2

mayoral minutes

ORDINARY MEETING
SECTION 2 – Mayoral Minute
Meeting Date: 10 March 2020

SECTION 2 – Mayoral Minutes

There was no Mayoral Minute at the time of preparing this Business Paper.

Notwithstanding the above, pursuant to Clauses 9.6-9.9 of Council's Code of Meeting Practice, the Mayor may submit a Mayoral Minute to the meeting without notice in relation to any matter or topic that:

- Is within the jurisdiction of the Council
- Council has official knowledge of.

However, a Mayoral Minute must not be put without notice if it relates to a routine or non-urgent matter.

A matter is considered to be urgent when it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

ordinary

section 3

reports
for determination

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 10 March 2020

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 10 March 2020

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 038 **CP - Planning Proposal to Amend Hawkesbury Local Environment Plan 2012 - 9 Industry Road, Vineyard, 312 Windsor Road, Vineyard, 7 Fernadell Drive, Pitt Town - (95498, 124414)**

Previous Item: 221, Ordinary (11 September 2018)
 251, Ordinary (30 October 2018)
 027, Ordinary, (25 February 2020)

Directorate: City Planning

Council at its meeting on 25 February 2020 deferred this item to the next meeting of Council.

EXECUTIVE SUMMARY:

This Planning Proposal involves two different sites located at:

- 9 Industry Road and 312 Windsor Road, Vineyard - proposing a change in the classification of the land;
- 7 Fernadell Drive, Pitt Town (Fernadell Park) - proposing a change in the LEP Zone controls and a change in the classification of the land.

These sites have been combined into a single proposal.

For clarity, separate Assessment Reports have been provided for each site:

- Attachment 1 – Assessment Report - 9 Industry Road and 312 Windsor Road, Vineyard
- Attachment 2 – Assessment Report - 7 Fernadell Drive, Pitt Town (Fernadell Park)

The purpose of this report is to:

- Provide an assessment of the merits of the Planning Proposal through the separate Assessment Reports; and
- Advise Council of the recommendation of the Hawkesbury Local Planning Panel in respect of this matter;
- Recommend that the combined Planning Proposal be forwarded to the Department of Planning, Industry and Environment for a 'Gateway Determination'.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 10 March 2020

RECOMMENDATION:

That:

1. Council support the recommendation of the Hawkesbury Local Planning Panel dated 21 November 2019.
 2. Council support the preparation of a Planning Proposal to:
 - (a) With respect to 9 Industry Road and 312 Windsor Road, Vineyard
 - (i) Reclassify Lot 9 DP 1149340, 9 Industry Road, and Lot 13 DP 815849 and Lot 6 DP 777933, 312 Windsor Road, Vineyard to 'Operational' land;
 - (b) With respect to 7 Fernadell Drive, Pitt Town (Fernadell Park)
 - (i) Reclassify part of Lot 6028 DP 1169449, 7 Fernadell Drive, Pitt Town to 'Operational' land;
 - (ii) Rezone part of Lot 6028 DP 1169449, 7 Fernadell Drive, Pitt Town to RE1 Public Recreation;
 - (iii) Amend the minimum lot size for subdivision of Lot 6028 DP 1169449, 7 Fernadell Drive, Pitt Town to part 4,000m² and part no minimum lot size.
 - (iv) Amend the maximum height of buildings on part of Lot 6028 DP 1169449, 7 Fernadell Drive, Pitt Town so that there is no restriction on the height of buildings.
- and that the Planning Proposal be forwarded to the Department of Planning, Industry and Environment for a 'Gateway' determination.
3. The Department of Planning, Industry and Environment be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.

BACKGROUND

Council previously considered these matters at its meeting on 11 September 2018 (Industry Road) and 30 October 2018 (Fernadell Park) and resolved to prepare Planning Proposals to progress them.

The Assessment Reports included as Attachments 1 and 2 demonstrate that the Planning Proposal is considered to be consistent with relevant legislation and considerations including, the *Local Government Act 1993*, *Environmental Planning and Assessment Act 1979* and Practice Note PN16-001 - *Classification and reclassification of public land through a local environmental plan* in relation to the reclassification of the site.

In addition, the Planning Proposal is considered to be consistent with the aims, objectives and requirements of the relevant State, Regional and Local strategies/strategic plans, State Environmental Planning Policies and Section 9.1 Ministerial Directions.

In accordance with the Ministerial Direction under Section 9.1 of the *Environmental Planning and Assessment Act 1979*, the Planning Proposal was referred to the Hawkesbury Local Planning Panel for comment. The Panel recommended that the Planning Proposal proceed for a 'Gateway' determination subject to meeting certain requirements as outlined in this report.

The Planning Proposal has not yet been exhibited as Council has not resolved to prepare the proposal and receive a Gateway determination to proceed. If the Planning Proposal is to proceed it will be exhibited in

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 10 March 2020

accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and associated Regulations, and as specified in any 'Gateway' determination.

An independently facilitated public hearing is required to be held as part of the community consultation process for any planning proposal seeking to reclassify land from 'Community' to 'Operational'.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

The proposal is consistent with the following Focus Areas, Directions and Strategies within the Community Strategic Plan.

Our Leadership

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

Our Community

2.2 Participation in recreational and lifestyle activities is increased - Encourage and enable our community to participate in a healthy lifestyle

2.4 Community wellbeing and local services - Build on a sense of community and wellbeing

Our Assets

4.3 Places and Spaces - Provide the right places and spaces to serve our community

Our Future

5.1 Strategic Planning Governance - Encourage informed planning, balanced growth and community engagement

5.7 Tourism and Economic Development - Promote our community as the place to visit, work and invest

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

The proposal is aligned with Council's Long Term Financial 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.

HAWKESBURY LOCAL PLANNING PANEL

The Planning Proposal was reported to the Hawkesbury Local Planning Panel for advice on 21 November 2019. The Panel recommended that the Planning Proposal proceed to a 'Gateway' determination.

CONCLUSION

As demonstrated in the Assessment Reports for each site, the Planning Proposal is considered to be consistent with relevant legislation and considerations including, the *Local Government Act 1993*, *Environmental Planning and Assessment Act 1979* and Practice Note PN16-001 - *Classification and reclassification of public land through a local environmental plan* in relation to the reclassification of the subject sites.

ORDINARY MEETING

SECTION 3 – Reports for Determination

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In addition, the Planning Proposal is consistent with the aims, objectives and requirements of the relevant State, Regional and Local strategies/strategic plans, State Environmental Planning Policies and Section 9.1 Ministerial Directions.

In particular, the Planning Proposal has strategic merit, and is consistent with the objectives of the Sydney Region Plan and the Western City District Plan as:

- The Pitt Town Community Precinct is being provided in response to the expansion of the residential precinct of Pitt Town to cater for the existing and future community and recreational needs of residents. The design of the Pitt Town Community Precinct will include landscaping that will contribute to the expansion of the urban tree canopy in the public realm. The Planning Proposal will facilitate the timely and efficient delivery of these facilities to support an active, resilient and socially connected community, while maximising the use of the subject site by combining community and recreational uses;
- The reclassification of 9 Industry Road and 312 Windsor Road, Vineyard to 'Operational' land will enable Council to lease this site for advertising purposes to promote existing and future commercial and industrial activities within the Mulgrave Industrial and Business Precinct.

The Planning Proposal is justified as it would:

- enable Hawkesbury City Council to develop and/or manage the sites in line with existing uses (advertising) or intended uses (recreational and community facilities);
- increase the amenity of Pitt Town by facilitating the orderly development of the community and recreational facilities of Fernadell Park;
- increase the productivity of Mulgrave Industrial and Business Precinct by facilitating the ongoing use of 9 Industry Road and 312 Windsor Road, Vineyard for advertising purposes; and
- have no adverse impact on the environmental attributes of the subject sites.

It is therefore recommended that Council support the forwarding of the Planning Proposal to the Department of Planning, Industry and Environment requesting a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

PLANNING DECISION

As this matter is covered by the definition of a "planning decision" under Section 375A of the *Local Government Act 1993*, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

ATTACHMENTS:

- AT - 1** Assessment Report – 9 Industry Road and 312 Windsor Road, Vineyard (*Distributed under separate cover*).
- AT - 2** Assessment Report - 7 Fernadell Drive, Pitt Town including maps (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 10 March 2020

CITY PLANNING

Item: 039 **CP - Strategic Conservation Management Plan of the Hawkesbury City Council Historic Cemeteries - (95498, 124414)**

Previous Item: 7 - HAC (23 February 2017)
 2 - HAC (2 August 2018)
 3 - HAC (7 March 2019)
 3 - HAC (13 June 2019)
 2 - HAC (1 August 2019)
 4 - HAC (21 October 2019)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to seek Council's endorsement of the Strategic Conservation Management Plan of the Hawkesbury City Council Historic Cemeteries prepared by GML Heritage Pty Ltd on behalf of Council.

EXECUTIVE SUMMARY:

Council received funding through the Office of Environment & Heritage, "Heritage Near Me" Grants Program in 2018. The purpose of the grant was to prepare a Strategic Conservation Management Plan to facilitate ongoing management of 13 Council owned/controlled cemeteries. These cemeteries represent significant heritage elements within the local community, and understanding the significance and context of each cemetery is crucial to ensuring it is managed appropriately.

