



Ordinary Meeting

Date of meeting: 22 November 2022
Location: Council Chambers
Time: 6:30 p.m.

BUSINESS PAPER

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ORDINARY MEETING

Procedural Matters

Meeting Date: 22 November 2022

PROCEDURAL MATTERS

Welcome

The Mayor, Councillor Sarah McMahon 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.

Statement of Ethical Obligations

On 11 January 2022 in accordance with Section 233A of the Local Government Act 1993, Councillors took an oath or made an affirmation of office to undertake the duties of the office of Councillor in the best interests of the people of the Hawkesbury City Council Local Government Area and the Hawkesbury City Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in Councillors under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

Council's Code of Conduct requires Councillors to disclose and appropriately manage conflicts of interest.

Apologies and Leave of Absence or Attendance by Audio-Visual Link

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: 22 November 2022

ORDINARY MEETING

SECTION 1 - Confirmation of Minutes

Meeting Date: 22 November 2022

Ordinary

Section

1

Confirmation of minutes

ORDINARY MEETING

SECTION 1 - Confirmation of Minutes

Meeting Date: 22 November 2022

SECTION 1 - Confirmation of Minutes



Ordinary Meeting

Date of meeting: 15 November 2022
Location: Council Meeting
Time: 6:30 p.m.

MINUTES

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ORDINARY MEETING

Minutes: 15 November 2022

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 15 November 2022, commencing at 6:30pm.

Welcome

The Mayor, Councillor Sarah McMahon 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 Sarah McMahon, Mayor, Councillor Barry Calvert, Deputy Mayor and Councillors Patrick Conolly, Shane Djuric, Eddie Dogramaci, Amanda Kotlash, Mary Lyons-Buckett, Jill Reardon, Les Sheather, Paul Veigel, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager - Elizabeth Richardson, Acting Director City Planning - Meagan Ang, Director Corporate Services - Laurie Mifsud, Director Infrastructure Services - Will Barton, Manager Corporate Communications and Events - Suzanne Stuart, Chief Financial Officer - Vanessa Browning, Manager Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK

There were no apologies or leave of absences received from Councillors.

Councillor Conolly left at the meeting at 10:04pm.

DECLARATIONS OF INTEREST

Councillor Conolly declared an interest on Item 191.

Councillor McMahon declared an interest on Items 186 and 192.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

SECTION 1 - Confirmation of Minutes

223 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Conolly that the Minutes of the Ordinary held on the 25 October 2022, be confirmed.

ADJOURNMENT OF MEETING

The Mayor, Councillor McMahon adjourned the meeting at 9:17pm for a short break. The meeting resumed at 9:25pm.

ORDINARY MEETING

Minutes: 15 November 2022

LATE SUPPLEMENTARY REPORT

SECTION 2 – Mayoral Minutes

Item: 197 **MM - Immediate Flood Mitigation, Flood Recovery and Flood Resilience in the Hawkesbury - (138879)**

MOTION:

RESOLVED on the motion by the Mayor, Councillor McMahon.

Refer to RESOLUTION

224 RESOLUTION:

RESOLVED on the motion by the Mayor, Councillor McMahon.

That Council:

1. Write to the Premier of NSW, the Hon Dominic Perrottet MP, requesting his personal attendance at a meeting to be held in the Hawkesbury as soon as possible, to discuss Hawkesbury City Council's requests for immediate flood mitigation, flood recovery and flood resilience.
2. Invite the State Member for Hawkesbury, Robyn Preston MP, to this meeting.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

SECTION 3 – Reports for Determination

GENERAL MANAGER

Item: 181 **GM - Ordinary Council Meetings 2023 - (79351)**

Previous Item: 066, Ordinary (29 March 2022)

Directorate: General Manager

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

That:

1. Council set dates for the holding of Ordinary Meetings of Council for 2023, as contained in Attachment 1 to this report.
2. The set ordinary meetings for 2023 commence at 6:30pm and take place in the Council Chambers, or by audio-visual link in accordance with Council's Code of Meeting Practice.

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

That:

1. Council set dates for the holding of Ordinary Meetings of Council for 2023, on the second and fourth Tuesday of each month excluding school and public holidays.
2. The set ordinary meetings for 2023 commence at 6:30pm and take place in the Council Chambers, or by audio-visual link in accordance with Council's Code of Meeting Practice.

For the Amendment: Councillors Djuric, Dogramaci, Lyons-Buckett, Sheather, Wheeler and Zamprogno.

Against the Amendment: Councillors McMahon, Calvert, Conolly, Kotlash, Reardon and Veigel.

Absent: Nil.

The Amendment was lost on the casting vote of the Mayor, Councillor McMahon.

ORDINARY MEETING

Minutes: 15 November 2022

MOTION:

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

Refer to RESOLUTION

225 RESOLUTION:

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

That:

1. Council set dates for the holding of Ordinary Meetings of Council for 2023, as contained in Attachment 1 to this report.
2. The set ordinary meetings for 2023 commence at 6:30pm and take place in the Council Chambers, or by audio-visual link in accordance with Council's Code of Meeting Practice.

For the Motion: Councillors McMahon, Calvert, Conolly, Kotlash, Reardon, Sheather and Veigel.

Against the Motion: Councillors Djuric, Dogramaci, Lyons-Buckett, Wheeler and Zamprogno.

Absent: Nil.

ORDINARY MEETING**Minutes: 15 November 2022****Item: 182** **GM - 2022/2023 Event Sponsorship Program - (79351)****Directorate:** General Manager**MOTION:**

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Calvert.

Refer to RESOLUTION**226 RESOLUTION:**

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Calvert.

That Council:

1. Under Round 1 of the 2022/2023 Event Sponsorship Program, agree to support the following organisations for events at the following level:

Event Name	Name of Organisation	Recommended amount (\$ and inclusions (Ex GST)
Carols in the Richmond Park	Richmond Rotary Club	\$3,500
Christmas in the Park	Bowen Mountain Park Management Committee	\$3,000
Light Up Windsor	Windsor Business Group	\$3,500
Hanna Park Carols	Hawkesbury Valley Baptist Church	\$3,000
Kurrajong Sparkle Twilight	Kurrajong Community Forum	\$3,000
Hawkesbury Show	Hawkesbury District Agricultural Association	\$3,500
Woodwork and Craft Show	Hawkesbury Woodcraft Co-Op	\$2,730
Collectors' Plant Fair	Collectors' Plant Fair Sydney	\$4,000
Convict 100 (Mt. Bike 100)	Max Adventure Pty Ltd	\$4,500
Lynwood Christmas Spectacular	Lynwood Country Club	\$4,000
St Albans Village Market	St Albans Village Market	\$4,500
The Hawkesbury and Beyond Tourism and Agriculture Conference plus Agriculture Expo	Prismatic Group Pty Ltd	\$4,000
Richmond Good Food Markets	Richmond Good Food Markets	\$4,000
	TOTAL:	\$47,230

2. Approve the execution of Council's standard Sponsorship Agreement for the applications numbered 2 to 8,10 to 11,13 to 15 and 18 as identified in Table 1 and Attachment 1 of this report.

ORDINARY MEETING

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3. Advise applicants numbered 1, 9, 12, 16, 17, 19 and 20 as identified in Table 1 and Attachment 1 of this report that their applications were not successful in accordance with the Event Sponsorship Assessment Criteria Matrix.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

CITY PLANNING

Item: 183 **CP - 2022/2023 Community Sponsorship Program - Round 1 - (95498, 96328)**

Previous Item: 11, Ordinary (25 January 2021)

Directorate: City Planning

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Calvert.

Refer to RESOLUTION

227 RESOLUTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Calvert.

That Council:

1. Approve payments for Section 356 Financial Assistance to the individual and organisations listed in this report and at the level recommended in the tables in the report.
2. Approve execution of Council's standard Sponsorship Agreement for those applications where the approved level of funding is over \$500.
3. Advise Applicants 7 and 9 that their applications were not successful in accordance with Community Sponsorship Program assessment criteria.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

CORPORATE SERVICES

Item: 184 **CS - September 2022 Quarterly Budget Review Statement - (95496, 96332)**

Previous Item: 101, Ordinary (14 June 2022)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

228 RESOLUTION:

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

That Council receive the information contained in this report regarding the September 2022 Quarterly Budget Review, and that the Budget adjustments, as summarised in the report and detailed in Attachment 1 to the report, be adopted.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Councillor Dogramaci.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

Item: 185 **CS - Investment Report - September 2022 - (95496)**

Previous Item: 129, Ordinary (19 July 2022)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

229 RESOLUTION:

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

That the Monthly Investment Report for September 2022 be received and noted.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

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Item: 186 **CS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

Directorate: Corporate Services

Councillor McMahon declared a less than significant non-pecuniary conflict of interest in this matter as it concerns her Pecuniary Interest Return and as there is no pecuniary interest, no further action is required.

MOTION:

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

Refer to RESOLUTION

230 RESOLUTION:

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

That:

1. Clause 4.21(c) Pecuniary Interest Return be received and noted.
2. Pecuniary Interest Returns be placed on Council's website by 31 December 2022.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Councillor Dogramaci.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

Item: 187 **CS - Draft Naming of Roads and Places Policy - (95496)**

Previous Item: 144, Extraordinary Meeting (13 June 2018)
 128, Ordinary Meeting (19 July 2022)

Directorate: Corporate Services

A MOTION was moved by Councillor Wheeler, seconded by Councillor Lyons-Buckett.

That:

1. The Draft Naming of Roads and Places Policy, attached as Attachment 1 to this report, be placed on public exhibition for a period of 28 days with the following amendments:
 - Part 2, second paragraph, replace "First Nations" with "All" at the start of the paragraph.
 - Part 5.2, fourth paragraph, replace "First Nations" with "All" at the start of the paragraph
 - Part 5.3.1, second dot point, remove "have"
 - Part 6, third paragraph, delete "as part of the usual consultation process" and replace with "using an active consultation process".
2. At the expiration of the public notification exhibition process outlined in Part 1 above, the following action be taken:
 - a) Should any submissions be received regarding the Naming of Roads and Places Policy, a further report be submitted to Council, or
 - b) Should no submissions be received, Council adopt the Naming of Roads and Places Policy, as attached as Attachment 1 to this report.
3. The Policy be updated following the adoption of the Reconciliation Action Plan.

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

That:

1. The Draft Naming of Roads and Places Policy, attached as Attachment 1 to this report, be placed on public exhibition for a period of 28 days.
2. Following the public exhibition period a further report be submitted to Council.

Councillor Conolly withdrew the amendment.

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

That this matter be deferred to the next Council Meeting on 22 November 2022.

For the Amendment: Councillors McMahon, Calvert, Conolly, Kotlash, Reardon, Sheather, Veigel and Zamprogno.

Against the Amendment: Councillors Djuric, Dogramaci, Lyons-Bucket and Wheeler.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

MOTION:

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

Refer to RESOLUTION

231 RESOLUTION:

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

That this matter be deferred to the next Council Meeting on 22 November 2022.

For the Motion: Councillors McMahon, Calvert, Conolly, Kotlash, Reardon, Sheather, Veigel and Zamprogno.

Against the Motion: Councillors Djuric, Dogramaci, Lyons-Bucket and Wheeler.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

SECTION 4 – Reports of Committees

Item: 188 **ROC - Disaster and Emergency Committee - 27 September 2022 - (95495)**

Directorate: Infrastructure Services

MOTION:

RESOLVED on the motion of Councillor Sheather, seconded by Councillor Reardon.

Refer to RESOLUTION

232 RESOLUTION:

RESOLVED on the motion of Councillor Sheather, seconded by Councillor Reardon.

That in relation to the Minutes of the Disaster and Emergency Committee Meeting held on the 27 September 2022:

1. Council receive and note the Disaster and Emergency Committee in respect to items 002 and 004.
2. Council endorse the Committee Recommendations in respect of Item number 001, namely, that Council:
 - a) Provides feedback to the Bushfire Management Committee in respect of any fire trails that it is aware of, that require upgrades, and
 - b) Suggest to the Rural Fire Service that they carry out community engagement at Bilpin in regard to the Grose Valley Wollemi Mitigation Scheme and appraise the community of their responsibilities.
3. Council endorse the Committee Recommendation in respect of Item number 003, namely:
 - a) That Council invites Endeavour Energy to provide an updated presentation to a briefing of Council, regarding Electricity Infrastructure for the Hawkesbury.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprognó.

Against the Motion: Councillor Dogramaci.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

Item: 189 **ROC - Audit, Risk and Improvement Committee - 21 October 2022 - (158054, 95496)**

Directorate: Corporate Services

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Calvert.

Refer to RESOLUTION

233 RESOLUTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Calvert.

That Council receive and note the Minutes of the Audit, Risk and Improvement Committee Meeting held on the 21 October 2022.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

SECTION 5 – Notices of Motion

Item: 190 **NM1 - Operating Guidelines for Council's Advisory Committees - (80093, 79351)**

A MOTION was moved by Councillor Calvert, seconded by Councillor Kotlash.

That:

1. A document called "Operating Guidelines for Council's Advisory Committees" be developed by Council Staff based on the information included in the Notice of Motion with an amendment to the last paragraph on page 79 of the business paper to say:

"The express intention, therefore, was for existing committee members to participate within the new structure so that their experience and expertise would be retained."

2. The document be presented to Council as soon as possible.

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

That Councillors hold a Councillor only Workshop on Tuesday, 29 November 2022 to review the operation of Council Committees so that all Councillors can have input into how committee guidelines should be developed.

For the Amendment: Councillors McMahon, Conolly, Djuric, Lyons-Buckett, Reardon, Veigel, Wheeler and Zamprogno.

Against the Amendment: Councillor Calvert, Dogramaci, Kotlash and Sheather.

Absent: Nil.

MOTION:

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

Refer to RESOLUTION

234 RESOLUTION:

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

That Councillors hold a Councillor only Workshop on Tuesday, 29 November 2022 to review the operation of Council Committees so that all Councillors can have input into how committee guidelines should be developed.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

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Item: 191 NM2 - Safety - March and Chapel Streets, Richmond - (138882, 79351)

Councillor Conolly declared a pecuniary interest in this matter as the discussion is about access to locations potentially in the vicinity of his home. He left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

235 RESOLUTION:

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

That Council:

1. Note that residents of Uniting Hawkesbury Retirement Village, Richmond, have expressed serious concerns to both Council and Transport for NSW about the lack of safe crossing options on March Street, Richmond and safety concerns for drivers exiting Chapel Street onto March Street in both directions.
2. Requests the Member for Hawkesbury, The Hon Robyn Preston and relevant ministers and shadow ministers, provide a solution that improves resident safety and the walkability of this precinct.
3. Ensures relevant Council planning documents require safe crossings of major roads within comfortable walking distance for ageing residents for any proposed retirement or care facility approvals.
4. Investigates alternate opportunities to improve safe egress and access for residents of Uniting Hawkesbury Retirement Village, Richmond.
5. Be provided with a further report on this matter.

For the Motion: Councillors McMahon, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Conolly.

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CONFIDENTIAL REPORTS

236 RESOLUTION:

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

That:

1. The Council meeting be closed to deal with confidential matters and in accordance with Section 10A of the Local Government Act, 1993, members of the Press and the public be excluded from the Council Chambers during consideration of the following items:

Item: 192 GM - 2023 Australia Day Award - (79351)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 as it relates to personnel matters concerning particular individuals (other than councillors).*

Item: 193 CS - Lease to Andrew Wade and Renata Friesendorff - Shop 2, Glossodia Shopping Village, 160-164 Golden Valley Drive, Glossodia - (129953, 18223, 112106, 95496)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 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.*

Item: 194 CS - Lease to Kolink Pty Ltd - 20 Bosworth Street, Richmond - (112106, 95496, 144771)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 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.*

Item: 195 CS - Lease to Pitt Town Pizza Pty Ltd - Shop 8, Wilberforce Shopping Centre, 15 King Road, Wilberforce - (125631, 95496, 112106)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 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.*

Item: 196 CS - Creation of Stormwater Drainage Easement - 114 March Street, Richmond - (112106, 95496, 25587)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the purchase of an easement over property owned by the Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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2. 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 these matters be withheld from the Press and public.

237 RESOLUTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Conolly that open meeting be resumed.

Item: 192 **GM - 2023 Australia Day Award - (79351)**

Directorate: General Manager

Councillor McMahon declared a less than significant non-pecuniary conflict of interest in this matter as she has an interest with a nomination and no further action is required.

MOTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Reardon, seconded by Councillor Calvert.

Refer to RESOLUTION

238 RESOLUTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Reardon, seconded by Councillor Calvert.

That Council:

1. Adopt the confidential recommendation developed in closed session of Council in regard to the recipients of the 2023 Australia Day Awards.
2. Adopt the following Hawkesbury Australia Day Award categories for 2024:
 - Citizen of the Year
 - Young Citizen of the Year
 - Local Hero Award
 - Environmental Award
 - Arts and Cultural Award
 - Sportsperson of the Year
 - Commemorative Plaque
 - Community Organisation of the Year.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

Item: 193 **CS - Lease to Andrew Wade and Renata Friesendorff - Shop 2, Glossodia Shopping Village, 160-164 Golden Valley Drive, Glossodia - (129953, 18223, 112106, 95496)**

Previous Item: 63, Ordinary (25 March 2014)

Directorate: Corporate Services

MOTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Conolly.

Refer to RESOLUTION

239 RESOLUTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Conolly.

That:

1. Council agree to enter into a new lease with Andrew Wade and Renata Friesendorff, in regard to Shop 2, Glossodia Shopping Village, 160-164 Golden Valley Drive, Glossodia, in accordance with the proposal outlined in the report.
2. Authority be given for the lease and any other necessary documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessees, together with the advice that Council is not, and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

Item: 194 **CS - Lease to Kolink Pty Ltd - 20 Bosworth Street, Richmond - (112106, 95496, 144771)**

Directorate: Corporate Services

MOTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Kotlash.

Refer to RESOLUTION

240 RESOLUTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Kotlash.

That:

1. Council agree to enter into a new lease with Kolink Pty Ltd, in regard to 20 Bosworth Street, Richmond in accordance with the proposal outlined in the report.
2. Authority be given for any necessary documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee, together with the advice that Council is not, and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

Item: 195 **CS - Lease to Pitt Town Pizza Pty Ltd - Shop 8, Wilberforce Shopping Centre, 15 King Road, Wilberforce - (125631, 95496, 112106)**

Previous Item: 279, Ordinary (13 November 2018)

Directorate: Corporate Services

MOTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Veigel, seconded by Councillor Reardon.

Refer to RESOLUTION

241 RESOLUTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Veigel, seconded by Councillor Reardon.

That:

1. Council agree to enter into a new lease with Pitt Town Pizza Pty Ltd, in regard to Shop 8, Wilberforce Shopping Centre, 15 King Road, Wilberforce, in accordance with the proposal outlined in the report.
2. Authority be given for the lease and any other necessary documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee, together with the advice that Council is not, and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 15 November 2022

Item: 196 **CS - Creation of Stormwater Drainage Easement - 114 March Street, Richmond - (112106, 95496, 25587)**

Directorate: Corporate Services

MOTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Veigel, seconded by Councillor Reardon.

Refer to RESOLUTION

242 RESOLUTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Veigel, seconded by Councillor Reardon.

That:

1. Council approve the extension of a drainage easement area, in the order of 6.25m² within 114 March Street, Richmond (Lot 6 DP 560899) as shown in Attachment 1 to this report, and compensation in the amount detailed in this report be accepted by Council.
2. Authority be given for any documentation in association with this matter to be executed under the seal of Council.
3. Details of the resolution be conveyed to the applicant together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate documentation to put such resolution into effect has been agreed to and executed by all parties.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

The meeting terminated at 10:09pm.

Submitted to and confirmed at the Ordinary meeting held on 22 November 2022.

.....
Mayor

Ordinary

Section **2**

Mayoral minutes

ORDINARY MEETING

SECTION 2 – Mayoral Minute

Meeting Date: 22 November 2022

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: 22 November 2022

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 198 **CP - Hawkesbury Development Control Plan - (95498, 124414)**

Previous Item: 226, Ordinary (23 November 2021)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to report the outcome of public exhibition of the first stage of the new Hawkesbury Development Control Plan.

EXECUTIVE SUMMARY:

The preparation of a new Hawkesbury Development Control Plan has been considered as essential, particularly given that the current Hawkesbury Development Control Plan 2002 is 20 years old and no major review or amendment has been undertaken to ensure that the Development Control Plan is consistent with the Hawkesbury Local Environmental Plan. It was essential that the Development Control Plan was reviewed and brought to a level which ensures its consistency and that it includes contemporary development controls.

RECOMMENDATION:

That Council adopt the draft chapters included as part of stage 1 of the new Hawkesbury Development Control Plan included as Attachment 1 to this report, and where referenced in these chapters the Western Sydney Engineering Design Manual attached as Attachment 2 to this report.

BACKGROUND

The Hawkesbury Development Control Plan 2002 is 20 years old and no major review or significant amendment has been undertaken since its adoption. To ensure that the Development Control Plan is consistent with the Hawkesbury Local Environmental Plan, it is essential that the Development Control Plan is reviewed and brought to a level which will ensure consistency with planning instruments and that it will include contemporary development controls and standards.

The proposed amendments to the Draft Hawkesbury Development Control Plan are based on engagement with stakeholders including Councillors, the LEP-DCP Reference Group (which includes various professionals within the development sector) and feedback from the Department of Planning and Environment.

The objectives of the new Development Control Plan are:

- a) To provide a comprehensive document that contains detailed performance criteria and acceptable solutions for development which meets community expectations and addresses the key environmental planning issues of the Hawkesbury Local Government Area
- b) To promote economically, socially and environmentally sustainable development within the Hawkesbury Local Government Area

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- c) To enable aesthetically pleasing, well designed and functional development that sympathetically relates to adjoining and nearby development
- d) To maintain and enhance the environmental and cultural heritage of the Hawkesbury Local Government Area
- e) To ensure that development will respond to its context and not detrimentally affect the surrounding development
- f) To promote the Ecologically Sustainable Development principles including water sensitive urban design, climate responsive building design, energy efficiency, sustainable transport and selection/use of recycled materials.

The Development Control Plan is to be read in conjunction with Hawkesbury Local Environmental Plan. In the event of an inconsistency between the provisions of the two documents, the provisions of Hawkesbury Local Environmental Plan 2012 will prevail to the extent of the inconsistency.

The Development Control Plan must also be read in conjunction with the Related Documents of the Development Control Plan (save for any requirements specifically varied by the Development Control Plan), including the Western Sydney Engineering Design Manual and Council's Construction Specifications.

Pursuant to Section 3.43(4) of Environmental Planning and Assessment Act, when adopted, the new Hawkesbury Development Control Plan will revoke the relevant chapters of Hawkesbury Development Control Plan 2002 which covered land for which this development control plan now applies.

Structure of new Development Control Plan

The new Development Control Plan will be structured into 6 parts (A – F) containing performance criteria and acceptable solutions, and includes site specific controls for a number of geographic areas. In the event of an inconsistency between a site specific control in Part D, and the performance criteria and acceptable solutions in Parts B and C of the Development Control Plan, the site specific controls in Part D prevail.

Part	Summary
A - Introduction	Sets out the aims and objectives of the Development Control Plan, identifies the land to which the Development Control Plan applies, explains the structure of the document and the relationship of the Development Control Plan to other planning documents.
B - General requirements for all development	Sets out the performance criteria and acceptable solutions that apply to all development types in the Hawkesbury Local Government Area.
C - Specific land use requirements	Provides performance criteria and acceptable solutions to guide the development of a wide range of uses including residential, commercial/retail, industrial, rural, tourism, infrastructure and subdivision.

