



# ORDINARY MEETING

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Date of meeting: 10 October 2023  
Location: Council Chambers  
Time: 6:30 PM

**BUSINESS PAPER**



**ORDINARY MEETING**

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**ORDINARY MEETING**

**1. PROCEDURAL MATTERS**

**Meeting Date:** 10 October 2023

**1. 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**

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**

**2. CONFIRMATION OF MINUTES**

**Meeting Date:** 10 October 2023

**2. CONFIRMATION OF MINUTES**



# ORDINARY MEETING

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Date of meeting: 12 September 2023  
Location: Council Chambers  
Time: 6:30 PM

MINUTES





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## ORDINARY MEETING

### 1. PROCEDURAL MATTERS

Minutes: 12 September 2023

### 1. PROCEDURAL MATTERS

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 12 September 2023, 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, Director City Planning - Meagan Ang, Director Infrastructure Services - Will Barton, Director Corporate Services - Laurie Mifsud, Chief Financial Officer - Vanessa Browning, Manager Corporate Communications and Events - Suzanne Stuart, Manager Strategic Planning - Andrew Kearns, Coordinator Building Surveyor - Greg Miles, Coordinator Open Space Services - Sean Perry, Manager Resource Recovery - Samuel Swain, 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 Dogramaci left the meeting at 9:02pm.

#### DECLARATIONS OF INTEREST

Councillor McMahon declared an interest on Item 4.3.2.

Councillor Sheather declared interest on Item 4.3.2.

#### Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

**ORDINARY MEETING**

**2. CONFIRMATION OF MINUTES**

**Minutes:** 12 September 2023

**2. CONFIRMATION OF MINUTES**

**143 RESOLUTION:**

RESOLVED on the motion of Councillor Veigel, seconded by Councillor Reardon that the minutes of the Ordinary Meeting held on 8 August 2023, be confirmed.

**ADJOURNMENT OF MEETING**

The Mayor, Councillor McMahon adjourned the meeting at 9:02pm for a short break. The meeting resumed at 9:14pm.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

**4. REPORTS FOR DETERMINATION**

**4.2. GENERAL MANAGER**

**4.2.1. GM - Election of the Mayor - (79351, 95496)**

**Previous Item:** 148 (Ordinary, 23 August 2022)  
001 (Ordinary, 11 January 2022)  
002 (Ordinary, 11 January 2022)

**Directorate:** General Manager

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**MOTION:**

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

**Refer to RESOLUTION**

**144 RESOLUTION:**

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

That an election for the position of Mayor of Hawkesbury City Council for the September 2023 to September 2024 Mayoral Term be carried out.

**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 Mayor, Councillor McMahon vacated the chair.

The General Manager, Elizabeth Richardson, in accordance with provisions of Clause 1 of Schedule 7 of the Local Government (General) Regulation 2021, acted as Returning Officer for the election of Mayor.

The Returning Officer advised that she had received two valid nominations for the position of Mayor, being:

Councillor Sarah McMahon      Nominated by Councillor Reardon

Seconded by Councillor Sheather

Councillor Nathan Zamprogno      Nominated by Councillor Zamprogno

Seconded by Councillor Djuric

The Returning Officer advised that it would be necessary for Council to determine the method of voting for the position of Mayor.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

**MOTION:**

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

**Refer to RESOLUTION**

**145 RESOLUTION:**

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

That the election for the position of Mayor of Hawkesbury City Council for the September 2023 to September 2024 Mayoral Term be carried out by open voting.

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

**Against the Motion:** Nil.

**Absent:** Nil.

A draw was conducted by the Returning Officer to determine the candidate's position on the Tally Sheet. The candidate's names were drawn out of the box in the following order and placed on the Tally Sheet:

1. Councillor Nathan Zamprogno
2. Councillor Sarah McMahon

The Returning Officer then conducted a ballot by open voting resulting in the candidates receiving the following votes:

Councillor Nathan Zamprogno	5 votes
Councillor Sarah McMahon	7 votes

**For Councillor Zamprogno:** Councillors Zamprogno, Wheeler, Lyons-Buckett, Djuric and Dogramaci.

**For Councillor McMahon:** Councillors Calvert, McMahon, Kotlash, Conolly, Sheather, Veigel and Reardon.

**Absent:** Nil.

The Returning Officer declared Councillor Sarah McMahon as Mayor of Hawkesbury City Council for the Mayoral Term September 2023 to September 2024.

Councillor McMahon assumed the Chair as Mayor.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

**4.2.2. GM - Election of the Deputy Mayor - (79351, 95496)**

**Previous Item:** 148 (Ordinary, 23 August 2022)  
001 (Ordinary, 11 January 2022)  
002 (Ordinary, 11 January 2022)

**Directorate:** General Manager

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**MOTION:**

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

**Refer to RESOLUTION**

**146 RESOLUTION:**

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

That an election for the position of Deputy Mayor of Hawkesbury City Council for the September 2023 to September 2024 Mayoral Term be carried out.

**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 Mayor, Councillor McMahon vacated the chair.

The General Manager, Elizabeth Richardson, in accordance with provisions of Clause 1 of Schedule 7 of the Local Government (General) Regulation 2021, acted as Returning Officer for the election of Deputy Mayor.

The Returning Officer advised that she had received two valid nominations for the position of Deputy Mayor, being:

Councillor Barry Calvert          Nominated by Councillor Reardon

  Seconded by Councillor Sheather

Councillor Nathan Zamprogno      Nominated by Councillor Zamprogno

  Seconded by Councillor Djuric

The Returning Officer advised that it would be necessary for Council to determine the method of voting for the position of Deputy Mayor.

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**

**Minutes: 12 September 2023**

**MOTION:**

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

**Refer to RESOLUTION**

**147 RESOLUTION:**

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

That the election for the position of Deputy Mayor of Hawkesbury City Council for the September 2023 to September 2024 Mayoral Term be carried out by open voting.

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

**Against the Motion:** Nil.

**Absent:** Nil.

A draw was conducted by the Returning Officer to determine the candidate's position on the Tally Sheet. The candidate's names were drawn out of the box in the following order and placed on the Tally Sheet:

1. Councillor Barry Calvert
2. Councillor Nathan Zamprogno

The Returning Officer then conducted a ballot by open voting resulting in the candidates receiving the following votes:

Councillor Barry Calvert	7 votes
Councillor Nathan Zamprogno	5 votes

**For Councillor Calvert:** Councillors Calvert, Kotlash, Conolly, Sheather, Veigel, Reardon and McMahon.

**For Councillor Zamprogno:** Councillors Zamprogno, Wheeler, Lyons-Buckett, Djuric and Dogramaci.

**Absent:** Nil.

The Returning Officer declared Councillor Barry Calvert as Deputy Mayor of Hawkesbury City Council for the Mayoral Term September 2023 to September 2024.

Councillor McMahon assumed the Chair as Mayor.



**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**

**Minutes: 12 September 2023**

**4.2.3. GM - Appointment of Committees, Delegates and Representatives - (79351, 95496)**

**Previous Item:** 149 (Ordinary, 23 August 2022)  
003 (Ordinary, 11 January 2022)

**Directorate:** General Manager

**MOTION:**

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

*Refer to RESOLUTION*

**148 RESOLUTION:**

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

That:

1. Council appoint delegates and representatives to the various Committees as outlined in Table 1 in this report for the period from September 2023 to September 2024, with the following amendments:

Committee	Function	Councillor Representation
<b>b) Statutory Committees</b>		
<b>Local Traffic Committee</b>	Committee responsible for considering and recommending requests for alterations to traffic facilities and other traffic related matters.	One Councillor Councillor McMahon
<b>c) Committees in which Council has a Financial Interest</b>		
<b>Hawkesbury Sports Council</b>	Incorporated body with delegated responsibility for management and operation of Council facilities.	One Councillor (Councillor Sheather)  One alternate Councillor Councillor Conolly
<b>d) Other Committees</b>		
<b>NSW Public Libraries</b>	Established to represent and support the interests of NSW public libraries.	One Councillor Councillor Reardon
<b>Western Sydney Academy of Sport</b>	Regional Body established to co-ordinate lobbying for sports development in Western Sydney.	One Councillor (not compulsory) Councillor Sheather
<b>Greater Blue Mountains Area World Heritage Advisory Committee</b>	To advise on matters relating to the protection, conservation, presentation and management of the Greater Blue Mountains Area including strategic policies	One Councillor (if required) (Councillor Lyons-Buckett)

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

<b>Committee</b>	<b>Function</b>	<b>Councillor Representation</b>
	about Australia's obligations under the World Heritage Convention.	

2. Council note that delegates have previously been appointed or elected to the Audit, Risk and Improvement Committee and the Hawkesbury River County Council until the end of the Council Term in September 2024.
3. The current Councillor representation on CivicRisk Mutual Limited, the Hawkesbury Western Sydney University Selection Panel for the Hawkesbury Western Sydney University Scholarship, Peppercorn Services Inc and Western Sydney Regional Organisation of Councils (WSROC) continue for the period from September 2023 to September 2024.

**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**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

**4.1. PLANNING DECISIONS**

**4.1.1. CP - LEP002/22 - 4 Hall Street, Pitt Town - (124414, 82413)**

**Previous Item:** 153, Ordinary (13 September 2022)

**Directorate:** City Planning

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A MOTION was moved by Councillor Sheather, seconded by Councillor Veigel.

That Council:

1. Notes the outcome of public agency consultation and public exhibition of Planning Proposal LEP002/22, 4 Hall Street, Pitt Town.
2. Supports the making of the Local Environmental Plan (LEP002/22) to:
  - Rezone 4 Hall Street, Pitt Town to R5 Large Lot Residential
  - Introduce a minimum lot size control of 4,000m<sup>2</sup>
  - Introduce a height of building control of 10 metres.
3. Forward the Planning Proposal and supporting documentation to the Department of Planning and Environment for a final determination after receipt of a signed deed of allocation for sewerage connection.

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

That this matter be deferred to a future Councillor Briefing Session.

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

**For the Amendment:** Councillors McMahon, Conolly and Veigel.

**Against the Amendment:** Councillors Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Wheeler and Zamprogno.

**Absent:** Nil.

The Amendment was lost.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

A MOTION was moved by Councillor Sheather, seconded by Councillor Veigel.

That Council:

1. Notes the outcome of public agency consultation and public exhibition of Planning Proposal LEP002/22, 4 Hall Street, Pitt Town.
2. Supports the making of the Local Environmental Plan (LEP002/22) to:
  - Rezone 4 Hall Street, Pitt Town to R5 Large Lot Residential
  - Introduce a minimum lot size control of 4,000m<sup>2</sup>
  - Introduce a height of building control of 10 metres.
3. Forward the Planning Proposal and supporting documentation to the Department of Planning and Environment for a final determination after receipt of a signed deed of allocation for sewerage connection.

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

**For the Motion:** Councillors McMahon, Reardon, Sheather and Veigel.

**Against the Motion:** Councillors Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Wheeler and Zamprogno.

**Absent:** Nil.

The Motion was lost.

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

That Council:

1. Notes the outcome of public agency consultation and public exhibition of Planning Proposal LEP002/22, 4 Hall Street, Pitt Town.
2. Refuses the Planning Proposal on the following grounds:
  - Flooding
  - Lack of adequate flood evacuation route
  - Incompatibility with surrounding area.
3. Contacts Sydney Water to discuss other potential uses of the site and possible transfer to Council.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

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

**For the Motion:** Councillors Calvert, Djuric, Kotlash, Lyons-Buckett, Wheeler and Zamprogno.

**Against the Motion:** Councillors McMahon, Conolly, Dogramaci, Reardon, Sheather and Veigel.

**Absent:** Nil.

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

**MOTION:**

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

***Refer to RESOLUTION***

**149 RESOLUTION:**

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

That:

1. Council receive and note the information in the report.
2. A further report be provided to Council.

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

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

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

**Absent:** Nil.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

**4.1.2. CP - LEP004/23 - 172 Commercial Road, Vineyard Amendment to Schedule 1 Additional Permitted Uses of Hawkesbury Local Environmental Plan 2012 - (95498, 124414)**

**Directorate:** City Planning

---

Mr Chris Shannon addressed Council, speaking for the recommendation in the business paper.

**MOTION:**

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

***Refer to RESOLUTION***

**150 RESOLUTION:**

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

That Council:

1. Support the Planning Proposal LEP004/23 for 172 Commercial Road, Vineyard.
2. Forward the Planning Proposal LEP004/23 to the Department of Planning and Environment for a Gateway Determination.