Ongoing feedback has been provided by the Heritage Advisory Committee as part of this project.

The final documents associated with the Strategic Conservation Management Plan have now been received by Council, and are comprised of three volumes:

- Volume 1 – The Strategic Conservation Management Plan (Attachment 1)
- Volume 2 – Cemetery Handbooks (Attachment 2)
- Volume 3 - Appendices (Attachment 3)

RECOMMENDATION:

That Council endorse the Hawkesbury City Council Cemeteries Strategic Conservation Management Plan January 2020 prepared by GML Heritage Pty Ltd.

REPORT:

BACKGROUND

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 10 March 2020

With the assistance of grant funding through the Office of Environment & Heritage, “Heritage Near Me” Grants Program, Council undertook the preparation of a Strategic Conservation Management Plan to facilitate ongoing management of 13 Council owned/controlled cemeteries.

Figure 1 below shows the location of the Historic Cemeteries that are the subject of the Strategic Conservation Management Plan.

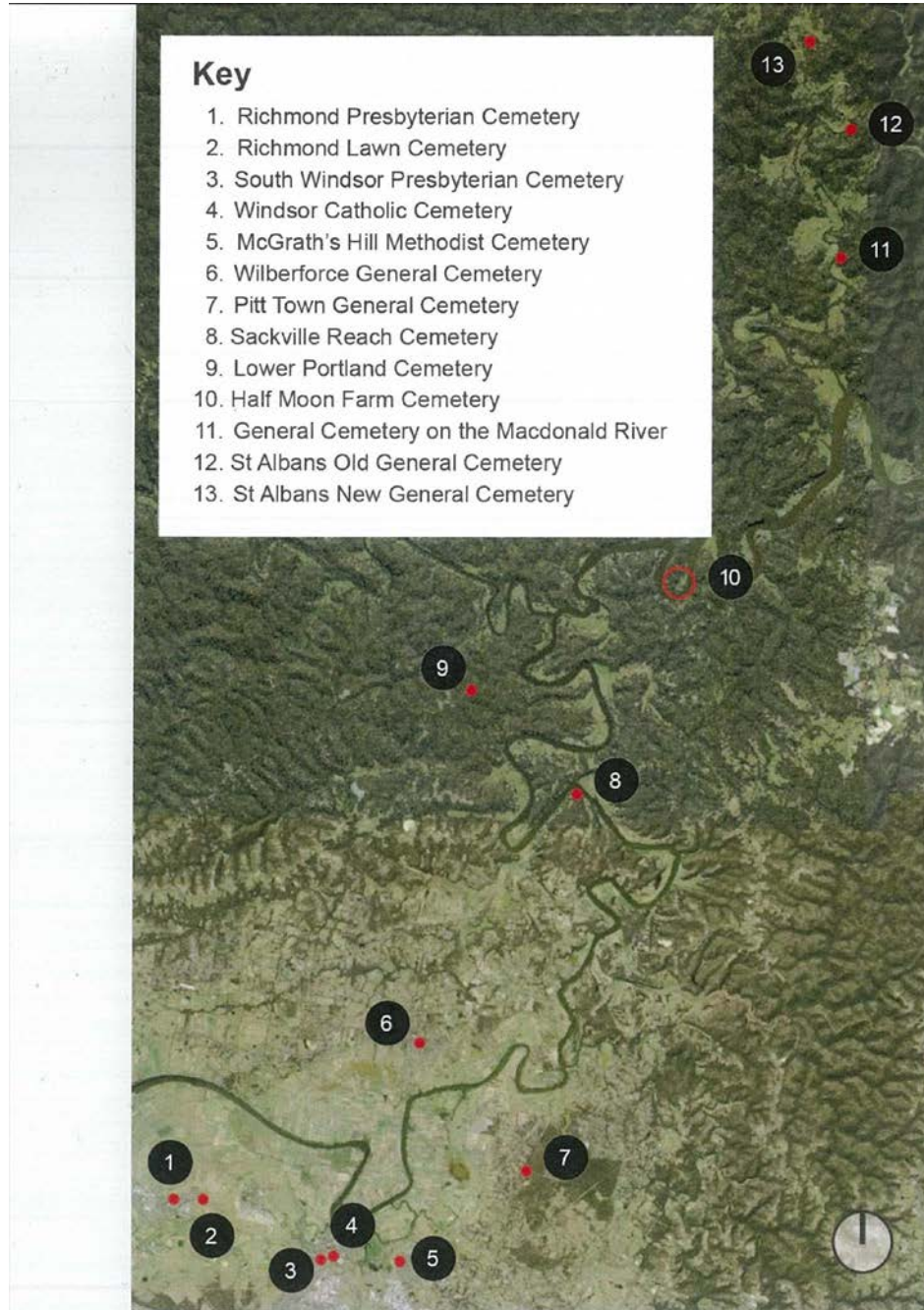


Figure 1. Location of 13 cemeteries in the Strategic Conservation Management Plan

ORDINARY MEETING

SECTION 3 – Reports for Determination

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The objectives of the Strategic Conservation Management Plan include:

- Investigating the significance of each cemetery by evaluating its historical and geographical context, fabric and research potential;
- Assessing the significance of each cemetery using the NSW Heritage Criteria and provide a summary statement of significance for each;
- Identifying opportunities and constraints associated with each cemetery, including public access, interpretation, development opportunities and management requirements;
- Developing conservation policies arising out of the statement of heritage significance; and
- Making recommendations for the management of each cemetery, including appropriateness of heritage listing, ongoing maintenance and care, opportunities for community involvement.

Relevant Legislation

Heritage Act 1977

DISCUSSION

The Strategic Conservation Management Plan has been prepared as a strategic document to assist Council Officers and community volunteers in understanding the significance of each cemetery and undertake basic care and maintenance.

Ongoing feedback at numerous opportunities has been provided by Council's Heritage Advisory Committee as part of this project. The final documents associated with the Strategic Conservation Management Plan have now been received by Council, and are comprised of three volumes:

- Volume 1 – The Strategic Conservation Management Plan (Attachment 1)
- Volume 2 – Cemetery Handbooks (Attachment 2)
- Volume 3 - Appendices (Attachment 3)

Council has commenced a volunteer program that includes general maintenance of some of the cemeteries in the Strategic Conservation Management Plan, and as a result of these activities, the site descriptions and proposed management recommendations included in the report for those cemeteries may differ from their current state and future requirements. As part of the funding provided for this project, a highly successful volunteer training workshop regarding management and care of cemeteries was conducted. This workshop received positive feedback from participants.

The Study acknowledges the assistance and input provided by:

- The late Professor Ian Jack
- Council's Parks Project Officer
- Council's Local Studies Librarian

The Study provides a forward in memory of the late Professor Ian Jack, in recognition of his vast knowledge and generous contribution to Australian historical archaeology and in particular his tireless advocacy of historical heritage in the Hawkesbury area.

There are requirements identified within the Strategic Conservation Management Plan that fall outside of the scope of general maintenance, and for those items further grant funding opportunities will be explored when these become available.

This report has been submitted to Council for consideration of the endorsement of the Strategic Conservation Management Plan and associated documents ready for implementation.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. However, extensive consultation occurred with the Heritage Advisory Committee throughout the preparation of the Strategic Conservation Management Plan.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

The proposal is consistent with the following Focus Area, Direction and Strategy within the Community Strategic Plan 2017-2036.

Our Community

2.5 Cultural development and heritage

- 2.5.3 Recognise, conserve and promote the areas of history and heritage for current and future generations.

FINANCIAL IMPACT

Given the project was funded through the Office of Environment & Heritage, "Heritage Near Me" Grants Program, there are no financial implications applicable to the preparation of the Strategic Conservation Management Plan.

Council's current budget allocation includes funding for general maintenance within these cemeteries for mowing and weed management. There are requirements identified within the Strategic Conservation Management Plan that fall outside of the scope of general maintenance, and for those items further grant funding opportunities will be explored when these become available. The successful completion of the Strategic Conservation Management Plan provides the justification for future applications for grant funding.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

Does not align specifically with a Fit for The Future Strategy.

ATTACHMENTS:

- AT - 1 Volume 1 – Hawkesbury City Council Cemeteries Strategic Conservation Management Plan (*Distributed under separate cover*).
- AT – 2 Volume 2 – Hawkesbury City Council Cemeteries Strategic Conservation Management Plan Cemetery Handbook (*Distributed under separate cover*).
- AT – 3 Volume 3 - Hawkesbury City Council Cemeteries Strategic Conservation Management Plan Appendices (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 10 March 2020

SUPPORT SERVICES

Item: 040 **SS - Monthly Investments Report - January 2020 - (95496)**

Previous Item: 150, Ordinary (26 June 2018)
 032, Ordinary (25 February 2020)

Directorate: Support Services

Council at its meeting on 25 February 2020 deferred this item to the next meeting of Council.

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 \$56.83 million in investments at 31 January 2020 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

RECOMMENDATION:

That the Monthly Investments Report for January 2020 be received and noted.