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Part	Summary
D - Site specific requirements	Provides specific controls which apply to a specific geographic area.
E - Appendix - Glossary	Explains/defines the terms used in the Development Control Plan.
F - Related documents	Documents that contain supplementary technical and other requirements which also need to be complied with unless otherwise stated in the main body of the Development Control Plan e.g. Western Sydney Engineering Design Manual.

Each part is subdivided into sections and subsections. Generally the sections are broken down into:

- Preamble - introductory statement about the section
- Other relevant sections - reference to related sections of the Development Control Plan
- Objectives - represent the broad outcomes that are to be achieved by the development
- Development outcomes - stated as performance criteria and acceptable solutions
- The performance criteria provide the benchmarks which a development will be assessed against
- The acceptable solutions provide a means by which the intended outcomes can be achieved. By complying with the acceptable solutions it would be expected that any proposed development will be consistent with the performance criteria and the objectives for that type of development.

In terms of stage 1 of the new Hawkesbury Development Control Plan, the following chapters have been included:

- Preliminary
- Site Analysis
- Heritage
- Effluent Disposal
- Traffic, Access, Street Design and Parking
- Related Documents, including Engineering Specifications and Standards (Western Sydney Engineering Design Manual attached as Attachment 2 to this report).

Location Plan

The Development Control Plan will apply to all land within the Hawkesbury Local Government Area and zoned under Hawkesbury Local Environmental Plan 2012. The Development Control Plan does not apply to land zoned under State Environmental Planning Policy (Sydney Region Growth Centres) 2006, unless referred to within the respective Development Control Plans. This exclusion currently covers Stage 1 of the Vineyard Precinct.

Relevant Legislation

Environmental Planning and Assessment Act 1979.

COMMUNITY ENGAGEMENT

Stage 1 of the draft Hawkesbury Development Control Plan has been prepared based on engagement with a number of stakeholders including Councillors, and the LEP-DCP Reference Group which includes various professionals within the development sector. In order to ensure a clear, concise and contemporary

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standard Development Control Plan was prepared, it was considered essential that a Reference Group was formed of the end users of the Development Control Plan. These professionals have used the Hawkesbury Local Environmental Plan and Development Control Plan through previous projects, and have proved to be an invaluable resource by identifying with evidence what planning controls have worked well and what needs to be rectified in order to ensure good land use planning outcomes for the community.

Additionally, feedback received from the community through various sources including broader, Council led engagement and as a consequence of individual development applications has also been included as part of preparation of the new Development Control Plan. Feedback from internal Council Officers has also been incorporated as part of the review of development controls, as has feedback from various planning panels when dealing with application matters.

Stage 1 of the draft Hawkesbury Development Control Plan was publicly exhibited in accordance with the Hawkesbury Community Participation Plan 2019, the outcomes of which do not necessitate the need for further changes to the draft. The issues raised in submissions relate to other chapters that are currently being prepared, and the issues raised are being considered as part of the drafting of those further chapters.

During the public exhibition there were a total of three submissions received which raised a number of technical matters and questions relating to the Construction Specifications. Additionally, submissions raised issues that are relevant to future new chapters of the Development Control Plan ie. Agritourism provisions. In that respect Council is awaiting for the release by the Department of Planning and Environment of model Development Control Plan provisions relating to Agritourism. On receipt of these model provisions, Council will be able to consider the inclusion of a Development Control Plan chapter relating to Agritourism.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Great Place to Live

- 1.5 Provide the right places and spaces to serve our community.
- 1.7 Encourage broad and rich celebration of our local culture and significant heritage.

Protected Environment and Valued History

- 2.1 Value, protect and enhance our historic built environment as well as our relationship to Aboriginal and non-Aboriginal history.
- 2.2 Value, protect and enhance our natural land-based environment with an emphasis on using local resources and key partnerships.
- 2.5 Value, protect and enhance our waterways and wetlands with an emphasis on using local resources and key partnerships.

Strong Economy

- 3.2 Increase the range of local industry opportunities and provide effective support to continued growth.
- 3.3 Promote our community as the place to visit, work and invest.
- 3.4 Support the revitalisation of our town centres and growth of our business community.

Reliable Council

- 4.7 Encourage informed planning, balanced growth and community engagement.

FINANCIAL IMPACT

There are no financial implications associated with this report, other than staff resources applicable to preparing this report.

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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** Draft Hawkesbury Development Control Plan (Stage 1 Chapters) - (*Distributed under separate cover*).
- AT - 2** Western Sydney Engineering Design Manual - (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

Item: 199 **CP - Review of Hawkesbury Local Environment Plan 2012 - (95498, 124414)**

Previous Item: 146, Ordinary (11 August 2020)
 204 Ordinary (13 October 2020)
 225, Ordinary (23 November 2021)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to outline the review and update of the Hawkesbury Local Environmental Plan 2012 (Hawkesbury LEP 2012) that has been undertaken as part of the NSW Government's Local Environmental Plan (LEP) Roadmap process. The report recommends that Council submit a Planning Proposal in response to the review to undertake amendments to the Hawkesbury LEP 2012, including amendments to the land use maps amendments and inclusion of the provisions of the Standard Instrument. The amendments proposed in this report will align the Hawkesbury LEP 2012 with the planning priorities as detailed in the Greater Sydney Region Plan, Western City District Plan and Council's Local Strategic Plans.

EXECUTIVE SUMMARY:

Council has undertaken a review and update of the Hawkesbury LEP 2012 as part of the NSW Government's LEP Roadmap process. Council is now at the last phase of the LEP Roadmap process, where a Planning Proposal must be prepared to amend the Hawkesbury LEP 2012 in order to ensure that it is consistent with the NSW Planning Framework, and to align with local strategic plans, specifically the Hawkesbury Local Strategic Planning Statement 2040.

Council was not considered by the NSW Government to be one of the fast-tracked councils to undertake the work associated with the review of the LEP, and as such did not receive the \$2.5M funding provided to other metropolitan Sydney councils to undertake this LEP Review work. As such, the review of the LEP and the development of this Planning Proposal has been undertaken in-house by Council staff.

RECOMMENDATION:

That Council:

1. Endorse the preparation of the Planning Proposal included as Attachment 2 of the report to amend the Hawkesbury Local Environment Plan 2012 and commence the Local Environmental Plan Amendment process.
 2. Seek advice from the Hawkesbury Local Planning Panel on the Planning Proposal as required by the Environmental Planning and Assessment Act and Regulation.
 3. Subject to the advice provided by the Hawkesbury Local Planning Panel, submit the Planning Proposal to the Department of Planning and Environment, requesting a Gateway Determination.
-

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BACKGROUND

The Hawkesbury Local Environmental Plan 2012 is Council's principle planning instrument. There are a number of state, regional and local strategies that have been developed since the adoption of the LEP 2012 that influence land use planning decisions, including:

- A Metropolis of Three Cities – the Greater Sydney Region Plan;
- Western City District Plan;
- Hawkesbury Local Strategic Planning Statement;
- Hawkesbury Local Housing Strategy;
- Hawkesbury Employment Lands Strategy, and;
- Hawkesbury Rural Lands Strategy.

Council has previously considered amendments to the LEP 2012;

- At its meeting 23 November 2021;
- At a meeting between Councillors and the LEP-DCP Reference Group (including professionals from within the development sector) 12 April 2022, and;
- Following informal feedback received from the Department of Planning and Environment.

The proposed amendments contained in this report reflect the outcomes of this stakeholder engagement, and further planning framework review.

PLANNING CONTEXT

The Planning Proposal to amend the LEP will enable Council to give effect to the priorities, objectives and actions of the Regional, District and Local Plans and Strategies as outlined below:

Metropolis of Three Cities (Greater Sydney Region Plan):

The Greater Sydney Region Plan is a 40-year vision of the three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. The vision brings new thinking to land use and transport patterns to boost Greater Sydney's liveability, productivity, and sustainability by spreading the benefits of growth.

The Western City District Plan:

The Western City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. The Western City District Plan collectively classes Windsor and Richmond as a strategic centre, recognising its expanded role as a hub for retail and commercial services including the health, defence and education precinct.

The District Plan has set a dwelling target of 1,150 for the first 5 years and the remaining targets to be achieved by 2036. Hawkesbury has the capacity to meet its housing targets for the first five years and beyond through the Greenfield release areas including Vineyard Precinct Stage 1, Redbank, and Jacaranda. Housing opportunities beyond 2031 may be realised through the consideration of densities within existing town centres.

Council has to facilitate an increase of 37.6% of employment opportunities to meet its employment target within Richmond and Windsor. In order to meet this increase, Council will need to increase its non-residential gross floor area by an additional 20%, which is achievable through expanding the employment lands in the amended LEP.

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Hawkesbury Local Strategic Planning Statement 2040:

The Hawkesbury Local Strategic Planning Statement (LSPS) 2040 is a 20-year land use vision for Council that provides a line-of-sight between the State, District and Local Level (Community Strategic Plan 2017-2036) Planning Framework.

The Hawkesbury Local Strategic Planning Statement 2040 is based on the 10 Directions and four themes identified through the Sydney Region Plan and the Western City District Plan. The four themes being:

- Infrastructure and Collaboration
- Liveability
- Productivity
- Sustainability.

The Hawkesbury LEP 2012 review and update is a means of implementing the actions of the Hawkesbury Local Strategic Planning Statement 2040.

Hawkesbury Local Housing Strategy:

The aim of the Hawkesbury Local Housing Strategy is to set a clear plan for housing in the Local Government Area for the next 10 and 20 years. The Hawkesbury Local Housing Strategy aligns the anticipated housing growth with supporting and necessary infrastructure and social services such as educational facilities, health facilities, open spaces and public transport.

The Hawkesbury Local Housing Strategy recognises the background, constraints and opportunities, heritage values, rural character, flood impacts and heritage of the Hawkesbury Local Government Area, and incorporates the community's vision and aspirations for the future development of land use in the Local Government Area. The Hawkesbury LEP 2012 review and update has been undertaken with consideration to the constraints and opportunities as highlighted in the Hawkesbury Local Housing Strategy.

Hawkesbury Employment Lands Strategy:

The Hawkesbury Employment Lands Strategy outlines the role that Council will play in driving economic growth in the Hawkesbury. It also provides an opportunity to bridge any gaps and aligns with the NSW Planning Framework, including the Sydney Region Plan - 'A Metropolis of Three Cities' and the 'Western City District Plan', and enables Council to deliver these objectives and actions at a local level.

Key Recommendations of the Hawkesbury Employment Lands Strategy include:

- **Agribusiness:** working with stakeholders in Clarendon to progress the agricultural strength of the local government area and developing new research, development, employment and career pathways for local residents and students, particularly in relation to sustainable fresh produce processing. The Hawkesbury Rural Lands Strategy provides further detail with respect to the wider local government area opportunities associated with agribusiness.
- **Supermarket, hospitality, and bulky good floor space:** as population projections and retail spending analysis indicates these types of commodity goods will be in the most demand in the future.
- **Small scale healthcare providers:** to support the local population as it ages.
- **Small scale commercial services:** such as local accounting and law firms, that provide a 'population serving commercial role' in centres.
- **Light industry and urban services:** given the wealth of industrial lands in the local government area the focus should be towards developing a diversity of lots and attracting smaller operators in order to be in a position to address the competition from other industrial lands in Western Sydney that are better connected.

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- Tourism: given the existing strategic intent in planning documents to grow this industry and the wealth of assets (nature/fresh produce/heritage) that already exist in the local government area.

The Hawkesbury LEP 2012 review and specific changes to the zones and associated land use table are consistent with the recommendations of the Hawkesbury Employment Lands Strategy.

Hawkesbury Rural Lands Strategy:

The Hawkesbury Rural Lands Strategy provides an opportunity to bridge gaps and enables an alignment of the Hawkesbury LEP 2012 with the NSW Planning Framework, including the Greater Sydney Region Plan - A Metropolis of Three Cities, and the Western City District Plan.

Key focus areas of the Hawkesbury Rural Lands Strategy include:

- Growth Management
- Rural Lands Preservation
- Economic Development
- Land Use Planning.

The Hawkesbury LEP 2012 review and specific changes to the zones and associated changes to the Development Control Plan will support Council to deliver the recommendations from the key focus areas within the Hawkesbury Rural Lands Strategy.

The specific amendments that are included in the Draft Planning Proposal are as follows:

- 3.1 Amendment of existing zone objectives of certain zones
- 3.2 Amendment of Land Use Table to allow and remove certain uses from each zone
- 3.2 (a) Sex Services
- 3.2 (b) Seniors Housing
- 3.2 (c) and (e) Secondary Dwellings (Urban and Rural)
- 3.2 (d) Artisan Food and Drink Premises
- 3.2 (f) Dual Occupancy (Attached & Detached)
- 3.3 Introduce Design Excellence Clause
- 3.4 Introduce B3 Commercial Core zone
- 3.5 Correcting spot zone anomalies within Richmond Town Centre
- 3.6 Rezoning certain land in Glossodia to R5
- 3.7 Rezoning of Richmond Lowlands to RU1
- 3.8 Rezoning land in Windsor Station Precinct to B1 Neighbourhood Centre
- 3.9 Rezoning land adjacent to the Mulgrave Precinct
- 3.10 Correcting zoning anomalies within open spaces
- 3.11 10 Bridge Street, Windsor – removal of land acquisition
- 3.12 Correction of Height of Buildings Map anomaly of South Windsor Town Centre
- 3.13 Minimum Lot Size provisions for larger RU1 and RU2 lots
- 3.14 Introduce Floor Space Ratio (FSR) provisions for R3, B1, B2, B3, IN1 and IN2 zones
- 3.15 Adjust Heights of Buildings for B2 and B3 zones
- 3.16 Amend Clause 4.1 Minimum Subdivision Lot Size and 4.1C Exceptions to Minimum Subdivision for rural and large lot residential zones
- 3.17 Introduce Architectural Roof Features Clause 5.6 provisions
- 3.18 Reclassification of land 1913 and 1905 Bells Line of Road.

These amendments will align Council's principle planning instrument in accordance with the planning priorities in these Regional, District and Local Plans and Strategies.

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The amendments are further detailed below. It should be noted that '**RECOMMENDATION: Unchanged - Retain in Planning Proposal**' indicates that there has been no change to the proposed LEP 2012 amendment that was previously considered by Council at its Meeting on 23 November 2021.

LEP 2012 Proposed Amendments

3.1 Amendment of existing zone objectives of certain zones:

A review of the zone objectives within the LEP 2012 has been undertaken to

- Provide clear guidelines for the intent of each zone;
- Align the LEP 2012 with the Greater Sydney Region Plan and Western City District Plan; and,
- Meet zone requirements in accordance with the Employment Zones Reforms.

It is noted that amendments to a number of these various zones will be required as a consequence of the Employment Zones Reforms which are set to commence in the near future.

RECOMMENDATION: Retain in Planning Proposal with amendments to reflect new Employment Zones Reforms ie. Business (B) and Industrial (I) Zones becoming E Zones and new use.

3.2 Amendment of Land Use Table to allow and remove certain uses from each zone:

A review of the whole of Land Use Table identified that the Table should be amended to:

- Permit and prohibit uses
- Structure the Land Use Table to provide flexibility of uses, especially, new and innovative uses which are not already captured through the Standard Instrument Dictionary
- Meet zone requirements in accordance with the Employment Zones Reforms
- Introduce new uses in certain zones including 'sex services' in B2 zones (limit to not more than 3 DA consents in each B2 Local Centre), 'tourist visitor accommodation' provisions in the R5 Village zones and 'Artisan and cultural activities' in zones except in Environmental, Waterway and infrastructure zones.

It is noted that amendments to a number of these various zones will be required as a consequence of the Employment Zones Reforms.

RECOMMENDATION: Retain in Planning Proposal with amendments to reflect new Employment Zones Reforms ie. Business (B) and Industrial (I) Zones becoming E Zones and new uses

Further elaboration of developments relating to sex service premises, seniors housing, secondary dwellings and secondary dwellings in rural zones are as follows:

a) Sex Services Premises

Sex service premises was proposed to be limited to only 3 DA consents per B2 Local Centre.

Should the Department of Planning and Environment agree to proceed with the rezoning of Windsor Town Centre to B3 Commercial Core, the same limitation of 3 DA consent for sex service premises will apply to the Town Centres as a B3 zone.

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Part 6 of the LEP Standard Instrument will include local provisions for sex service premises and will include clear objectives and considerations for the sex service premises development in terms of its location, clearance from residential zones, operating hours and the disturbance it may cause.

The NSW Government is currently undertaking work with respect to preparing standardised LEP and DCP provisions relating to Sex Services Premises, and as such it is recommended to remove this component from the Planning Proposal.

RECOMMENDATION: Remove from Planning proposal as further work is currently being undertaken by the NSW Government regarding standardisation of LEP and DCP provisions for Sex Services Premises

b) Seniors Housing

The LEP 2012 amendment also introduces seniors housing restricted to Residential Care Facilities in R1 and R2 zones in areas connected to reticulated water and sewerage, within 50 kilometres of a 24-hour health services facility and not mapped by the Metropolitan Rural Area exclusion area.

Part 6 of the LEP Standard Instrument will include local provisions for seniors housing which will further limit this development to land that is above the 1 in 100 Flood Average Recurrence Interval (ARI).

RECOMMENDATION: Unchanged - Retain in Planning Proposal

c) Secondary Dwellings

The LEP 2012 amendment proposes to introduce secondary dwellings in R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and R5 Large Lot Residential zones. The LEP Standard Instrument is proposed to include Clause 5.4 (9) to set a standard of total floor area of 60m², or 10% of the total floor area of the principle dwelling, whichever is greater.

This development would be restricted to land that is above the 1 in 100 ARI.

RECOMMENDATION: Unchanged - Retain in Planning Proposal

d) Artisan Food and Drink Premises

The LEP Amendment proposes controls on gross floor area for this emerging land use.

RECOMMENDATION: Unchanged - Retain in Planning Proposal

e) Secondary Dwellings provisions in Rural Zones

The LEP 2012 amendment proposes to introduce secondary dwellings in RU2, RU4, RU5, C3 and C4 rural zones. The secondary dwellings provisions will be limited to the floor area of 120m², or 25% of the principle dwelling, whichever is greater.

The secondary dwelling will be restricted to land above 1 in 100 ARI.

RECOMMENDATION: Unchanged - Retain in Planning Proposal

f) Dual Occupancy

Currently, only 'attached' dual occupancy development is permitted in rural zones. Given that it is proposed to introduce secondary dwelling provisions to rural zones, it is not practical to limit dual occupancy to only 'attached' in the rural zones. As secondary dwellings are both 'attached' and 'detached' developments, it is proposed that the LEP 2012 is amended to expand the dual occupancy provision to both 'attached' and 'detached' within the proposed amended secondary dwellings zones.

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RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.3 Introduce ‘Design Excellence’ Clause

The term ‘Design Excellence’ emerged as a term in the 2000’s at the City of Sydney to describe an optional competitive design process to be undertaken at the concept design stage of new projects, in return for additional Floor Space Ratio or height. This competitive design process was aimed at both lifting the design of significant buildings and diversifying the field of architectural practise engaged in its design. Design Excellence provisions were applied to any development exceeding 55 metres in height or with a site area larger than 1500 square metres.

Whilst the development constraints due to flooding in our Local Government Area will not generate comparable outcomes to those in growth councils such as City of Sydney, City of Blacktown, or the City of Parramatta, the Design Excellence provisions can still be included an amended LEP 2012 to regulate an expected design quality that reflects the highest standard of architectural, urban and landscape design.

Design Excellence provisions would apply to development involving the erection of a new building or external alterations to an existing building within the Windsor, South Windsor and Richmond town centres that is between 12 metres and 14 metres.

Inclusion of Design Excellence provisions will ensure that development in these town centres meets the standard of work as delivered through the Liveability Project.

Windsor Town Centre - Design Excellence Area

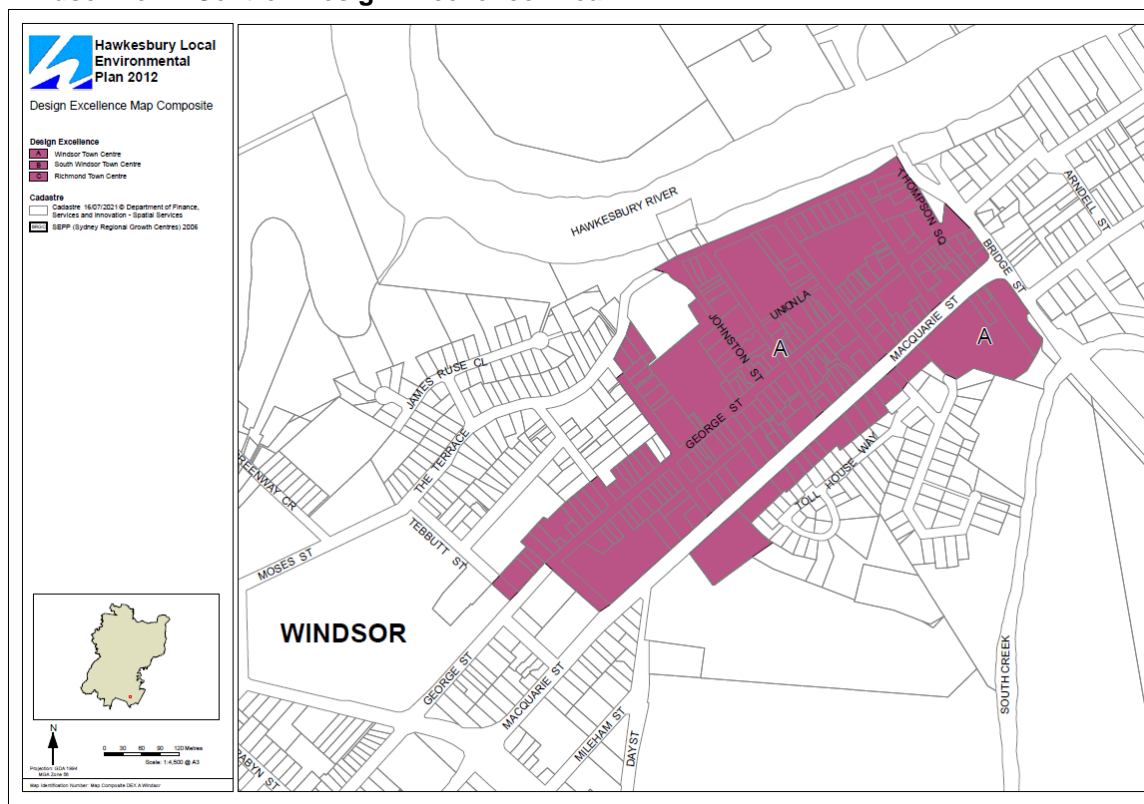


Figure 1 - Windsor Town Centre Design Excellence Map.