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

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

**Against the Motion:** Nil.

**Absent:** Nil.

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

**4.2. GENERAL MANAGER**

**4.2.4. GM – Local Government NSW Annual Conference 2023 – (79351, 79633)**

**Previous Item:** 4.2.1, Ordinary (8 August 2023)

**Directorate:** General Manager

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**MOTION:**

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

*Refer to RESOLUTION*

**151 RESOLUTION:**

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

That Council approve the submission of a motion to the 2023 Local Government NSW Annual Conference concerning the use of grant funding for future operating costs, maintenance and renewal of grant funded facilities.

**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**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

**4.3. CITY PLANNING**

**4.3.1. CP – Draft Climate Change Risk Assessment and Adaptation Action Plan – (95498, 124414)**

**Directorate:** City Planning

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**MOTION:**

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

*Refer to RESOLUTION*

**152 RESOLUTION:**

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

That:

1. The Draft Climate Change Risk Assessment and Adaptation Action Plan, 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 Draft Climate Change Risk Assessment and Adaption Action Plan, a further report be submitted to Council, or
  - b) Should no submissions be received, Council adopt the Draft Climate Change Risk Assessment and Adaption Action Plan, as attached as Attachment 1 to this report.

**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**  
**4. REPORTS FOR DETERMINATION**

**Minutes: 12 September 2023**

**4.3.2. CP – Fire Safety Compliance Action – Various Properties – (95498, 96329)**

**Directorate:** City Planning

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Councillor Sheather declared a significant non-pecuniary conflict of interest in this matter as he is a Director of Windsor RSL. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor McMahon declared a pecuniary interest in this matter as she is a Director of Windsor RSL. She left the Chamber and did not take part in voting or discussion on the matter.

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In the absence of the Mayor, the Deputy Mayor, Councillor Calvert, in accordance of Section 369 (1) of the Local Government Act 1993, acted as Chairperson.

**MOTION:**

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

***Refer to RESOLUTION***

**153 RESOLUTION:**

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

That Council receive and note the Inspection Reports from the Commissioner of Fire and Rescue NSW provided as Attachments 1 to 4 to this report.

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

**Against the Motion:** Councillor Dogramaci.

**Absent:** Councillors McMahon and Sheather.

The Mayor, Councillor McMahon, resumed the Chair.

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**

**Minutes: 12 September 2023**

**4.4. CORPORATE SERVICES**

**4.4.1. CS - Investment Report July 2023 - (95496)**

**Previous Item:** 4.4.2, Ordinary (20 June 2023)

**Directorate:** Corporate Services

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**MOTION:**

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

*Refer to RESOLUTION*

**154 RESOLUTION:**

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

That the Monthly Investment Report for July 2023 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**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

**4.4.2. CS – Draft Property Policy and Draft Property Management Policy – (112106, 95496)**

**Directorate:** Corporate Services

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**MOTION:**

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

*Refer to RESOLUTION*

**155 RESOLUTION:**

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

That:

1. The Draft Property Policy, attached as Attachment 1 to this report, and the Draft Property Management Policy, attached as Attachment 2 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 Draft Property Policy and the Draft Property Management Policy, a further report be submitted to Council, or
  - b) Should no submissions be received, Council adopt the Property Policy and Property Management Policy, as attached as Attachments 1 and 2 to this report.
3. Council note that the property projects identified in the Property Strategy and Property Action Plan will be presented to Council as required.

**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**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

**4.4.3. CS – Draft Councillor and Staff Interaction Policy – (95496, 96333)**

**Previous Item:** 079, Ordinary (14 May 2019)

**Directorate:** Corporate Services

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**MOTION:**

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

*Refer to RESOLUTION*

**156 RESOLUTION:**

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

That:

1. The Draft Councillor and Staff Interaction Policy, attached as Attachment 1 to this report, be placed on public exhibition for 28 days.
2. At the expiration of the public exhibition period, the following action be taken:
  - a) Should any submissions be received regarding the Draft Councillor and Staff Interaction Policy, a further report be submitted to Council, or
  - b) Should no submissions be received, Council adopt the Councillor and Staff Interaction Policy, attached as Attachment 1 to this report.

**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**

**4. REPORTS FOR DETERMINATION**

**Minutes:** 12 September 2023

**4.5. INFRASTRUCTURE SERVICES**

**4.5.1. IS – Draft Memorial Policy – (95495, 159575)**

**Previous Item:** 064, Ordinary (29 March 2022)

**Directorate:** Infrastructure Service

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**MOTION:**

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

*Refer to RESOLUTION*

**157 RESOLUTION:**

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

That:

1. Council not adopt the Draft Memorial Policy.
2. The Policy be amended to reflect its original stated purpose: “to convey to the community the threshold for commemoration”.

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

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

**Absent:** Nil.

The Motion was carried on the casting vote of the Mayor, Councillor McMahon.

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Minutes: 12 September 2023**

**5. REPORTS OF COMMITTEES**

**5.1.1. ROC - Local Traffic Committee - 14 August 2023 - (95495, 80245)**

**Directorate:** Infrastructure Services

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**MOTION:**

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

**Refer to RESOLUTION**

**158 RESOLUTION:**

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

That the Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Local Traffic Committee meeting held on 14 August 2023.

**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**  
**6. NOTICES OF MOTION**  
**Minutes: 12 September 2023**

**6. NOTICES OF MOTION**

**6.1.1. NM - Community Batteries - (138884, 79351)**

**Directorate:** General Manager

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**MOTION:**

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

***Refer to RESOLUTION***

**159 RESOLUTION:**

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

That Council receives a report updating the Chamber on:

1. The most current data demonstrating whether Community Batteries are cost-effective at their scale, given the prohibitive expense and long ROI of household batteries.
2. What current information is available to Council that would inform a Community Battery Program in partnership with Endeavour Energy and potentially WSROC.
3. Whether the process of canvassing residents or businesses in a locality to initiate a Community Battery Program can be facilitated by Council, partnering with network operators.
4. How Council can pursue sources of grant funding to facilitate a Community Battery Program.
5. What guidelines can be introduced to ensure the fair and equitable distribution of community batteries within the Hawkesbury Local Government Area.

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

**Against the Motion:** Nil.

**Absent:** Councillor Dogramaci.

**ORDINARY MEETING**

**7. QUESTIONS FOR NEXT MEETING**

**Minutes:** 12 September 2023

**7. QUESTIONS FOR NEXT MEETING**

**7.1.1. Response to Question with Notice - 11 July 2023**

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There was no comment to the Question with Notice at the Council Meeting on 11 July 2023.

**7.1.2. Responses to Councillor Questions Taken on Notice at the Council Meeting - 8 August 2023**

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Comments were provided to Questions Taken on Notice at the Council Meeting on 8 August 2023.



ORDINARY MEETING

8. CONFIDENTIAL REPORTS

Minutes: 12 September 2023

8. CONFIDENTIAL REPORTS

160 RESOLUTION:

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

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: 8.4.1. IS – Waste Management Facility Capping of Landfill – (95495, 159578)**

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

*Specifically, the matter is to be dealt with pursuant to Section 10A(2)(d) of the Act as it relates to costs and consideration of costs under the currently awarded contract and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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.

161 RESOLUTION:

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

**ORDINARY MEETING**  
**8. CONFIDENTIAL REPORTS**  
**Minutes: 12 September 2023**

**8.4. INFRASTRUCTURE SERVICES**

**8.4.1. IS - Waste Management Facility Capping of Landfill - (95495, 159578)**

**Directorate:** City Planning

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**MOTION:**

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

***Refer to RESOLUTION***

**162 RESOLUTION:**

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

That Council:

1. Does not proceed with portion B for capping of Council's Waste Management Facility based on the original landfill design contract "T00112 - Design and construction of a leachate system, construction of Cell 6 and Capping of Cells 1-5".
2. Receive a future report on the outcomes and strategic guidance provided by the "Beyond 2026" strategic review.

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

**Against the Motion:** Nil.

**Absent:** Councillor Dogramaci.

Meeting terminated at 9:47pm.

Submitted to and confirmed at the Ordinary meeting on 10 October 2023.

.....  
Mayor

**ORDINARY MEETING**

**3. MAYORAL MINUTES**

**Meeting Date:** 10 October 2023

**3. MAYORAL MINUTES**

There was one Mayoral Minute at the time of preparing this Business Paper, to be considered in confidential session.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 10 October 2023

**4. REPORTS FOR DETERMINATION**

**4.1. PLANNING DECISIONS**

**4.1.1. CP - LEP003/23 - 7 and 9 Fitzgerald Street, Windsor - Post Exhibition Report (124414)**

**Previous Item:** 4.1.2, Ordinary (13 February 2023)

**Directorate:** City Planning

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**PLANNING PROPOSAL INFORMATION**

<b>File Number:</b>	LEP003/23
<b>Property Address:</b>	7 and 9 Fitzgerald Street, Windsor
<b>Applicant:</b>	Hawkesbury City Council
<b>Owner:</b>	Mrs AC Hayes, Mr JS Hayes, Mr MJ Hayes and Mrs M King
<b>Current Minimum Lot Size:</b>	No Minimum Lot Size
<b>Current Zone:</b>	SP2 Infrastructure
<b>Proposed Zone:</b>	E2 Commercial Centre
<b>Site Area:</b>	1,764 m <sup>2</sup>
<b>Key Issue</b>	Anomaly regarding zoning occurred in adoption of the Hawkesbury Local Environmental Plan 2012

**PURPOSE OF THE REPORT**

This report presents the outcomes of the public agency consultation and public exhibition that was undertaken regarding the Planning Proposal LEP009/23 for 7 and 9 Fitzgerald Street Windsor as prepared by Council . The Department of Planning and Environment has authorised Council to determine whether the proposed LEP amendment should proceed and as such, this report is provided to advise Council of the outcome of public consultation and recommends that Council proceed with the amendment to the Hawkesbury Local Environmental Plan 2012.

**EXECUTIVE SUMMARY**

Council has prepared a Planning Proposal which aims to correct a zoning anomaly that occurred during the transition from the Hawkesbury Local Environmental Plan 1989 to the Hawkesbury Local Environmental Plan 2012, relevant to 7 and 9 Fitzgerald Street, Windsor (Lot C DP 331895, Lot D DP 360127, Lot 1 DP 1087936) by proposing the following amendments:

- Rezone the subject sites from SP2 Infrastructure to E2 Commercial Centre, and;
- Introduce a height of building control of 10 metres.

This report details the steps taken to date in the making of the Planning Proposal, and provides an assessment of the outcomes of the public agency consultation and public exhibition of the Planning Proposal. Following assessment of the outcomes of the public agency consultation and public

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

exhibition, and based on previous advice from the Hawkesbury Local Planning Panel, it is recommended that Council proceed with the making of the amendment to the Hawkesbury Local Environmental Plan 2012.

#### RECOMMENDATION

That Council:

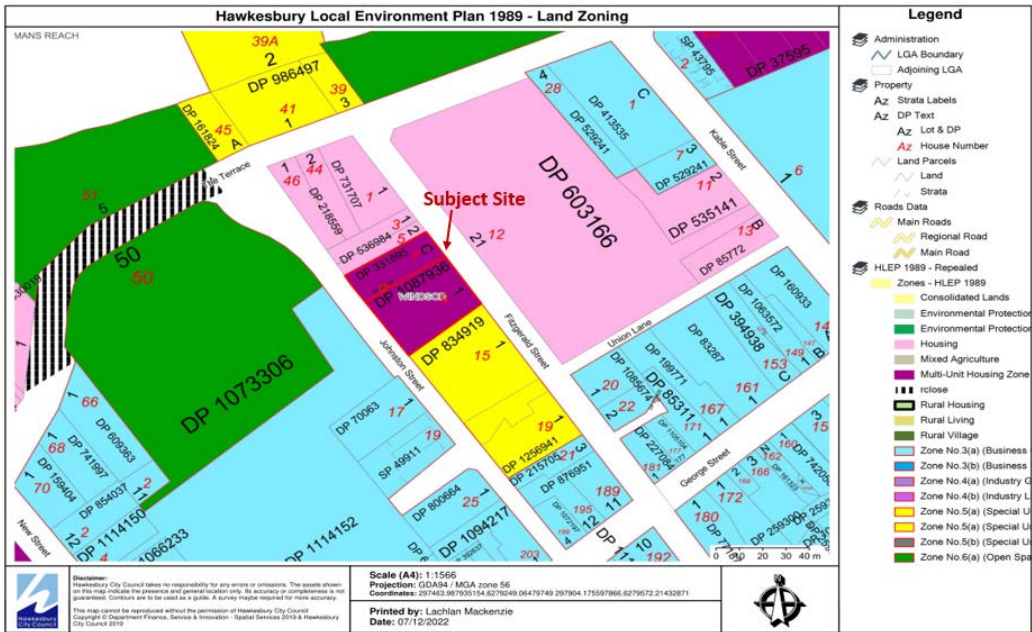
1. Notes the outcome of public agency consultation and public exhibition of Planning Proposal LEP003/23, 7 and 9 Fitzgerald Street, Windsor.
2. Supports the making of the proposed amendment to the Hawkesbury Local Environmental Plan 2012, which seeks to:-
  - a) Rezone 7 and 9 Fitzgerald Street, Windsor from SP2 Infrastructure to E2 Commercial Centre, and;
  - b) Introduce a height of building control of 10 metres.
3. Prepares and forwards the draft instruments associated with the Hawkesbury Local Environmental Plan 2012 amendment to the Department of Planning and Environment.
4. Upon receiving confirmation from the Department of Planning and Environment that the Hawkesbury Local Environmental Plan 2012 amendment can be made, Council request notification of the Hawkesbury Local Environmental Plan 2012 amendment on the NSW Legislation website to give affect to the amendment.