REPORT:

BACKGROUND

The following table indicates that Council held \$56.83 million in investments as at 31 January 2020. 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-			0.75%	3,600,000	6.33%	
Tcorp*					1.30%	2,118,371	3.73%	
Total On-call Investments								5,718,371
Term Investments								
ANZ	A1+	AA-	17-Apr-19	17-Apr-20	2.35%	1,500,000	2.64%	
ANZ	A1+	AA-	24-Apr-19	06-May-20	2.35%	1,000,000	1.76%	
ANZ	A1+	AA-	03-May-19	06-May-20	2.25%	2,000,000	3.52%	
ANZ	A1+	AA-	15-May-19	25-May-20	2.25%	1,000,000	1.76%	
ANZ	A1+	AA-	19-Jun-19	18-Jun-20	1.90%	1,000,000	1.76%	

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Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions –S7.11 and S7.12	14,436,898
External Restrictions - Other	11,946,437
Internal Restrictions	13,791,891
Unrestricted	16,663,145
Total	56,838,371

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.

Relevant Legislation

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.

DISCUSSION

During the reporting period, the investment portfolio decreased by \$1.2 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 January 2020, 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 on a regular basis by Council's investment advisor.

COMMUNITY ENGAGEMENT

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

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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.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The income applicable is provided for in the 2019/2020 Adopted Operational Plan.

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.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
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Meeting Date: 10 March 2020

Item: 041 **SS - Land Revaluation - (95496)**

Previous Item: 027, Ordinary (25 February 2020)

Directorate: Support Services

Council at its meeting on 25 February 2020 deferred this item to the next meeting of Council.

PURPOSE OF THE REPORT:

The purpose of this report is to provide an overview of the outcome of the Valuer General's land valuations within the Hawkesbury City Council Local Government Area undertaken in late 2019, for Council's information.

EXECUTIVE SUMMARY:

The Office of the New South Wales Valuer General (Valuer General) conducts a valuation of each Local Government Area approximately every three years. The last valuation was undertaken for the Hawkesbury Local Government Area in late 2016 with those land values being used for the following three financial years.

In accordance with the valuation cycle, the Valuer General has undertaken a valuation of each Local Government Area, including the Hawkesbury Local Government Area, in late 2019. The land values arising from this valuation will be used for rating purposes for the first time in the 2020/2021 financial year onwards until the next valuation.

The rateable land value resulting from the 2016 valuation was \$12.23 billion. At the time of the latest valuation, the 2016 rateable land value, including adjustments resulting from growth and objections, was \$12.64 billion. The change in rateable land value results from the number of properties increasing by 806 properties since the 2016 valuation and any objections during that period.

The 2019 valuation has resulted in the total rateable land valuations increasing from \$12.64 billion to \$14.14 billion, an average increase of 11.87% across all rating categories and sub-categories.

The increase in land values will not result in an increase in rating income. The current rating income, allowing for the allowable increase for 2020/2021, will simply be redistributed across properties based on the 2019 valuation.

It should be noted that the values quoted in this report are based on the valuation figures received from the Valuer General. These values may be subject to further change prior to use in the 2020/2021 rates levy, due to ongoing objections by owners and subsequent reviews by the Valuer General.

The matters discussed within this report were presented to the Councillors at the Councillor Briefing Session on 17 February 2020.

RECOMMENDATION:

That the information concerning the valuation of properties within the Hawkesbury City Council Local Government Area be received and noted.

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BACKGROUND

The Valuer General conducts a valuation of each Local Government Area approximately every three years. A valuation of the Hawkesbury Local Government Area was previously undertaken in 2016. These land values currently have been used for rating purposes since the 2017/2018 rates levy.

In accordance with the Valuer General valuation cycle, a valuation of the Hawkesbury City Council Local Government Area was undertaken in late 2019.

The Valuer General bases its land valuations on a range of factors, including, but not limited to, property sales data in the area and restrictions on the property.

The Land Value for each property, as determined by the Valuer General, is used by Council to determine the general rates applicable to the property in accordance with the rating structure applicable to the respective rating categories and sub-categories thereof.

Relevant Legislation

In accordance with Section 498 of the Local Government Act 1993, land valuations provided by the Valuer General are used for rating purposes.

DISCUSSION

The rateable land value resulting from the 2016 valuation was \$12.23 billion. At the time of the latest valuation, the 2016 rateable land value, including adjustments resulting from growth and objections, was \$12.64 billion. The change in rateable land value results from the number of properties increasing by 806 properties since the 2016 valuation.

The 2019 valuation has resulted in the total rateable land valuations increasing from \$12.64 billion to \$14.14 billion, an average increase of 11.87% across all rating categories and sub-categories.

As a result of the 2019 land valuations, there is a shift of 2% of the Notional Yield from the Residential category to the Business category as shown in Table 1 below:

Table 1 – Distribution of the Notional Yield

Category	2020/2021 Notional Yield based on 2016 Valuations (\$)	2020/2021 Notional Yield based on 2016 Valuations (%)	2020/2021 Notional Yield based on 2019 Valuations (\$)	2020/2021 Notional Yield based on 2019 Valuations (%)	Change (%)
Residential	\$36M	85%	\$35M	83%	-2%
Business	\$4.4M	11%	\$5.3M	13%	+2%
Farmland	\$1.7M	4%	\$1.8M	4%	Nil
Total	\$42.1M	100%	\$42.1M	100%	

The following Table provides a summary of the overall effects of the valuation on land values in each rating category and sub-category.

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Table 2: Land Values Summary

Category	No. of Rateable Properties	2016 Total Land Value	2016 Average Land Value	2019 Total Land Value	2019 Average Land Value	Change in Average Land Value \$	Change in Average Land Value %	Change in CPI
Residential	24,330	\$11,109,235,292	\$456,606	\$12,160,084,221	\$499,798	\$43,192	9.5%	5%
Business	1,560	\$813,605,791	\$521,542	\$1,135,873,196	\$728,124	\$206,582	39.6%	5%
Farmland	605	\$721,017,000	\$1,191,764	\$847,931,100	\$1,401,539	\$209,775	17.6%	5%
Total	26,495	\$12,643,858,083		\$14,143,888,517				

Impact on Rates

The impact of the 2019 land valuations on the average rates for each respective rating category is summarised in Table 3 below:

Table 3 – Impact on Rates

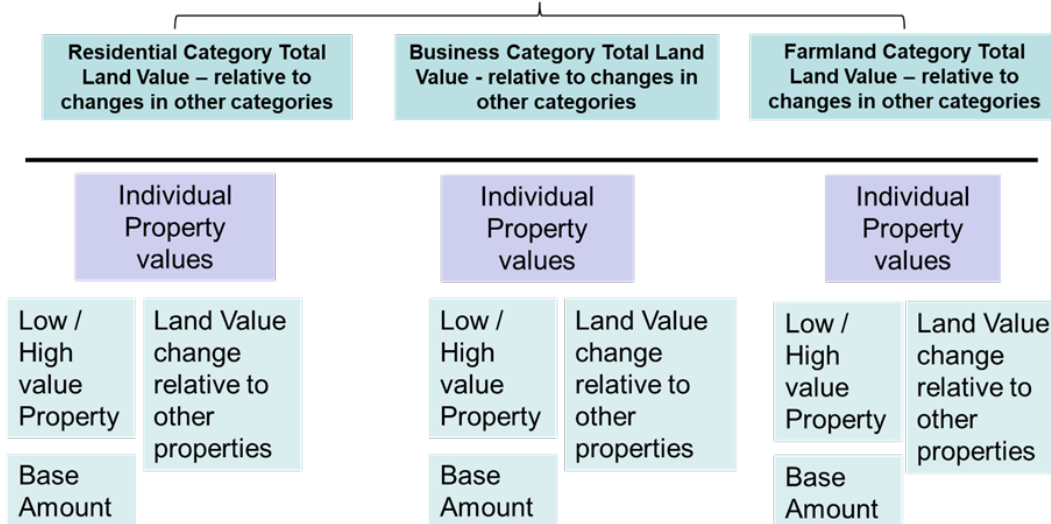
Category	Average Rates based on 2016 Land values	Average Rates based on 2019 Land values	Change in Average Rates due to land valuation
Residential	\$1,478	\$1,440	-\$38
Business	\$2,824	\$3,374	+\$550
Farmland	\$2,891	\$2,980	+\$89

The increase in land values will **not** result in an increase in rating income. The rating income for 2020/2021 will be based on the 2019/2020 rating income increased by the allowable rates increase and the impact of growth.

The impact on rates payable by each property will, to varying extents, be impacted as follows:

- The change in the relative proportion of the Notional Yield between the different rating categories
- The movement in the land value of the property relative to the average movement in land value within the applicable rating category
- The land value of each individual property
- The level of the Base Amount

Rate in \$ based on Land Value = **Total Rates**



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As shown in Table 1 above, the 2019 land valuations have resulted in a shift of the proportion of the Notional Yield collected from each respective Rating category. For 2020/2021, an additional 2% of the Notional Yield will be collected from the Business Rating category, offset with a corresponding 2% reduction in the amount collected from the Residential Rating category. This shift has resulted in changes to the average rates applicable to each respective Rating category.