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Richmond Town Centre - Design Excellence Area

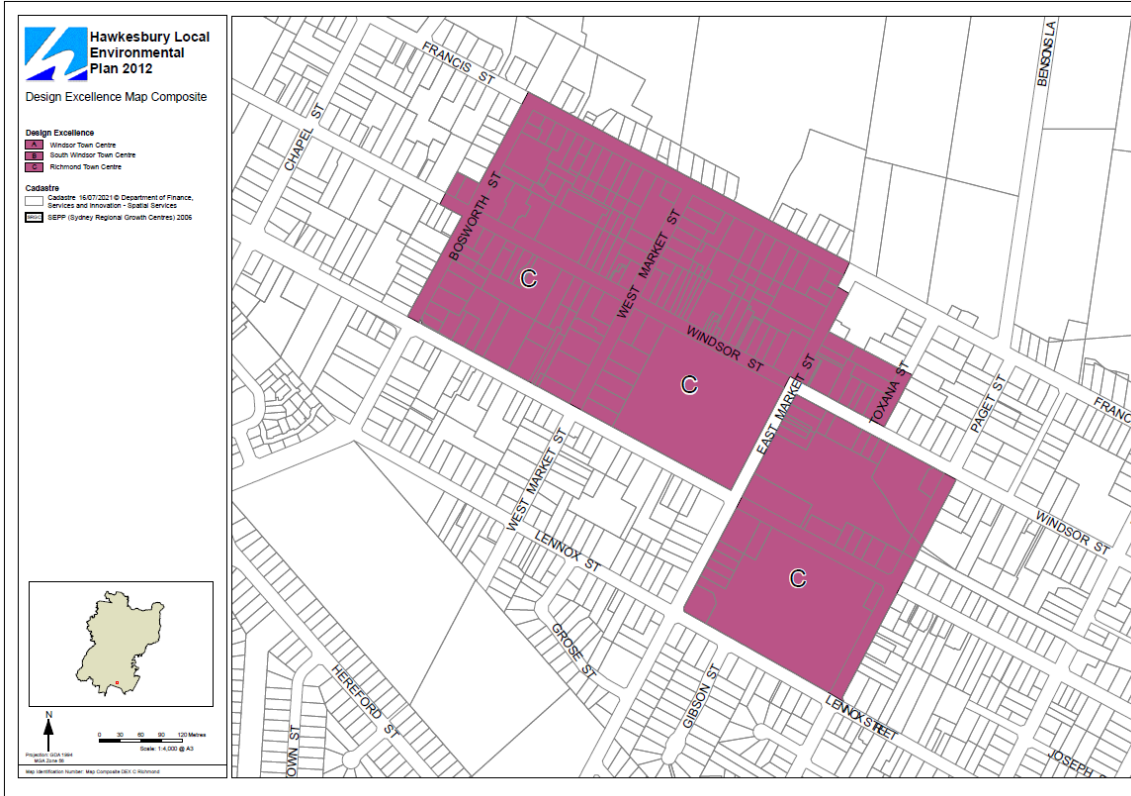


Figure 2 - Richmond Town Centre Design Excellence Map.

South Windsor Town Centre - Design Excellence Area

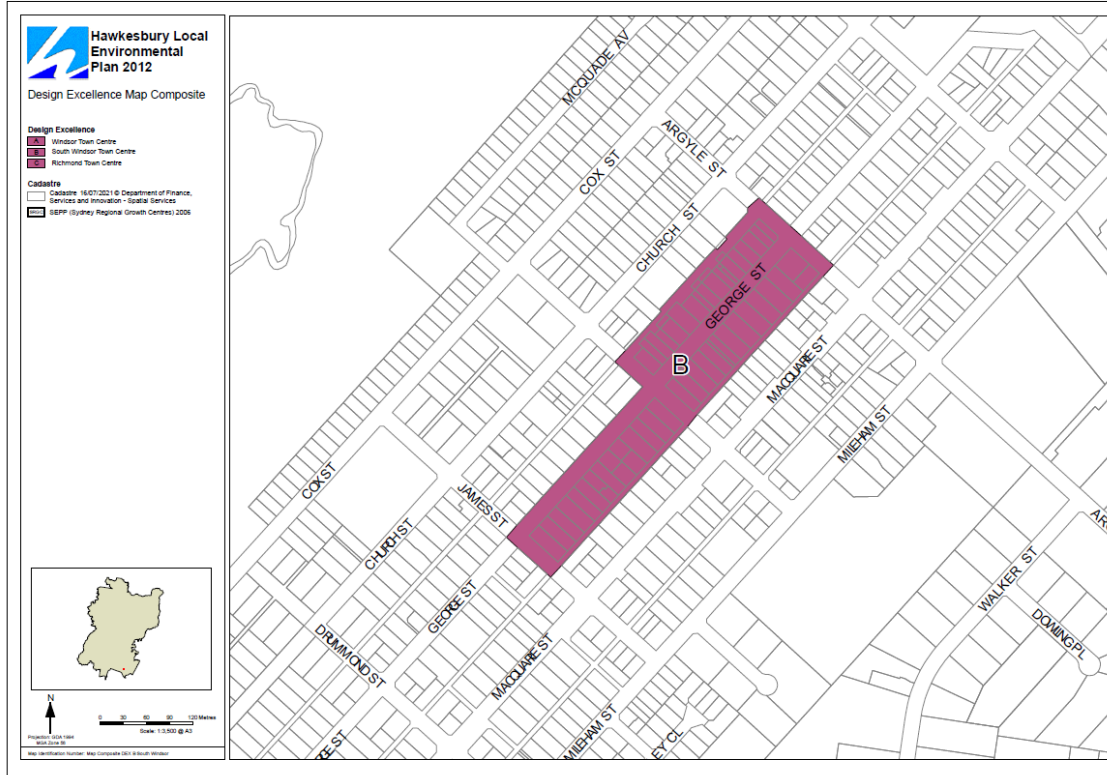


Figure 3 - South Windsor Town Centre Design Excellence Map.

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RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.4 Introduce B3 Commercial Core zone:

The Greater Sydney Region Plan 'A Metropolis of Three Cities' classed Windsor and Richmond as 'Strategic Centres'. The Greater Sydney Region Plan states that the objective of Strategic Centres is to:

- Attract investment, business activities and jobs in Strategic Centres across Greater Sydney, and;
- Increase access to a wide range of jobs and services close to people's homes and supports the 30-minute city.

The Greater Sydney Region Plan states that employment growth is the principle underlying economic goal for the metropolitan and strategic centres. Therefore, the designation of a 'Commercial Core' zones within the 'Strategic Centre' may be necessary to manage the impact of residential developments in crowding out commercial activity. Commercial Core zones encourage retail, business, office, entertainment, provide employment and community use for local and wider community. Policies related to 'Commercial Core' zones should maximise public and active transport use in these zones.

Rezoning land from B2 Local Centre to B3 'Commercial Core' within the Windsor Town Centre aligns the town centres hierarchy so as to make it consistent with the NSW Planning Framework.

The B3 Commercial Core zone will enable a wider range of retail, business, office and entertainment uses within the Windsor town centre, assisting Council to achieve its strategic goals for the town centre by creating employment opportunities for the Local Government Area.

RECOMMENDATION: *Retain in Planning Proposal with amendments to reflect new Employment Zones Reforms ie. Business (B) become E Zones*

3.5 Correcting spot zone anomalies within the Richmond Town Centre:

The review of the LEP 2012 identified a number of spot zones within the Richmond Town centre. Spot zoning is not supported by the Department of Planning and Environment as it creates precedence and can result in land use conflicts. It is intended to correct this anomaly to ensure that the zones within the town centre transit appropriately as per the town planning principles.

Correction of these zone anomalies will create zone consistency within the Richmond Town Centre and limit land use conflicts. The zones that are proposed to be rezoned will continue to have the 'existing use rights' until these lands are sold and the new owner decides to opt for the highest and best use of the land, that is, to develop in accordance with the amended zone objective.

RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.6 Rezoning certain land in Glossodia to R5:

During the conversion of the Hawkesbury LEP 1989 to the Hawkesbury LEP 2012, an anomaly between the zone objectives and minimum lot size provision for certain R2 Low Density Residential zones in the Glossodia area occurred. The current R2 zone and the minimum lot size of 40 hectares is inconsistent with the R2 zone objectives. A 40 hectare minimum lot size is mostly applicable to rural zones such as RU1, RU2 or RU4.

As the RU1, RU2 and RU4 zones within the LEP 2012 mostly have a minimum lot size provision of 10 hectares, this anomaly requires rectification. It should be noted that whilst the lots that are an anomaly lack sewer connection, the infrastructure to provide the subject sites with connection to Sydney Water exists.

Given the constraints of amenity and being isolated during flood events, it is not viable for Council to allow minimum lot size provisions of 2,000m² or 4,000 m² for the subject sites.

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To provide a level of balance in terms of the R2 Low Density Residential zone planning controls, it is proposed to rezone certain larger R2 lots within Glossodia to R5 Large Lot Residential with the minimum lot size of 4 hectares, and the rest of the smaller R2 lots to have a minimum lot size of 2 hectares.

These provisions will allow a slight increase in lot yield should the landowners of larger lots want to subdivide in the future. These additional lots will not have any significant impact on the current infrastructure at Glossodia.

RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.7 Rezoning of Richmond Lowlands to RU1:

The Hawkesbury Rural Lands Strategy identified that the alluvial agricultural lands of the Richmond Lowlands were under-optimised due to its zoning of RU2 Rural Landscape and that this zone did not support agricultural activities within the Hawkesbury Local Government Area.

There are a number of equine related activities being undertaken from the Richmond Lowlands. These activities have existed historically and have gradually expanded over much of the Richmond Lowlands. The Richmond Lowlands is a current RU2 Rural Landscape zone that does not support equine activities.

The Hawkesbury Rural Lands Strategy recommends that the Richmond Lowlands be rezoned to RU1 Primary Industry to better reflect the agricultural capacity of the land, and continue the historic land uses of the Richmond Lowlands, which was to generate agricultural production.

Whilst it is understood that the parts of the Richmond Lowlands where equine activities are being undertaken is unlikely to revert back to agricultural use, the Department of Primary Industries' 'primefacts 932 – August 2009, Planning for Horse Establishment' plan states that intensive horse establishments are better suited to rural production zones with appropriate separation from residences and smallholdings. 'Primefacts' also provided examples of horse establishments under the Standard LEP definition and the types of development suited under each use.

Given the Standard Instrument definition and the types of development, rezoning of the subject site from RU2 Rural Landscape to RU1 Primary Production zone will align the current equine uses on the Lowlands with the zone objectives of the Hawkesbury Rural Lands Strategy.

It is also recommended that the land use table for the Richmond Lowlands be amended to add the definitions of Recreation Facility (major) and Recreation facility (outdoor) but restricted to show jumping, dressage, and polo.

RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.8 Rezoning land in Windsor Station Precinct to B1 Neighbourhood Centre:

The Hawkesbury Employment Lands Strategy identified the business zone gap that currently exists within the Windsor Town Centre and the Windsor Train Station. The Windsor Town Centre is formed in a linear fashion along George Street, connecting the train station to Thompson Square. However, there are zone consistency issues to consider.

There are a number of retail uses occurring on the R2 Low Density Residential zones at the train station precinct, which is inconsistent with the town centre principles.

It is recommended to correct the inconsistency by rezoning these sites to B1 Neighbourhood Centre which will address business zone gap and create a higher level of economic activity (and by virtue, surveillance) within the train station precinct.

RECOMMENDATION: *Retain in Planning Proposal with amendments to reflect new Employment Zones Reforms ie. Business (B) become E Zones*

3.9 Rezoning land adjacent to the Mulgrave Industrial Precinct:

The Mulgrave Industrial Precinct is the gateway to the Hawkesbury from Windsor Road, an arterial road. The Mulgrave Precinct has a train station and General Industrial activities that include mechanical repairs workshops, building supplies, and food and drink premises. The Mulgrave Precinct is a major contributor to the Local Government Area economy.

The Western City District Plan sets an employment target of 12,000 to 16,500 jobs for the Hawkesbury Local Government Area to be achieved by 2036.

The Greater Sydney Commission (through the NSW Planning Framework) highlighted:

- **Retain and manage:** Protect all existing industrial and urban services land from competing pressures, especially residential and mixed-use zones. This principle applies in the Eastern City, North and South Districts, the **North West Growth Area**, and the established areas of the Western City.
- **Review and manage:** Review all industrial and urban services land to either confirm its retention or manage uses to allow sites to transition to higher-order employment activities (such as business parks). Seek appropriate controls to maximise business and employment outcomes.
- **Plan and manage:** In land release areas, there is a need for additional industrial and urban services land to support projected population growth and economic development.

The District Plan further designated industrial and urban services land in the lower north-east portion (Mulgrave Precinct) of the Hawkesbury Local Government Area to be “retained and managed”.

The Hawkesbury Employment Lands Strategy recommends:

- Considering industrial land expansion that is aligned with demand for floorspace;
- Consider how greater use of these lands can be achieved;
- That the Local Government Area supports industries that can leverage aerotropolis and associated economic activities, and;
- Developing capacities for agribusiness and fresh produce processing capacities, associated freight and logistics requirements to implement the initiatives of the ‘NSW food and beverage manufacturing industry development strategy’.

Land adjacent to the Mulgrave Industrial Precinct has had interest from landowners for rezoning to industrial zones as these lands are not used for any agricultural related activities. Potential sites have been identified to be rezoned to industrial and business lands.

Once the Western Sydney Airport and the associated aerotropolis activities are fully operational and the north west growth area fully developed, there will be greater demand for the industrial lands in the Hawkesbury Local Government Area. As such, the strategic location of the Local Government Area will enable the Hawkesbury’s industrial lands to become a ‘last mile’ hub for many regional producers. It is considered as crucial for the Hawkesbury to make its employment lands ready now to take advantages of the opportunities that the near future will bring.

A viable option for Council to expand its industrial lands and employment lands is to rezone certain lands adjacent to the Mulgrave Precinct to industrial and business zones.

Adjacent to the Mulgrave Precinct is Windsor High School which is currently zoned RU4 Primary Industry Small Lots zone. The zone objective is inconsistent with the use of the site for school purposes. It is recommended to rezone the subject site to SP2 Infrastructure to be consistent with the rest of land parcels within the school premises.

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RECOMMENDATION: *Retain in Planning Proposal with amendments to reflect new Employment Zones Reforms ie. Business (B) and Industrial (I) Zones becoming E Zones*

3.10 Correcting zoning anomalies of open spaces of the Hawkesbury Local Government Area:

During the Hawkesbury LEP 1989 conversion into LEP 2012, an anomaly occurred in respect to the open space zones in that a number of open space parcels were not rezoned RE1.

The planning proposal seeks to correct the anomalies by rezoning all the open space lots which are not zoned RE1 to RE1. Most of these parcels of land are Crown Lands with a gazetted purpose of public recreation. This amendment will ensure a clear identification of RE1 Public Recreation lands within the LEP 2012, enabling the relevant Sections to deliver open space related projects and tasks more efficiently, and ready identification of RE1 spaces for the community.

RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.11 10 Bridge Street, Windsor – Correction of zone anomaly:

A portion of the front corner of this site (Lot A DP 381403) was previously designated for acquisition for road widening purposes. Given Transport for NSW have indicated that the portion of the subject site is no longer required for road widening purposes, it is proposed to amend the Hawkesbury LEP 2012 to remove the SP2 Infrastructure zone from part of the subject site and rezone it to R2 Low Density Residential (as the rest of the parcel is zoned).

The relevant section of the LEP 2012 Land Reservation Acquisition Map must be amended to remove the land acquisition over the subject site. Therefore, an amendment to this map is also recommended to reflect the changes.

RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.12 Correction of Height of Building anomaly of the South Windsor Town Centre:

During the conversion of Hawkesbury LEP 89 to Hawkesbury LEP 2012 a map error occurred where the Height of Building (HOB) provision of B1 Neighbourhood Centre in the South Windsor Town Centre was wrongly reflected on the adjacent sites. This error needs to be rectified to ensure that the correct planning controls are provided for the relevant zones.

It is recommended to amend the Hawkesbury LEP 2012, Height of Buildings Map to reflect the HOB provision correctly for the subject site.

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Current zoning and Height of Buildings Map.



Figure 5 - South Windsor Town Centre HOB map and anomaly.

Proposed correction is illustrated in the HOB Map below:

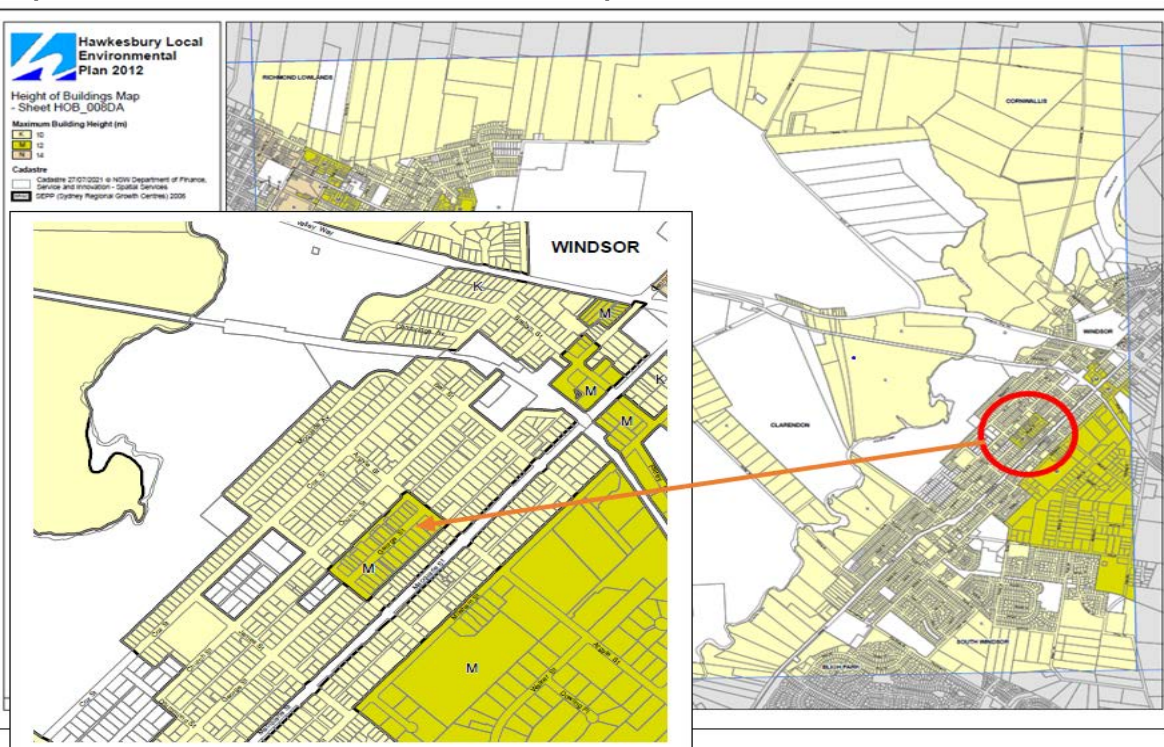


Figure 6 - South Windsor Town Centre correct HOB map.

RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.13 Minimum Lot Size provisions for larger RU1 Primary Production and RU2 Rural Landscape lots:

One of the intentions of the LEP 2012 review is to align the zone objectives with the uses and to restrengthen the rural lands capacity, specifically, for RU1 and RU2 zoned lands along the Hawkesbury River for agricultural purposes. It is also envisaged to reinforce some of the intentions of the Hawkesbury LEP 1989 which had fallen off during the rollover of the Standard Instrument.

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The Review of the LEP 2012 identified that there are several very large RU1 Primary Production and RU2 Rural Landscape zoned lots with inconsistent Minimum Lot Size provisions that contradict with the intentions of the zone of these lots, and would enable further subdivisions of these lots.

LEP 2012 has provisions for subdivision of rural lands. Clause 4.10, prescribes that where the original parcel has already been subdivided and the maximum subdivision yield has been achieved, Council prefers to retain these lots from further subdivision and to retain it for primary production and agricultural purposes.

In some instances, the larger lots with inconsistent Minimum Lot Size provisions can have an area of approximately 90 hectares even after an original subdivision. With the Minimum Lot Size provision of 10 hectares (which is currently mostly the case for the RU1 Lots in the Local Government Area), the landowners may have impetus to lodge applications for further subdivision.

To rectify this matter it is considered appropriate to increase the Minimum Lot Size provisions for some of these very large RU1 lots to ensure that the sites are not further subdivided into multiple smaller lots.

RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.14 Introduce Floor Space Ratio (FSR) provisions for R3, B1, B2, B3, IN1 and IN2 zones:

Currently, the LEP 2012 does not contain the Floor Space Ratio (FSR) provisions. It was proposed to introduce the FSR provision within the LEP 2012 to create greater certainty and more transparency. The aim of the FSR provisions was to ensure that the size of buildings is appropriate for the land size and compatible with the surrounding neighbourhood and will allow for flexibility in the building design.

To support the introduction of the FSR, comparison and analysis of different FSR within certain zones within the Hawkesbury was undertaken. The increase in the FSR is not substantive and seeks to reflect the predominant built form and desired future character. The proposed FSR provision will not broadly increase development potential.

Council is currently undertaking place plans for towns and villages, and it is recommended that this component be reconsidered following the completion of those plans. This is consistent with the feedback that Council received from the LEP-DCP Reference Group.

RECOMMENDATION: *Remove from Planning Proposal and reconsider following completion of town and place plans*

3.15 Adjust Heights of Buildings for B2 Local Centre and B3 Commercial Core zones:

Currently the Height of Buildings (HOB) provisions for the B2 Local Centre is 12m. The current HOB provision is not consistent with the new FSR provision to support future development in the Windsor and Richmond Town Centres. It is also considered that the 12 metre HOB is not viable for the new B3 Commercial Core zone in the Windsor Town Centre.

It is considered that the increase in the HOB from 12 metres to 14 metres will enable a practical and better land use outcome when applying the FSR to support commercial and office spaces on the first and second floors of the employment lands.

Council is currently undertaking place plans for towns and villages, and it is recommended that this component be reconsidered following the completion of those plans. This is consistent with the feedback that Council received from the LEP-DCP Reference Group.

RECOMMENDATION: *Remove from Planning Proposal and reconsider following completion of town and place plans*

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3.16 Amend clause 4.1 Minimum Subdivision Lot Size and 4.1C Exceptions to Minimum Subdivision for Rural Large Lot Residential Zones:

There are some large rural lot landowners who have already subdivided their land to achieve the maximum lot yield under the Hawkesbury LEP 1989, however, the LEP 2012 allows for these landowners lodge further applications for further subdivision of their land. The LEP 2012 contains a gap in the Minimum Lot Size provisions of these rural lands and does not properly reflect the intentions of no 'double dipping' if owners have already taken the full advantage of subdivision in the previous LEP 1989

The intention of the Lot Averaging Provision (Clause 4.1C) is that an "original lot" can be subdivided once only using this provision. If an original lot was subdivided using the Lot Averaging provision through LEP 1989, the lot resulted from the subdivision (even if it is a large lot approximately 100 Hectares) cannot be further subdivided using that provision.

To rectify the gap, it is proposed to amend Clause 4.1 (2) and Clause 4.1C (3). It is crucial that the clause 4.1 has greater emphasis on the term "original lot". It is important to amend the Minimum Lot Size Maps for RU1, and RU2 in certain areas within the Local Government Area to prohibit any further 'double dipping' in terms of land subdivision and to give impetus to agricultural activities.

RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.17 Introduce Architectural Roof Features Clause 5.6 provisions:

Hawkesbury is the third oldest European Settlement in Australia. There are a number of heritage-significant building structures in the Local Government Area. Some of these building structures demonstrate architectural roof features of the late 1800s building designs. This clause enables consent to be granted to development that includes an architectural roof feature which exceeds the height limit set elsewhere in the LEP 2012.

In order to maintain the local character and built form and to ensure that these characters are inherent within the future building developments, it is recommended to introduce the Architectural Roof Features provisions- Clause 5.6 within the LEP 2012.

RECOMMENDATION: *Unchanged - Retain in Planning Proposal*

3.18 Reclassification of land 1913 and 1905 Bells Line of Road

Council proposed to reclassify Lot 2 & 3 DP 582878 from 'community land' to 'operational land' by amending Hawkesbury LEP 2012, Schedule 4 Classification and Reclassification of Public Lands.