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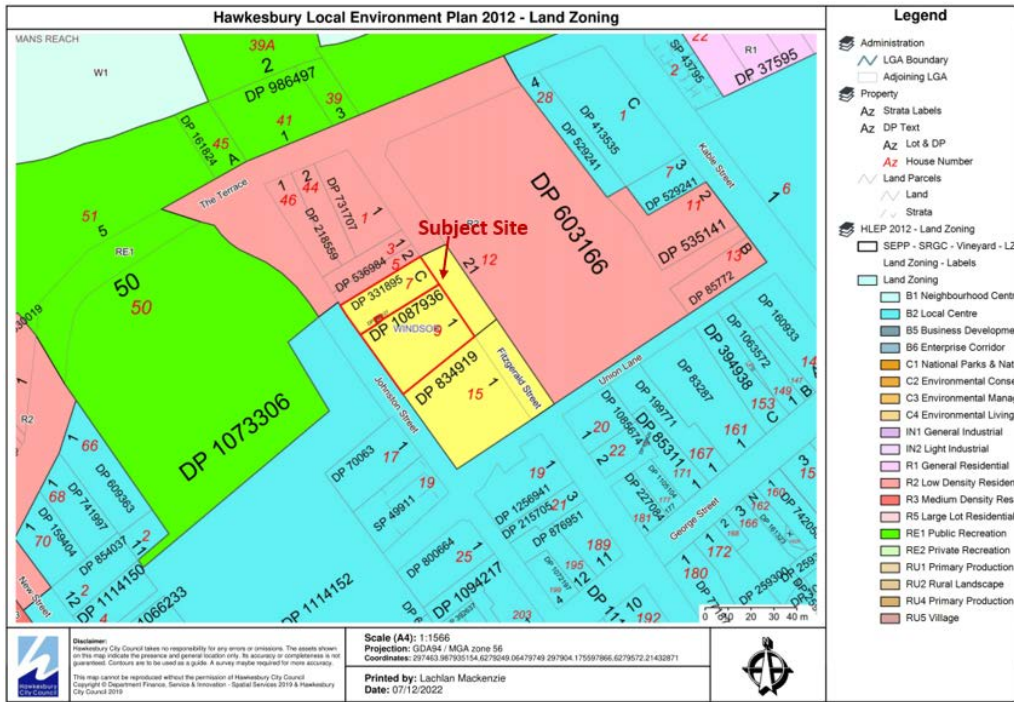
#### BACKGROUND

As Shown in Figure 1, under the Hawkesbury Local Environmental Plan 1989, the subject site (7 and 9 Fitzgerald Street, Windsor) was zoned MU – Multi Unit Housing. On 21 September 2012, Council adopted the Hawkesbury Local Environmental Plan 2012, replacing the Hawkesbury Local Environmental Plan 1989. This adoption of the new Local Environmental Plan was in accordance with the Standard Instrument 2006 and involved the conversion to a state wide standardised zoning and updating and replacing of associated Local Environmental Plan maps. In this process an anomaly occurred whereby the subject site was incorrectly zoned SP2 - Infrastructure as shown in Figure 2. With the subject site previously being zoned Multi Unit Housing, the standard conversion at the time of the Hawkesbury Local Environmental Plan 2012 should have been R3 Medium Density. Given that the subject site has historically been used for commercial purposes, discussions with the owners of the property resulted in the proposal that the subject site should be rezoned to E2 Commercial Centre as the R3 Medium Density zone would create a spot zone in the Windsor Town Centre, which would not align with the current land use that had historically existed for many years prior to adoption of the Hawkesbury Local Environment Plan 1989.

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 10 October 2023**



**Figure 1: Hawkesbury Local Environment Plan 1989 - Land Zones**



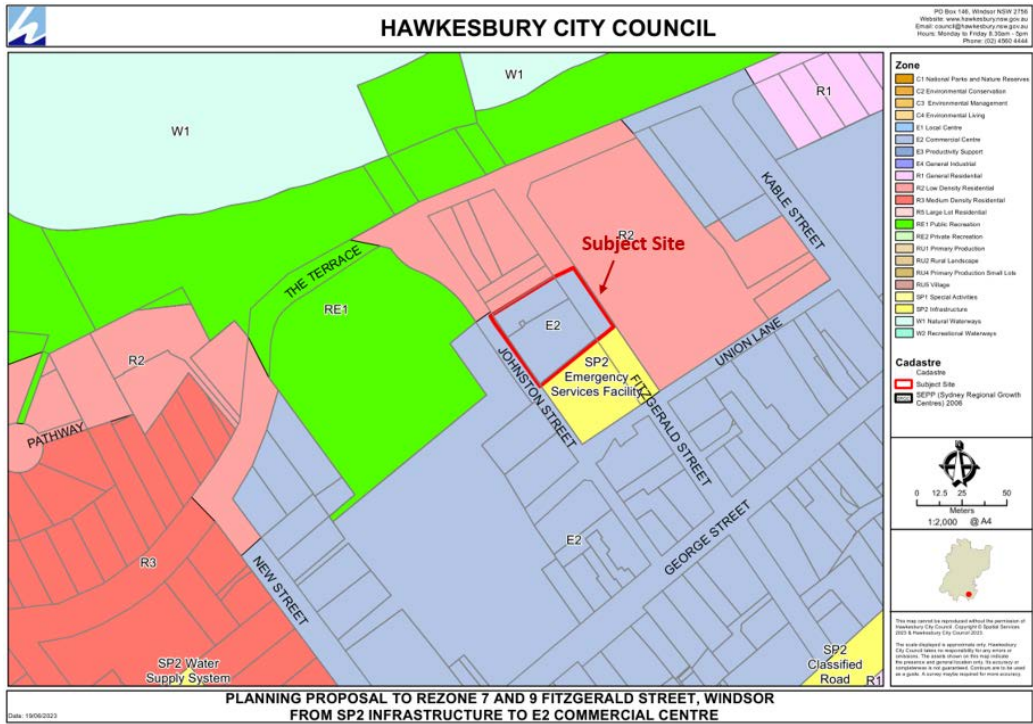
**Figure 2: Hawkesbury Local Environment Plan 2012 - Land Zones**

After identifying the zoning issue, Council Officers prepared a Planning Proposal (Attachment 1) that aims to correct this anomaly through making the following amendments to the Hawkesbury Local Environmental Plan 2012:-

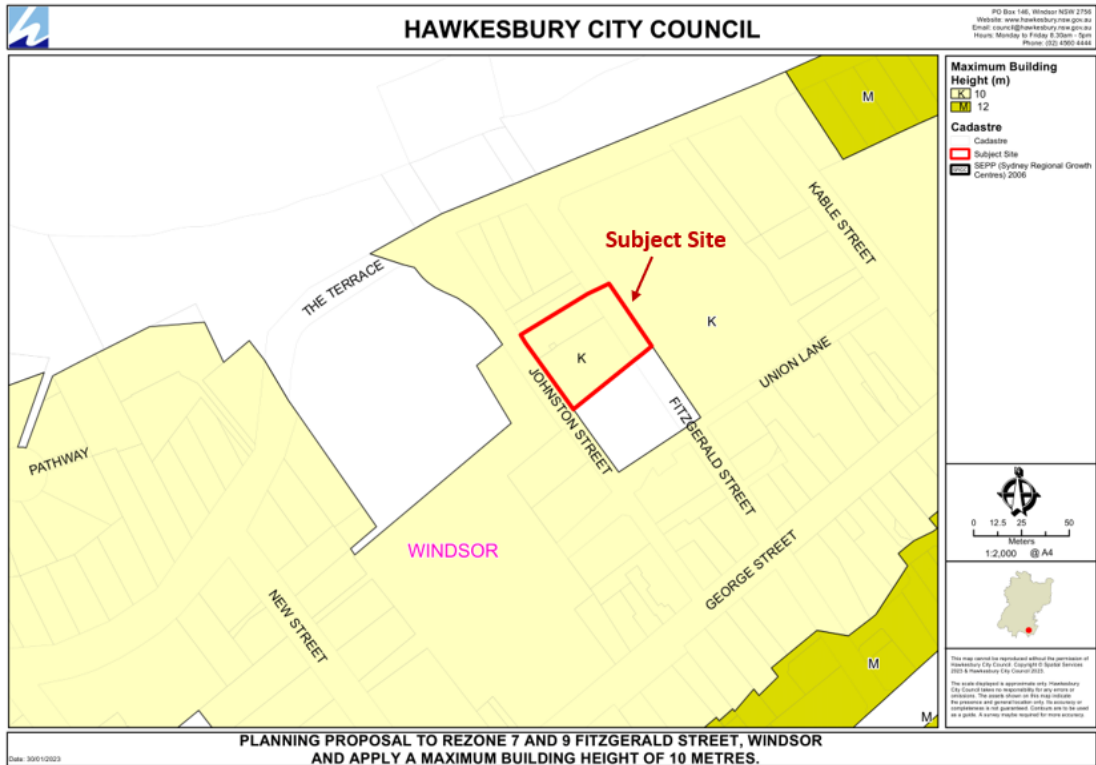
- Rezone the subject site from SP2 Infrastructure to E2 Commercial Centre, and;
- Introduce a height of building control of 10 metres.

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 10 October 2023**

Figures 3 and 4 highlight the proposed amendments.



**Figure 3: Proposed E2 Commercial Zone**



**Figure 4: Proposed 10m Height of Building Limit**

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

The Planning Proposal was considered at the Hawkesbury Local Planning Panel on 19 January 2023, where the Panel provided the following advice to Council:

*The Planning Panel supports the Planning Proposal proceeding to Gateway for the following reasons:*

- 1. The Planning Proposal has strategic and site specific merit for the reasons outlined in the Council officer's report.*
- 2. It notes that the Planning Proposal is a result of a anomaly occurring through the translation of the LEP 1989 to the LEP 2012*
- 3. The subject site is proposed to be rezoned E2 Commercial Centre as a result of the Employment Zones reforms, which is consistent with the existing use of the subject site and the future zoning of surrounding sites.*
- 4. Council should also review the zoning of the adjacent road, to be consistent with the usual LEP mapping protocols.*
- 5. Council should ensure the Planning Proposal document's compliance with all Ministerial Directions, and in particular 4.1 and 5.2.*

In respect to this advice, the Planning Proposal was amended prior to reporting to Council to include the proposed controls applying to the adjacent road reserve as shown in Figures 3 and 4, and further consideration was given to Ministerial Direction 4.1 Flooding and 5.2 Reserving Land for Public Purposes. The evaluation of Ministerial Direction 4.1 Flooding in respect to the Planning Proposal is outlined in Section 8 of this report.

At the Ordinary Meeting on 14 February 2023, Council considered the Planning Proposal and resolved:

*"That:*

- 1. Based on assessment of the Planning Proposal for 7 and 9 Fitzgerald Street, Windsor, and the advice of the Hawkesbury Local Planning Panel, Council supports this planning proposal.*
- 2. Council forward the Planning Proposal to the Department of Planning and Environment for a Gateway Determination."*

The timeline below outlines the stages associated with the Planning Proposal.





## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

#### DISCUSSION

On 15 June 2023, Council received the Gateway Determination for the Planning Proposal (Attachment 2). The Gateway Determination permitted the Planning Proposal to proceed, and Council was provided delegation to be the Plan Making Authority for the Planning Proposal. The Gateway Determination required the Planning Proposal to undergo public exhibition for a minimum of 28 days, and public agency consultation was to be undertaken with:-

- Sydney Water;
- NSW State Emergency Service, and;
- Infrastructure NSW.