The impact on rates payable by each respective property will depend on the increase or decrease in land value relative to other properties. Generally, if the land value of a property has increased by more than the average increase across the rating category, that property will experience an increase in rates payable. On the other hand if a property experiences an increase lower than the average increase, that property will experience a decrease in rates payable.

The impact of changes in land values is also partly driven by the extent of reliance on land value in the rating structure. The higher the proportion of rates revenue a council collects through the ad valorem rate, the higher the impact of a land revaluation on rates payable.

Where a council has a rating structure based solely on an ad valorem rate, properties are impacted to the full extent with the applicable land valuation changes. Where a rating structure has a reduced reliance on the ad valorem rate, such as structures including Base Amounts, the impact of a land valuation is reduced to some extent. This applies to both increases and decreases in property land values. Council's current rating structure includes a Base Rate of 30% for the Residential category, with the Residential category Base Amount being applicable to the Business and Farmland categories all the rating categories.

The value of the property also plays a part, with lower valued properties such as units being less impacted by changes in land valuations due to the relatively larger proportion of the applicable Rates being made up of the fixed Base Amount.

COMMUNITY ENGAGEMENT

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

1.3 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.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications.

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.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
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Meeting Date: 10 March 2020

Item: 042 **SS - State Government Funding for NSW Public Libraries - (79351, 80248, 95496, 82780)**

Previous Item: 166, Ordinary (10 July 2018)
 186, Ordinary (31 July 2018)
 034, Ordinary (25 February 2020)

Directorate: Support Services

Council at its meeting on 25 February 2020 deferred this item to the next meeting of Council.

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of Phase Two of the Renew Our Libraries funding campaign. The report outlines the requested support from the NSW Public Libraries Association.

EXECUTIVE SUMMARY:

Advice received from the NSW Public Libraries Association's 2018/2019 Renew Our Libraries campaign resulted in an increase of \$60 million in State funding for NSW public libraries over the quadrennial period 2019/2020 to 2022/2023. This is the largest single increase in State funding since the NSW Library Act was introduced in 1939.

The NSN Public Libraries Association have indicated that this outcome was achieved as a result of the support by councils, libraries and communities across NSW. Over 80% of NSW councils, formally endorsed the Renew Our Libraries campaign through council resolutions.

Renew Our Libraries Phase Two has recently been launched, and the NSW Public Libraries Association has again requested the support of NSW councils in its advocacy to State Government to develop a sustainable funding model for NSW libraries by;

- Making representations to local members
- Writing to the Minister and Shadow Minister
- Supporting sustainable State Government funding for Libraries
- Endorsing the distribution of advocacy information

It is therefore recommended that Council consider supporting the NSW Public Libraries Association by formally endorsing Phase Two of the Renew Our Libraries campaign to secure a sustainable funding model for NSW public libraries in perpetuity.

RECOMMENDATION:

That Council:

1. Make representation to the local State Member, in relation to the need for a sustainable State funding model for the ongoing provision of public library services.
2. Write to the Minister for the Arts and the Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of State funding for NSW public libraries, as well as legislation of all elements of the 2019/2020 to 2022/2023 NSW State funding model.
3. Take a leading role in lobbying for sustainable State government funding for libraries.

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4. Endorse the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council's libraries, as well as involvement in any actions proposed by the Association.

BACKGROUND

The NSW Government's 2018/2019 State budget cut the State Library of NSW funding for public libraries by \$5.275 million. As a consequence, in 2018/2019 Hawkesbury Library Service received \$10,820 less funding compared to the previous year. This reduction had to be absorbed by the Hawkesbury Library Service whilst maintaining its service levels.

The NSW State Government cut in funding resulted in the Renew Our Libraries campaign being launched. As a result of this funding campaign, Hawkesbury Library Service received a funding increase of \$55,303 from 2018/2019 to 2019/2020. The following table outlines the funding received over the last three years by Hawkesbury Library Service from the NSW State Government.

Year	Public Library Funding Strategy - funds received	Increase / decrease from previous year
2017/2018	\$176,772	
2018/2019	\$165,952	-\$10,820
2019/2020	\$221,255	+\$55,303

Renew Our Libraries Phase Two builds on the results of the initial funding advocacy campaign and recommends continued lobbying to ensure that public library funding is indexed and protected in legislation through the Library Act and/or the Library Regulation.

Relevant Legislation

Library Act 1939
Library Regulation 2018

DISCUSSION

At the Council meeting on 10 July 2018, Council resolved to defer considering the matter of library funding and the Renew Our Libraries initiative to enable a Councillor Briefing to take place. On the 24 July 2018, Councillors were provided with a Councillor Briefing Session that provided them with detailed information on the Renew Our Libraries campaign.

At the Council Meeting held on 31 July 2019, Council resolved in part, as follows:

"That Council:

1. *Notes:*
 - a) *That the NSW Government's recent budget drastically cut library funding by \$5.275 million, an 18% reduction on 2017/2018 levels*
 - b) *That libraries in NSW receive less funding than any in any State or Territory in Australia (7.8%)*
 - c) *That these cuts will have an impact on Council libraries, resources, staff and services and may impact greatest on the most disadvantaged in our community.*
 - d) *The Hawkesbury Library Service has maintained service levels despite its operating costs being held over three financial years, while meeting mandated staff pay increases, updating its collection and maintaining high patron satisfaction scores.*

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2. *Endorse the NSW Public Libraries Association and Local Government NSW Library funding advocacy initiative, Renew Our Libraries.*
3. *Write to the Hon Dominic Perrottet, Treasurer and Member for Hawkesbury, expressing Council's dismay at the cuts to library funding, alerting him to likely impacts on library services in the Local Government Area and requesting a meeting to discuss solutions.*
4. *Write to Hon Don Harwin, Minister for the Arts and the Hon Walt Second, Shadow Minister for the Arts, calling for bi-partisan support for the provision of significant increase in State funding for NSW public libraries, supported by sustainable future funding model.*
5. *Take a leading role in activating the campaign local.*
6. *Endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information on the Council's Website and Council's public spaces.*
7. *Formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative."*

The NSW Public Libraries Association has again requested the support of NSW councils in its advocacy to State Government to develop a sustainable funding model for NSW libraries.

Renew Our Libraries Phase Two <https://renewourlibraries.com.au/> was recently launched. Campaign objectives are to:

- Index the total increased State funding contribution to the Consumer Price Index (CPI) in perpetuity. Without indexation the actual value of State funding for NSW libraries will decline over time, leaving NSW Councils to either meet the shortfall or reduce services.
- Protect the new funding commitment by including all elements of the new State funding model in legislation through the Library Act and/or the Library Regulation. Currently, only the per capita component of the funding model (increasing from \$1.85 per capita to \$2.85 per capita over the four year period 2019-2023) is included in library legislation, leaving 46% of the total funding for NSW libraries at risk.

These two measures will ensure that NSW councils continue to receive a significantly increased State Government contribution to the operation of public libraries across the State, which will be protected by legislation and will not be subject to cost of living attrition over time.

It is considered that this is an opportunity to permanently secure the historic 2019 State funding increase for NSW libraries, thereby ensuring the future prosperity of the NSW public library network.

COMMUNITY ENGAGEMENT

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, Directions and Strategies within the CSP.

Our Community

- 2.4 Community wellbeing and local services - Build on a sense of community and well being

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- 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.
- 2.5. Cultural Development and Heritage - Enable broad and rich celebration of our local culture and significant heritage
 - 2.5.1 Encourage and support all residents to participate in all aspects of community, cultural and civic life.
 - 2.5.2 Provide community and cultural services through a range of affordable and accessible facilities.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications for Hawkesbury Library Service if State Government public library funding, which is devolved through the State Library of NSW, is not increased per capita and indexed. The income applicable is provided for in service 15 – Cultural Services – Library Services of the 2019/2020 Adopted Operational Plan.

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 continue to provide and maintain service levels to meet established community expectations as budgeted for in the Long-Term Financial Plan.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 10 March 2020

Item: 043 **SS - Review of Council's Investment Policy - (95496)**

Previous Item: 150, Ordinary (28 June 2018)

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to submit the reviewed Investment Policy to Council for adoption.

EXECUTIVE SUMMARY:

This report is being submitted to Council to satisfy the requirements of the then Division of Local Government (DLG) Investment Policy Guidelines, issued in May 2010, in regard to the annual review of the Investment Policy.

The Investment Policy is to be reviewed at least once a year, or as required in the event of legislative changes. Any amendment to the Investment Policy must be by way of Council resolution.

The current Investment Policy, adopted by Council at the meeting of 28 June 2018, has been reviewed to:

- Ensure any applicable legislative changes and Office of Local Government Circulars are taken into account
- Simplify and improve clarity
- Support monitoring of applicable limits based on the rating of institutions
- Reflect process necessary to support the Policy
- Reference Environmental, Social and Governance Investments

RECOMMENDATION:

That Council adopt the Investment Policy, as amended and attached as Attachment 1 to this report.

BACKGROUND

On 25 May 2010, the then Division of Local Government (DLG) issued Investment Policy Guidelines to assist councils with the preparation of an Investment Policy, and the prudent and appropriate management of Council's surplus funds. The Guidelines, issued under Section 23A of the Local Government Act 1993 (the Act), apply to all general purpose and special purpose councils in NSW.