The subject land is currently part-zoned RU2 Rural Landscape and SP2 Infrastructure. The subject land is used for a combination of extensive agriculture (orchards) and informal parking and access in association with a restaurant at 1917 Bells Line of Road, Kurrajong Heights. In addition, the building (Tutti Fruitti) encroaches onto part of the subject land.

The Lots 2 and 3 in DP 582878 was dedicated for road widening purposes. This land is no longer required for road purposes and Council has no strategic or operational plan that proposes to use Lots 2 and 3 for road purposes in the future.

The advice from the Department of Planning and Environment is to remove this component from the Planning Proposal and prepare a separate Planning Proposal in order to expedite reclassification of this land.

RECOMMENDATION: *Remove from Planning Proposal and prepare an individual Planning Proposal for this component to expedite the reclassification of this land.*

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Additional Matters to Consider - Urban Heat Provisions

Through the workshops with Councillors and LEP-DCP Reference Group members, the preference indicated was for a state led approach to providing standardised LEP and DCP provisions relating to urban heat. These standardised LEP and DCP provisions have not eventuated, and a number of other councils have proceeded with preparing both LEP and DCP controls to address urban heat.

As such reconsideration of the WSROC Urban Heat Toolkit which includes specific LEP and DCP provisions for Urban Heat is recommended, and a proposed LEP clause has been included in that respect.

RECOMMENDATION: *Include Urban Heat LEP Clause*

Location Plan

The LEP Review planning proposal affects various lands within the Hawkesbury Local Government Area.

Relevant Legislation

The planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979. However, the requirements of Section 3.8 and 3.9 of the Act resulted in this LEP Review planning proposal.

Section 3.8 of the Act requires local environmental plans to “give effect to” (deliver) the objectives and priorities identified in the Region Plan and relevant District Plan. This involves councils:

- Reviewing their strategic planning framework, including a review of the existing local environmental plans against the relevant District Plan
- Undertaking necessary studies and strategies and preparing a local strategic planning statement which will guide the update of local environmental plans.

Section 3.9 of the Act requires each council to prepare and make a local strategic planning statement and review the statement at least every seven years. The role of the local strategic planning statement is to provide an alignment between regional and district plans and local strategic planning and delivery.

DISCUSSION

The proposed amendments contained in this report reflect the outcomes of further stakeholder engagement following Council’s previous consideration of the planning proposal in November 2021, and the planning framework review.

COMMUNITY ENGAGEMENT

The Hawkesbury LEP 2012 Review has been prepared based on engagement with a number of stakeholders including Councillors, and the LEP-DCP Reference Group which includes various professionals within the development sector. It was considered essential that a Reference Group was formed of the end users of the Local Environmental Plan. These professionals have used the Hawkesbury Local Environmental Plan and Development Control Plan through previous projects, and have proved to be an invaluable resource by identifying with evidence what planning controls have worked well and what needs to be rectified in order to ensure good land use planning outcomes for the community.

Additionally, feedback received from the community through various sources including broader, Council led engagement and as a consequence of individual development applications has also been included as part of preparation of the LEP Review. Feedback from internal Council Officers has also been incorporated as part of the review of development controls, as has feedback from various planning panels when dealing with application matters.

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The draft Hawkesbury LEP Review will be publicly exhibited in accordance with the Hawkesbury Community Participation Plan 2019, the Gateway Determination conditions and Section 10.18 of the Environmental Planning and Assessment Act 1979, once a successful Gateway Determination has been received from the Department of Planning, Industry and Environment.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Great Place to Live

- 1.5 Provide the right places and spaces to serve our community.
- 1.7 Encourage broad and rich celebration of our local culture and significant heritage.

Protected Environment and Valued History

- 2.1 Value, protect and enhance our historic built environment as well as our relationship to Aboriginal and non-Aboriginal history.
- 2.2 Value, protect and enhance our natural land-based environment with an emphasis on using local resources and key partnerships.
- 2.5 Value, protect and enhance our waterways and wetlands with an emphasis on using local resources and key partnerships.

Strong Economy

- 3.2 Increase the range of local industry opportunities and provide effective support to continued growth.
- 3.3 Promote our community as the place to visit, work and invest.
- 3.4 Support the revitalisation of our town centres and growth of our business community.

Reliable Council

- 4.7 Encourage informed planning, balanced growth and community engagement.

FINANCIAL IMPACT

There are no financial implications associated with this report, other than staff resources applicable to preparing this report.

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 Draft LEP Review Planning Proposal Amendments - *(Distributed under separate cover)*.
- AT - 2 Planning Proposal – Hawkesbury LEP (Review and Update) - *(Distributed under separate cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING

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Item: 200 **CP - Redbank Voluntary Planning Agreement - Proposed Grose River Bridge Crossing - (95498, 124414)**

Previous Item: 152, Ordinary (13 September 2022)
 123, Ordinary (19 July 2022)
 152, Ordinary (10 August 2021)
 011, Ordinary (11 February 2020)
 294, Ordinary (11 December 2018)
 124, Ordinary (29 May 2018)
 118, Ordinary (27 June 2017)
 099, Ordinary (24 June 2014 – deferred 1 July 2014)
 054, Ordinary (25 March 2014)
 223, Ordinary (12 November 2013)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to provide an update to Council on the examination of an alternative route for the proposed Grose River Bridge Crossing, and to recommend that Council amend the milestones within the Redbank Voluntary Planning Agreement associated with the delivery of the Grose River Bridge Crossing.

EXECUTIVE SUMMARY:

Following a resolution of Council at its Ordinary Meeting 13 September 2022 where Council considered the proposed Amended Redbank Voluntary Planning Agreement including the proposed Grose River Bridge Crossing, investigations have been undertaken with respect to new concepts for an alternative route for the proposed Grose River Bridge Crossing.

This report provides an update to the investigations and recommends that Council amend the milestones within the Redbank Voluntary Planning Agreement in order to allow sufficient time to undertake the investigations associated with developing the proposed alternative routes for the Grose River Bridge Crossing.

RECOMMENDATION:

That Council agree to the following amendments to the Redbank Voluntary Planning Agreement:

Reference	Activity	Current milestone	Proposed amended milestone
Milestone 2 (VPA schedule 2, Item 1.2, Page 1 of 9)	Development approval by the relevant authority	801 st urban lot	915 th urban lot
Milestone 3 (VPA schedule 2, Item 1.2, Page 1 of 9)	Preparation of the construction documentation and submission to the relevant authority	865 th urban lot	979 th urban lot
Milestone 3 (VPA schedule 2, Item 1.2, Page 1 of 9)	Construction (practical completion) of the proposed bridge	1100 st urban lot	1214 th urban lot

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BACKGROUND

At its Ordinary Meeting on 19 July 2022, Council considered a report in relation to the Draft Amended Redbank Voluntary Planning Agreement, where it was resolved that Council:

“Place the draft amended Redbank Voluntary Planning Agreement and Explanatory Note included as Attachment 1 to the report on public exhibition for a minimum of 28 days, with the draft amended Redbank Voluntary Planning Agreement to be reported back to Council following the exhibition prior to finalisation.”

The Draft amended Redbank Voluntary Planning Agreement was placed on public exhibition between 28 July and 29 August 2022. There were 377 submissions received with 121 being in favour of the Voluntary Planning Agreement amendments and 256 not in favour of the Voluntary Planning Agreement amendments.

Submissions were received in various formats, including individual comments through Your Hawkesbury Your Say, emails, correspondence, and a series of screenshots of comments received on a private Facebook page.

Through these various submissions, the following themes were identified:

- Support for the amended Voluntary Planning Agreement, and calling for no more delays in the bridge construction
- In favour of the Voluntary Planning Agreement as it will help with traffic congestion and provide an alternate route in times of flooding
- Not in favour of the Voluntary Planning Agreement as it will cause traffic congestion and hazardous road conditions
- Need to build a flood free bridge
- Voluntary Planning Agreement unsupported as it means the destruction of the dwelling and farm at 1 Ashton's Road, Grose Wold
- Various accusations made with respect to the matter.

Council considered the Draft Amended Redbank Voluntary Planning Agreement - Proposed Grose River Bridge - Post Exhibition Report at its Meeting on 13 September 2022, where it was resolved that:

"

1. *Council supports the intent of the revised VPA to construct a bridge over the Grose River at the location indicated in Annexure E, plus approach roads connecting Grose Vale Road and Springwood Road.*
2. *Council endorses the variation of the milestone relating to the practical Completion of Peel Park, from the 901st urban lot to the 915th urban lot (schedule 2, item 1.7).*
3. *Council acknowledges concerns raised in 256 of the 377 submissions during the VPA exhibition process and resolves that the road alignment in the vicinity of the dwelling at 1 Ashtons Road be re-examined.*
4. *Consideration be given in the ongoing negotiations to:*
 - a) *The ability of the Maunsell 1986 design commissioned by the then DMR to deliver an AusRoads compliant road which also delivers on the 1:100 flood immunity.*
 - b) *Places no restraint on the examination of an alternative route passing through adjacent properties.*
 - c) *Determines the number of properties requiring partial acquisition if an alignment passing just to the east of the dwelling at 1 Ashtons Road were constructed.*

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5. *The matter be further reported to Council.”*

As a direct consequence of Council’s resolution from the 13 September 2022 Meeting, the examination of an alternative route will impact the timing of the delivery of the milestones associated with the Grose River Bridge Crossing within the Voluntary Planning Agreement. This is due to the fact that the timeframe for route planning and selection includes:

- Assessment, discussions with affected property owners and selection of the revised route concept
- Amended Voluntary Planning Agreement publicly exhibited (subject to Council’s decision on route concept)
- Amended Voluntary Planning Agreement finalised and endorsed by Council
- Preparation and lodgement of new Part 5 Application.

It is anticipated that in a best case scenario this process is likely to take until June 2023.

Subsequent to the Council resolution on 13 September 2022, Officers met with Transport for NSW (TfNSW) and Redbank as signatories to the Voluntary Planning Agreement to discuss:

- New Concept Designs
- Impacts on existing Milestones, and a proposal to amend those Milestones.

During discussions with Redbank it was highlighted that their development program schedule is to complete the next stages of the overall development in March 2023, this will take the total registration of lots up to 912 lots. Redbank has 103 purchasers ready to settle upon registration of the lots. Should the current Milestones remain as stipulated within the Voluntary Planning Agreement, the anticipated total lots registered by March 2023 would trigger the payment of the contribution to Transport for NSW in lieu of delivering the Grose River Bridge infrastructure.

All parties to the current Voluntary Planning Agreement agree that the delivery of the Grose River Bridge is the preferred outcome compared to payment of the monetary contribution, and as such it is recommended that the existing Voluntary Planning Agreement milestones be amended to avoid the triggering of the payment of the monetary contribution instead of delivering the Grose River Bridge Crossing and approach roads.

It is recommended that the existing Voluntary Planning Agreement Milestones should be amended as per the table below:

Reference	Activity	Current milestone	Proposed amended milestone
Milestone 2 (VPA schedule 2, Item 1.2, Page 1 of 9)	Development approval by the relevant authority.	801 st urban lot	915 th urban lot
Milestone 3 (VPA schedule 2, Item 1.2, Page 1 of 9)	Preparation of the construction documentation and submission to the relevant authority.	865 th urban lot	979 th urban lot
Milestone 3 (VPA schedule 2, Item 1.2, Page 1 of 9)	Construction (practical completion) of the proposed bridge.	1100 st urban lot	1214 th urban lot

Three new concept options for the Grose River Bridge Crossing have now been prepared and provided to the affected property owners along with an offer to each property owner to discuss these new concepts.

Following discussion with the affected property owners, a report will be prepared for consideration by Council on a preferred alignment, after which an amended Voluntary Planning Agreement, including a new preferred alignment will be placed on public exhibition for broader community consultation.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 22 November 2022

Relevant Legislation

The Environmental Planning and Assessment Act 1979
The Environmental Planning and Assessment Regulation 2000

COMMUNITY ENGAGEMENT

Council is currently undertaking discussions with affected property owners and parties to the Redbank Voluntary Planning Agreement, including Redbank and Transport for NSW. Following a further report to Council on a preferred alignment, an amended Voluntary Planning Agreement, including a new preferred alignment will be placed on public exhibition for broader community consultation.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

- 4.1 Provide representative, responsive, and accountable governance.
- 4.2 Encourage an informed community.
- 4.7 Encourage informed planning, balanced growth, and community engagement.
- 4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

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:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 22 November 2022

GENERAL MANAGER

Item: 201 **GM - 2021/2022 Annual Report and Audited Financial Statements for year ended 30 June 2022 - (79351, 95496)**

Previous Item: 174, Ordinary (11 October 2021)

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to present Council's 2021/2022 Annual Report attached as Attachment 1 to this report and accompanying Audited Financial Statements for the year ended 30 June 2022, attached as Attachment 2 to this report.

EXECUTIVE SUMMARY:

The 2021/2022 Annual Report and accompanying Audited Financial Statements for the year ended 30 June 2022 have been prepared in accordance with the requirements of the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2021.

Council's 2021/2022 Financial Statements have been completed, audited, and advertised in accordance with the Act. The Report on the Conduct of the Audit expressing an unmodified audit opinion has been received from The NSW Audit Office and is contained with the 2021/2022 Financial Statements, which are available for inspection by Councillors and the community.

A representative from Grant Thornton (The NSW Audit Office's contracted auditor) will attend the meeting, to make a presentation in respect of Council's Audited 2021/2022 Financial Statements.

For the financial year ending 30 June 2022, Council's net operating result before capital grants and contributions was a surplus of \$21.5 million. Contributing to the net operating surplus is a range of grants and contributions that have been received that relate to natural disasters, where the expenditure is capital in nature, was incurred in 2020/2021, or will be incurred in future financial years.

The other main contributor to the result is a fair valuation adjustment to Investment Properties. A full revaluation of Council Investment Property Portfolio was undertaken by a qualified, external valuer and an increase in the fair value of \$11 million has been recognised. It is to be noted that this increase is not realised, in that unless properties are sold, this increase of value does not result in additional cash available to Council.

As outlined in the report to Council on 11 October 2022, the unaudited 2021/2022 Financial Statements did not include flood impairments, which have since been assessed and included, with a decrease in associated infrastructure asset value of \$25.1 million. The impact of the flood impairments is reflected in the reported Statement of Financial Position.

RECOMMENDATION:

That Council:

1. Adopt the 2021/2022 Annual Report attached as Attachment 1 to this report and forward a copy to the Office of Local Government and be placed on Council's website by 30 November 2022.
2. Note the completion of the General Purpose and Special Purpose Financial Statements and Special Schedules for the period ended 30 June 2022, attached as Attachment 2 to this report.

ORDINARY MEETING

SECTION 3 – Reports for Determination

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- 3. Thank the representative from Grant Thornton for their presentation in respect of Council's 2021/2022 Financial Statements.

BACKGROUND

The Local Government Act 1993 requires that each Council must prepare an Annual Report by 30 November 2022. The main purpose of the Annual Report is for Council to report on its achievements in implementing its four year Delivery Program. To do this, a report on the achievement of the actions identified in Council's Operational Plan for the relevant financial year is used to inform the Annual Report. The Local Government Act also requires that audited Financial Statements accompany the Annual Report.

The following is a summary of the requirements of Section 404 of the Local Government Act 1993:

- Council must prepare an Annual Report within five months of the end of the financial year i.e. 30 November
- The report must outline Council's achievements in implementing its Delivery Program
- The report must contain Council's audited Financial Statements and Notes, and any information required by the Regulation or the Guidelines
- A copy of the report must be posted on Council's website and provided to the Minister for Local Government.

Figure 1 below outlines the Local Government Planning and Reporting Framework, and identifies where the Annual Report sits in that Framework.

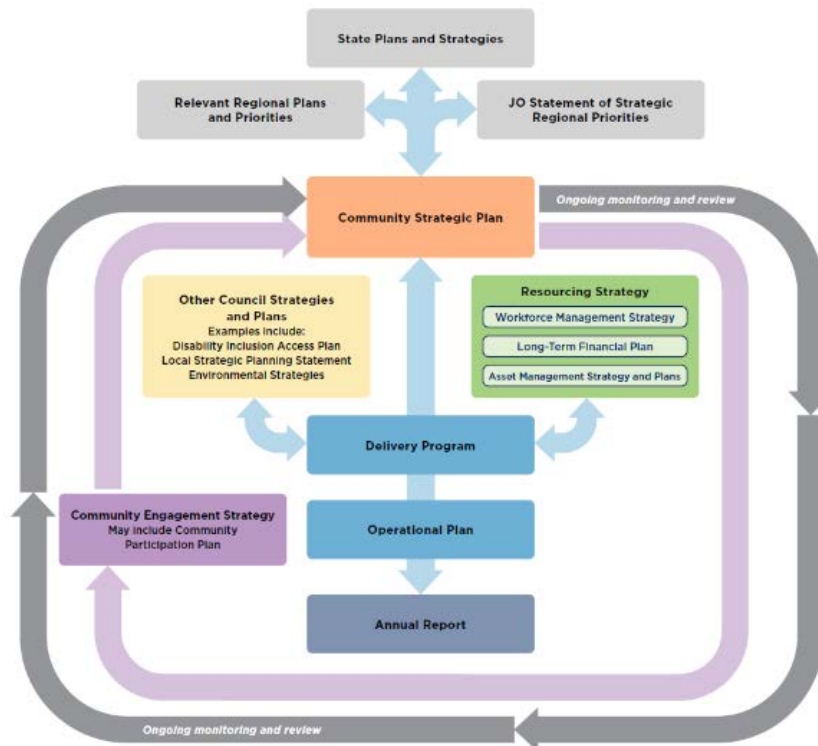


Figure 1: Local Government Planning and Reporting Framework

The Annual Report is one of the key points of accountability between a Council and its community. It is not a report to the Office of Local Government or the NSW Government, it is a report to the community.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

The Annual Report also includes information that is prescribed by the Local Government (General) Regulation 2021. This information has been included by the NSW State Government to assist the community in understanding how Council has been performing both as a business entity, and as a community leader.

Clause 217 of the Local Government (General) Regulation 2021 requires the following information to be included in the Annual Report:

- Details of overseas visits by councillors and council staff
- Details of Mayoral and Councillor fees, expenses and facilities
- Contracts awarded by Council
- Amounts incurred in relation to legal proceedings
- Private works and financial assistance
- Details of external bodies, companies and partnerships
- Details of the General Manager's total remuneration
- Details of the total expenditure on Senior Staff remuneration
- Information on stormwater levies and charges
- Information on companion animals management
- A statement of the activities undertaken by Council to implement its equal employment opportunity management plan.

This Annual Report reports on the 2021/2022 Operational Plan based on the Focus Areas associated with the adopted Hawkesbury Community Strategic Plan 2017-2036. The Annual Report provides a summary of progress in delivering the actions from the adopted Delivery Program 2017-2021, and Council's achievements and challenges in 2021/2022.

Council's 2021/2022 Financial Statements have been completed, audited and advertised in accordance with the provisions of the Act. The Report on the Conduct of the Audit expressing an unmodified audit opinion has been received from The NSW Audit Office and is contained with the 2021/2022 Financial Statements, which are available for inspection by Councillors and the community.

The Audited 2021/2022 Financial Statements were received, noted and endorsed by the Audit, Risk and Improvement Committee on 14 November 2022.

The Statements as attached to this report reflect all audit adjustments, and changes arising from flood impairments. Other changes arising out of the audit include changes to wording regarding certain disclosures to ensure greater transparency and understanding for users of the Statements.

RELEVANT LEGISLATION

Local Government Act 1993
Local Government (General) Regulation 2021.

DISCUSSION

On an annual basis, Council is presented with an Operational Plan and Budget. Since 2019, Council has had to continue to deliver services while responding to the major natural disasters of the 2019/2020 bushfire, 2020, 2021 and 2022 flood events and the COVID-19 Pandemic. These unprecedented times have had a significant impact both on our community and Council operations.

The Annual Report incorporates these impacts and documents information required by the Local Government (General) Regulation 2021, as well as tables describing Council's actions against the 2021/2022 Operational Plan.

Council is requested to consider and note the attached 2021/2022 Annual Report and accompanying audited Financial Statements attached as Attachments 1 and 2 to this report.

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

Financial Statements for the year ended 30 June 2022

At its Meeting on 11 October 2022, Council considered a report regarding the unaudited Financial Statements for the year ended 30 June 2022. At that meeting, Council referred the 2021/2022 Financial Statements to audit.

As outlined in the report to Council on 11 October 2022, the unaudited 2021/2022 Financial Statements did not include flood impairments, which have since been assessed and included, with a decrease in associated infrastructure asset value of \$25.1 million. The impact of the flood impairments is reflected in the reported Statement of Financial Position and does not affect Council's operating result.

Other changes arising out of the audit include changes to wording regarding certain disclosures to ensure greater transparency and understanding for users of the Statements.

Accounting for flood impairments have resulted in changes to amounts included in the report submitted to council on 11 October 2022. A summary of the impact of all adjustments is provided in the updated key financial information provided below.

Operating Performance

The Income Statement discloses the income and expenditure of Council. The table below displays Council's reported Income Statement as at 30 June 2022. There were no changes to the Income Statement since the last report to Council.

Income Statement	As reported on 11 Oct 2022 \$'000	As per the Audited Financial Statements \$'000	Movement Increase /(Decrease) \$'000
Income from continuing operations	143,736	143,736	0
Expenses from continuing operations	101,677	101,677	0
Net Operating Result for the year	42,059	42,059	0
Capital Grants and Contributions	20,528	20,528	0
Net Operating Result before Capital Grants and Contributions	21,531	21,531	0

Details of revenues and expenses for 2021/2022 as compared to the previous year are as follows:

Income from continuing operations	2021/2022 \$'000	2020/2021 \$'000	Movement Inc/(Dec) \$'000
Rates and Annual Charges	69,096	67,039	2,057
User Charges and Fees	6,942	6,241	701
Other Revenue	1,412	2,981	(1,569)
Grants and Contributions – Operating	31,347	11,188	20,159
Grants and Contributions – Capital	20,528	12,302	8,226
Interest and Investment Income	625	667	(42)
Other Income	13,786	3,459	10,327
Total Income from Continuing Operations	143,736	103,877	39,859

ORDINARY MEETING
SECTION 3 – Reports for Determination

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Expenses from continuing operations	2021/2022 \$'000	2020/2021 \$'000	Movement Inc/(Dec) \$'000
Employee Benefits and Oncosts	31,497	32,865	(1,368)
Materials and Services	39,336	32,154	7,182
Borrowing costs	287	219	68
Depreciation, Amortisation and Impairment	24,236	25,889	(1,653)
Other Expenses	5,882	5,710	172
Loss on Disposal of Assets	439	10,845	(10,406)
Total Expenses from Continuing Operations	101,677	107,682	(6,005)

Financial Position

The Statement of Financial Position discloses the assets, liabilities, and equity of Council. The table below displays Council's reported Balance Sheet as at 30 June 2022. There were changes to the Statement of Financial Position, with the recognition of the impact of flood damages on infrastructure assets.