The outcome of public exhibition and public agency consultation is outlined below in this report.

#### COMMUNITY ENGAGEMENT

As required by the Gateway Determination and relevant statutory requirements, the consultation on the Planning Proposal that was undertaken with relevant government agencies and the community is outlined below.

##### Government Agency Consultation

In accordance with Section 3.34(2)(d) of the Environmental Planning and Assessment Act 1979 and the Gateway Determination, consultation was undertaken with Sydney Water, NSW State Emergency Service, and Infrastructure NSW. It is noted that these agencies are not concurrence authorities for the Planning Proposal and as such their responses are for advice only in relation to their agency's specific remit and interest. The advice received from public agencies is included in Attachment 3, noting that Infrastructure NSW did not provide a response.

##### Sydney Water

Sydney Water responded on 17 July 2023 and raised no objection to the Planning Proposal. Sydney Water indicated that appropriate water servicing for the subject site should be available though adjustment or amplification may be required and that this would be determined at the Section 73 phase of any Development Application, which will determine whether a compliance certificate from Sydney Water is required as part of the Development Application.

##### NSW State Emergency Service

NSW State Emergency Service responded to the Planning Proposal on 27 July 2023 and did not raise an objection to the Planning Proposal, but did raise the following matters:-

- Consider the impact of flooding on the infrastructure up to and including the PMF;
- Pursue, if relevant, site design and stormwater management that minimises any risk to the community;
- Ensure workers and people using the facility during and after the upgrades are aware of the flood risk, for example by using signage, and;
- Develop an appropriate business emergency plan to assist in being prepared for, responding to and recovering from flooding.

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

Additionally the NSW State Emergency Service advice highlights compliance with relevant Ministerial Directions, particularly 4.1 Flooding, and identified key issues in the Flood Risk Management Manual 2023 associated with NSW State Emergency Service responsibilities.

In drafting the Planning Proposal, flood affectation was identified as a key site constraint and subject to consideration. However, as the Planning Proposal is to correct a zoning anomaly, and not to facilitate a particular development proposal, the location of the subject site on flood liable land should not impede the Planning Proposal. On this principle, the Planning Proposal identifies a justified inconsistency with Ministerial Direction 4.1 Flooding, which would otherwise prohibit the rezoning of land in the Flood Planning Area to a commercial or residential use. In the Gateway process, the Department of Planning and Environment identified that they were satisfied with the justification of inconsistency with this direction. Advice raised by NSW SES regarding site design and stormwater management, advising of flood risk, and developing a business emergency plan and application of relevant flood policies and controls are not applicable to the Planning Proposal, but rather a future Development Application over the subject site.

Potential future development made permissible through this proposed zoning correction will require extensive consideration of flood impacts, and the need to ensure compliance with relevant flood planning clauses in the Hawkesbury Local Environmental Plan 2012, the Hawkesbury Flood Policy 2020, and any other applicable statutory controls or strategies.

#### Public Exhibition

In accordance with Section 3.34(2)(c) of the Environmental Planning and Assessment Act 1979 and the Gateway Determination, public exhibition of the Planning Proposal was undertaken. The Planning Proposal was exhibited from 2 August 2023 to 30 August 2023, with the Planning Proposal and supporting documentation available to view online on Hawkesbury Your Say, and a copy available to view at Council's Administration Building during the exhibition period. Council notices were issued on 2 August 2023, and 16 August 2023 and letters notifying the exhibition of the Planning Proposal were sent to nearby land owners.

Council received no submissions with respect to the Planning Proposal during or after the exhibition period.

#### Outcomes of Assessment and Exhibition of Planning Proposal

As demonstrated in the Planning Proposal, the correction of the zoning anomaly through rezoning the subject site to E2 Commercial Centre contains site-specific and strategic merit as it aligns the present land use of the subject site with an appropriate zoning, thereby strengthening the commercial centre of Windsor. The exhibition of the Planning Proposal with the community and relevant government agencies identified no objections. However, NSW State Emergency Service did identify the need to consider flood impacts of the subject site with the Planning Proposal, and in any future matters relating to the land. In consideration of the outcomes of public exhibition and public agency consultation of the Planning Proposal, and based on previous advice of the Hawkesbury Local Planning Panel, it is recommended that Council proceed with making the amendment to the Hawkesbury Local Environmental Plan 2012, including the necessary steps associated with the making of the proposed amendment.

#### CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

##### 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.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

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

Reliable Council

4.1 Provide representative, responsive and accountable governance.

4.2 Encourage an informed community.

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.

**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** Planning Proposal - (*Distributed under separate cover*).

**AT - 2** Gateway Determination.

**AT - 3** Public Agency Submissions.

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

#### AT - 2 Gateway Determination



Department of Planning and Environment

### Gateway Determination

**Planning proposal (Department Ref: PP-2023-546):** Rezoning of 7 and 9 Fitzgerald Street, Windsor

I, the Executive Director Metro West at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Hawkesbury Local Environmental Plan 2012 to rezone and apply a height of building control to 7 and 9 Fitzgerald Street, Windsor should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP must be completed on or before 15 January 2024.

#### Gateway Conditions

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 business days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
2. Consultation with Infrastructure NSW, the NSW State Emergency Service and Sydney Water is required under section 3.34(2)(d) of the EP&A Act. Any relevant advice of the Agencies is to be incorporated in post-exhibition changes to the proposal as required.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 10 October 2023

3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 15th day of June 2023.



**Catherine Van Laeren**  
**Executive Director Metro West**  
**Planning & Land Use Strategy**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**

PP-2023-546 (IRF 23/954)

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

#### AT - 3 Public Agency Submissions



17 July 2023

**Lachlan Mackenzie**

Strategic Planner

Hawkesbury City Council

[lachlan.mackenzie@hawkesbury.nsw.gov.au](mailto:lachlan.mackenzie@hawkesbury.nsw.gov.au)

**RE: Planning Proposal at 7 and 9 Fitzgerald Street, Windsor, Ref No-2289.**

Thank you for notifying Sydney Water of the planning proposal listed at 7 and 9 Fitzgerald Street, Windsor, Ref No-2289. The Hawkesbury City Council is proposing to make changes to the Hawkesbury Local Environmental Plan 2012. The controls proposed in this planning proposal will facilitate the rezoning of 7 and 9 Fitzgerald Street, Windsor from SP2 Infrastructure to E2 Commercial Centre. A Height of Building control of 10 meters will be introduced for the subject site.

Sydney Water has reviewed the supplied documents and provided the following comments to assist in planning the servicing needs of the proposal.

**Water Servicing**

- The sites are located within the South Windsor Elevated Pressure zone.
- Potable water servicing should be available via the 100 watermain (laid in 1977) on Fitzgerald Street or the 100 watermain (laid in 1977) on Johnston Street.
- Adjustments or amplifications may be required. This will be determined at the Section 73 phase.

**Wastewater Servicing**

- **The site is located outside of Sydney Water's wastewater catchment zone. Therefore, Sydney Water has no comments for wastewater servicing.**

**This advice is not a formal approval of our servicing requirements.** The development servicing advice provided by Sydney Water is based on the best available information at the time of referral (eg. planning proposal) but will vary over time with development and changes in the local systems. This is particularly important in systems with limited capacity (such as Priority Sewerage Program scheme areas) and it is best to approach Sydney Water for an updated capacity assessment (especially where an approval letter is more than 12 months old).

If you require any further information, please contact the Growth Planning Team at [urbangrowth@sydneywater.com.au](mailto:urbangrowth@sydneywater.com.au).

Yours sincerely,



**Lyndall Salli**

Acting Commercial Growth Manager

City Growth and Development, Business Development Group

Sydney Water, 1 Smith Street, Parramatta NSW 2150

**Sydney Water Corporation** ABN 49 776 225 038

1 Smith St Parramatta 2150 | PO Box 399 Parramatta 2124 | DX 14 Sydney | T 13 20 92 | [www.sydneywater.com.au](http://www.sydneywater.com.au)

Delivering essential and sustainable water services for the benefit of the community

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 10 October 2023**



Our Ref: ID 2023  
Your Ref: PP-2023-546

27 July 2023

Mr Ian Bignell  
Department of Planning and Environment

via email: [ian.bignell@planning.nsw.gov.au](mailto:ian.bignell@planning.nsw.gov.au)  
CC: [lachlan.mackenzie@hawkesbury.nsw.gov.au](mailto:lachlan.mackenzie@hawkesbury.nsw.gov.au)

Dear Ian,

**Planning Proposal for 7 and 9 Fitzgerald Street Windsor**

Thank you for the opportunity to provide comment on the Planning Proposal for 7 and 9 Fitzgerald Street Windsor. It is understood that the planning proposal seeks to rezone the site from SP2 Infrastructure to E2 Commercial Centre and introduce associated planning controls of a 10m Height of Buildings, and that this rezoning is to correct an anomaly resulting from the conversion of the current Hawkesbury Local Environmental Plan 2012 from the past Hawkesbury Local Environmental Plan 1989. The Planning Proposal provided also states *“the planning proposal is not to facilitate development as the site has long established existing commercial use”*<sup>1</sup>.

The NSW State Emergency Service (NSW SES) is the agency responsible for dealing with floods, storms and tsunamis in NSW. This role includes, planning for, responding to and coordinating the initial recovery from floods. As such, the NSW SES has an interest in the public safety aspects of the development of flood prone land, particularly the potential for changes to land use to either exacerbate existing flood risk or create new flood risk for communities in NSW.

The NSW SES has reviewed the proposed upgrade and the flood risk information (e.g. Hawkesbury-Nepean Valley Regional Flood Study 2019, Flood Studies etc.) available to the NSW SES, and note that the site is located within the 2% Annual Exceedance Probability (AEP) flood extent. Based on this review, the NSW SES provides the following advice:

- consider the impact of flooding on the infrastructure up to and including the PMF.
- pursue, if relevant, site design and stormwater management that minimises any risk to the community.
- ensure workers and people using the facility during and after the upgrades are aware of the flood risk, for example by using signage.

<sup>1</sup> Planning Proposal, 4.2 Section B – Relationship to Strategic Planning Framework, page 14



STATE HEADQUARTERS  
93 - 99 Burelli Street, Wollongong 2500  
PO Box 6126, Wollongong NSW 2500  
P (02) 4251 6111  
F (02) 4251 6190  
[www.ses.nsw.gov.au](http://www.ses.nsw.gov.au)  
ABN: 88 712 649 015

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- develop an appropriate business emergency plan to assist in being prepared for, responding to and recovering from flooding. The NSW SES has a template which can assist in this process: <http://www.sesemergencyplan.com.au/>.

The consent authority will need to ensure that the planning proposal is considered against the relevant Ministerial Section 9.1 Directions, including 4.1 – Flooding and is consistent with the NSW Flood Prone Land Policy as set out in the [Flood Risk Management Manual](#) 2023 (the Manual) and supporting guidelines, including the [Support for Emergency Management Planning](#). Attention is drawn to the following issues outlined in the Manual which are of importance to the NSW SES role as described above:

- Zoning should not enable development that will result in an increase in risk to life, health or property of people living on the floodplain.
- Risk assessment should consider the full range of flooding, including events up to the Probable Maximum Flood (PMF) and not focus only on the 1% AEP flood.
- Risk assessment should have regard to flood warning and evacuation demand on existing and future access/egress routes. Consideration should also be given to the impacts of localised flooding on evacuation routes.
- In the context of future development, self-evacuation of the community should be achievable in a manner which is consistent with the NSW SES's principles for evacuation.
- Future development must not conflict with the NSW SES's flood response and evacuation strategy for the existing community. Evacuation must not require people to drive or walk through flood water.
- Development strategies relying on deliberate isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation.
- Development strategies relying on an assumption that mass rescue may be possible where evacuation either fails or is not implemented are not acceptable to the NSW SES.
- The NSW SES is opposed to the imposition of development consent conditions requiring private flood evacuation plans rather than the application of sound land use planning and flood risk management.
- Consent authorities should consider the cumulative impacts any development will have on risk to life and the existing and future community and emergency service resources in the future.



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You may also find the following Guidelines, originally developed for the Hawkesbury Nepean Valley and available on the NSW SES website useful:

- [Managing Flood Risk Through Planning Opportunities](#)

Please feel free to contact Claire Flashman via email at [rra@ses.nsw.gov.au](mailto:rra@ses.nsw.gov.au) should you wish to discuss any of the matters raised in this correspondence. The NSW SES would also be interested in receiving future correspondence regarding the outcome of this referral via this email address.