On 17 February 2011, Circular No.11-01 was issued by the DLG, advising that a revised Investment Order, pursuant to Section 625 of the Local Government Act 1993, had been issued and was applicable to investments made by local councils.

The Investment Policy Guidelines include a template for the Investment Policy. Council's Policy addresses all aspects covered by the Guidelines and the template.

The Investment Policy Guidelines can be accessed at the following link:

<https://www.olg.nsw.gov.au/sites/default/files/Investment-Policy-Guidelines-May-2010.pdf>

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Detailed History, including previous Council decisions

The current Investment Policy was adopted by Council at its meeting on 28 June 2018. At its meeting on 29 October 2019, Council appointed Amicus Advisory Pty Ltd as its Investment Advisor.

Policy Considerations

This report relates to the Investment Policy adopted on 28 June 2018 and seeks approval for the Policy to be amended to:

- Ensure any applicable legislative changes and Office of Local Government Circulars are taken into account
- Simplify and improve clarity
- Support monitoring of applicable limits based on the rating of institutions
- Reflect processes necessary to support the Policy
- Reference Environmental, Social and Governance Investments

DISCUSSION

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

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

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

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

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

A review of the current Policy has been undertaken by Council's independent Investment Advisor, Amicus Advisory Pty Ltd to ensure that the Policy:

- Is clear and easy to follow,
- Is still achieving the desired objectives in light of the prevailing market conditions,
- Is consistent with other Council objectives.

The current Investment Policy has been effective in enabling Council Officers to make investment decisions that achieve a good balance between securing the optimal return whilst maintaining cash flow requirements and managing risk by diversifying across institutions and investment terms. The proposed amendments will further enhance the effectiveness of the Policy.

Following, is a summary of the proposed amendments to the current Investment Policy, noting the Clause reference is in accordance with the proposed Policy numbering:

- **Clause 7.0 – Approved Investments** – the current Policy stipulates that investments are to be in Australian Dollars, and are in accordance with the most current Order (of the Minister). Currently, the Clause details the type of institutions that investments may be made with.

It is proposed that this Clause is simplified and be limited to stipulating that all investments must be in Australian Dollars, and are in accordance with the most current Order (of the Minister). Details regarding the type of institutions and the applicable investment limits are addressed in Clause 11.1 of the amended Policy and should therefore be removed from Clause 7.0.

- **Clause 9.0** – It is proposed that a new Clause is inserted after Clause 8.0, titled **Quotations for Purchases and Sales of Investments**. The Clause stipulates that the investing officers must satisfy themselves that they are obtaining a fair market price for all investments made at all times. The Clause provides the methods by which such confidence can be achieved. This Clause does not introduce any new requirements; it simply documents the current process undertaken when placing investments.

It is to be noted that the insertion of this Clause results in a change in numbering of Clauses in the current Policy that will remain in the proposed Policy.

- **Clause 10.0 – Risk Management Guidelines** – It is proposed to add Interest Rate and Reinvestment Risk to the list of criteria to be considered when investing funds, to address risks associated with fluctuating rates and the associated budgeted income.
- **Clause 11.1 – Diversification** – A number of changes are proposed to this Clause as follows:
 - It is proposed to better define the process of selecting an institution for investment purposes, based on the Standard & Poor's or Moody's or Fitch equivalents. Additional wording has been added accordingly.
 - A definition of Major Banks, for the purpose of the Policy, has been added.
 - A Table titled – **Credit Ratings Category limits** is proposed to be added. The Table stipulates the combined percentage of the Investment portfolio that may be invested for each on ratings, or range of ratings.

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Credit Rating of Institution (Standard & Poor's)	Maximum Percentage of Total Portfolio
AAA to AA- or Major Bank and below	100%
A+ to A- and below	50%
BBB+ to BBB and below	30%
BBB- and below	5%

- o A Table titled – **Individual Counterparty Limits** is proposed to be added. The Table stipulates the maximum percentage of the Investment portfolio that may be invested with any single institution, based on the rating of the institution. The proposed limits are based on ratings.

Credit Rating of Institution (Standard & Poor's)	Max % With 1 Institution	Max Term
AAA	45%	5 years
AA+, AA, AA- (and Major Banks)	40%	5 years
A+, A, A-	30%	3 years
BBB+	5%	3 years
BBB, BBB-	5%	1 year
Non-rated ADIs	Government Guarantee limit	1 year
NSW TCorpIM Funds	20%	

- o The existing table in the current Policy under Clause 10.1 is proposed to be removed as the information is captured in the new Tables outlined above.
- o The limits proposed for institutions rated below A-. The breakdown provides improved visibility of the permitted risk exposure and allows for an expanded scope to invest with institutions rated below A-.
- o It is proposed to remove Clause 10.2 in the current Policy – Term as the permitted term is captured in the proposed Table – **Individual Counterparty Limits**

The limits proposed will allow for an expanded scope in regard to institutions and the amounts Council can invest with those institutions. It is to be noted that the limits have now been aligned with the TCorp requirements when they assess a loan application. This alignment not only ensures Council will satisfy requirements when it approaches TCorp for loans, but also ensures an appropriate risk profile.

- **Clause 11.2 – Liquidity** – It is proposed to reduce the minimum cash to be accessible within seven days from \$3M to 2M and the percentage of the investment portfolio from 5% to 3%. Based on a comparison with other councils, there is scope to reduce the amount held for cashflow purposes. It is to be noted that the Policy stipulates the minimum liquidity to be maintained, it does not prevent a higher amount to be kept in anticipation of higher cashflow requirements during a particular period.
- **Clause 11.3 – Investment Strategy** – It is proposed to add a new Clause regarding an Investment Strategy. The Policy stipulates that a Strategy will be developed taking into account the listed criteria. The Strategy will be the mechanism by which the Policy is implemented on a practical day-to day basis.

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- **Clause 11.4 – Environmental, Social and Governance (ESG) Investing** – It is proposed to add a Clause in the Policy to address ESG Investments. The current Policy is silent on this matter. It is proposed that the Policy stipulate that where financial institutions are offering equivalent investment returns with the same credit rating and assessed financial risk, and the risk fits within the provisions of the Policy, preference is to be given to placing funds with institutions identified as having the higher ESG standards. It is noted that there are currently limited options in the market in this regard. The proposed Clause will ensure that the available options are explored, without restricting the scope of placing investments providing the best return for Council. It is envisaged that as more ESG products become available, future Policy reviews would include further enhancement in regard to ESG investments.
- **Clause 11.5 – Trading Policy** – It is proposed to add a Clause in the Policy to address circumstances where investments may need to be redeemed prior to maturity. The current Policy is silent in this regard.
- **Clause 11.6 – Policy Breaches, Rectifications and Grandfathering** – It is proposed to add a Clause in the Policy to address the circumstance where an investment that is held breaches legislative or policy requirements due to changes occurring after the investment is made.
- **Clause 12.0 – Investment Advisor** – This Clause is included as Clause 11.0 in the current Policy. The Clause remains unchanged, with the exception of removing the reference to Circular No 17-29 regarding TCorp.
- **Clause 14.0 – Benchmarking** – The current Policy stipulates that the Reserve Bank Cash Reference Rate and the UBS 90 Day Bank Bill Index are used for benchmarking purposes. Based on the advice of the Investment Advisor, it is proposed that the Bloomberg Ausbond Bank Bill index is used to benchmark return achieved on investments.
- **Clause 15.0 – Reporting and Reviewing of Investments** – It is proposed that Council's investment return for the portfolio is reviewed monthly by the Investment Advisor, rather than quarterly, as is stipulated in the current Policy.

The Investment Policy adopted by Council at the meeting of 28 June 2018 has been reviewed, including by Council's Investment Advisor, Amicus Advisory Pty Ltd to reflect the changes detailed above. The revised Policy is attached as Attachment 1 to this report.

The proposed changes, if adopted, will result in an Investment Policy that is:

- consistent with the Investment Guidelines
- clear and easy to follow,
- still achieving the desired objectives in light of the prevailing market conditions,
- consistent with other Council objectives

The proposed amendments would result in an enhancement of the current Policy.

COMMUNITY ENGAGEMENT

The Policy, which is the subject of this report, is being reported to Council in accordance with legislative requirements. Under these circumstances it is considered that public consultation is not required.

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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

1.3 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.

FINANCIAL IMPACT

There are no financial implications applicable to this report. The adoption of the Investment Policy, as amended, and as attached to this report provides an expanded scope in regard to placing investments and consequently the potential to achieve higher returns whilst still managing the risk.

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.

ATTACHMENTS:

AT - 1 Investment Policy March 2020 (*Distributed under separate attachment*).

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 10 March 2020

Item: 044 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to table a Disclosure of Pecuniary Interests and Other Matters Return, which has been recently lodged by a Designated Person, as required by Clause 4.21(a) of Council's Code of Conduct.

EXECUTIVE SUMMARY:

Councillors and other members of Council staff identified as Designated Persons under Council's Code of Conduct are required to complete a Pecuniary Interest Return form identifying any pecuniary and other types of interests that they hold as at their date of commencement with Council.

A Return has recently been lodged with the General Manager, and is now tabled at the first Council meeting held after the required lodgement date.