Statement of Financial Position	As reported on 11 Oct 2022 \$'000	As per the Audited Financial Statements \$'000	Movement Increase/ (Decrease) \$'000
Current Assets	108,789	78,544	30,245
Non-Current Assets	1,506,419	1,481,277	(25,142)
Total Assets	1,615,208	1,590,066	(25,142)
Current Liabilities	44,582	44,582	0
Non-Current Liabilities	27,315	27,315	0
Total Liabilities	71,897	71,897	0
Net Assets	1,543,311	1,518,169	(25,142)
Equity	1,543,311	1,518,169	(25,142)

Performance Indicators

Council's financial statements disclose several financial indicators, which are detailed below:

Financial Performance Indicator	Benchmark	June 2022	June 2021
Operating Performance Ratio	>=0%	10.52%	(5.70)%
Own Source Operating Revenue Ratio	>60.0%	60.92%	77.28%
Unrestricted Current Ratio	>1.5x	2.12x	2.90x
Debt Service Ratio	>2x	15.12x	15.87x
Rates, Annual Charges, Interest and Extra Charges Outstanding Percentage	<5.00%	8.81%	8.35%
Cash Expense Cover Ratio	>3mths	12mths	9.63mths
Buildings and Infrastructure Renewals Ratio	>=100%	62.49%	73.30%

Interpretation of Financial Results

Council's operating result improved from a deficit of \$3.8 million in 2020/2021 to a surplus of \$42 million in 2021/2022. The net operating result before capital grants and contributions was a surplus of \$21.5 million in 2021/2022, compared to a \$16.1 million deficit in 2020/2021, mainly because of a significant increase in grant funding and the revaluation of Council's Investment Property Portfolio.

Council's cash and current investments increased from \$62.3 million to \$80.8 million during the reporting period and included restricted and unrestricted funds. The increase in cash and current investments is predominantly a result of the increase in cash due to the draw-down of a \$16.5 million loan for Vineyard Precinct Infrastructure.

ORDINARY MEETING

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Council's Unrestricted Current Ratio at 30 June 2021 is 2.12 and remained significantly above the accepted industry benchmark of 1.5. The Debt Service Ratio was 15.12 and remains better than the accepted industry benchmark of 2.

The Own Source Operating Revenue Ratio declined due to the receipt of grant funding mainly associated with bushfire and flood recovery, being 60.92% as against 77.28% for 2020/2021. This result is still better than the 60% benchmark.

The Rates Outstanding Ratio increased to 8.81% of collectables. Council's Debt Recovery Policy allows for ratepayers to enter a payment arrangement with Council and has special provisions limiting debt recovery action taken regarding amounts outstanding by pensioners. These Policy provisions restrict debt recovery action to some extent and result in a higher ratio than would otherwise be the case. Additionally, Council aided those impacted by floods. The exclusion of amounts on payment arrangements, and amounts owed by pensioners, results in this ratio being 6.3%.

The Buildings and Infrastructure Renewals Ratio indicates that infrastructure assets are being renewed at 62% of the rate at which they are depreciating. The reduction in this ratio compared to 2020/2021 (73%) is attributable to the impediment of delivering renewal works experienced due to floods.

COMMUNITY ENGAGEMENT

In relation to the Annual Report, the issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy, although the Annual Report relates to the 2021/2022 Operational Plan which Council did engage the community on.

In relation to the Financial Statements, public notice of the Council Meeting on 22 November 2022 has been provided on Council's website and as hard copies at Council's Administration Building from 14 November 2022. Notice was also provided within the Hawkesbury Courier on Thursday, 17 November 2021.

In accordance with Section 420(1) of the Act, any person may make a submission to Council regarding the Financial Statements or with respect to the Auditor's reports. All submissions must be in writing and will be referred to The NSW Audit Office, and Council can take such action as it considers appropriate. The closing date for submissions is Tuesday, 29 November 2022.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

- 4.1 Provide representative, responsive, and accountable governance.
- 4.2 Encourage an informed community.
- 4.3 Build strong financial sustainability for now and future generations.
- 4.4 Build strong relationships and shared responsibilities.
- 4.7 Encourage informed planning, balanced growth, and community engagement.

FINANCIAL IMPACT

There are no financial implications applicable to this report. The Financial Statements are the mechanism by which the financial performance and financial position, over the 12 months ending 30 June 2021 are reported. Any observed concerning trends are noted and addressed by management.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

ATTACHMENTS:

AT - 1 2021/2022 Annual Report - *(Distributed under separate cover).*

AT - 2 General Purpose and Special Purpose Financial Statements and Special Schedules for the period ending 30 June 2022 - *(Distributed under separate cover).*

oooO END OF REPORT Oooo

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

Item: 202 **GM - Draft Community Engagement Policy - (79351)**

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to:

- Outline the process for review and adoption of Council's Communication Engagement Policy
- Seek Council's endorsement to place the Communication Engagement Policy on public exhibition.

EXECUTIVE SUMMARY:

Council adopted its current Community Engagement Policy in 2007 to help inform and direct Council practices around community engagement. The Community Engagement Policy has recently been reviewed and updated in line with best practice and the International Association for Public Participation (IAP2) spectrum. An independent consultant conducted a Councillor Briefing Workshop and prepared the initial review of the Community Engagement Policy.

The Draft Community Engagement Policy provides an overarching statement in regard to the approach Council takes to its engagement activities and provides a link to the Communication and Engagement Strategy and newly created internal engagement workflows and tools.

RECOMMENDATION:

That:

1. The Draft Communication Engagement Policy, attached as Attachment 1 to this report, be placed on public exhibition for at least 28 days.
 2. At the expiration of the public notification period outlined in part 1 above, the following action be taken:
 - a) Should any submissions be received regarding the Draft Communication Engagement Policy, a further report be submitted to Council, or
 - b) Should no submissions be received, Council adopt the Draft Communication Engagement Policy attached in Attachment 1 to this report.
-

BACKGROUND

Council aims to deliver efficient communication and engagement relating to the services and projects that impact our community. We recognise that the community has valuable insights, skills, and experience to inform decisions and improve project outcomes. We also acknowledge that the community has a right to have a say.

Council seeks to engage with the community in a range of ways, by communicating information or seeking information, participation and collaboration and to inform decision-making. Community engagement can improve outcomes by sharing perspectives, helping stakeholders understand decisions, and fostering trust between Council, the community, and other partners.

ORDINARY MEETING

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Council also communicates using a range of methods across the Hawkesbury’s large and geographically diverse area. Additional challenges with communication and engagement have been presented recently as the community has been significantly impacted by flood, bushfire and COVID-19 restrictions.

The review of the Community Engagement Policy has been undertaken as part of an overall review of current engagement practices, and best practice principles delivered by the International Association of Public Participation (IAP2) to provide an overarching statement regarding the approach Council takes to its engagement activities as shown in Figure 1 below.

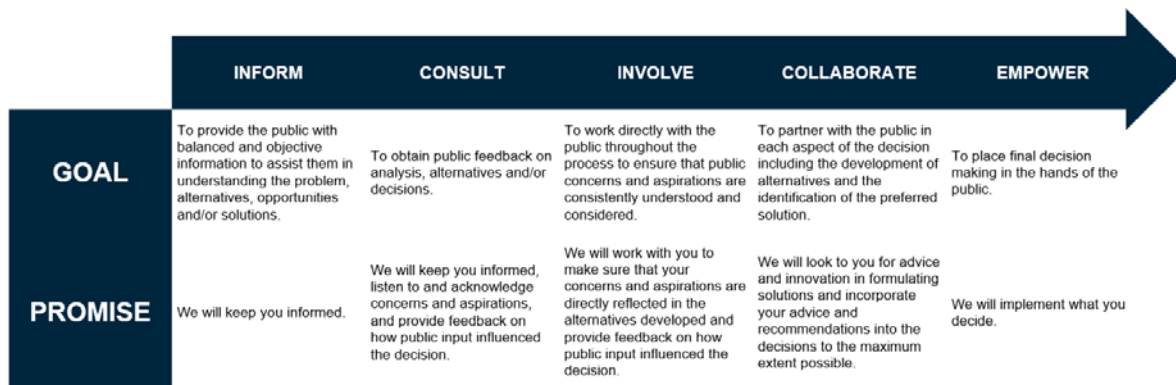


Figure 1: International Association of Public Participation (IAP2) spectrum of engagement

A Draft Community Engagement Policy has been prepared and is attached as Attachment 1 to this report. The Draft Policy will provide an overarching framework and link to the Communication and Engagement Strategy and newly created internal engagement workflows and tools.

Relevant Legislation

For statutory matters the Federal and State Acts and Regulations identify obligations for public notification to be undertaken. This various legislation includes, but is not limited to, the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.

Council’s Community Participation Plan identifies mandatory and best practice notification timelines for the public exhibition of development assessments and plans.

DISCUSSION

The way Council engages largely depends on the level of impact the decision will have on the community. The characteristics of a project, local sensitivities and the desired outcome should guide the overall community engagement approach.

Council seeks to provide meaningful and genuine engagement which aims to be:

- Inclusive and diverse
- Clear and effective
- Timely
- Open and transparent
- Meaningful.

The Draft Community and Engagement Policy aspires to approach engagement activities in a manner that achieves a balance between these various objectives.

ORDINARY MEETING

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The Draft Community and Engagement Policy states that Council will follow a series of engagement principles:

- Accessible - delivered in different ways to meet the needs of our community
- Timely - planned - proactive, responsive yet appropriately paced
- Two way - with opportunity for feedback and input
- Proactive - so the community doesn't need to seek out the information
- Integrated - the same message available across multiple channels so all the community can access
- Supportive - of other organisations, particularly during crisis situations
- Transparent - honest decision making
- Purposeful - relevant to what our community members' need, topical and of interest
- Diverse - reflects the different wants and needs of the community
- Local - information tailored to people's circumstances and needs
- Clear - concise and easy to understand.

The Draft Community and Engagement Policy recognises that a tailored community engagement approach will be developed depending on the circumstances, and the level of impact the decision will have on the community. The community involvement will be underpinned by the best practice principles developed by the International Association for Public Participation (IAP2) included in Figure 1.

Council's Community Participation Plan applies to all Council's planning functions under the Environmental Planning and Assessment Act and provides guidance on how the community can have opportunities to have their say on different types of planning documents on a general level (e.g. Local Environment Plans) to a specific level (e.g. development assessments). A review of the Community Participation Plan will be undertaken in early 2023 and any relevant amendments will be incorporated into the Community Engagement Policy.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which constitute a trigger for community engagement under Council's current Community Engagement Policy. It is proposed that the Draft Community Engagement Policy attached as Attachment 1 to this report be placed on public exhibition for at least 28 days.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

- 4.2 Encourage an informed community.
- 4.4 Build strong relationships and shared responsibilities.
- 4.6 Support the operation of the organisation through effective staff engagement.
- 4.7 Encourage informed planning, balanced growth and community engagement.

FINANCIAL IMPACT

Financial implications arising from engagement as identified in the Policy are provided for in the 2022/2023 Adopted Operational Plan.

ATTACHMENT:

AT - 1 Draft Community Engagement Policy.

AT - 1 Draft Community Engagement Policy



Community Engagement

COUNCIL POLICY

ORDINARY MEETING

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Meeting Date: 22 November 2022

Division:	General Manager	Policy Number:	PEB0002Z
Branch:	Corporate Communications	Adopted Date:	
Responsible Officer:	Manager Corporate Communications	Next Review Date:	
Director:	General Manager	Version:	2

ORDINARY MEETING
SECTION 3 – Reports for Determination
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Community Engagement Policy

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ORDINARY MEETING
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Community Engagement Policy

1. TITLE

Hawkesbury City Council Community Engagement Policy

2. PURPOSE

Hawkesbury City Council is committed to ongoing, genuine and meaningful community engagement.

Council strongly believes that effective community engagement is fundamental to good governance and community building and will actively seek to encourage and involve community members and other stakeholders in the business of local government.

This Policy outlines the principles and activities that will guide our community engagement practices ensuring they effectively contribute to Council's decision-making process. This Policy will assist Council to meet its statutory obligations as defined by state and federal legislation.

The aim of this policy is to guide the planning, design, implementation, and evaluation of community engagement practices at Council and will be supported by operational procedures and documentation.

Council's community engagement policy aims to be:

- (a) **Inclusive and diverse:** to provide a fair opportunity for community members and other stakeholders to communicate with Council about issues and decisions that may affect them.
- (b) **Clear and effective:** to increase the effectiveness of dealings between Council and the community.
- (c) **Timely:** to keep the local community and external stakeholders informed about activities that affect them.
- (d) **Open and transparent:** the community is aware of the decision-making process and the shared responsibilities of Council staff, Councillors, community members and other stakeholders who may be involved in community engagement activities.
- (e) **Meaningful:** engagement methods will create meaningful opportunities for participation and decisions

3. SCOPE

This policy applies to all Councillors, Council staff, contractors and consultants undertaking engagement on behalf of Council and affects all council-owned properties and operations across the Hawkesbury LGA.

Council staff have the responsibility to initiate or undertake community engagement activities (refer to Section 6 of this Policy).

Council will tailor the community engagement approach depending on the circumstances and the level of impact the decision will have on the community.

The level of community involvement is underpinned by the best practice principles developed by the International Association for Public Participation (IAP2).

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Community Engagement Policy

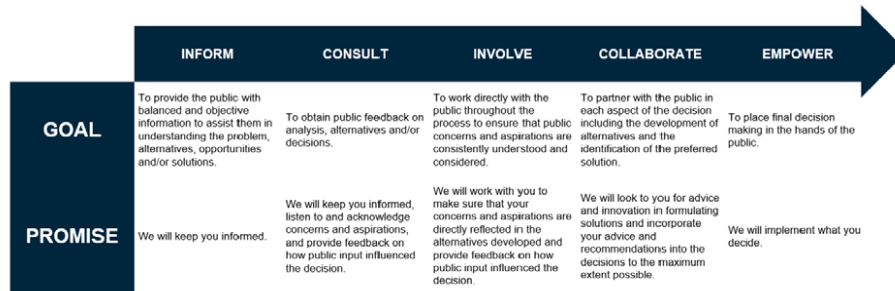


Figure 1: International Association of Public Participation (IAP2) spectrum of engagement

The Policy will apply **from insert date**, as adopted by Council at the ordinary meeting on **insert date**

4. BACKGROUND

In 2007, Hawkesbury City Council's Community Engagement Policy (Policy No.: PEB0002Z) was adopted by Council and has since helped inform and direct Council practices around community engagement in the Local Government Area.

This current policy review has been undertaken to ensure we continue to follow a best practice community engagement approach.

5. POLICY DETAILS

Our engagement activities are informed, intentional and led by a strategy that supports the vision and purposes of Council.

Council's engagement is driven by a series of principles:

- **Accessible** Delivered in different ways to meet the needs of our community
- **Timely** Planned, proactive, responsive yet appropriately paced
- **Two way** With opportunity for feedback and input
- **Proactive** So the community doesn't need to seek out the information
- **Integrated** The same message available across multiple channels so all the community can access
- **Supportive** Of other organisations, particularly during crisis situations
- **Transparent** and honest decision making
- **Purposeful** and relevant to what our community members' need, topical and of interest
- **Diverse** Reflects the different wants and needs of the community
- **Local** Information tailored to people's circumstances and needs
- **Clear** Concise and easy to understand

ORDINARY MEETING
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Community Engagement Policy

6. ROLES AND RESPONSIBILITY

Authorised officer	Roles and responsibilities
Councillors	<ul style="list-style-type: none"> • Review and adopt the Policy
Employees	<ul style="list-style-type: none"> • Administer requirements of Policy • Ensure all documents are registered in ECM.
Manager/Supervisors	<ul style="list-style-type: none"> • Review Policy • Administer requirements of Policy • Ensure all documents are registered in ECM.
Corporate Communications, Events and Services team	<ul style="list-style-type: none"> • Manage internal and external consultation. • Prepare Council reports if required. • Ensure Executive Team is kept informed as required.

Community role

Council recognises that community engagement is a two-way process.

The community should be mindful of the principles outlined above, particularly in circumstances where community members and other stakeholders have been appointed by Council to represent their communities.

Council requires that participants abide by the rules of their engagement with particular regard to governance matters (i.e. conflicts of interest, confidentiality, accountability, compliance with codes of meeting practice and codes of conduct).

7. DEFINITIONS

7.1 engagement - within this policy '*engagement*' is used as a generic, inclusive term to describe the broad range of interactions between people. It can include a variety of approaches, such as information delivery, consultation, involvement in decision making, and empowered action in informal groups or formal partnerships.

7.2 community - within this policy '*community*' is used in its broad sense to define groups of people; whether they are stakeholders, interest groups, citizen groups etc. A community may be a geographic location (community of place), a community of similar interest (community of practice), or a community of affiliation or identity (such as industry or sporting club).

7.3 community engagement - within this policy '*community engagement*' refers to a planned process with the specific purpose of working with identified groups of people, whether they are connected by geographic location, special interest or affiliation, to investigate and address issues affecting their well being.

7.4 IAP2 - The International Association for Public Participation (IAP2) is an international organisation advancing the practice of public participation. Council will focus its practice of engagement on the IAP2 model whereby a spectrum or continuum of engagement is available to assist in planning effective community engagement.

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Community Engagement Policy

8. RELATED DOCUMENTS

Legislation

There are obligations under a number of state and federal Acts and Regulations for public notification to be undertaken. This legislation includes, but is not limited to, the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.

- **Environmental Planning and Assessment Act 1979**
 - Section 1.3 (j) to provide increased opportunity for community participation in environmental planning and assessment
 - Division 2.6 makes clear the mandatory requirements for the preparation of a community participation plan
- **Local Government Act 1993**
 - Section 8 (1) of the Local Government Act 1993 - [The Council's Charter] - makes clear reference to the principles of community engagement and participatory decision making in stating that Council has a responsibility.
 - Section 232 (1) of the Local Government Act 1993 recognises that Councillors have a representative role in considering the views of constituents and communicating with them.
 - Section 29 of the Local Government Act 1993 outlines the need for Council to undertake a public hearing to reclassify land from 'community' to 'operational'
- State Records Act 1998
- Privacy and Personal Information Protection Act 1998
- Government Information (Public Access) Act 2009
- Local Government Amendment (Governance and Planning) Bill 2016

Plans and Policies

This Policy is linked to our Hawkesbury Community Strategic Plan, and aligned with our Communication and Engagement Strategy, Customer Service Charter, Crisis Communication Plan, Events Strategy, Media Policy and our Disability Inclusion Action Plan and meets the Web Content Accessibility 2.0 to make the content accessible to a wider range of people with disabilities. These documents set out our commitment, organisational standards and how we conduct business.

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CITY PLANNING

Item: 203 **CP - Draft Macquarie Park Plan of Management - (95498)**

Previous Items: 104, Ordinary (14 June 2022)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to present the Draft Macquarie Park Plan of Management, with the view to obtaining consent to refer the Plan to the Minister responsible for Crown Lands for review and endorsement prior to public exhibition.

EXECUTIVE SUMMARY:

A Draft Plan of Management has been developed for Macquarie Park. The Plan has been developed to comply with the requirements of the Crown Land Management Act 2016 and Local Government Act 1993 in relation to community land. This site-specific plan provides for the effective management of the Park, including the development of the Windsor Paddle Sports Facility which is funded through a grant from the Greater Sydney Sports Facility Fund awarded in 2020.

Macquarie Park is located at 1 Wilberforce Road, Freemans Reach, directly opposite the township of Windsor. The Park is highly popular and attracts visitors locally and from the broader region, offering a variety of experiences and opportunities for recreation and cultural events. Macquarie Park consists of both Council and Crown Land, and is approximately 23 hectares in size.

This report outlines the key considerations for preparation of the Draft Macquarie Park Plan of Management, including the outcomes of community engagement to date, and seeks Council's endorsement to refer the Draft Plan of Management to the Minister responsible for Crown Lands for review and endorsement ahead of publicly exhibiting the Draft Plan, and reporting the matter back to Council following the completion of public exhibition.

Development and endorsement of the Draft Plan of Management does not represent a formal commitment to funding. Works identified in the Plan will be considered for inclusion in Council's Operational Plans in accordance with the Plan's priorities, the financial allocations identified in the Long-Term Financial Plan, and external funding opportunities as they arise.

RECOMMENDATION:

That Council:

1. Refer the Draft Macquarie Park Plan of Management attached as Attachment 1 to the Minister responsible for Crown Lands for review.
 2. Upon receipt of approval from the Minister responsible for Crown Lands, publicly exhibit the Draft Macquarie Park Plan of Management.
 3. Report the matter back to Council following public exhibition.
-

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BACKGROUND

Macquarie Park is located at 1 Wilberforce Road, Freemans Reach, and consists of both Council and Crown Land, being approximately 23 hectares in size, and comprised of three distinct areas:

- A formalised picnic ground with grassed areas and a privately leased restaurant and kiosk. Within this area there are picnic tables, children's playground, picnic shelters with barbecues, and public toilets.
- A more natural bushland character dominated by regrowth *Acacia* trees. A sandy beach, known as Windsor Beach, stretches around much of the riverbank. The beach is well used as a swimming beach, and a canoe launch ramp provides access to the water for non-motorised boats. Fishing is a popular activity along the foreshore.
- Open grassland to the north of the Park, which is used for informal sport and events.

Situated on a bend of the Hawkesbury River and at an elevation of just 10.5 metres at its highest point, Macquarie Park is subject to flooding and experiences considerable impact to the physical environment through deposition and erosion of the riverbank. The environment at the Park has been altered significantly since early Colonial settlement through clearing of native vegetation, farming and sand extraction activities.

Macquarie Park is a popular attraction for Hawkesbury residents and visitors from Greater Sydney. The Park has a number of key drawcards including the playground, café/restaurant, large open spaces and proximity and access to the Hawkesbury River for swimming, fishing, canoeing and kayaking.

Windsor Beach within Macquarie Park has been a popular location for swimming since before Council became responsible for managing the Park. With its sandy beach and location opposite the Windsor Township, it continues to draw crowds, particularly on hot summer days and through holiday periods. With State Government initiatives such as Urban Plunge and Places to Swim initiatives, there will be opportunities for Council to fund the enhancement of this area to improve amenity and water safety at this location. Drowning data has been provided by the Royal Life Saving Society – Australia from the Royal Life Saving National Fatal Drowning Database. For the 10-year period from 1 July 2010 to 30 June 2020, 16 drowning deaths occurred in the Hawkesbury River within the Hawkesbury LGA, with five of those deaths occurring at or near Windsor Beach at Macquarie Park, including several people attempting to cross the river from Howe Park to Windsor Beach. Angel rings are provided at the canoe ramp and at the beach to improve water safety.

The large, grassed open spaces and proximity to Windsor makes Macquarie Park an ideal location for events, with car rallies, Rural Fire Service (RFS) field days and other public events a common feature within the Park. One of these events is the Hawkesbury Canoe Classic, an annual overnight marathon canoe race of 111km starting from Macquarie Park to Brooklyn usually held in October each year. The event attracts approximately 600 paddlers, and has been running since 1977.

Macquarie Park is also the home of the Hawkesbury Paddleboat Club which currently stores equipment in shipping containers on the site. The Club have been successful in obtaining a grant from the Greater Sydney Sports Facility Fund, awarded in 2020, to build a clubhouse and equipment store within Macquarie Park.

To enable the construction of the new Paddle Sport Facility within the Park, a site specific Plan of Management has been developed for Macquarie Park that addresses this proposal. Finalisation of this Draft Plan of Management is required in order to allow the Club to proceed with their Development Application for these works.

Also relevant to this matter, Council at its meeting on 14 June 2022 resolved, in part, as follows:

“That ... Council receive a report detailing the process and feasibility of seeking expressions of interest for an operator to develop a holiday park at Macquarie Park, Windsor. The report should

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build on the 'River Precinct' concept as detailed in the Hawkesbury Horizons Proposed Future Actions Report."

The holiday park was proposed to be located on the parcel of land known as Lot 1 in DP 606535, which is classified as 'community land' and is zoned RE 1 – Public Recreation. However, the proposed access roads are on Crown Land. The following outlines a process and key considerations in this respect:
Feasibility Leasing Community Land

Macquarie Park is classified as Community Land under the Local Government Act, 1993 (the Act). As such, Council must comply with Sections 46 and 47 of the Act. Council is required to publicly exhibit leases on 'community' land, if any objections are received they must be referred to the relevant Minister.