Yours sincerely



Elspeth O'Shannessy  
A/Manager Risk Assessment Emergency Risk Management  
**NSW State Emergency Service**

[www.ses.nsw.gov.au](http://www.ses.nsw.gov.au)

oooO END OF REPORT Oooo

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 10 October 2023

**4.1.2. CP - LEP002/22 - 4 Hall Street, Pitt Town - Post Exhibition Report (124414, 82413)**

**Previous Item:** 153, Ordinary (13 September 2022)  
4.1.1, Ordinary (12 September 2023)

**Directorate:** City Planning

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**PLANNING PROPOSAL INFORMATION**

<b>File Number:</b>	LEP002/22
<b>Property Address:</b>	4 Hall Street, Pitt Town
<b>Applicant:</b>	Planning Direction Pty Ltd
<b>Owner:</b>	Sydney Water
<b>Date Received:</b>	1 June 2022
<b>Current Minimum Lot Size:</b>	Nil
<b>Proposed Minimum Lot Size:</b>	4000m <sup>2</sup>
<b>Current Zone:</b>	SP2 Infrastructure
<b>Proposed Zone:</b>	R5 Large Lot Residential
<b>Site Area:</b>	3,598m <sup>2</sup>
<b>Key Issues:</b>	Flooding and Evacuation

**PURPOSE OF THE REPORT**

The purpose of this report is to present the outcome of public agency consultation and public exhibition of the Planning Proposal for 4 Hall Street, Pitt Town. The Planning Proposal was previously considered by Council at its Ordinary Meeting on 12 September 2023 where Council resolved that a further report be provided to Council.

This further report details what happens to the Planning Proposal should Council resolve to either support or not support the proposed amendment to the Hawkesbury Local Environmental Plan 2012.

This report also recommends that Council supports the Planning Proposal to be forwarded to the Department of Planning and Environment for a final determination.

**EXECUTIVE SUMMARY**

Council is in receipt of a Planning Proposal which aims to make the following amendments to the Hawkesbury Local Environmental Plan 2012:

- Rezone 4 Hall Street, Pitt Town from SP2 Infrastructure to R5 Large Lot Residential
- Introduce a minimum lot size control of 4,000m<sup>2</sup>
- Introduce a height of building control of 10 metres.

This Planning Proposal has been assessed against relevant requirements and with respect to responses received from the state agencies that the Planning Proposal was referred to, and

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submissions from the community. The report recommends that Council supports the proposed amendments to the Hawkesbury Local Environmental Plan 2012, which is to be forwarded to the Department of Planning and Environment for a final determination.

This Planning Proposal was reported to Council at its Ordinary Meeting 12 September 2023 where Council resolved that a further report be provided to Council. In accordance with Council's resolution, this report details what happens to the Planning Proposal should Council resolve to either support or not support the proposed amendment to the Hawkesbury Local Environmental Plan 2012.

The outcome of the public agency and community consultation remains unchanged and as such, it is recommended that Council supports the Planning Proposal to be forwarded to the Department of Planning and Environment for a final determination.

#### RECOMMENDATION

That Council:

1. Notes the outcome of public agency consultation and public exhibition of Planning Proposal LEP002/22, 4 Hall Street, Pitt Town.
  2. Supports the making of the Local Environmental Plan (LEP002/22) to:
    - a) Rezone 4 Hall Street, Pitt Town to R5 Large Lot Residential
    - b) Introduce a minimum lot size control of 4,000m<sup>2</sup>
    - c) Introduce a height of building control of 10 metres.
  3. Notes that the Planning Proposal and supporting information will be forwarded to the Department of Planning and Environment for a final determination.
- 

#### BACKGROUND

The subject site at 4 Hall Street, Pitt Town is currently owned by Sydney Water and has historically been used for water supply purposes with a steel reservoir previously located in the eastern portion of the site, as shown in Figure 1. The subject site was deemed by Sydney Water to be surplus to their operational requirements, and as result the agency intends to dispose of the asset. To facilitate the disposal of the asset, Sydney Water removed the steel reservoir and lodged a Planning Proposal to rezone the land from SP2 Infrastructure to R5 Large Lot Residential. The Planning Proposal is included in Attachment 1 of the report. Accompanying this Planning Proposal was a Detailed Site Investigation which concluded that the site was within contamination screening levels, and therefore suitable for residential use.

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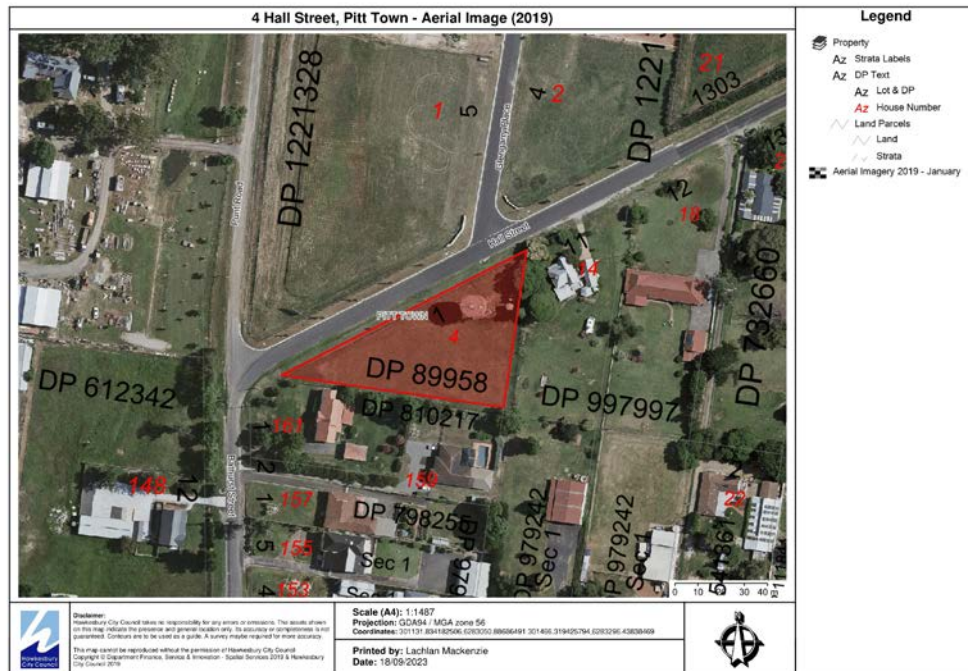


Figure 1: 4 Hall Street, Pitt Town (Aerial Image 2019)

The Planning Proposal aims to make the following amendments to the Hawkesbury Local Environmental Plan 2012:

- Rezone the subject site from SP2 Infrastructure (Water Supply Infrastructure) to R5 Large Lot Residential
- Introduce a minimum lot size of 4,000m<sup>2</sup>
- Introduce a building height limit of 10m.

The proposed amendments are consistent with the planning controls of the adjacent lots, allowing for a single residential allotment with no potential for subdivision as the proposed minimum lot size of 4,000m<sup>2</sup> is greater than the current lot size.

After receiving support from the Hawkesbury Local Planning Panel, the Planning Proposal was considered by Council at the Ordinary Meeting on 13 September 2022, where Council resolved:

“That:

1. *Based on assessment of the planning proposal, and the advice of the Hawkesbury Local Planning Panel, Council Supports this planning proposal with the requirement that connection to a sewer system is provided prior to granting the provisions to amend the Hawkesbury local Environmental Plan 2012.*
2. *Council forward the Planning Proposal to the Department of Planning and for a Gateway Determination.”*

After public exhibition and government agency consultation, the Planning Proposal was reported to Council on 12 September 2023 to present the outcome of the public exhibition and government agency consultation. After considering this matter, Council resolved:

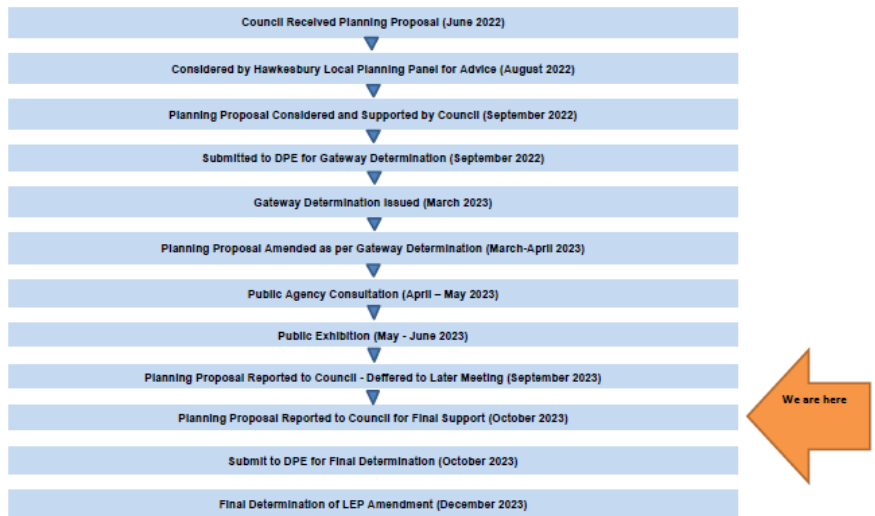
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*“That:*

- 1. Council receive and notes the information in the report.*
- 2. A further report be provided to Council.”*

In accordance with Council's resolution, this further report details what happens to the Planning Proposal should Council resolve to either support or not support the proposed amendment to the Hawkesbury Local Environmental Plan 2012.

Figure 2 provides an outline of the timeline and key steps associated with this Planning Proposal.



**Figure 2: Planning Proposal Timeline**

**DISCUSSION**

On 1 March 2023, Council received the Gateway Determination for the Planning Proposal (Attachment 2). The Gateway Determination included the mandatory requirements for public exhibition and public agency consultation. The outcomes and assessment of responses and submissions received during the public exhibition and public agency consultation are provided in Part 8 of this report. Prior to proceeding with the exhibition and consultation, several amendments were made to the Planning Proposal. These amendments include addressing certain Ministerial Directions, and the assessment of flood risk and evacuation for the subject site and its relationship to the regional flood network.

Additionally, the Gateway Determination required that the Planning Proposal be amended prior to finalisation to confirm that Council is satisfied that suitable site servicing arrangements can be made. As part of satisfying this requirement, consultation with Endeavour Energy was undertaken, as outlined in Part 8 of this report. Additionally, to satisfy this requirement and the previous Council resolution on this matter, the applicant has finalised obtaining a deed of allocation for the sewerage servicing of the subject site. The Planning Proposal will not be forwarded to the Department of Planning and Environment, should Council resolve to do so, until the signed deed of allocation is provided to Council.

**Update Following 12 September 2023 Ordinary Meeting**

The following is provided as an update following the Ordinary Meeting on 12 September 2023:

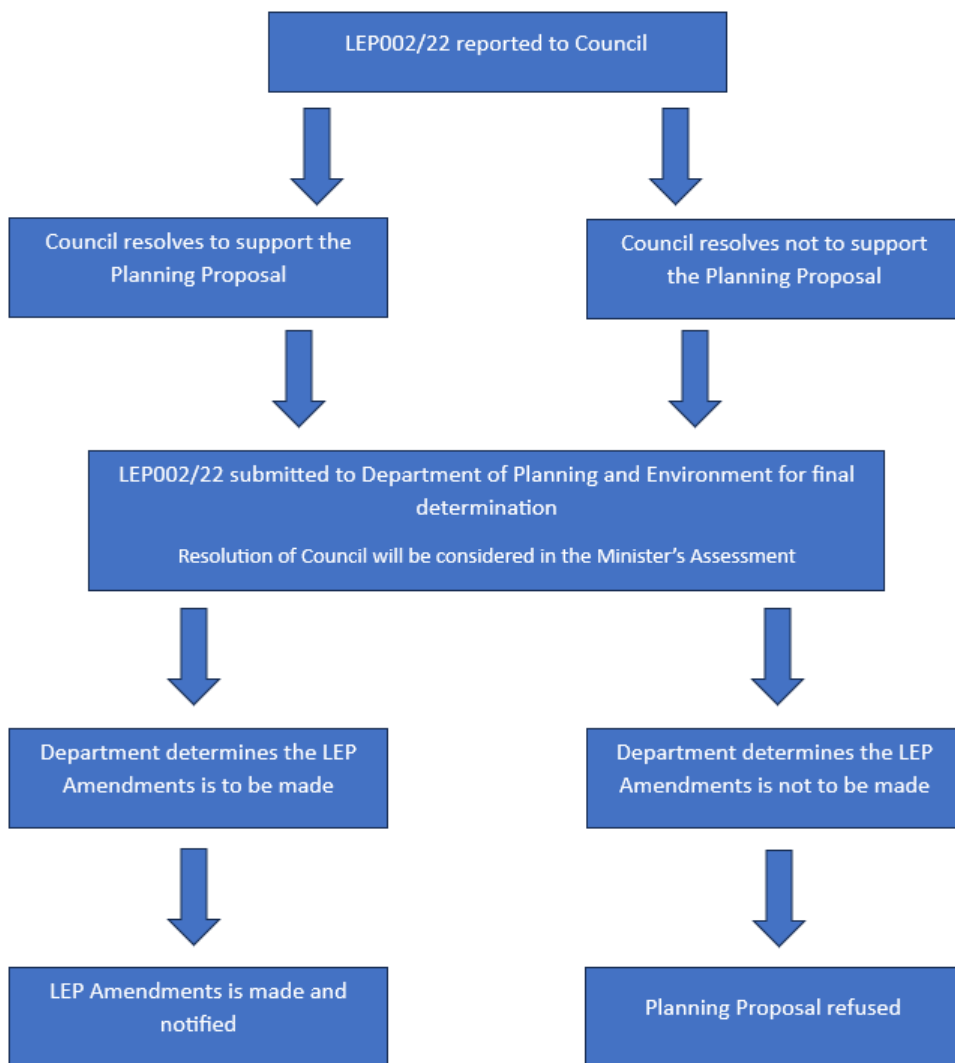
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The Gateway Determination does not authorise Council to be the Plan-making Authority for this Planning Proposal. As such, Council is asked to consider whether to support the Planning Proposal.