RECOMMENDATION:

That the Clause 4.21(a) Pecuniary Interest Return be received and noted.

BACKGROUND

Councillors and other members of Council staff who hold a position involving the exercise of functions that, in their exercise, could give rise to a conflict between the person's duty as a member of staff and the person's private interest, are identified by Council as a "Designated Person", as defined by Clause 4.8 of Council's Code of Conduct (the Code).

Designated Persons are required by Clause 4.21(a) of the Code to complete a Return form identifying any pecuniary and other types of interests that they hold as at their date of commencement with Council.

The Return form must be lodged with the General Manager within three months of the Designated Person's date of commencement with Council, and must be tabled at the first Council meeting held after the required lodgement date.

Policy considerations

Section 440AAB of the Local Government Act, 1993, relates to the register of Pecuniary Interest Returns made by Councillors and Designated Persons, and the tabling of these Returns:

"440AAB Register and tabling of returns

- (1) *The general manager must keep a register of returns disclosing interests that are required to be lodged with the general manager under a code of conduct.*

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- (2) *Returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code of lodgement, or if the code does not specify a day, as soon as practicable after the return is lodged."*

In accordance with Section 440AAB(1) of the Act and Clause 4.24 of the Code, a register of all Returns lodged by Councillors and Designated Persons, in accordance with Clause 4.21 of the Code, is currently kept by Council, as required by this part of the Act and the Code.

In accordance with Section 440AAB(2) of the Act and Clause 4.25 of the Code, all Returns lodged by Councillors and Designated Persons under Clause 4.21(a) of the Code, must be tabled at the first Council meeting held after the required lodgement date.

DISCUSSION

With regard to Section 440AAB(2) of the Act and Clause 4. 25 of the Code, the following Clause 4.21(a) Return has been lodged:

Position	Return Date	Date Lodged
Manager Corporate Services and Governance	9 December 2019	20 February 2020

The above Designated Person has lodged their Clause 4.21(a) Return prior to the due date (being three months after the Return Date), as required by the Act and the Code for the receipt of the Returns.

The above details are now tabled in accordance with Section 440AAB(2) of the Act and Clause 4.25 of the Code, and the abovementioned Return is available for inspection, if requested.

COMMUNITY ENGAGEMENT

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

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

FINANCIAL IMPACT

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 2019/2020 Operational Plan, which will adversely impact on Council's financial sustainability.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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ORDINARY MEETING

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SECTION 4 – Reports of Committees

Item: 045 **ROC - Floodplain Risk Management Advisory Committee - 5 December 2019 - (86589, 124414)**

Previous Items: 016, Extraordinary (18 February 2020)

Directorate: City Planning

Council at its meeting on 18 February 2020 deferred this item to the next meeting of Council.

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Floodplain Risk Management Advisory Committee held on 5 December 2019.

RECOMMENDATION SUMMARY:

Item 2 and Items D and F in General Business contained within the attached Minutes of the Floodplain Risk Management Advisory Committee held on 5 December 2019 have policy or financial implications to Council, and as such require specific consideration by Council.

All other items raised in the Minutes of the Floodplain Risk Management Advisory Committee have no policy or financial implications for Council, and are presented for information only.

BACKGROUND:

The Floodplain Risk Management Advisory Committee met on 5 December 2019 and considered staff reports on a range of matters as shown in the attached Minutes (Attachment 1).

The following items require specific consideration by Council:

Item 2: Successful Grant Applications Made Under the Office of Environment & Heritage Floodplain Management Program 2019-2020

Discussion

Officers highlighted the success in two grant applications made under the Office of Environment and Heritage Floodplain Management Program 2019-2020.

The Chairperson thanked Officers for their crucial work to ensure the success of these grants and stated that it is essential to have up to date information for the Hawkesbury-Nepean in addition to the Macdonald River, Colo River, Webbs Creek and Greens Creek catchments.

Officers advised Committee members that the appointment of consultants for these projects will commence in early 2020. Dependant on the level of survey required, the timeframe to complete the study could be between 18-24 months.

Committee members discussed flood studies being undertaken of South Creek by neighbouring Councils. It was suggested that Hawkesbury City Council requests that Blacktown and Penrith City Council's provide details of any current studies.

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Following discussion and consideration of the matter, the Floodplain Risk Management Advisory Committee resolved:

1. *Thanks and congratulates the staff on the successful grant applications.*
2. *Request that Hawkesbury City Council formally request Blacktown and Penrith City Councils provide details of any current flood studies of South Creek.*
3. *Engage in ongoing communication with other Councils in the Hawkesbury Nepean Valley with regard to Floodplain management.*

Officers Comment

Council Officers regularly attend the Penrith Floodplain Risk Management Advisory Committee Meetings. Officers are also in regular contact with respective counterparts at both Blacktown and Penrith Council's in respect of floodplain management. As such, it is expected that through these contacts, relevant information with respect to current flood studies of South Creek can be obtained. The Flood Risk Management Advisory Committee will be updated with respect to progress in obtaining this information.

General Business

D. The New Duplication Bridge in North Richmond

Committee members discussed the RMS Richmond Bridge Duplication Project, stating that at the most recent stakeholder meeting representatives from the SES and Transport for NSW had indicated that the new bridge is not part of the flood strategy network or evacuation plan, with the construction of the new bridge to a 1:100 level not under consideration.

Committee members noted the importance of constructing the new bridge at an appropriate height to support flood immunity for people living west of the river and business transactions between the west and the east of the river during moderate flooding and to carry services at a higher level across the Hawkesbury River.

Community representatives indicated that the perception is that Council is not vocal about requiring a higher flood immunity for this new infrastructure.

Following discussion and consideration of the matter, the Floodplain Risk Management Advisory Committee resolved:

"That the Floodplain Risk Management Advisory Committee:

1. *Recommends a higher flood immunity for the Richmond Bridge Duplication Project to ensure that the roads and access to the bridge be trafficable in a 1:100 level flood, and that Council lobby for the funding required to complete this."*

Officers Comment

In addition to the Flood Risk Management Advisory Committee, Council has an Infrastructure Committee which also considers such matters. It is considered appropriate that at the next Flood Risk Management Advisory Committee that members of the Infrastructure Committee be invited to discuss this matter as a combined group, including the need for evacuation to be supported by appropriate infrastructure.

That discussion will consider the merits of constructing a bridge with a higher flood immunity as part of the Richmond Bridge Duplication Project which would include the provision of roads and access to the new bridge that is trafficable in a 1:100 level flood. The combined meeting of the Infrastructure and Flood Risk Management Advisory Committee should also consider whether Council should lobby for the funding required to construct the new bridge at such a level.

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A recommendation for a combined meeting of Council's Infrastructure, and Flood Risk Management Advisory Committee's has been included.

F. SES Communications with the Public

Committee members stated that they had seen communications by the SES advising the public to stay west of the river in the event of a flood, although presentations by the SES to Council and the Committee have always indicated to evacuate from the west.

It was suggested to follow this up with the SES to ensure all communications to the public are consistent.

Following discussion and consideration of the matter, the Floodplain Risk Management Advisory Committee resolved:

"That the Floodplain Risk Management Advisory Committee:

1. *Request that Council send a letter to the SES seeking clarification on their communications with the community regarding evacuation west of the river in the event of flooding, including an impact statement for loss of power."*

Officers Comment

The importance of understanding plans associated with evacuation in flood events is considered to be crucial for the community. Writing to the SES in this regard is considered to have merit in order to inform Council and community.

RECOMMENDATION:

That:

1. The Minutes of the Floodplain Risk Management Advisory Committee held on 5 December 2019 be received and noted.
2. In relation to Item 2 of the Minutes, that Council:
 - a) Thank and congratulate staff on the successful grant applications.
 - b) Officers seek details of any current flood studies of South Creek undertaken by Blacktown and Penrith Council's.
 - c) Engage in ongoing communication with other Councils in the Hawkesbury Nepean Valley with regard to Floodplain management.
3. In relation to Item D in General Business, that:
 - a) Infrastructure Committee members be invited to attend the next Flood Risk Management Advisory Committee in order to discuss the need for evacuation to be supported by appropriate infrastructure, and whether Council should consider recommending a higher flood immunity for the Richmond Bridge Duplication Project to ensure that the roads and access to the bridge are trafficable in a 1:100 level flood.
4. In relation to Item F in General Business, Council endorse the recommendation of the Floodplain Risk Management Committee, namely that:
 - a) Council send a letter to the SES seeking clarification on their communications with the community regarding evacuation west of the river in the event of flooding, including an impact statement for loss of power.

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ATTACHMENTS:

AT - 1 Minutes – Floodplain Risk Management Advisory Committee – 5 December 2019.

ORDINARY MEETING
SECTION 4 – Reports of Committees

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AT - 1 Minutes – Floodplain Risk Management Advisory Committee – 5 December 2019

Minutes of the Meeting of the Floodplain Risk Management Advisory Committee held in Council Committee Rooms, Windsor on 5 December 2019.