Section 55(3)(e) requires Council to seek tenders or expression of interest when leasing or licensing land for a term exceeding five years to a body that is not a non-profit organisation. It could be presumed that the potential tenant for the holiday park would require Council to undertake the expression of interest process.

Planning Advice

Under Council's Flood Policy, the site falls in the flood category H6, as the levels are between 8.5m to 10m AHD. This means that the site is unsafe for vehicles and people with buildings considered vulnerable for failure. Council's Flood Development Related Controls do not permit various types of development in H6 land, and one such type of development is Tourist Accommodation Uses.

It should be noted that the Masterplan designs were prepared prior to Council adopting the Flood Policy and associated Development Controls, however, based on the Policy, it is unlikely that a development application for a Short Term Holiday Park would be approved.

Additionally, the site is zoned RE1 Public Recreation, and the proposed use is not permitted with consent, and therefore is not permissible within that zoning.

Current Use of the Site

The area proposed for a holiday park is utilised by other organisations/events during the year. These include the Canoe Classic, Rural Fire Service training and the Dinner by the River. For events the area is generally used as overflow car parking area. Any permanent usage of this site should take the current use into consideration.

With consideration to the feasibility of leasing community land, the planning advice, the zoning of the site and the current use of the site, the Draft Plan of Management does not make provisions for any future proposal to develop a holiday park within Macquarie Park.

To ensure that current uses are not restricted it is recommended that any use keeps the area open and unobstructed by buildings. Based on this consideration the area would be more conducive to being made into sports fields. The Hawkesbury Sport Council have previously created a level area within the proposed holiday park area for rugby training. Whilst the work was undertaken, the site was never used for this purpose.

To turn the site into a permanent sporting area, further consultation would be required with the Hawkesbury Sports Council. It is considered that the following works would be required:

- the plan of management would need to be updated;
- toilet facilities and change rooms would be required;
- lighting would be required if night time training was planned;
- formalised parking would need to be increased to cater for daily use as well as the increase for sports usage.

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Council has engaged a consultant to prepare a Social Infrastructure Strategy. This Strategy will inform the community's needs for sporting and community facilities, some of which may be able to be provided at Macquarie Park.

Location Plan



Figure 1: Macquarie Park, Freemans Reach

Relevant Legislation

Local Government Act 1993
Crown Land Management Act 2016.

DISCUSSION

The Draft Macquarie Park Plan of Management has been developed in consultation with the community. The community engagement undertaken to date demonstrates that Macquarie Park is valued by the local and broader regional community as a place that offers a diverse range of passive and active recreation opportunities, and hosts community events that contribute to the social fabric of the Hawkesbury.

The Hawkesbury River is a critical element of the Park, providing direct recreational value as well as overall amenity. Macquarie Park is one of only a few places in the Hawkesbury that offers easy public access to the river for non-motorised boating activities, swimming and fishing.

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The broad expanse of parkland is highly valued for family gatherings, picnics, larger social events, markets and field days. The combination of a restaurant and kiosk, playground and toilets in an easily accessible park, on a quiet, peaceful, picturesque river is the key factor that makes the Park so popular.

It is a place for family recreation and events. Due to its size, the range of recreation opportunities on offer, and the volume of visitors from outside the local government area that the park attracts, Macquarie Park is a park of regional significance. As such, it is considered that the management objectives within an adopted Plan of Management and maintenance standards of the Park must reflect this significance.

Community Engagement

As part of preparation of the Draft Plan of Management, an online survey was conducted from 14 December 2021 to 15 February 2021 to inform the development of the Draft Plan of Management. Table 1 outlines the issues that the community has raised with respect to Macquarie Park as part of this community engagement.

Table 1 – Issues and Suggestions raised by the community

Issues	Suggestions raised by the Community
Recreation	
Playground is largely for young children with limited equipment	Larger and better playground for younger and older children of all abilities, with new and upgraded equipment and a nature theme Complete the kids bike track around the play equipment.
Playground is partially fenced	Fully fenced playground.
Playground is not shaded	More shade for playground – whole or partial shading, shade structure.
Bark chip soft-fall in playground	Replace the bark chips with another surface.
Opportunity for water play	Water play and /or a splash park. Inflatable water park on the river.
Limited shade and shelter	More shade and shelter.
Poor appearance of exterior and interior of restaurant café building	Renovate and modernise the restaurant café. Use the upstairs area for functions Replace the existing restaurant café.
Desire for more dining options	Additional cafes and restaurants.
Insufficient shaded picnic facilities and barbecues to meet demand Demand for picnic shelters for large groups	More covered and shaded picnic tables and facilities in and near the playground, at picnic areas and at the beach. More barbecues near the bush, on grassed area near the beach Large and small picnic shelters. Ability to book shelters and barbecues to ensure availability.
Rubbish left by park visitors	More rubbish bins, including closer to the beach. Clean up rubbish on weekends. More rangers.
Toilets	Better and upgraded toilets.
Irregular/poor cleaning of facilities	Clean tables Clean toilets regularly.

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Issues	Suggestions raised by the Community
No adventure play opportunities for older children/adults	Skate park. Bike tracks – pump track, mountain bike track.
Desire for boat, watercraft, launching and berthing facilities	Boat launching and berthing facilities including wharf, boat ramp and floating pontoon. Improve the kayak ramp with rollers.
Desire for live music	Space for live music on Sundays, food trucks, pop-up bars.
Desire for gardens	Gardens – edible, themed, wedding photo setting, native.
Desire for more community events	Casual hire of the grassed areas for special interest and community activities, functions, markets, car shows.
Poor water safety signage	Locate updated water safety signage closer to the beach.
Dangerous swimming area due to water quality and currents	Safe enclosed swimming area.
No fitness equipment	More gym equipment.
No wash facilities at the beach	Wash facility (tap, shower) near the beach.
Desire for more toilets	More toilet facilities including closer to the playground.
Support for new paddle sports clubhouse	Screen the paddle sports clubhouse with vegetation for privacy and security to discourage vandalism.
No shade at the beach	Shade and cabanas at the beach.
Restrict off leash dogs	More policing of off-leash dogs.
Allow off-leash dogs	Dog park Allow off-leash for dogs including the beach outside peak times.
Dog waste	Install dog waste bag dispensers and bins – near the beach.
Desire for camping opportunities	Overnight stay area on grassed area near the beach. More camping area along the river banks.
Riverbanks are overgrown preventing people sitting on the banks	Maintenance of the riverbanks.
No lighting	Improve lighting.
Natural	
Maintenance of the bush area	Clean up the bush area by removing weeds and rehabilitating with endemic natives and removing waste.
Weed management	Manage weeds by reviewing the mowing program, and funding or supporting Landcare groups to clear weeds around the river bend.
Access	
Demand for parking on weekends particularly near the playground and restaurant	More and better parking towards Ben's Point.
Walking opportunities	River walk and cycle circuit connecting Macquarie Park, Deerubbin Park via Windsor Bridge. Walking tracks to/through the bush area.
Poor access to the beach	Better path or boardwalk access to the beach.
Unsatisfactory access road Safety of people crossing the road between the café and playground	Better access road. Better paving for walkers from the park entrance. Pedestrian crossing, speed humps on the entrance road at the café and playground.

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Issues	Suggestions raised by the Community
Park entrance	Upgrade the park entrance – repair entrance walls, signage.
Unauthorised vehicle access to grassed areas	Install CCTV.
Vegetation on the peninsular has been a fire hazard concern, particularly when homeless people were living there.	Improved emergency vehicle access to the bush area on the peninsula.
Open space	
Unightly open grassed areas	Better use of grassed areas – northern field or vacant area next to the restaurant used as a sportsground or playground. Repair divots in the grass. Weed control. Better mowing

Feedback from the community has been addressed in the Draft Plan of Management for Macquarie Park, with key recommendations including:

- Development of the Paddle Sport Clubhouse
- Upgrade and increase picnic facilities, including provision of shade
- Upgrade the play space for all ages and abilities, including provision of shade
- Upgrade and extend the path network across the entire site for walking and cycling
- Upgrade and improve parking
- Improve access to the beach and provide shade, seating, bins and drinking water
- Update interpretive and regulatory signage across the site
- Improve and protect the riverbank with native vegetation whilst retaining important visual connections to the river
- Retain large event spaces
- Provide an area for dogs to roam off-leash.

Figure 2 outlines the proposed Concept Plan for Macquarie Park.

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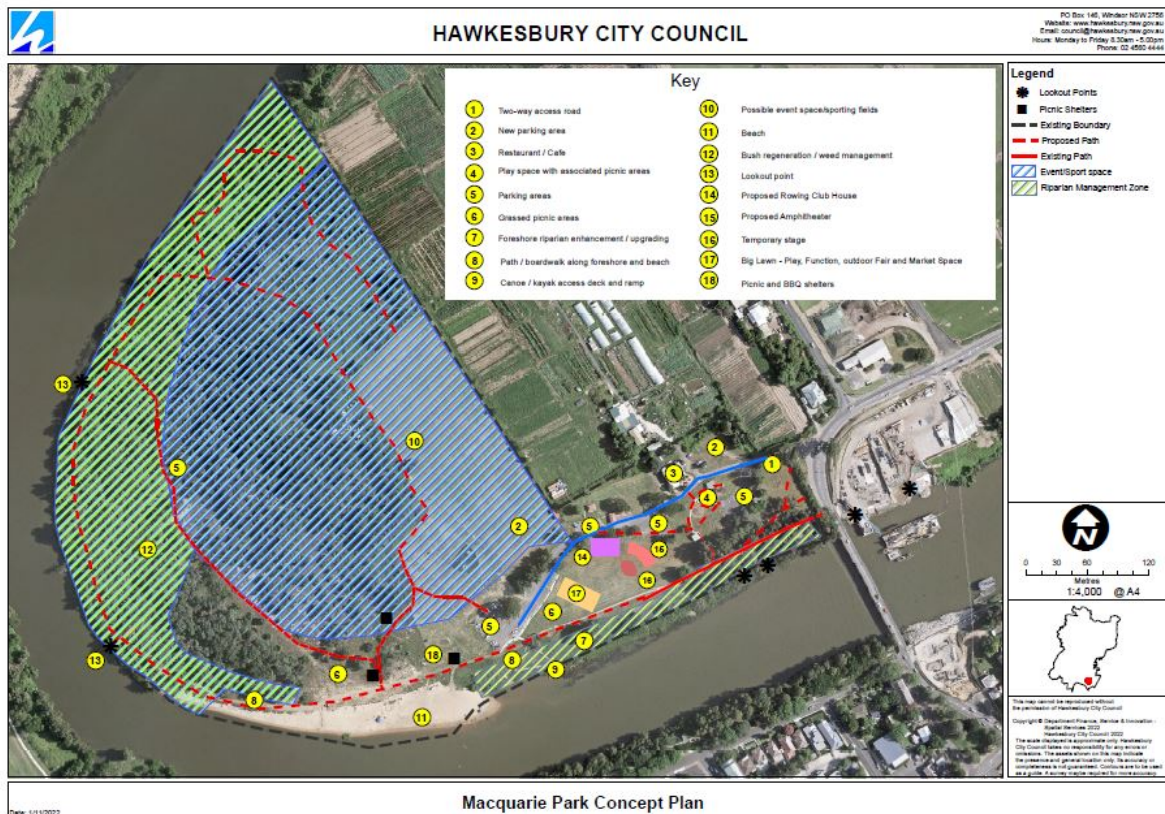


Figure 2 - Concept Plan for Macquarie Park

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. Whilst community engagement has been undertaken to inform the preparation of the Draft Plan, it is proposed that Council undertake the following community engagement process in compliance with Council's Policy.

Public exhibition of the Draft Plan of Management for a period of at least 28 days (four weeks), with a further two weeks provided for completion of written submissions, in accordance with the Local Government Act.

The public exhibition of the document is conditional upon approval from the Minister responsible for Crown Lands. Any minor changes required as a condition from Crown Lands will need to be incorporated into the documents to be exhibited.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Great Place to Live

- 1.1 Enable a shared responsibility for community resilience, community safety and disaster management.
- 1.2 Encourage and enable our community to participate in a healthy lifestyle.
- 1.3 Increase the range of local partnerships and plan for the future.
- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.
- 1.5 Provide the right places and spaces to serve our community.
- 1.6 Build on a sense of community and wellbeing.
- 1.7 Encourage broad and rich celebration of our local culture and significant heritage.

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Protected Environment and Valued History

- 2.1 Value, protect and enhance our historic built environment as well as our relationship to Aboriginal and non-Aboriginal history.
- 2.2 Value, protect and enhance our natural land-based environment with an emphasis on using local resources and key partnerships.
- 2.5 Value, protect and enhance our waterways and wetlands with an emphasis on using local resources and key partnerships.

Reliable Council

- 4.7 Encourage informed planning, balanced growth and community engagement.
- 4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The expenditure associated with the preparation of the Plan of Management is provided for in the 2022/2023 Adopted Operational Plan.

Development and endorsement of the Plan of Management does not represent a formal commitment to funding. Works identified will be considered for inclusion in Council's Operational Plans in accordance with the plan's priorities, the financial allocations identified in the Long-Term Financial Plan and external funding opportunities as they arise from time to time.

ATTACHMENTS:

- AT - 1** Draft Macquarie Park Plan of Management - *(Distributed under separate cover)*.

oooO END OF REPORT Oooo

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Item: 204 **CP - Draft McQuade Park Plan of Management - (95498)**

Previous Item: 039 Ordinary (22 February 2022)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to consider the outcome of public exhibition of the Draft McQuade Park Plan of Management, and to seek Council's endorsement to adopt the Plan.

EXECUTIVE SUMMARY:

The Draft McQuade Park Plan of Management was developed in response to the Crown Land Management Act 2016 which requires all Council Crown Land Managers to develop plans of management for all Crown reserves under their management. A site-specific plan of management was developed for McQuade Park as it is of State Heritage significance.

McQuade Park is a prominently located site at 361 George Street, Windsor, is comprised of 8.125 hectares that caters for a diverse range of uses including sport, passive recreation, and commemoration. The reserve purpose is 'Public Recreation'. All activities on the reserve must be consistent with the reserve purpose.

The Windsor and District RSL have been working on a proposal to formalise a memorial space on the western side of the ornamental pond, which is addressed in the Draft Plan of Management.

The Draft McQuade Park Plan of Management includes a Park Landscape Masterplan which was developed as part of Council's Vibrant Towns and Villages project. Key recommendations from that Project have been incorporated into the Draft Plan of Management.

Following endorsement from Crown Lands, the Draft Plan of Management for McQuade Park was publicly exhibited from 10 August 2022 to the 23 September 2022. A total of 40 submissions were received during the public exhibition, in addition to correspondence from the Rector of St Matthews Church that was received in January 2022 which is of relevance to consideration of this matter.

Preparation of the Plan of Management does not represent a formal commitment to funding. Works identified will be considered for inclusion in Council's Operational Plans in accordance with the Plan's priorities, the financial allocations identified in the Long-Term Financial Plan, and external funding opportunities as they arise.

RECOMMENDATION:

That Council adopt the McQuade Park Plan of Management attached as Attachment 2 to this report.

BACKGROUND

McQuade Park is Crown Land with a reserve purpose of "Public Recreation". It is a prominently located site at 361 George Street, Windsor and is comprised of 8.125 hectares catering to a diverse range of uses including sport, passive recreation, and commemoration.

The Draft McQuade Park Plan of Management was developed in response to the Crown Land Management Act 2016 which requires all council Crown Land Managers to develop Plans of Management

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for all Crown reserves under their management. A site-specific Plan of Management has been developed for McQuade Park as it is of State Heritage significance.

The Draft Plan of Management guides how the Park may be used, managed and developed. It establishes directions for planning, identifies permissible uses, leases and licences and prioritises future development. The Draft McQuade Park Plan of Management addresses a proposal from the Windsor and District RSL to formalise a memorial space on the western side of the ornamental pond.

A Masterplan for McQuade Park, which was developed as part of Council's Vibrant Towns and Villages project is incorporated into the Draft Plan, and key recommendations from that Project have been included.

Council considered the Draft Plan of Management at its Meeting on 22 February 2022, where Council resolved that:

- "1. Council refer the Draft McQuade Park Plan of Management to the Minister responsible for Crown Land for review, after making the following changes:*
 - a) The plan is to be amended to make allowance for a memorial of the type and scale proposed by the Windsor RSL Sub-Branch, to be located as identified in their proposal, at 10m from the western edge of the ornamental pond*
 - b) The conditions listed for the design of any future proposal for a memorial at the location are to be altered to:*
 - i protect local heritage values and vistas*
 - ii protect the open visual quality and low-key character of the lake-side landscape setting*
 - iii provide a safe, easily accessible space for large gatherings*
 - iv consider including gardens/vegetation to soften any harsh edges.*
 - v exclude specific names of veterans*
 - vi honour veterans from all conflicts, including indigenous*
 - vii be publicly exhibited extensively, giving the broader public the opportunity to comment on the proposal. The exhibited plans should be notified to all residents within 400m of the park, a notice in the local paper and a notice on the land advising of the proposal and exhibition period. The plans should be exhibited, and comments allowed to be received for a minimum 42 days to be consistent with the requirements for Plans of Management in the Local Government Act.*
- 2. Upon receipt of approval from the Minister responsible for Crown Land, the Draft McQuade Park Plan of Management be placed on public exhibition.*
- 3. The matter be reported back to Council following the public exhibition period."*

All changes were made to the Draft Plan of Management as per the Council resolution, and forwarded to Crown Lands for review and approval to exhibit.

Approval from Crown Lands to progress to the Public Exhibition stage was obtained, and which required several minor amendments including:

- Correction of references to regulations and the name of the Department of Planning, Industry and Environment which had changed through the course of developing the Plan.
- Inclusion of "Estates" within the express authorisation
- Reference to Sections 46 through 47D of the Local Government Act in relation to granting a lease, licence or estate
- Removal of childcare facilities as a potential lease as this is not consistent with the reserve purpose of 'Public Recreation'.
- Correction of 'estate' to 'estates'.

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All changes were made to the Draft McQuade Park Plan of Management as per the requirements from Crown Lands.

Location Plan

As shown in Figure 1, the site is prominently located in Windsor.

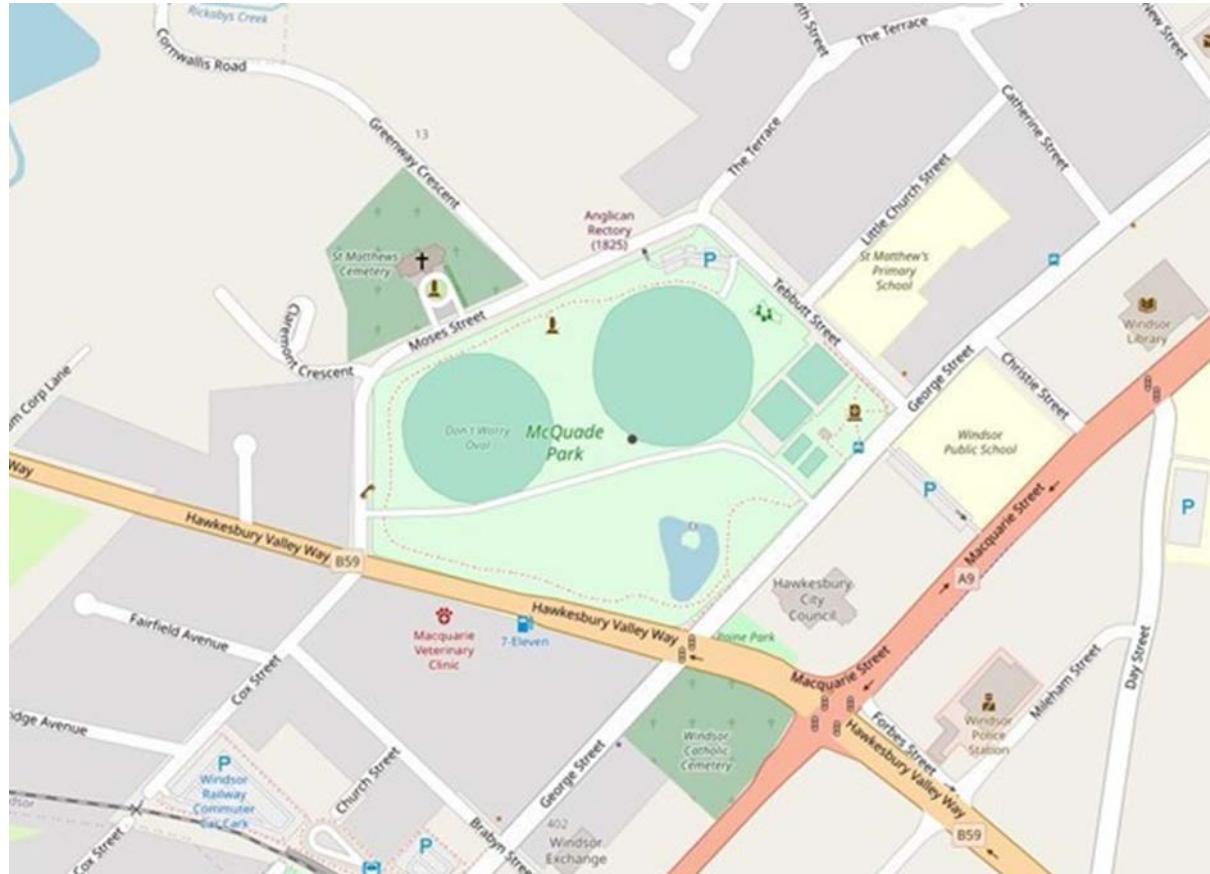


Figure 1: McQuade Park and Surrounds

Relevant Legislation

Crown Land Management Act 2016
Local Government Act 1989.

COMMUNITY ENGAGEMENT

The Draft McQuade Park Plan of Management was publicly exhibited from Wednesday, 10 August 2022 to Friday, 23 September 2022.

The Public Exhibition was promoted to the community through the following mechanisms:

- Letters to residents within 400m of the Park
- Letters to key stakeholders
- Letters to all respondents to the previous survey
- Notifications in Council Notices
- Facebook Post
- Notice placed at the Park.

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Council received 40 submissions through a combination of Your Hawkesbury Your Say, and written submissions. Additionally, further comments were received from Councillors. Copies of the full submissions can be viewed in Attachment 1 to this report. Table 1 provides a summary of submissions from the community and response from Council Offices.