Whether Council resolves to support the Planning Proposal or not, Council is required to forward the Proposal to the Department of Planning and Environment for a final determination by the Minister for Planning or their delegate.

The Department of Planning and Environment will consider Council's resolution and other relevant matters as part of their determination of the Planning Proposal.

Figure 3 outlines the Planning Proposal finalisation process following a Council resolution to either support or not support the Proposal.



**Figure 3: Planning Proposal Finalisation Process**

Correspondence from Sydney Water that was sent to Council following the Ordinary Meeting on 12 September 2023 indicates that the agency intends to sell the land regardless of the outcome of the Planning Proposal. Additionally, Sydney Water has notified Council Officers that there is no scenario

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where the land will be gifted to Council and that the only way Council could acquire the land would be through purchasing the land at market rate.

The Section 7.11 contributions that Council has collected in Pitt Town cannot be used for the acquisition of the subject site as the land is not currently included in the Section 7.11 Contribution Plan works schedule. The subject site is located 250m from Bona Vista Park and approximately 550m from the future 2.3ha Riverside Park, highlighting that there is provision for both active and passive open space in close proximity. In the scenario that the land is disposed of by Sydney Water under its current zoning of SP2 Infrastructure, as no other agency has the legislated remit to fulfill the zoned water supply purpose of the land (as per the Sydney Water Act 1994 and the Water NSW Act 2014) lodgement of a future Planning Proposal for an alternate use of the site would be likely.

#### COMMUNITY ENGAGEMENT

As detailed in the Gateway Determination and relevant statutory requirements, consultation on the Planning Proposal was undertaken with relevant government agencies and the community as outlined below:

##### Government Agency Consultation

In accordance with Section 3.34(2)(d) of the Environmental Planning and Assessment Act 1979 and the Gateway Determination, consultation was undertaken with Endeavour Energy, NSW Rural Fire Service and NSW State Emergency Service. The outcomes of this government agency consultation are included in Attachment 3 of this report. These agencies are not concurrence authorities for the Planning Proposal, and as such their responses are for advice only in relation to their agency's specific remit and interest.

##### Endeavour Energy

Endeavour Energy provided a response to Council for this Planning Proposal on 14 April 2023, which raised no objections and acknowledged the capacity to service residential development of the site. Additionally, in their response, Endeavour Energy raised several matters that are not specifically relevant to consideration of this Planning Proposal, but are more relevant to a future development application, including consideration of the location of deep rooted tree planting.

##### NSW Rural Fire Service

NSW Rural Fire Service provided their response on 28 April 2023, raising no concerns or issues regarding bushfire threat to the subject site.

##### NSW State Emergency Service

NSW State Emergency Service provided their response on 3 May 2023 which raised objection to the Planning Proposal on the basis of:

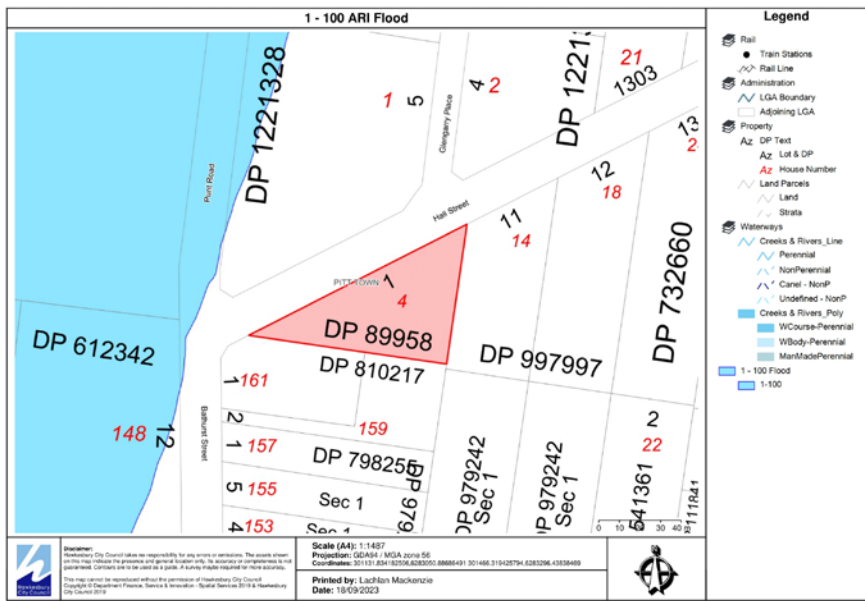
- Flood Risk
- Evacuation capacity
- Setting a precedent for future development

These objections are considered below, and discussed in the Planning Proposal.

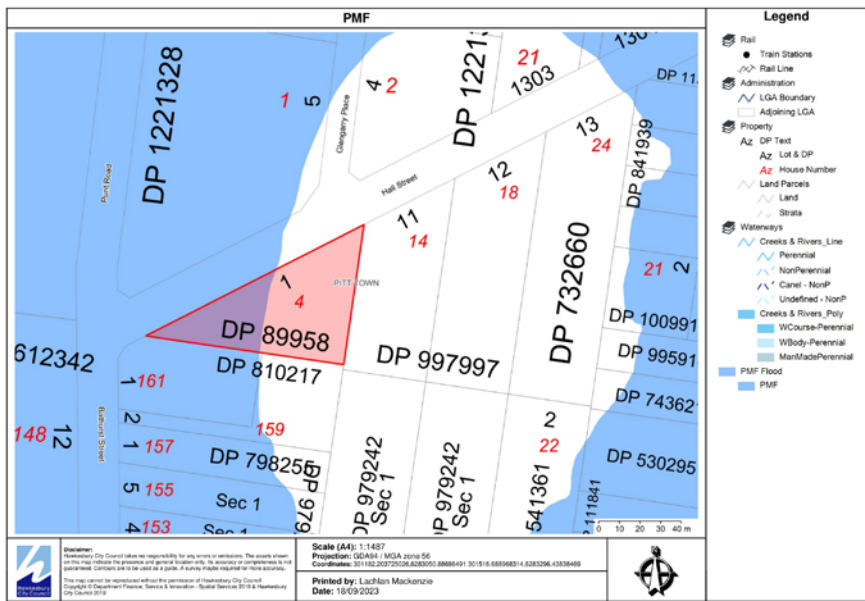
Regarding the flood risk of the subject site, the lot is entirely above the 1:100 ARI flood level (Figure 4); the legislated Flood Planning Level, and over 2,000m<sup>2</sup> of the subject site is above the Probable Maximum Flood (PMF) level (Figure 5), demonstrating the capacity of the subject site to provide for

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development above the current Flood Planning Level (1:100) and above the PMF. Despite this, it is acknowledged that the subject site is part of a low-lying flood island and will require evacuation in larger flood events. The NSW State Emergency Service maintains in their response that development which increases the evacuation requirements is not supported. Key to this, the NSW State Emergency Service conducted an evacuation assessment of the Pitt Town area in 2007. This assessment found that an additional 1,100 lots could be added to the Pitt Town area before the Evacuation Factor of Safety reached zero, however the NSW State Emergency Service suggests that this spare capacity should not be used simply because of its availability. A recent audit of new development since the 2007 advice conducted by Council identifies that spare capacity of 142 lots remain from the initial 1,100 capacity advised by the SES.



**Figure 4: 1:100 ARI Flood**



**Figure 5: Probable Maximum Flood**



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Further to this, it is noted that at the time that this evacuation capacity assessment was undertaken, the subject site (under the then in-force Hawkesbury Local Environmental Plan 1989) was zoned RH Rural Housing (Figure 6), despite being used for water supply purposes. This previous residential zoning meant that the subject site was an existing residentially zoned allotment during the NSW State Emergency Service assessment in 2007. As such, it is considered that the NSW State Emergency Service evacuation assessment had more than likely accounted for the residential zoning of the subject site and therefore the current Planning Proposal to rezone the subject site has no impact to the study's calculated Evacuation Factor of Safety.

The Hawkesbury Local Environmental Plan 2012 permits land uses including community facilities and public administration building under the present SP2 - Infrastructure zoning of the site. The Planning Proposal seeks to rezone the site to an R5 Large Lot Residential zoning which permits detached dwellings, centre based childcare facilities and community facilities with consent. However, it is considered that the topography of the subject site, which has a difference in elevation of over nine metres between the highest and lowest point would make development of the site for a child care facility unlikely. Any development application lodged will be assessed to determine its site specific merits and its adherence to applicable planning controls and strategies.

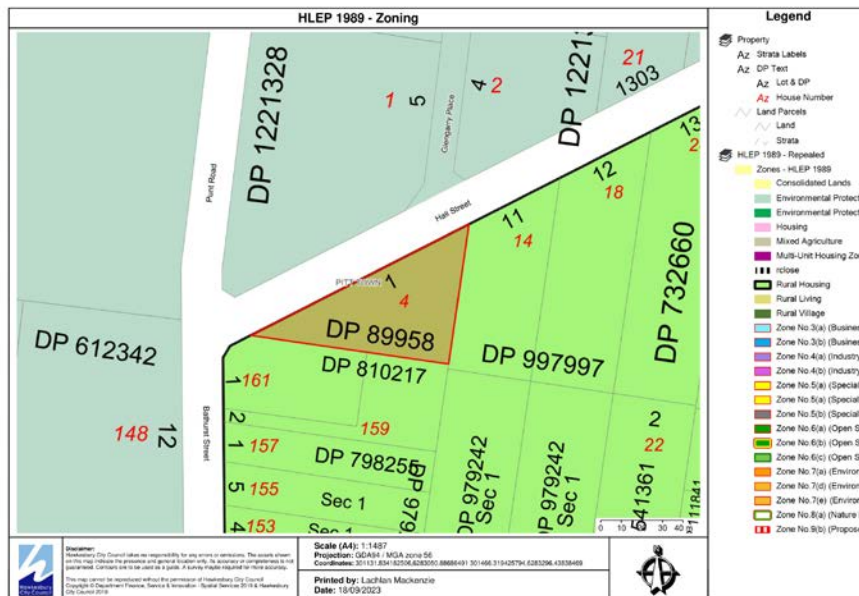


Figure 6: Hawkesbury Local Environmental Plan 1989 Land Zones

Under the current SP2 Infrastructure zoning, the use of the subject site for the purpose of an office or depot building associated with the specified water supply purpose of the subject site is permissible. This permissibility would be considered as comparable to or greater than the potential land use intensity of the proposed R5 Large Lot Residential zone. The concern regarding setting a precedent to permit additional development in Pitt Town is acknowledged, however, it is suggested that a precedent is not set by the Planning Proposal as a precedent requires similar circumstances and factors. This subject site has unique circumstances due to the current and previous zoning, and in consideration of the proposed planning controls for the subject site limiting the scale of potential development.