Attendance:

Present: Councillor Mary Lyons-Buckett, Chairperson
Councillor Paul Rasmussen, Deputy Chairperson
Councillor Amanda Kotlash, Hawkesbury City Council
Councillor Danielle Wheeler, Hawkesbury City Council
Councillor Peter Reynolds, Hawkesbury City Council
Ms Carol Edds, Community Representative
Ms Margaret Mackisack, Community Representative
Mr Maurice Smith, Community Representative
Mr Harry Terry, Community Representative
Mr Kim Ford, Community Representative

Apologies: Mr Kevin Jones, SES

In Attendance: Mr Mark Rusev, Representative of Member for Hawkesbury
Ms Linda Perrine, Hawkesbury City Council
Mr Andrew Kearns, Hawkesbury City Council
Mr Chris Amit, Hawkesbury City Council
Ms Megan Berrell, Hawkesbury City Council

RESOLVED on the motion of Mr Smith and seconded by Councillor Kotlash that the apologies be accepted.

Member	14/2/2019	18/04/2019	27/06/2019	26/09/2019	05/12/2019
Councillor Mary Lyons-Buckett	✓	✓	✓	✓	✓
Councillor Amanda Kotlash	✓	A	✓	A	✓
Councillor Paul Rasmussen	✓	A	✓	A	✓
Councillor Danielle Wheeler	✓	✓	✓	A	✓
Councillor Peter Reynolds	A	✓	✓	✓	✓
Ms Carol Edds	✓	✓	✓	✓	✓
Mr Harry Terry	✓	A	✓	✓	✓
Ms Margaret Mackisack	✓	✓	✓	✓	✓
Mr Kim Ford	✓	A	A	✓	✓
Mr Maurice Smith	✓	A	A	✓	✓
Snr Inspector Robert Bowman - (Dept. Primary Industries)	X	X	X	X	X
Mr Kevin Jones – (SES Headquarters)	A	✓	A	✓	X
Mr Peter Cinque OAM – (SES Sydney Western Division)	X	X	X	X	X
Ms Robyn Preston, Member for Hawkesbury (or Representative)		✓	✓	✓	✓
Mr Sadeq Zaman – (Office of Environment & Heritage)	✓	✓	✓	✓	X

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

RESOLVED on the motion of Mr Ford and seconded Ms Mackisack that the Minutes of the Floodplain Risk Management Advisory Committee held on 26 September 2019, be confirmed.

ORDINARY MEETING
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SECTION 3 - Reports for Determination

ITEM: 1 Review of Council Committees - (79351)

Directorate: General Manager

Stage One – Engagement with committee members

Council's Director City Planning attended the meeting and explained to Committee members that Council will be reviewing the current committees and working groups to create an alignment with the Community Strategic Plan. A key part of this review is stage one - engaging with current Committee and Working Group members to find out what is working and what could be improved in terms of the respective committees / working groups.

The Community Strategic Plan has five key directions being, Leadership, Environment, Assets, Community and Future

Council also need to ensure that there is a greater level of consistency between Committees which will be assisted through the development of a standard approach to systems and processes such as preparation of draft minutes which will be sent to the Committee before reporting to Council.

Between now and the end of December all Committees / Working Groups will have at least one meeting.

The Committees and Working Groups being engaged in the process include:

- Waste Management
- Hawkesbury Access and Inclusion
- Heritage
- Tourism
- Infrastructure
- Human Services
- Civic and Citizenship
- Floodplain Risk Management
- Environmental Sustainability
- Reconciliation Action Plan, and
- Town Centres

Stage Two will involve:

- Considering the feedback from Stage One.
- Engaging with Councillors.
- Consider if there is a transition phase eg. Waste Management and Environmental Sustainability take the opportunity to meet together.
- Complete the review and finalise the new committee structure ready for implementation in 2020.

Committee members were advised that an electronic survey will be distributed for completion.

Subsequent to the meeting, the survey was distributed via email on Monday, 9 December 2019.

OFFICER'S RECOMMENDATION:

That Floodplain Risk Management Advisory Committee members complete the electronic survey which will be distributed via email.

ORDINARY MEETING
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COMMITTEE RECOMMENDATION:

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

That Floodplain Risk Management Advisory Committee members complete the electronic survey which will be distributed via email.

SECTION 4 - Reports for Information

ITEM: 2 **FRMAC - Successful Grant Applications Made Under the Office of Environment & Heritage Floodplain Management Program 2019-2020 - (86589, 124414)**

Directorate: City Planning

DISCUSSION:

- Officers highlighted the success in two grant applications made under the Office of Environment and Heritage Floodplain Management Program 2019-2020.
- The Chairperson thanked Officers for their crucial work to ensure the success of these grants and stated that it is essential to have up to date information for the Hawkesbury-Nepean in addition to the Macdonald River, Colo River, Webbs Creek and Greens Creek.
- Committee members discussed flood studies being undertaken of South Creek by neighbouring Councils. It was suggested that Hawkesbury City Council requests that Blacktown and Penrith City Councils provide details of any current studies.
- Officers advised Committee members that the appointment of consultants for these projects will commence in early 2020, and involve at least 12-18 months of work. Dependant on the level of survey required, the timeframe to complete the study could be between 18-24 months.

OFFICER'S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Wheeler, seconded by Mr Smith.

That the Floodplain Risk Management Advisory Committee:

1. Thanks and congratulates the staff on the successful grant applications.
2. Request that Hawkesbury City Council formally request Blacktown and Penrith City Councils provide details of any current flood studies of South Creek.
3. Engage in ongoing communication with other Councils in the Hawkesbury Nepean Valley with regard to Floodplain management.

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ITEM: 3 **FRMAC - Successful Grant Application Made Under the Joint Local Government NSW and Department of Planning Industry & Environment Grants Scheme for a Disaster and Emergency Dashboard - (86589, 124414)**

Previous Item: Item 3 – FRMAC (6 December 2018)

Directorate: City Planning

DISCUSSION:

- Officers highlighted that Council has been successful with a grant application for a Disaster and Emergency Dashboard, with the project to commence in early 2020.
- Officers advised that the Dashboard can be used as a single point of reference for people to go to for live updates, to better understand their risks and to assist with being prepared for emergencies.

OFFICER’S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

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

That the Floodplain Risk Management Advisory Committee:

1. Thanks and congratulates the staff on the successful grant application.
2. The information be received and noted.

ITEM: 4 **FRMAC - Adapt NSW - Making Climate Science Accessible - (86589, 124414)**

Directorate: City Planning

DISCUSSION:

- Officers provided an overview of the NSW Government’s Adapt NSW Program which provides information about climate change, the impacts of climate change, how to adapt to climate change and educational resources for schools.
- Committee members noted that Richmond is noted as a data source throughout the report but is not shown as a location on mapping associated with the report.

OFFICER’S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Reynolds, seconded by Ms Edds.

That the information be received and noted.

ORDINARY MEETING
SECTION 4 – Reports of Committees

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ITEM: 5 **FRMAC - Floodplain Management Australia - Quarterly Meeting on 21 November 2019 - (86589, 124414)**

Directorate: City Planning

DISCUSSION:

- Officers advised Committee members that the most recent Floodplain Management Australia Quarterly Meeting was held on 21 November 2019, with a Council representative in attendance. It was noted that the presentations from that meeting are not yet available, and as such were unable to be included as attachments to this report.
- Officers highlighted that Council has submitted an abstract to the next Floodplain Management Australia Conference being held in Toowoomba in May 2020, and that Council is waiting for advice on whether we have been selected to present.
- Committee members were pleased to hear the progress made on Council's behalf.
- The Chairperson requested further information regarding the subject: Murwillumbah Land Swap Provides a Flood Free Future for Industry. Officers noted that this can be included in a future Floodplain Risk Management Advisory Committee Meeting Agenda for discussion, accompanied by the presentations from the Floodplain Management Australia Quarterly Meeting, should they be available.

OFFICER'S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Smith, seconded by Ms Mackisack.

That the information be received and noted.

SECTION 5 - General Business

A. Inquiry into the Proposal to Raise the Warragamba Dam Wall on 25 November 2019

- Officers provided an overview of the first hearing of the Inquiry into the Proposal to Raise the Warragamba Dam Wall, advising that the focus of this hearing was to look into the flood risk assessment and proposed flood management of the Hawkesbury-Nepean Valley, and the nature and extent of the examination of alternative options for flood management.
- The Committee were advised that Council's Mayor and Manager Strategic Planning were in attendance at the Inquiry into the Proposal to Raise the Warragamba Dam Wall held on 25 November 2019. Committee members thanked Council's Manager Strategic Planning for his representation.
- Committee members queried why Council did not make a submission, stating that this was considered to be a lost opportunity to reach out to the press and the community on flood related issues such as power supplies.

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- The Chairperson stated that it is important from here to ensure further opportunities are not missed and also noted that the Inquiry will not be holding more hearings until after the release of the Environmental Impact Statement.

B. Preparedness for Flood Risk in the Hawkesbury-Nepean Valley

- Officers provided an overview of the various links prepared by Council and available on Council's website to assist the community in understanding flood risk and how to prepare for floods.
- The Chairperson noted that the Get Ready Street Connect program has been successful with another round of funding, and that North Richmond Public School is launching a video to raise awareness.

C. New Online Resource to Help School Children Understand Flooding Risks

- Officers advised Committee members that a new online resource to help school children understand flooding in the Hawkesbury-Nepean Valley has been launched at the University of Western Sydney.
- A concern was raised that the SES had recently informed all school principals in the Hawkesbury to carry out a risk assessment to evaluate children and animals. Further information will be sought in this respect.