Table 1: Summary of Submissions – Draft McQuade Park Plan of Management Public Exhibition 10 August 2022 – 23 September 2022

Issue	Summary	Officers Response
Aboriginal significance	<p>Suggestion to include Darug language on signs and artwork – incorporate Aboriginal culture into Parks and Council buildings.</p> <p>Suggestion to install a monument to recognise the history and contributions of the Darug people.</p>	Noted. Ways to include Aboriginal language and culture will be considered at the detailed design phase.
Basketball	Request for a basketball court at McQuade Park.	Noted. Upgrade of the tennis courts to a multi-use court should be investigated.
Sports Fields	<p>Better drainage of the rugby field is required.</p> <p>Request to retain use of the sporting facilities for Ruby Union and Cricket.</p> <p>Better lighting at the Don't Worry Oval is required.</p> <p>Against building light towers for the sports areas – too intrusive for locals.</p>	<p>The Plan proposes to improve drainage and lighting to both sports fields.</p> <p>Lighting will be in accordance with Australian Standards to limit glare and spill.</p>
Park Lighting	Request to install lighting around the Park to make it more useful during winter	Noted.
Upgrade / Improvements to landscape	<p>Request that the recommendations of the Conservation Management Plan 2004 be closely followed.</p> <p>Support for upgrade of the Park as it is rundown.</p> <p>One person indicated that a budget of \$2 million is too high for a Park that already has a lot of facilities which only require upkeep.</p> <p>One person asked for more detail on the proposed upgrades (and that more bins are required.</p> <p>Request that works that benefit young mothers and children be prioritised e.g toilets and playground equipment.</p> <p>Question about the</p>	<p>It is recommended that a detailed landscape plan for McQuade Park be developed and costed to guide decisions around projects to be included in future Operational Plans, and support applications for grant funding.</p> <p>The detailed landscape plan will consider:</p> <ul style="list-style-type: none"> • Placement and quantity of bins • Upgrade of play spaces • Improving accessibility across the site • Utilisation of the central road as a shared pathway • Method to interpret bicentennial tree planting

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Issue	Summary	Officers Response
	<p>usefulness/value of the central road through the Park Request for the road to be used as a footpath</p> <p>Removal of tree plaques and installation of new commemorative sign should occur simultaneously, and relatives invited to participate</p> <p>The proposed removal of the oleander hedges were questioned as not being necessary.</p> <p>Note that the storage shed in the bowling club is badly damaged</p> <p>There is no mention about the damaged rotunda – it needs urgent repair as it is dangerous.</p> <p>Pathway connection from car Park to existing memorial is critical.</p> <p>Disability accessibility should be a priority and the plan does nothing in the plan to make the Park more accessible to more people.</p>	<p>It is necessary to remove the Oleander hedges as the sap can cause skin reactions when touched. These hedges block views into the Park which decreases the safety of the Park for users.</p> <p>Information about damage to the rotunda is noted and appropriate works will be undertaken.</p>
Pond	Request to turn the pond into a wetland and bird sanctuary, including installation of a fence to protect wildlife.	Wetland plants are included within the pond to improve water quality and provide habitat. It is not appropriate to treat this area as a bird sanctuary or fence the waterbody.
Trees	<p>Against tree removal.</p> <p>Suggestion that future tree planting be restricted to Australian natives.</p> <p>Request for Crepe myrtle be planted along a walkway, creating an avenue to the church.</p> <p>Suggestion that views to St Matthews Anglican Church be maintained/established.</p> <p>Request not to cut down trees so that people standing in the church grounds can have a panoramic view of the Park.</p>	<p>It is recommended to retain and enhance the trees around the perimeter of the Park and along the central roadway as recommended in the Conservation Management Plan.</p> <p>It is recommended that in practical terms with respect to the view corridor that there are no new trees planted within the view corridor across the Park to St Matthews Anglican Church, and that no existing trees be removed other than the selective removal of poor quality trees within that view corridor.</p> <p>A mixture of Australian native and exotic trees is appropriate for this reserve.</p>

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

Issue	Summary	Officers Response
Views to St Matthews Church	<p>Request that more emphasis be given to maintain the line of sight to St Matthews Anglican Church and Rectory from surrounding areas.</p> <p>Request not to cut down trees so that people standing in the church grounds can have a panoramic view of the Park.</p>	<p>Within the Conservation Management Plan, the Statement of Significance for McQuade Park states that “the lack of built elements within the Park along Moses St, the original relationship of the Great Square with the Anglican complex of St Matthew’s and its rectory has remained highly legible”.</p> <p>Increasing views to the Church from various locations would require the removal of large, healthy trees including from the intersection of George Street and Hawkesbury Valley Way; this is inconsistent with outcomes of consultation and a number of Council strategies and plans.</p> <p>As per the discussion above, it is recommended that in practical terms with respect to the view corridor that there are no new trees planted within the view corridor across the Park to St Matthews Anglican Church, and that no existing trees be removed other than the selective removal of poor quality trees within that view corridor. This can be investigated further at detailed design phase.</p> <p>It is also noted that currently there are trees within the grounds of the church that impede views to the building and that removal of trees within the Park would not guarantee full view of the building.</p>
Shade	Request to use trees as shade rather than shade structures which are at odds with open vista concepts	Planting of additional trees throughout the Park for shade is supported, including near play spaces. Some shade structures however may need to be installed over play spaces until tree canopies become established.
Homeless	Request to do something about the amount of homeless that sleep in the Park. It prevents some residents from using the Park as they do not feel safe.	Council works with government agencies and in accordance with the State protocols to support persons experiencing homelessness to transition to accommodation. Council will continue to encourage persons sleeping rough in public spaces to access alternate accommodation through this work.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

Issue	Summary	Officers Response
Café	Doubt around the commercial viability of a café at the CWA building and redundant infrastructure being left to be derelict.	It is recommended that prior to any permanent café infrastructure being installed within the Park, that a pop up café be established in the first instance to determine viability.
Cenotaph / War Memorial	<p>Various submissions were received both in favour of, and against the proposed permanent memorial.</p> <p>The submissions in favour supported the location, but also made suggestions, including:</p> <ul style="list-style-type: none"> - Should be more elaborate given it will 'stand out' in the Park. - Should not block vistas. - Include reference to volunteer forces, Boer War, WW1, WW2 and the conflicts up to the present day on the new memorial. - Request to keep the guns in place at the existing memorial and to find a place within the Park to house the Krupp Field Gun near the existing memorial. - Request that names remain on the older memorial <p>The submission against locating the Memorial raised poor design and appearance in a critical position.</p>	The Plan of Management recommended for adoption maintains the provision for the Cenotaph/War Memorial in the proposed location. The detailed landscape plan to be developed subsequent to the adoption of the Plan of Management will include the design provided by the Windsor and District RSL and considerations to ensure the Memorial is sensitive to and reflective of the surrounding landscape. This element will be undertaken in collaboration with the Windsor and District RSL.
Signage	Request that the Welcome to Windsor signage not be within the Park but closer to the Mall as it is so far away from attractions such as the markets.	Noted – for consideration as part of the Liveability Project.
Toilets	<p>Need signage to direct people to help people find the public toilets</p> <p>There are no accessible toilets available to the public</p>	Noted. Signage and toilet facility upgrades will be considered at detailed design phase.
Name	Suggestion to re-name the Park to Windsor Park, The Great Square or The Church Green as these carry more meaning for the place of the Park in Windsor's history.	Noted, but the McQuade Park has existed for a significant period of Windsor's colonial history.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

DISCUSSION

The exhibited Draft McQuade Park Plan of Management that has incorporated the changes as per the Council resolution of 22 February 2022, and the feedback received from Crown Lands is attached as Attachment 2 to this report.

Consent has been granted for Council to adopt the Plan of Management under clause 70B of the Crown Land Management Regulation 2018 following Public Exhibition provided it is not altered from the exhibition draft (except for matters identified for completion such as the dates of exhibition etc.).

If the Plan of Management is amended following public exhibition, Council is required to obtain the Minister's consent to adopt the Plan.

Based on consideration of the submissions, no changes have been recommended to the Draft McQuade Park Plan of Management.

As such the Draft Plan of Management attached as Attachment 2 is the final version of the Plan that is now presented for adoption by Council.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Great Place to Live

- 1.1 Enable a shared responsibility for community resilience, community safety and disaster management.
- 1.2 Encourage and enable our community to participate in a healthy lifestyle.
- 1.3 Increase the range of local partnerships and plan for the future.
- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.
- 1.5 Provide the right places and spaces to serve our community.
- 1.6 Build on a sense of community and wellbeing.
- 1.7 Encourage broad and rich celebration of our local culture and significant heritage.

Protected Environment and Valued History

- 2.1 Value, protect and enhance our historic built environment as well as our relationship to Aboriginal and non-Aboriginal history.

Strong Economy

- 3.4 Support the revitalisation of our town centres and growth of our business community.

Reliable Council

- 4.4 Build strong relationships and shared responsibilities.
- 4.7 Encourage informed planning, balanced growth and community engagement.
- 4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

FINANCIAL IMPACT

The matters raised in this report have indirect financial implications. Expenditure in the form of staff resources will be incurred in association with these matters.

Development and endorsement of the Plan of Management does not represent a formal commitment to funding. Works identified will be considered for inclusion in Council's Operational Plans in accordance with the plan's priorities, the financial allocations identified in the Long-Term Financial Plan, and external funding opportunities as they arise from time to time.

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ATTACHMENTS:

- AT - 1** Submissions received during Public Exhibition of the Draft McQuade Park Plan of Management - *(Distributed under separate cover)*.
- AT - 2** McQuade Park Plan of Management – *(Distributed under separate cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

Item: 205 **CP - Local Heritage Assistance Fund 2022/2023 - Minor Maintenance and Conservation Works to Heritage Listed Properties within the Hawkesbury LGA - (95498, 124414)**

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to consider and determine applications that Council has received for funding under the Hawkesbury Local Heritage Assistance Fund 2022/2023.

EXECUTIVE SUMMARY:

The Local Heritage Assistance Fund is jointly funded each year by Council and Heritage NSW. For the 2022/2023 Financial Year, the \$35,500 program budget is funded by \$30,000 from Council and \$5,500 from Heritage NSW. In August 2022, applications were invited from owners or managers of heritage listed properties for Minor Maintenance or Conservation Works to heritage listed properties within the Hawkesbury Local Government Area (i.e. not restricted by theme).

Council received a total of 25 applications under the Program, and with an increased allocation of funding as part of Council's contribution, Council is able to approve the highest number of applications received under the Local Heritage Assistance Fund to date.

This report recommends that Council approve financial assistance to the 25 applicants as detailed in this report.

RECOMMENDATION:

That Council:

1. Approve the Local Heritage Assistance Fund 2022/2023 grant applications listed in this report for funding under Section 356 of the Local Government Act 1993 at the level recommended in Table 1 in the report.
2. Approve execution of an Agreement which includes the provisions for acceptance of the offer of funding and any special conditions relating to the project, including recognition of the grant funding program and the funding contributors.
3. Approve that the grant amount as detailed in this report will be forwarded to each applicant following an inspection by authorised officers that confirms that work has been carried out in accordance with the Agreement.

BACKGROUND

The Hawkesbury Community Strategic Plan 2022-2042 recognises the importance of conservation and promotion of the Hawkesbury's heritage and history for current and future generations.

The Hawkesbury Heritage Strategy 2021-2024 provides an effective framework for Council to achieve its commitment to conservation and management of the unique and diverse heritage assets and character within the Hawkesbury.

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In order to promote a positive community attitude towards heritage and to encourage the conservation and restoration of the Hawkesbury's significant heritage, each year Council, assisted by Heritage NSW, runs a Local Heritage Assistance Fund.

A total of \$35,500 joint funding is budgeted for the 2022/2023 Local Heritage Assistance Fund program, which is comprised of \$30,000 from Council and \$5,500 from Heritage NSW.

The Local Heritage Assistance Fund provides a financial contribution to Minor Maintenance or Conservation Works to heritage listed properties within the Hawkesbury Local Government Area in accordance with the framework set out in the Hawkesbury Heritage Strategy 2021-2024.

In August 2022, all owners and managers of locally listed properties within the Hawkesbury Local Government Area were advised in writing of the Local Heritage Assistance Fund 2022/2023 and encouraged to apply for funding. Application forms and guidelines on how to apply for funding assistance were made available on Council's website during the application period.

As with previous years' funding programs, the funding available for any one applicant or property has been set at \$2,000. Funding is offered on a dollar for dollar basis (\$1 of private funding for each \$1 of grant funding) to enable funded works to be undertaken.

Any expenditure in excess of the amount granted under the program will need to be met by applicants. It should be noted that the funding allocation amounts were aimed at encouraging minor works that do not require formal approval from Council. This is due to time constraints imposed by Heritage NSW for Council to complete the grant funding program, and also to enable as many properties as possible to benefit from the funding.

Program Outcomes 2021/2022

The combined impact of COVID-19, long sustained periods of rainfall, repeated flood events, scarcity of available and suitable tradespeople, and noted increased costs of materials during the program year resulted in seven of the approved applicants being unable to commence or complete their works. This is despite Heritage NSW granting an extension to the program due to the flooding and weather impacts. Even with these considerable challenges, a total of 18 successful applicants managed to complete their projects within the extended program timeframe. The total grant funds allocated to these applicants was \$27,679.50, whilst the applicant's contribution to those repairs totalled \$78,545, with the combined monetary value of the works being \$106,224.53.

The approved applicants that were unable to commence or complete their works were invited to submit an application for the 2022/2023 Local Heritage Assistance Fund program. A number of these property owners have reapplied under the current program.

Applications for Funding

In total, 25 applications were received for funding under the Local Heritage Assistance Fund 2022/2023.

The total value of proposed works for the 2022/2023 program is \$265,615.41, with applicants contributing \$216,865.41 towards these costs.

Table 1 below summarises the applications received, and the grant funding sought.

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Table 1: Summary of Applications Under the Local Heritage Assistance Fund 2022/2023

Owners Name and Heritage Listed Property Address	Proposal	Total project cost (\$)	Applicant's Contribution	Financial Assistance Sought through Local Heritage Assistance Fund
Mr A & Mrs D Prudames, 3 Thompson Square Windsor	Prepare and repaint front façade of the "Doctor's House"	\$4,350.00	\$2,350.00	\$2,000.00
Mr S Zhuang, 888 Sackville Road Sackville	Repointing of the roof, repair gutters and repair stone retaining wall	\$3,850.00	\$1,925.00	\$1,925.00
Ms T Langton, 15 Brabyn Street Windsor	Maintenance/conservation work to out buildings and repairs to verandah concrete floor	\$4,180.00	\$2,180.00	\$2,000.00
Ms A Gibson, 61 Francis Street Richmond	Investigate location of stormwater pipes and water levels of well and cellar areas and replace floorboards in living area and provide sub floor ventilation	\$13,558.41	\$11,558.41	\$2,000.00
Mr K & Mrs J Gosper, 7 New Street Windsor	Repair and restoration of existing roof in keeping with history of the building	\$42,149.00	\$40,149.00	\$2,000.00
Ms R J Fagan, 5 Francis Street Richmond	Prepare and repaint exterior of the building	\$8,770.00	\$6,770.00	\$2,000.00
Mr J. Lahoud & Ms T Kletsas, 112 Lennox Street Richmond	Remove and replace existing roof sheeting to front verandah and repair existing timber columns to front verandah	\$12,000.00	\$10,000.00	\$2,000.00
Mr D & Mrs K Crumpton, 340 Bells Line of Road Kurmond	Repairs to heritage windows and french doors	\$4,950.00	\$2,950.00	\$2,000.00

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Owners Name and Heritage Listed Property Address	Proposal	Total project cost (\$)	Applicant's Contribution	Financial Assistance Sought through Local Heritage Assistance Fund
Anglican Church Property Trust Diocese of Sydney, 110 Bathurst Street Pitt Town	Replace corroded and missing roof gutters and downpipes to St James Church which includes removal of old asbestos gutters	\$5,720.00	\$3,720.00	\$2,000.00
Ms T Faucher & Mr R McDonald, 1932 Wheelbarrow Ridge Road Lower Portland	Restore to original condition rotten and missing timber eaves on roof and bell tower and replace missing fascia boards and damaged gutters and down pipes	\$4,152.50	\$2,152.50	\$2,000.00
Mr A & Mrs G Johnston, 7 Francis Street Richmond	Repairs to and the installation of timber cladding to the rear of the dwelling, carport and loft. Provide new window and door mouldings to match existing and install "Defender" bird spikes to chimney pots to deter ducks from entering them.	\$6,600.00	\$4,600.00	\$2,000.00
Ms M A Wright, 20 March Street Richmond	Replace roof sheets barges and ridge capping	\$6,930.00	\$4,930.00	\$2,000.00
Richmond Literary Institute Inc., 26 West Market Street Richmond	Raking out and repointing 75m2 of sandstone flags at the side of the building	\$5,115.00	\$3,115.00	\$2,000.00
Mr J Horan & Mr G Horan, 119 Francis Street Richmond	Prepare and repaint external surfaces of the weather board dwelling	\$8,690.00	\$6,690.00	\$2,000.00
Mr L Penninkilampi & Ms A Michelutti, 1/339 Windsor Street Richmond	Repair historic windows and replace modern unsympathetic windows with sympathetic replacements	\$10,444.50	\$8,444.50	\$2,000.00

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Owners Name and Heritage Listed Property Address	Proposal	Total project cost (\$)	Applicant's Contribution	Financial Assistance Sought through Local Heritage Assistance Fund
Mr R Miller & Ms R Carruther, 94 Bathurst Street Pitt Town	Prepare, fix and repaint front picket fence.	\$1,650.00	\$825.00	\$825.00
Mrs J & Mr C Perri, 219 George Street Windsor	Repair, part replacement and repainting of 2 x timber gable ends and repainting of 6 x timber windows	\$7,590.00	\$5,590.00	\$2,000.00
Mr C & Mrs M Bingley, 1 March Street Richmond	Remove and replace guttering and down pipes which have deteriorated	\$9,600.00	\$7,600.00	\$2,000.00
Mr G & Mrs J Kapp, 1042 Grose Vale Road Kurrajong	Underpinning of north eastern corner of the dwelling to strengthen and improve the ground beneath the piers that have subsided	\$5,016.00	\$3,016.00	\$2,000.00
Ms M Ashwell, 335 Windsor Street Richmond	Replace roof, gutters and downpipes	\$38,850.00	\$36,850.00	\$2,000.00
Mr M Bennett, 239 Windsor Street Richmond	Painting of external surfaces of the building	\$34,100.00	\$32,100.00	\$2,000.00
RJ & T Ingaldo, 67 Windsor Street Richmond	Repair cracked and damaged render to front fence/wall and repaint in heritage colour	\$4,400.00	\$2,400.00	\$2,000.00
Mr L & Mrs D Cavicchia, 117 George Street Windsor	Repair and restore the 9 historic timber supporting columns holding up front awning of the building on Windsor Mall	\$9,350.00	\$7,350.00	\$2,000.00
Mr P Zorbas, 463 Comleroy Road Kurrajong	Prepare and repaint rear section of dwelling	\$5,600.00	\$3,600.00	\$2,000.00
Mr P. Hughes 135A – 135B Wollombi Road, St. Albans	Restore wall to historic kitchen timber slab building	\$8,000.00	\$6,000.00	\$2,000.00
TOTAL		\$265,615.41	\$216,865.41	\$48,750.00

ORDINARY MEETING

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Assessment of Applications for Funding

Applications were evaluated by a panel comprised of Council's Senior Heritage Officer and other relevant Council Officers. The following criteria were used in the evaluation:

- the eligibility of the subject site and the proposal;
- the applicant's ability to demonstrate technical and financial responsibility in relation to the project and demonstrated ability to complete the project within **six months** from the date of funding confirmation;
- the degree to which the applicant is financially contributing to the project given the limitations of the funding available;
- projects of demonstrated heritage value to the community;
- projects which are highly visible to the public;
- the urgency of repairs required to preserve the heritage item from further deterioration, and;
- whether the applicants had received Local Heritage Assistance Funding in the previous three years.

Following this process, the assessment panel after careful consideration determined that all 25 projects are suitable to be funded.

Implementation

Subject to endorsement by Council, all applicants will be advised in writing of the determination of their application. Applicants will be required to enter into an Agreement with Council which includes provisions for acceptance of the offer of funding, permission to commence work, time limits, claims for payment, and any special conditions relating to the project. Successful applicants are also required to display a sign provided by Council on the front boundary of the property, that highlights the grant funding program and the funding contributors.

On completion of the work an inspection will be carried out by Council Officers and Council's Heritage Advisor to ensure that the work has been carried out in accordance with the Agreement. Upon satisfactory completion of the works, and approval of Council's Heritage Advisor and Council Officers, the approved grant amount will be forwarded to the applicant.

Relevant Legislation

Local Government Act 1993.

DISCUSSION

The special character of the Hawkesbury derives from its unique historical background and the expression of this background in its interrelationship of buildings and places of heritage significance, their settings and landscapes. These irreplaceable and precious heritage items not only provide a window into the past, but also add character, appeal and interest to the Hawkesbury area. Therefore, Council is continuing in its leadership role in protecting and conserving Hawkesbury's heritage, promoting and encouraging the Community's participation and interest in heritage conservation and protection of significant and unique heritage items within the Hawkesbury Local Government Area.

Continuing with the Local Heritage Assistance Fund program in future years is a key to promoting and supporting the Hawkesbury's heritage and making the Community aware of the importance of heritage conservation.

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COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. However, it is noted that through increased promotion and awareness, the program has had a significant increase in popularity and interest.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Protect Environment and Valued History

- 2.1 Value, protect and enhance our historic built environment as well as our relationships to Aboriginal and non-Aboriginal history

Conformance to Heritage Strategy

Funding for Minor Improvements or Conservation works to heritage listed properties within the Hawkesbury Local Government Area and the implementation of the Fund is consistent with Recommendation 5 of the Hawkesbury Heritage Strategy 2021-2024 '*Introduce a local heritage fund to provide small grants to encourage local heritage projects*'.

FINANCIAL IMPACT

A total of \$35,500 joint funding is budgeted for the 2022/2023 Local Heritage Assistance Fund program which is comprised of \$30,000 from Council, and \$5,500 from NSW Heritage. The grant applications received under the 2022/2023 Local Heritage Assistance Fund program have a combined total of \$48,750. It is noted that as per previous years programs that a number of successful applicants do not proceed with the works for various reasons. It is proposed that should the \$13,250 additional funding be required to fund the applications in full that this is a minor budgetary shortfall, the cost of which can be met through an adjustment of budgeted funding allocated to alternate programs within the Branch.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CORPORATE SERVICES

Item: 206 **CS - Investment Report - October 2022 - (95496)**

Previous Item: 129, Ordinary (19 July 2022)

Directorate: Corporate Services

PURPOSE OF THE REPORT:

The purpose of this report is to provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993.

EXECUTIVE SUMMARY:

This report indicates that Council held \$56 million in investments as at 31 October 2022 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

RECOMMENDATION:

That the Monthly Investment Report for October 2022 be received and noted.

BACKGROUND

Council held \$56 million in investments as at 31 October 2022. Details on the composition of the Investment Portfolio, and its compliance with Council's Investment Policy are provided below. Details include 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, the percentage of the total portfolio, exposure to credit ratings bands and the spread of maturities.

Location Plan

1. Composition of Investment portfolio

Tables 1 to 3 below provide details regarding the \$56 million in investments as at 31 October 2022.

Table 1 – Summary of Council's Investment Portfolio as at 31 October 2022

Product Type	Face Value	% of Total
At Call Deposits	\$6,117,537	10.9%
Term Deposits - Fixed Rate	\$49,000,000	87.5%
NSW TCorp Long Term Growth Fund	\$913,256	1.6%
Grand Total	\$56,030,793	100.0%

Table 2 – Total Investments by Issuer's Long – Term Credit Rating

Long Term Credit Rating	Face Value	% of Total
AA-	\$50,617,537	90.4%
BBB+	\$4,500,000	8.0%
NSW TCorp Managed Funds*	\$913,256	1.6%
Grand Total	\$56,030,793	100.0%

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*The purchase value of these funds was \$1,000,000. The strategy of this investment is to hold for at least 7 years, with an expected return of CPI +3.5% over rolling 10 year periods, as advised by Council’s Investment Advisor. Fluctuations will occur on long term growth investments, with -5.66% return over the previous 12 months, but is improving with a 3.77% return this financial year as at the end of October. It is anticipated that the face value will be recovered in the short term, based on current market conditions.