Community Consultation

The Planning Proposal and other supporting documentation was publicly exhibited as per 3.34(2)(b) of the Environmental Planning and Assessment Act 1979, and the Gateway Determination. Throughout the exhibition period, the Planning Proposal and other supporting documentation was

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made available to view on Council's online community engagement site [www.yourhawkesbury-yoursay.com.au](http://www.yourhawkesbury-yoursay.com.au), and between 9am to 4pm Monday to Friday at Council's Administration Office. Public notices were placed in the 'Hawkesbury Gazette' local newspaper and letters were sent to the adjoining and surrounding property owners (51 in total) advising of the public exhibition of the Planning Proposal. Through this exhibition period, Council received one written submission which is included along with the applicant's response in Attachment 4 to this report. The submitter was opposed to the Planning Proposal, with the key reasons for objection, and Officer comment in response included in the following table:

**Table 2: Assessment of Public Submission**

<b>Reason for Objection</b>	<b>Officer Comment</b>
Land should remain open space	The subject site whilst vacant is not zoned or used as open space. The subject site has been owned and operated by Sydney Water for the purpose of water supply infrastructure since at least 1975 (Then the Metropolitan Water, Sewerage and Drainage Board) and was only recently cleared to facilitate this Planning Proposal. Accordingly the need to consider the significance of the subject site as open space is not applicable to this matter. Additionally, as the subject site is not classified as community land, it does not require reclassification to facilitate the Planning Proposal.
Need to preserve the large lot residential character of the area	The Planning Proposal is for the rezoning to an R5 Large Lot Residential zoning, consistent with the character of the locality, and the associated proposed minimum lot size planning controls ensures that subdivision is not possible as the existing lot size of approximately 3,600 m <sup>2</sup> is smaller than the proposed minimum lot size, thereby preventing subdivision.
Need to protect the visual curtilage of the adjacent heritage item and landscape	Addressing the visual curtilage of the adjacent heritage item is a matter for assessment following the lodgement of a Development Application. There is no proposed development associated with this Planning Proposal. Considering the heritage impacts more broadly, the proposed R5 Large Lot Residential zone of the subject site, and the proposed minimum lot size are consistent with Section 4.11 Heritage Conservation of the Pitt Town Development Control Plan. The controls of this section also requires that a heritage conservation plan is to be submitted alongside any future Development Application. Additionally, as the subject site is located within the Pitt Town Heritage Conservation Area, any future development is to comply with section 5.10 Heritage Conservation of the Hawkesbury Local Environmental Plan 2012.

**Outcomes of Assessment and Exhibition of Planning Proposal**

Previous assessment by Council and the Department of Planning and Environment identified strategic and site specific merit to the Planning Proposal to rezone the subject site to R5 Large Lot Residential. The subject site is currently vacant land capable of servicing residential use, and the proposed zoning

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and associated planning controls are consistent with adjacent lots. Due to the small scale of the proposed rezoning in an existing large lot residential area, the Planning Proposal is not considered to be detrimental to the character of the area. As identified by the Department of Planning and Environment in the Gateway Determination, the NSW State Emergency Service and in consideration of recent flood events, there are concerns regarding flood risk and evacuation, however as previously discussed, these concerns are addressed as the subject site was considered a residential lot at the time of the NSW State Emergency Service evacuation assessment in 2007 and the potential land use intensity of the subject site with its current SP2 Infrastructure zone is comparable to the proposed R5 Large Lot Residential zone. Following assessment of the public agency consultation and public exhibition, and considering previous advice from the Hawkesbury Local Planning Panel, the rezoning of 4 Hall Street, Pitt Town to R5 Large Lot Residential is still considered to have strategic and site specific merit. As such, it is recommended that Council supports this Planning Proposal and that it be forwarded to the Department of Planning and Environment for a final determination.

#### 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.

##### Our Future

- 5.1 Strategic Planning Governance - Encourage informed planning, balanced growth and community engagement
  - 5.1.1 Council's planning is integrated and long term.
  - 5.1.2 Council's decision making on all matters is transparent, accessible and accountable.

#### 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

AT - 1 Planning Proposal LEP002/22, 4 Hall Street, Pitt Town - (*Distributed under separate cover*).

AT - 2 Gateway Determination.

AT - 3 Endeavour Energy Submission.

AT - 4 NSW Rural Fire Service Submission.

AT - 5 NSW State Emergency Service Submission.

AT - 6 Public Exhibition Submissions with Applicant's Response.

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#### AT - 2 Gateway Determination



Department of Planning and Environment

### Gateway Determination

**Planning proposal (Department Ref: PP-2022-1673):** to rezone 4 Hall Street, Pitt Town from SP2 Infrastructure (Water Supply Infrastructure) to R5 Large Lot Residential and apply associated planning controls.

I, the Acting Director, Central (Western) at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Hawkesbury Local Environmental Plan 2012 to rezone 4 Hall Street, Pitt Town from SP2 Infrastructure (Water Supply Infrastructure) to R5 Large Lot Residential and apply associated planning controls should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated to:
  - (a) Ensure that the site is clearly identified on all maps and figures.
  - (b) Include a map showing the areas of affected by the 1% AEP flood event and areas of the site affected by the PMF flood event overlaid with the proposed development area.
  - (c) Address evacuation requirements and proposed evacuation routes during flood events, including council's assessment of the capacity of the regional flood evacuation network.
  - (d) Address the *Resilient Valley, Resilient Communities – Hawkesbury-Nepean Valley Flood Risk Management Strategy*.
  - (e) Address Direction 4.3 Planning for Bushfire Protection and to include a map showing the areas of the site affected by the bushfire vegetation buffer zone.
  - (f) Address Direction 5.2 Reserving Land for Public Purposes.
2. Prior to finalisation, the planning proposal is to be updated to confirm that Council is satisfied that suitable site servicing arrangements can be made.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (g) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 working days; and
  - (h) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

PP-2022-1673 (IRF23/458)

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4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:

- NSW Rural Fire Service
- Relevant utility providers, including Endeavour Energy
- NSW State Emergency Service (SES).

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The LEP should be completed on or before 15 December 2023. Public exhibition of the proposal is to commence by May 2023 and the proposal is to be reported to Council by October 2023.

Dated 1 March 2023.



**Robert Hodgkins**  
**Acting Director**  
**Central (Western)**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and Homes**

PP-2022-1673 (IRF23/458)

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**AT - 3 Endeavour Energy Submission**

**Development Application and Planning Proposal Review  
NSW Planning Portal Concurrence and Referral**



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
Hawkesbury City Council	LEP002/22	Ref-2095	Lachlan Mackenzie	11/04/2023	9/05/2023	14/04/2023

Address	Land Title
4 HALL STREET PITT TOWN 2756	Lot 1 DP 89958

**Scope of Development Application or Planning Proposal**

Proposed Rezoning from SP2 - Water Supply System to R5 Large Lot Residential at the subject site for Sydney Water.

**As shown in the below site plan from Endeavour Energy's G/Net master facility model:**

There are:

- No easements benefitting Endeavour Energy (active easements are indicated by red hatching).
- Provision for a low voltage service conductor / customer connection point coming from a low voltage pillar located approximately 13 metres to the east on the road verge / roadway.



**Endeavour Energy**  
ABN 11 247 365 823  
T 133 718  
51 Huntingwood Drive  
Huntingwood NSW 2148  
PO Box 811, Seven Hills NSW 1730  
[endeavourenergy.com.au](http://endeavourenergy.com.au)

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date: 10 October 2023**

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by  .

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
<input type="checkbox"/>	<input type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input type="checkbox"/>	<input type="checkbox"/>	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
<input type="checkbox"/>	<input type="checkbox"/>	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
<input type="checkbox"/>	<input type="checkbox"/>	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input type="checkbox"/>	9	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
<input type="checkbox"/>	<input type="checkbox"/>	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
<input type="checkbox"/>	<input type="checkbox"/>	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
<input type="checkbox"/>	<input type="checkbox"/>	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
<input type="checkbox"/>	<input type="checkbox"/>	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
<input type="checkbox"/>	<input type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into to multiple / privately owned lots is generally not supported.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
<input type="checkbox"/>	<input type="checkbox"/>	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
<input type="checkbox"/>	<input type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
<input type="checkbox"/>	<input type="checkbox"/>	20	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input type="checkbox"/>	<input type="checkbox"/>	21	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input type="checkbox"/>	<input type="checkbox"/>	22	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	23	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.

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### 4. REPORTS FOR DETERMINATION

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Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	24	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW).
<input type="checkbox"/>	<input type="checkbox"/>	25	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	26	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
<input type="checkbox"/>	<input type="checkbox"/>	27	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
<input type="checkbox"/>	<input type="checkbox"/>	28	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
<input type="checkbox"/>	<input type="checkbox"/>	29	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	30	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
<input type="checkbox"/>	<input type="checkbox"/>	31	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
<input type="checkbox"/>	<input type="checkbox"/>	32	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	33	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
<input type="checkbox"/>	<input type="checkbox"/>	34	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	35	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	36	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
<b>Completed by:</b>				<b>Decision</b>
Cornelis Duba				Advice

**Cornelis Duba** | Development Application Specialist

M 0455250981

E comelis.duba@endeavourenergy.com.au

51 Huntingwood Drive, Huntingwood NSW 2148. Dharug Country

[endeavourenergy.com.au](http://endeavourenergy.com.au) |    



Endeavour Energy respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past, present and emerging.



## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

#### Reason(s) for Conditions / Decision (If applicable)

- The Planning Proposal does not appear to address in detail whether the electricity services are available and adequate for the proposed development.

#### 1.1 SUBJECT SITE AND SITE CONTEXT

All essential utility services exist on and near the site.

- The electricity distribution network generally provides a single customer connection point for each developable lot for the provision of electricity supply for a basic low voltage connection service where the total maximum demand is no greater than 100 amperes 230 volts (single phase) or no greater than 63 amperes 400 volts (three phase).

The Site Plan from Endeavour Energy's G/Net Master Facility Model shows there is provision for a single customer connection point coming from the low voltage pillar located approximately 13 metres to the east on the road verge.

Applications for connection of load for a single dwelling or up to four strata units are usually capable of direct connection to the existing low voltage network. Such applications can be completed online and permission to connect may be provided immediately if it complies with the above requirements.

- To ensure an adequate connection, the applicant may need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- The low voltage service conductor and customer connection point must comply with the 'Service and Installation Rules of NSW'.
- The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.
- Not all the conditions / advice marked may be directly or immediately relevant or significant to the Planning Proposal. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur.

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

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#### Condition or Advice

With Endeavour Energy's Development Application and Planning Proposal Review process / system the intent of the 'Standard Conditions' being indicated as either a 'Condition' or 'Advice' essentially depends on the risk associated with the matter. If the matter is one that is likely or very likely to be an issue / needed to be addressed by the applicant and may require corrective action, then it is marked as a 'Condition'. If the matter is less likely and the consequences of the applicant not addressing it are lower or can be readily rectified, then it is marked as 'Advice'. If the matter is considered to be not applicable / relevant then it is not marked as either.

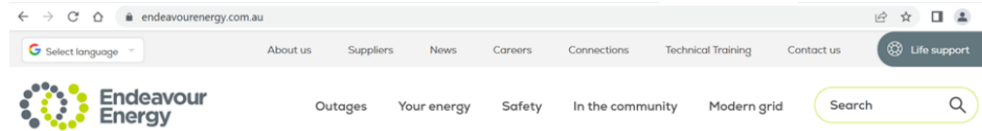
For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations is a standard / regulatory requirement. It will be generally indicated as 'Advice'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is some uncertainty over the extent or location of the underground cables on or near the site, it would then be indicated as 'Condition' and require action to be undertaken by the applicant eg. the use of an underground asset locating device or a certified locator to verify the asset location.

#### Decision

In the NSW Planning Portal for the 'Agency response', as Endeavour Energy is not a concurring authority under the provision of the *Environmental Planning and Assessment Act 1979* (NSW), it does not 'Approve' or 'Refuse' a Development Application in the Portal. It will 'Approve (with conditions)' (which may 'Object' in the submission and detail the matters requiring resolution), or if all the matters in the submission are marked as for 'Advice', the outcome of the assessment will also be 'Advice'.

#### Further Advice

The 'Standard Conditions' include additional advice and contact details and further information is also available on Endeavour Energy's website at <https://www.endeavourenergy.com.au/>.



The following contacts can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666.