ADDITIONAL GENERAL BUSINESS

D. The New Duplication Bridge in North Richmond

- Committee members discussed the RMS Richmond Bridge Duplication Project, stating that at the most recent stakeholder meeting; representatives from the SES and Transport NSW had indicated that the new bridge is not part of the flood strategy network or evacuation plan, with the height of the bridge to a 1:100 level not part of the consideration.
- Committee members noted the importance of constructing the new bridge at an appropriate height to support flood immunity for people living west of the river and business transactions between the west and the east of the river during moderate flooding and to carry services at a higher level across the Hawkesbury River.
 - It was noted that the Infrastructure Committee asked for a higher bridge and community representatives indicated that the perception is that Council is not vocal about higher flood immunity.

COMMITTEE RECOMMENDATION:

MOVED by Mr Smith seconded by Councillor Rasmussen.

That the Floodplain Risk Management Advisory Committee:

1. Recommends a higher flood immunity for the Richmond Bridge Duplication Project to ensure that the roads and access to the bridge be trafficable in a 1:100 level flood, and that Council lobby for the funding required to complete this.

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E. Power Supply and Closure of Bridges

- Committee members enquired whether there have been responses from Endeavour Energy and the RMS regarding the power supply west of the river and closures of Hawkesbury bridges in a flooding event.
- Officers advised that letters have been sent but no feedback has been received yet.

F. SES Communications with the Public

- Committee members stated that they had seen communications by the SES advising the public to stay west of the river in the event of a flood, although presentations by the SES to Council and the Committee have always indicated to evacuate from the west.
- It was suggested to follow this up with the SES to ensure all communications to the public are consistent.

COMMITTEE RECOMMENDATION:

MOVED by Mr Smith and seconded by Councillor Rasmussen.

That the Floodplain Risk Management Advisory Committee:

1. Request that Council send a letter to the SES seeking clarification on their communications with the community regarding evacuation west of the river in the event of flooding, including an impact statement for loss of power.

Follow Up Action List

- Committee members suggested that Officers create an action list including all matters requiring a follow up, to be included in future next Floodplain Risk Management Advisory Committee Meeting Agendas.

The meeting terminated at 5:30pm.

oooO END OF REPORT Oooo

ORDINARY MEETING

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SECTION 5 – Notices of Motion

Item: 046 **NM1 - Ferry Closure Information - (79351, 125612)**

Submitted by: Councillor Lyons - Buckett

NOTICE OF MOTION:

That Council:

1. Seek clarification from the RMS regarding their established procedure for issuing community information about ferry closures and reopening, and
2. Request the RMS;
 - a) Provide Council with all information related to the three ferries within the Hawkesbury LGA but operated by RMS, as soon as such information is available, and
 - b) Expand the level of detail of information issued about ferry closures to include relevant information about any repairs or clean ups required, and an approximate time of reopening, and
3. Include, in the upcoming review of emergency management plans, a component investigating the adequacy of guidelines of communication, of information from agencies (RMS, RFS, SES, Police, Council) to the public, about road, bridge and ferry closures.

BACKGROUND

During the recent fire and flood events a number of residents of the Wisemans Ferry area have had difficulty accessing up to date information on ferry closures and approximate reopening times. Whereas this information can be accessed via the LiveTraffic App, this simply states open or closed and gives no additional information, and is not always up to the minute information.

In comparison, public information regarding bridge closures at Windsor and North Richmond was available from the RMS, along with an indication of what maintenance and repair work was required, and an approximate timeline of when that would be done. This Information was passed onto other organisations such as Council, enabling them to put it out to the public.

Information about closures, and subsequent reopening is very important in allowing people to decide whether they will wait out the closure period, or make a longer trip to access the other side. For those in the Wisemans Ferry area the alternative trip involves going up to the central coast and back down towards Sydney, a long journey. With uncertainty about when the ferry might reopen it is hard to decide whether people need to undertake this lengthy journey or not.

Therefore a concise procedure of how information about ferry closures will be communicated is required. If repair work, or as in this latest flood event, clean up work on the ramp, is required, this should be relayed to the community so they can understand why a delay in reopening is occurring. It is acknowledged that Council was getting information out to the community about flood-related issues, but this information was not necessarily being received by Council about the ferries from the RMS, to enable it to be disseminated.

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FINANCIAL IMPACT

There are no financial implications applicable to this report.

NOTE BY MANAGEMENT

As both the operation of the three ferries (Sackville, Wisemans Ferry, Webbs Creek) and the Live Traffic communications site are managed by TfNSW, it is considered appropriate to seek the support of this agency to ensure up to date information is always available.

Noting that the communication of both programmed and unplanned outages can be difficult to communicate to the St Albans and Wisemans Ferry communities, particularly where journeys have commenced at St Albans or further north, TfNSW should explore a form of real time communication possibly using satellite telecommunication and warning or message signage. This could occur either through Live Traffic or directly from the ferry operation. Council can repost any Live Traffic alerts on its own media channels.

Subject to Council's determination Council staff can prepare a submission to TfNSW as outlined in the Notice of Motion.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 10 March 2020

Item: 047 **NM2 - Request for a report regarding Council's spending during the current term of Council - (79351, 138879)**

Submitted by: Councillor Richards

NOTICE OF MOTION:

That Council prepare a report for Council's consideration prior to the end of April 2020 providing further information regarding spending during the current term of Council specifically:

1. Details of all transfers to and from Council's contingency reserve during this term of Council;
2. The number of FTE staff employed and cost of those employees during each year of this term of Council;
3. The total cost of all external consultants used during each year of this term of Council;
4. A comparison of the total cost of legal advice incurred each year, and the total cost of legal advice provided for in the original budgets adopted by Council. The report to include case-by-case commentary for any variances;
5. Estimates of the total income to be generated through biodiversity offsets in the current financial year, an explanation of how this income will be generated, and why this wasn't included in the original budget adopted by Council;
6. Estimates of the total additional income to be generated through property management in the current financial year, an explanation of how this income will be generated, and why this wasn't included in the original budget adopted by Council.

BACKGROUND

At the Council meeting on 25 February 2020, Item 031 - December 2019 Quarterly Budget Review Statement was discussed.

The business paper referred to a "deficit" of \$60,000, however the Quarterly Budget Review Statement clearly showed a projected Operating deficit of \$8.7 million. As a result, I called for a more detailed report on this item, seeking answers to the above points. It was later disclosed that the "deficit" reported of \$60,000 was in fact only the net transfer to reserves.

At that time, Council voted not to proceed with requesting the above information to be provided in a report to Council.

It is my strongly held view that it is right and proper for this information to be provided to ratepayers and residents, not provided only to councillors in a closed meeting. The residents and ratepayers that we represent, whose money we are custodians of, have every right to expect transparency and accountability in all matters, especially the financial management of their council.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 10 March 2020

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Confidential Reports

Meeting Date: 10 March 2020

CONFIDENTIAL REPORTS

Item: 048 **SS - License Agreements - 1 Dight Street, Windsor - (126231, 138919, 136331, 133248, 136756, 136338, 95496, 112106) CONFIDENTIAL**

Previous Item: 022, Ordinary, (30 January 2018)
 026, Special, (18 February 2020)
 037, Ordinary, (25 February 2020)

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.

Council at its meeting on 18 February 2020, deferred this item to the next meeting of Council.

ORDINARY MEETING

Confidential Reports

Meeting Date: 10 March 2020

Item: 049 **SS - Acquisition of Crown Land under Council's Management by Roads and Maritime Services - Part of Lot 7008 in DP 1029964 (now Lot 71 in DP 1238663) and Lot 345 in DP 752061, Bridge Street, Windsor - (14893, 100920, 95496)**
CONFIDENTIAL

Previous Item: 32, Ordinary (23 February 2016)
 302, Ordinary (11 December 2018)
 210, Ordinary (12 November 2019)
 036, Ordinary (25 February 2020)

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)(g) of the Act as it relates to legal advice concerning ongoing Class 3 legal proceedings in the Land and Environment Court and the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 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.

Council at its meeting on 25 February 2020, deferred this item to the next meeting of Council.

ORDINARY MEETING

Confidential Reports

Meeting Date: 10 March 2020

Item: 050 **SS - Property Matter - Lease to Upper Hawkesbury Power Boat Club - Club House - Governor Phillip Park, Windsor - (95496, 73829, 112106)**
CONFIDENTIAL

Previous Item: Ordinary, (13 December 2011)

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: 10 March 2020

Item: 051 **SS - Lease to Blefari Holdings Pty Ltd - Shop 6, Glossodia Shopping Village - (126147, 95496, 112106) CONFIDENTIAL**

Previous Item: 165, Ordinary (12 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

Confidential Reports

Meeting Date: 10 March 2020

Item: 052 **IS - Tender No. T00056 - Maintenance and Repair of SCADA and PLC Communications System - (95495, 112179) CONFIDENTIAL**

Previous Item: 99, Ordinary (30 May 2017)

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)(d) of the Act as it relates to details concerning tenders for the supply of goods and/or services to Council and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret 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

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