Table 3 – Fixed Term Deposits

Institution	Long Term Rating	Short Term Rating	Maturity	Rate	Face Value
Bank of Queensland	BBB+	A-2	09-Nov-22	2.50%	\$1,500,000
			04-Mar-24	1.70%	\$2,000,000
ME Bank (part of BOQ)	BBB+	A-2	09-Dec-22	0.70%	\$1,000,000
Commonwealth Bank of Australia	AA-	A-1+	28-Nov-22	0.46%	\$2,000,000
			08-Dec-22	0.46%	\$1,000,000
			02-Mar-23	0.85%	\$2,000,000
			21-Apr-23	2.20%	\$2,000,000
			05-May-23	3.08%	\$2,000,000
			08-Jun-23	3.68%	\$1,500,000
			20-Nov-23	0.65%	\$1,000,000
			10-Apr-24	3.01%	\$2,000,000
National Australia Bank	AA-	A-1+	29-Dec-22	0.45%	\$3,000,000
			22-Feb-23	0.50%	\$2,000,000
			08-Mar-23	0.50%	\$1,000,000
			08-Sep-23	0.60%	\$1,000,000
			19-Aug-24	0.75%	\$3,000,000
			10-Sep-24	0.80%	\$1,000,000
			19-Nov-24	0.75%	\$1,000,000
			15-Jan-25	0.80%	\$500,000
			05-Mar-25	1.05%	\$1,500,000
			03-Nov-25	0.95%	\$500,000
			19-Nov-25	0.90%	\$500,000
			13-Jan-26	1.00%	\$500,000
			04-Mar-26	1.30%	\$1,500,000
Westpac	AA-	A-1+	11-Jan-23	0.79%	**\$3,000,000
			25-Jan-23	3.10%	\$2,000,000
			10-Feb-23	0.88%	**\$2,000,000
			11-Apr-23	1.86%	\$1,500,000
			09-Jun-23	0.90%	**\$1,000,000
			27-Jun-23	3.81%	\$3,500,000
			10-Nov-23	1.11%	**\$1,000,000
Grand Total					\$49,000,000

**Environmental, Social and Governance (ESG) investments as per Council’s Investment Policy.

2. Environmental, Social and Governance (ESG) Investments

Tables 4 and 5 below provide the details on Environment, Social and Governance (ESG) investments and the proportion compared to the total Investment Portfolio.

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Table 4 – ESG Investments

Institution	Long Term Rating	Short Term Rating	Maturity	Rate	Face Value
Westpac	AA-	A-1+	11-Jan-23	0.79%	\$3,000,000
	AA-	A-1+	10-Feb-23	0.88%	\$2,000,000
			09-Jun-23	0.90%	\$1,000,000
			10-Nov-23	1.11%	\$1,000,000
Grand Total					\$7,000,000

Table 5 – Summary of Council's Investment Portfolio in Terms of ESG

Product Type	Face Value	% of Total
Environmental, Social and Governance (ESG)	\$7,000,000	14.29%
Other	\$42,000,000	85.71%
Grand Total	\$49,000,000	100.0%

3. Compliance to Investment Policy

Tables 6 to 7 below summarise Council's exposure limits to the credit ratings bands, term to maturity parameters and compliance with Council's Investment Policy.

Table 6 – Exposure Limits to credit ratings bands

Long-Term Credit Rating	Exposure of Entire Portfolio		
	Actual	Maximum	Compliant
AAA to AA- or Major Bank and below	90.3%	100%	Yes
A+ to A- and below	0.0%	50%	Yes
BBB+ to BBB and below	8.0%	40%	Yes
BBB- and below	0.0%	10%	Yes
NSW TCorp Funds	1.6%	20%	Yes

Table 7 – Term to Maturity

Long-Term Credit Rating	Term to Maturity	
	Maximum	Compliant
AA+, AA, AA- (and Major Banks)	5 years	Yes
A+, A, A-	3 years	Yes
BBB+, BBB, BBB-	3 years	Yes
Non-rated ADIs	1 year	Yes

4. Portfolio Return

Council's investment portfolio (excluding At Call Deposits and NSW TCorp Managed Funds) provided a weighted average return (running yield) as shown in Table 8 below.

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Table 8 – Portfolio Return

31 October 2022	Monthly Return	Annual Return
Hawkesbury City Council – Investment Portfolio	0.127%	0.985%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.242%	0.760%
Performance Relative to Benchmark	-0.115%	0.225%

Based on Council's Investment Advisor, Amicus Advisory Pty Ltd.'s advice, the running yield is the most appropriate for Council's portfolio. The rationale for this conclusion is that if all investments are purchased at par and mature at par, then the return over the holding period of that investment is simply the running yield.

Relevant Legislation

According to Clause 212 of the Local Government (General) Regulation 2021, 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 investments have been made in accordance with the Act, the Regulation, and the Council's Investment Policy.

Investment Certification

The Responsible Accounting Officer hereby certifies that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2021 and Council's Investment Policy.

DISCUSSION

Council's investments and returns achieved are driven and impacted by economic and market conditions. Council's Investment Advisor, Amicus Advisory Pty Ltd has reviewed Council's investments as at 31 October 2022 and has advised as follows:

- On an absolute basis Council's investment returns continue to rise. This is primarily due to lower yielding investments now maturing raising the overall average yield on the portfolio and secondarily prior months dropping out of the calculation and being replaced by current months e.g. returns in October 2022 were 13bps and returns in October 2021 were around 6bps so the overall 12 month rolling performance rose by 7bps to just under 1%. Amicus is highly confident 12 month rolling returns will exceed 1% in November.
- Council's investment portfolio annual return is around 23bps above the Bank Bill index. This return excludes at Call Accounts and NSW TCorp Managed Fund. However as explained in recent Amicus reports, the benchmark index is of shorter duration than the portfolio and therefore responds (rises) more quickly in a rising interest rate environment. While absolute investment portfolio performance has risen as per the chart above, performance relative to the benchmark has fallen and we expect these trends to continue in coming months.
- The benchmark index rose by 24bps over the month and now has a running yield of 2.67%. However, with current 3 month BBSW rates above 3.00% and more interest rate rises expected, this average running yield will continue to rise. Hence, monthly increases of around 20bps rising to 25bps (3.00%/12) should now be the norm for the bank bill index going forward. The 12 month rolling rate will also increase by approximately this same margin each month until May 2023 simply because between November 2021 and May 2022, the cumulative index return was less than 1bp so effectively each monthly increase will add the same to the 12 month rolling return. This will put pressure on portfolio returns relative to the index for at least the next six months.

ORDINARY MEETING

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- On a 12 month rolling basis we do not expect Council's investment performance to remain above the index going into 2023. This is due to two factors. Firstly, even if investment portfolio performance kept pace with the index on a monthly basis earning 20bps to 25bps as above, the 12 month rolling performance would still fall as Council made positive returns in the November 2021 to May 2022 period (as per the example given) when the index did not and when these months exit the 12 month rolling return it will provide a drag on performance. Secondly, because of the need to utilise investment funds in Council's operations, maturing funds have been used to meet expenditures rather than being re-invested. This has meant Council has been unable to take advantage of Term Deposits most recently paying between 4% and 5% interest rates and floating rate notes with coupon margins above 100bps that would have boosted investment performance both now and until their maturity.
- Overall, exposures to individual entities and to credit limits have been well managed. Amicus generally recommends its clients operate with "buffers" between policy limit maximums and minimums to provide flexibility and avoid breaches.
- Progress has been made in investing in ESG investments as part of the overall portfolio. However to increase current levels, Council will need to aggressively pursue opportunities when they arise as Westpac is currently not offering "Green" Term Deposits.
- Amicus suggests Council pursues the following investment strategies with regards to any excess liquidity:
 - Invest in a Major Bank or other highly rated FRN so long as the credit margin is above 100bps. It might be worth considering putting surplus funds aside for future FRN opportunities (rolling \$1 million earmarked for FRNs) so Council could invest as they arise. The rationale being:
 - FRN's are currently offering better value than Term Deposits.
 - It is part of the overall agreed investment strategy to invest in Term Deposits when they offer better value than FRN's and vice versa, but in practice this policy cannot be implemented until Council is willing to invest in FRNs.
 - New issue FRN's offer the best value but the timeframes for making an investment decision are around one half day (or one full day at most) and so Hawkesbury needs to have the internal processes in place to respond within these timeframes.
 - Usually once a Council has purchased its first FRN, the subsequent purchases are much easier because everyone involved in the process within Council is far more familiar and comfortable with the process, but this level of familiarity and comfort cannot be gained until the first purchase is made.
 - While this is a short term objective it is of longer term strategic value effectively opening up this area of the market for ongoing investments for Council to be accessed when FRN's offer better value than Term Deposits.
 - Invest in the best Term Deposit rates available within the capacity of Policy limits.
 - Take limited exposures to issuers outside the Major Banks in short-dated Term Deposits if rates are attractive. No more \$4 million of the total portfolio per entity is recommended based on the assumption the portfolio size will not fall below \$40 million and cause a breach of the 10% limit, i.e. \$4 million / \$75 million = 5.3% (current portfolio size), \$4 million / \$39 million = 10.3%. This is a very low risk strategy given the steps taken by the Reserve Bank of Australia to ensure no Authorised Deposit Taking Institutions will fail due to liquidity reasons in the short-term.

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- Consider investing in longer dated fixed rate investments. While interest rates may rise, taking a limited exposure to longer dated fixed rate investments to enhance current portfolio is prudent so long as these investments are with high quality institutions (Major Banks and other ADI's rated "A" or above).
- Amicus estimates, based on a portfolio size of around \$55 million, Council will earn an estimated \$900K for the Financial Year 2022 – 2023. The derivation of this estimate is as follows: Interest is likely to increase as Term Deposit investments made earlier at interest rates of less than 1% mature and are re-invested at current rates of between 2% and 3% on average. Re-investment opportunities are likely to improve as the cash rate rises and if, as we expect, the cash rate rises to close to 3% by year end, investment opportunities of between 3% and 4% will likely be available in the second half of the year. However, Council has made some legacy investments when rates were lower (such as longer dated NAB TDs totalling \$10 million that mature between 2025 and 2026 that have a weighted average rate of 0.92%) which will provide a drag on overall investment returns.

Restriction of Funds

Council's total investment portfolio as at 31 October 2022 included funds that are restricted as to what they can be expended on.

Table 9 – Restriction of Funds

Restriction Type	Amount	%
External Restrictions - S7.11 and S7.12 Developer Contributions	\$15,189,662	27.11%
External Restrictions - Western Parkland City Liveability Program	\$3,232,615	5.77%
External Restrictions - Bushfire and Flood Grants	\$7,117,102	12.70%
External Restrictions - Other (e.g. domestic waste, sewerage)	\$9,111,630	16.26%
Internal Restrictions (e.g. election, workers compensation, Employee Leave Entitlements)	\$19,552,123	34.90%
Unrestricted	\$1,827,661	3.26%
Total	\$56,030,793	100.00%

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 enough 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.

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SECTION 3 – Reports for Determination

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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 2022-2042

The proposal is consistent with the following Long-Term Community Objective set out within the CSP.

Reliable Council

4.3 Build strong financial sustainability for now and future generations.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The income applicable was provided for in the 2022/2023 Adopted Operational Plan.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

Item: 207 **CS - Code of Conduct Complaints Statistics Report - 1 September 2021 to 31 August 2022 - (95496)**

Previous Item: 062, Ordinary (29 March 2021)

Directorate: Corporate Services

PURPOSE OF THE REPORT:

The purpose of this report is to provide Council with Code of Conduct complaint statistics for the period from 1 September 2021 to 31 August 2022.

EXECUTIVE SUMMARY:

Under Council's adopted 'Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW', the Complaints Coordinator is required to submit a report on a range of complaints statistics to the Council. These complaints statistics are also required to be provided to the NSW Office of Local Government (OLG).

This report outlines the required Code of Conduct complaints statistics for the period from 1 September 2021 to 31 August 2022 as required in accordance with the adopted 'Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW'.

RECOMMENDATION:

That the report under Clause 11.1 of the Council's Procedures for the Administration of the Code of Conduct, in respect of the Code of Conduct complaints statistics for the period from 1 September 2021 to 31 August 2022, be noted.

BACKGROUND

Council, at its Ordinary meeting on 29 March 2022, gave consideration to a report regarding Council's Code of Conduct and associated procedures.

At that meeting, Council adopted the Code of Conduct and also adopted the 'Procedures for the Administration of Conduct for Local Councils in NSW' (the Procedures) issued by the NSW Office of Local Government, as the Council's Procedures.

Under the provisions of Clause 3.17 of the Procedures, the General Manager has appointed the Director Corporate Services as the Complaints Coordinator.

Clause 11.1 of the Procedures states that Council's Complaints Coordinator must, within three months of the end of September each year, report on a range of Code of Conduct complaints statistics to the Council. Clause 11.2 of the Procedures requires Council to provide the complaints statistics to the Office of Local Government. Clauses 11.1 and 11.2 of the Procedures are as follows:

"11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)*
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period*

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- c) *the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints*
- d) *the number of code of conduct complaints investigated by a conduct reviewer during the reporting period*
- e) *without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period*
- f) *the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and*
- g) *the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.*

11.2 *The council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year."*

DISCUSSION

A report is required to be submitted to Council on a range of Code of Conduct complaints statistics each year. This report contains the Code of Conduct complaint statistics for the period from 1 September 2021 to 31 August 2022.

In accordance with Clause 11.1 of the Procedures, the following complaints statistics are provided to Council in respect of the period from 1 September 2021 to 31 August 2022:

Information Required	Reported Details
a) The total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period).	11 complaints.
b) The number of code of conduct complaints referred to a conduct reviewer during the reporting period.	8 complaints.
c) The number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints.	7 complaints - The outcomes were: <ul style="list-style-type: none">• 4 complaints resolved by alternate and appropriate strategies.• 3 complaints were to take no action.
d) The number of code of conduct complaints investigated by a conduct reviewer during the reporting period.	2 complaints.
e) Without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period.	The outcomes of the 2 investigations completed were: <ul style="list-style-type: none">• Breached Clauses 3.1(a) and (c) of the Code• Not formally censored• Review Council's Media Policy• Offer professional development to Councillors on the use of social media

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Information Required	Reported Details
f) The number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews.	4 complaints reviewed by the Office of Local Government. The outcomes were: <ul style="list-style-type: none">• 2 complaints not a pecuniary interest. Referred back to General Manager to deal with in accordance with Procedures.• 1 complaint did not give rise to a declarable interest. Referred back to General Manager to deal with in accordance with Procedures.• 1 complaint is still pending with the Office of Local Government as at 31 August 2022.
g) The total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.	Total Cost (including staff costs) = Approximately \$64,555.46 (excl. GST where relevant). Note: 3 complaints ongoing as at 31 August 2022.

The complaints statistics will also be forwarded to the Office of Local Government as required under Clause 11.2 of the Procedures.

Relevant Legislation

Under Council's adopted "Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW" a report is required to be submitted to Council on a range of Code of Conduct complaint statistics for the period 1 September to 31 August each year.

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 2022-2042

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

Reliable Council

4.1 Provide representative, responsive and accountable governance.

FINANCIAL IMPACT

The costs associated with dealing with the Code of Conduct complaints have been provided for in the 2021/2022 and 2022/2023 Operational Plans.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

Item: 208 **CS - Draft Naming of Roads and Places Policy - (95496)**

Previous Item: 187, Ordinary Meeting (15 November 2022)
 144, Extraordinary Meeting (13 June 2018)
 128, Ordinary Meeting (19 July 2022)

Directorate: Corporate Services

PURPOSE OF THE REPORT:

The purpose of this report is to outline Council's Draft Naming of Roads and Places Policy. The Draft Policy was developed following Council's resolutions on 13 June 2018, 19 July 2022 and 15 November 2022.

EXECUTIVE SUMMARY:

Council at its meeting on 15 November 2022 considered a Draft Naming of Roads and Places Policy and resolved to defer the matter. Prior to this, Council at its meeting on 13 June 2018 resolved to develop a Naming Policy. Further, Council at its meeting on 19 July 2022 resolved to prepare a Local Street Naming Policy. Council staff have reviewed Council's internal procedures and similar policies from other councils to develop a Draft Naming of Roads and Places Policy. The Naming of Roads and Places Policy gives guidance on the naming of suburbs, roads, parks and reserves, buildings and other features such as gardens, car parks, ovals and art installations.

RECOMMENDATION:

That:

1. The Draft Naming of Roads and Places Policy, attached as Attachment 1 to this report, be placed on public exhibition for a period of 28 days.
 2. At the expiration of the public notification exhibition process outlined in Part 1 above, the following action be taken:
 - a) Should any submissions be received regarding the Naming of Roads and Places Policy, a further report be submitted to Council, or
 - b) Should no submissions be received, Council adopt the Naming of Roads and Places Policy, as attached as Attachment 1 to this report.
-

BACKGROUND

Council, at its meeting on 15 November 2022 considered the Draft Naming of Roads and Places Policy. Council resolved as follows:

" That this matter be deferred to the next Council Meeting on 22 November 2022. "

Council, at its meeting on 13 June 2018, resolved in part, as follows:

"That:

...

ORDINARY MEETING

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2. *Council develop a Naming Policy for its Roads, Buildings, Parks and Reserves.”*

At its meeting on 19 July 2022, Council resolved, in part, as follows:

“That Council:

...

3. *Begin preparation of a local street naming policy that is consistent with the Reconciliation Action Plan.”*

Accordingly, Council’s Property Management and Strategy Branch developed a Draft Naming of Roads and Places Policy in consultation with Council’s City Services and Community Planning and Partnerships Branches.

Council’s Draft Naming of Roads and Places Policy provides Council with guidance in respect to the naming of:

- Suburbs,
- Roads,
- Parks and Reserves,
- Buildings, and
- Other features such as:
 - Gardens
 - Car parks
 - Open space that is not deemed a park or reserve
 - Ovals, and
 - Art installations

The Draft Naming of Roads and Places Policy provides guidelines on actions to be taken on receipt of all requests to name various assets, facilities or infrastructure owned and operated by Council. Further, the draft Policy will assist staff with community participation protocols to follow with the naming proposal. The Draft Naming of Roads and Places Policy is included as Attachment 1 to this report.

The Draft Naming of Roads and Places Policy does not cover commercial arrangements that are given in conjunction with sponsorship rights.

Council’s first Reconciliation Action Plan is currently being developed jointly by a working group comprised of First Nations community members and Council staff. The Draft Plan includes an action to *“Review existing signage (e.g. Local Government Area entry, sites of cultural significance) and identify opportunities for new signage throughout the region”*. Once the Plan is finalised and adopted, Council will work with the working group to develop a framework by which signage is reviewed and names of cultural significance, which will include road naming can be recommended. The Naming of Roads and Places Policy will be subsequently reviewed in accordance with the final Reconciliation Action Plan.

As part of the development of the Draft Policy, similar policies of other councils have been reviewed, and the Draft Policy is consistent with those policies of other councils. An assessment of the Naming of Roads and Places Policy has been undertaken against current best practice standards in the industry by Council Officers.

COMMUNITY ENGAGEMENT

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

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Great Place to Live

- 1.6 Build on a sense of community and wellbeing.
- 1.7 Encourage broad and rich celebration of our local culture and significant heritage.

Protected Environment and Valued History

- 2.1 Value, protect and enhance our historic built environment as well as our relationship to Aboriginal and non-Aboriginal history.

Strong Economy

- 3.5 Celebrate our creativity and cultural expression.

Reliable Council

- 4.2 Encourage an informed community.
- 4.4 Build strong relationships and shared responsibilities.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ATTACHMENTS:

- AT - 1 Draft Naming of Roads and Places Policy - *(Distributed under separate cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 22 November 2022

Ordinary

Section **4**

Reports
of committees

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 22 November 2022

SECTION 4 – Reports of Committees

No Reports of Committees.

Ordinary

Section **5**

Notices of motion

ORDINARY MEETING

SECTION 5 – Notices of Motion

Meeting Date: 22 November 2022

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 22 November 2022

SECTION 5 – Notices of Motion

Item: 209 **RM - Establishment of a Floodplain Management Sub-Committee to the Disaster and Emergency Committee - (125610, 111628, 80093)**

Submitted by: Councillor Conolly
Councillor Reardon
Councillor Calvert

RESCISSION MOTION:

That Resolution 205 from the Ordinary Meeting of Council on 13 September 2022, being the resolution from Item 168 NM2 - Establishment of a Floodplain Management Sub-Committee to the Disaster and Emergency Committee, be rescinded.

NOTE BY MANAGEMENT

Resolution 205 from the Ordinary Meeting of Council on 13 September 2022 regarding the Establishment of a Floodplain Management Sub-Committee to the Disaster and Emergency Committee was as follows:

"That Council establish a dedicated Floodplain Management Committee or sub-committee of the Disaster and Emergency Committee to address flood-related issues, and

1. *To incorporate the existing resolutions which established working groups to look at flood-related issues;*
2. *Invite expressions of interest for representatives to participate from flood-impacted areas including MacDonald Valley/St Albans, Upper Colo, Windsor, Pitt Town, South Windsor, McGraths Hill, Richmond Lowlands, North Richmond, Lower Portland, Cumberland Reach and any other areas suffering the impacts of floods;*
3. *Include relevant agencies from State Government and Emergency Services as per the Floodplain Management Manual."*

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF RESCISSION MOTION Oooo

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 22 November 2022

Item: 210 **NM - Bike Racks in Public Places - (125612, 79351)**

Submitted by: Councillor Lyons-Buckett

NOTICE OF MOTION:

That Council:

1. Recognise the importance of bike racks in public places frequented by cyclists.
2. Staff investigate and report on any opportunities to incorporate provision of bike racks in existing or future projects.
3. Provide costing to provide bike racks in Kurrajong Village.

BACKGROUND

As a Council we are committed to encouraging and facilitating active transport as much as possible. We also encourage visitation to our town centres and support of our local cafes and businesses. Cycling groups regularly ride in the area and stop at local cafes or parks. The storage of multiple bikes on footpaths or carparks would be much safer and convenient if bike racks were provided to keep them upright and out of the path of pedestrians. Below is an example of the simple type of bike rack which could be positioned in various areas of the Hawkesbury, particularly those such as Kurrajong which is a regular cycling destination. We know WestInvest funding includes a cycleway to Kurrajong. Having racks already in place and functioning will be of benefit once that pathway is complete. Eliminating hazards to other street traffic and encouraging cycling to our various townships would be beneficial.



FINANCIAL IMPACT

There would be a cost of purchase and installation of bike racks, potentially incorporated into an existing project or grant opportunity.

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 22 November 2022

NOTE BY MANAGEMENT

Bike racks have already been included as part of the proposed street furniture deployment in the large, place-shaping projects that are underway or for which funding has been applied for and/or secured, including the Liveability projects and WestInvest project bids.

Council is currently in the process of developing an Active Transport Plan to replace the Pedestrian and Mobility Plan and end of trip facilities, including a range of bike storage options, will be included in that body of work for the purpose of promoting active transport across our City.

The cost of installing a bike rack in Kurrajong Village will be dependent on several variables including the type of bike rack, the exact location and whether any other modifications are required to maintain clearance for other users of the footpath and road corridor. Indicative costs can be provided to Councillors once an adequate level of preliminary investigation has been undertaken.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Questions for Next Meeting

Meeting Date: 22 November 2022

QUESTIONS FOR NEXT MEETING

Item: 211

Councillor Question with Notice - 22 September 2022

Question - 22 November 2022

#	Councillor	Question	Response
1	Wheeler	What were the costs incurred by Council for the removal of trees planted without authorisation on Bells Line of Road, Bilpin, including contractor fees, legal advice and staff time.	The Acting Director City Planning advised the costs incurred totalled to \$4,602.02.

oooO END OF REPORT Oooo

ORDINARY MEETING

Confidential Reports

Meeting Date: 22 November 2022

CONFIDENTIAL REPORTS

No Confidential reports.



Ordinary meeting

End of Business Paper

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