Branch / Section	Matters	Email
Customer Network Solutions	Electricity supply or asset relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP).	<a href="mailto:cicadmin@endeavourenergy.com.au">cicadmin@endeavourenergy.com.au</a>
Easement Officers	Easement management or protected works / assets.	<a href="mailto:Easements@endeavourenergy.com.au">Easements@endeavourenergy.com.au</a>
Property	Property tenure eg. the creation or release of easements.	<a href="mailto:network_property@endeavourenergy.com.au">network_property@endeavourenergy.com.au</a>
Field Operations (to the relevant Field Service Centre).	Safety advice for building or working near electrical assets in public areas (including zone and transmission substations).	<a href="mailto:Construction.Works@endeavourenergy.com.au">Construction.Works@endeavourenergy.com.au</a>

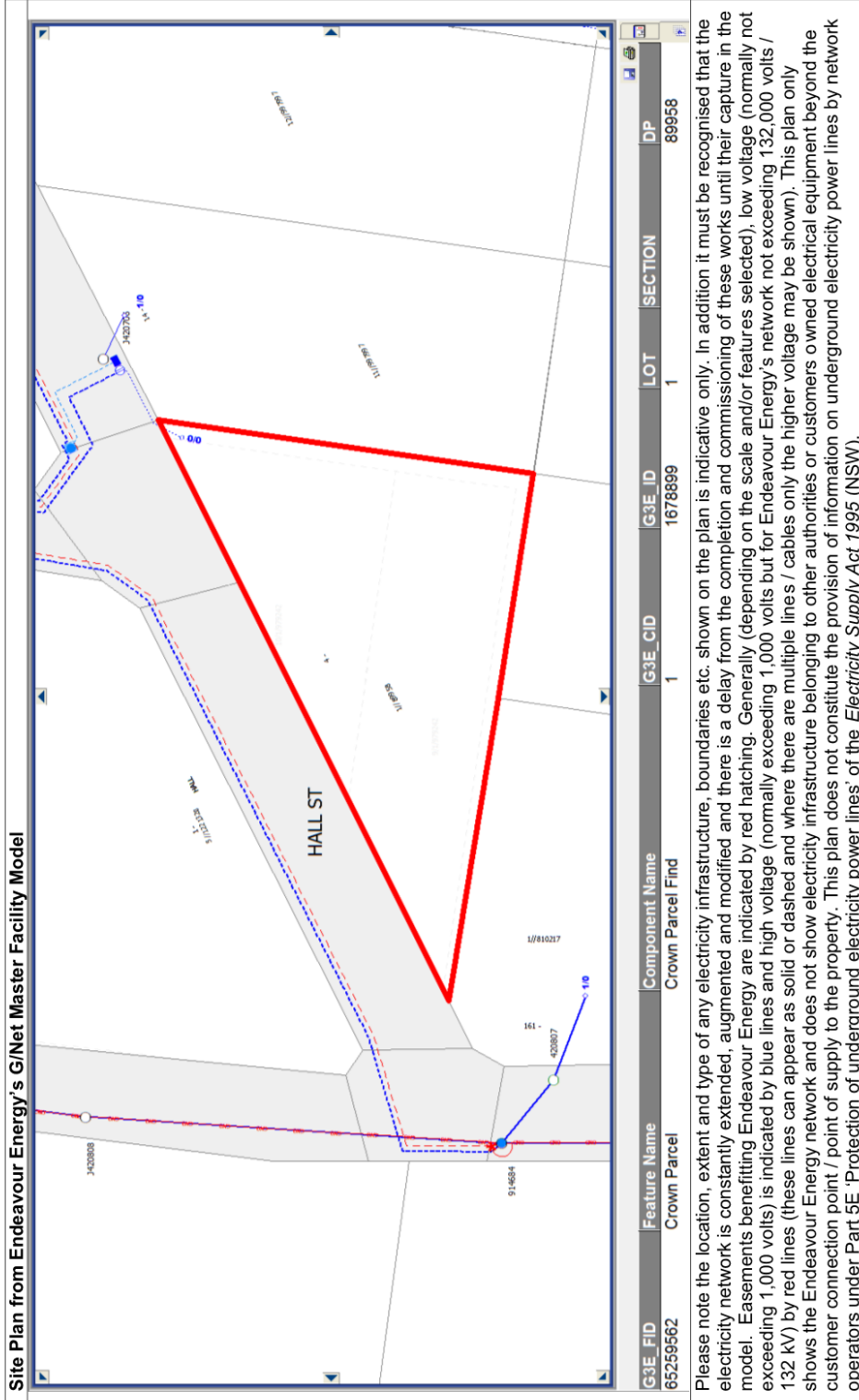
**Please note Endeavour Energy's above contacts do not have access to the NSW Planning Portal. To resolve any matters direct contact should be made with the responsible contact. This will avoid double handling and possible delays in responding to the applicant / Council.**

Details of the Accredited Service Provider (ASP) Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service>.

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Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. Easements benefiting Endeavour Energy are indicated by red hatching. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed and where there are multiple lines / cables only the higher voltage may be shown). This plan only shows the Endeavour Energy network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property. This plan does not constitute the provision of information on underground electricity power lines by network operators under Part 5E 'Protection of underground electricity power lines' of the *Electricity Supply Act 1995* (NSW).

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LEGEND	
	Padmount substation
	Indoor substation
	Ground substation
	Kiosk substation
	Cottage substation
	Pole mounted substation
	High voltage customer substation
	Metering unit
	Switch station
	Indoor switch station
	Voltage regulator
	Customer connection point
	Low voltage pillar
	Streetlight column
	Life support customer
	Tower
	Pole
	Pole with streetlight
	Customer owned / private pole
	Cable pit
	Load break switch
	Recloser
	Proposed removed
	Easement
	Subject site

**ORDINARY MEETING**  
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**Meeting Date: 10 October 2023**

**AT 4 - NSW Rural Fire Service Submission**



**NSW RURAL FIRE SERVICE**

Hawkesbury City Council  
PO Box 146  
WINDSOR NSW 2756

Your reference: Ref-2096 (PP-2022-1673)  
Our reference: SPI20230413000051

**ATTENTION:** Lachlan Mackenzie

Date: Friday 28 April 2023

Dear Sir/Madam,

**Strategic Planning Instrument  
Rezoning**

Proposed Rezoning from SP2 - Water Supply System to R5 Large Lot Residential at the subject site for Sydney Water

I refer to your correspondence dated 11/04/2023 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and subsequently raise no concerns or issues in relation to bush fire.

For any queries regarding this correspondence, please contact Kathryn Murphy on 1300 NSW RFS.

Yours sincerely,

Adam Small  
**Supervisor Development Assessment & Plan  
Built & Natural Environment**

1

**Postal address**

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

**Street address**

NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

**T** (02) 8741 5555  
**F** (02) 8741 5550  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**

**Meeting Date: 10 October 2023**

**AT - 5 NSW State Emergency Service Submission**



Our Ref: ID 1928  
Your Ref: PP-2022-1673

03 May 2023

Rachel Hughes  
Department of Planning and Environment  
Locked Bag 5022  
Parramatta NSW 2124

email: [rachel.hughes@dpie.nsw.gov.au](mailto:rachel.hughes@dpie.nsw.gov.au)  
CC: [shelly.stingmore@one.ses.nsw.gov.au](mailto:shelly.stingmore@one.ses.nsw.gov.au)

Dear Rachel,

**Planning Proposal for 4 Hall Street, Pitt Town**

Thank you for the opportunity to provide comment on the Planning Proposal for 4 Hall Street, Pitt Town. It is understood that the planning proposal seeks to rezone the site from SP2 Infrastructure – Water Supply System to R5 Large Lot Residential, to permit the construction of a dwelling or equivalent permissible use on the subject site.

The NSW State Emergency Service (NSW SES) is the agency responsible for dealing with floods, storms and tsunamis in NSW. This role includes, planning for, responding to and coordinating the initial recovery from floods. As such, the NSW SES has an interest in the public safety aspects of the development of flood prone land, particularly the potential for changes to land use to either exacerbate existing flood risk or create new flood risk for communities in NSW.

The NSW SES has reviewed the proposal and the flood risk information (e.g. Hawkesbury-Nepean Flood Studies 2013, Hawkesbury-Nepean Floodplain Risk Management Study and Plan 2012, Hawkesbury-Nepean Valley Regional Flood Study 2019 etc.) available to the NSW SES, and notes that the proposed site is located on a Low Flood Island, which would become isolated during a 2% Annual Exceedance Probability (AEP) event and subsequently inundated during a probable maximum flood (PMF).

Low Flood Islands represent a significant risk factor that would be best avoided for development due to the difficulties in carry out large scale evacuation operations, resulting a large risk of mass rescue, as detailed in subsequent sections. There is also a significant risk regarding evacuation constraints across the Hawkesbury Nepean Valley, including Pitt Town. Although the site only increases the number of properties at risk by a small amount, it places the future residents at direct risk to flooding and isolation, and may set a precedent for future increases across the floodplain resulting in a significant cumulative risk to life and property.



**STATE HEADQUARTERS**

93 - 99 Burelli Street, Wollongong 2500  
PO Box 6126, Wollongong NSW 2500  
P (02) 4251 6111  
F (02) 4251 6190  
[www.ses.nsw.gov.au](http://www.ses.nsw.gov.au)  
ABN: 88 712 649 015

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The consent authority will need to ensure that the planning proposal is considered against the relevant Ministerial Section 9.1 Directions, including 4.1 – Flooding and is consistent with the NSW Flood Prone Land Policy as set out in the NSW Floodplain Development Manual, 2005 (the Manual). Attention is drawn to the following principles outlined in the Manual which are of importance to the NSW SES role as described above:

- **Zoning should not enable development that will result in an increase in risk to life, health or property of people living on the floodplain.**

The proposed site is located on a low flood island, where the only evacuation route out is a small road (Old Stock Route Road) until it is cut around a 1 in 50 AEP flood. It subsequently becomes inundated by floodwater in a PMF. Low Flood Islands are where a flood island is lower than the limit of flooding (i.e. below the PMF) or does not have enough land above the limit of flooding to cope with the number of people in the area. During a flood event the area is initially isolated by floodwater, in Pitt Town's case well before inundation of many properties. If floodwater continues to rise after it is isolated, the island will eventually be completely covered, and in Pitt Town's case this can be for several days. People left stranded on the island may drown and property will be inundated and potentially damaged and or destroyed.

- **Risk assessment should consider the full range of flooding, including events up to the PMF and not focus only on the 1% AEP flood.**

The site is susceptible to high hazard flooding in a PMF, with depths potentially exceeding 2 metres<sup>1</sup>, which is unsafe for people and vehicles and all buildings are vulnerable to structural failure. NSW SES are aware of a revised 2D Flood Study currently underway by Infrastructure NSW, which should be considered as an indication of risk.

- **Risk assessment should have regard to flood warning and evacuation demand on existing and future access/egress routes. Consideration should also be given to the impacts of localised flooding on evacuation routes. Evacuation must not require people to drive or walk through flood water.**

Frequently proposals may only assess the impact of riverine flooding on evacuation routes for the development. However, in many instances, the local streets acting as evacuation routes may be cut by localised flooding, which could see evacuation not completed in time. The problem of localised closure of roads due to inadequate stormwater capacity can be critical where the available warning and evacuation time is short.

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<sup>1</sup> NSW Government. 2019. Hawkesbury Nepean Valley Regional Flood Study



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Ideally the access/egress routes should provide rising road access and/or be passable up to at least a 1 in 500 year local flooding, as adopted across the Hawkesbury Nepean Valley.

- **In the context of future development, self-evacuation of the community should be achievable in a manner which is consistent with the NSW SES's principles for evacuation. Future development must not conflict with the NSW SES's flood response and evacuation strategy for the existing community.**

At first glance it may seem that if people live in an area where frequent low-level floods occur, they would be more flood aware. Unfortunately, although they may be aware of flooding, they generally come to the view that they are not at risk because they think all floods are like the small ones they often see. This is not true and big floods will almost always catch people by surprise and exceed their capacity to deal with the situation unless they have considered this scenario in their planning and preparedness.

- **Development strategies relying on deliberate isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation.**

'Shelter in place' strategy is not an endorsed flood management strategy by the NSW SES for future development. Such an approach is only considered suitable to allow existing dwellings that are currently at risk to reduce their risk, without increasing the number of people subject to such risk. The flood evacuation constraints in an area should not be used as a reason to justify new development by requiring the new development to have a suitable refuge above the PMF. Allowing such development will increase the number of people exposed to the effects of flooding.

Other secondary emergencies such as fires and medical emergencies may occur in buildings isolated by floodwater. During flooding it is likely that there will be a reduced capacity for the relevant emergency service agency to respond in these times. Even relatively brief periods of isolation, in the order of a few hours, can lead to personal medical emergencies that have to be responded to.

- **Development strategies relying on an assumption that mass rescue may be possible where evacuation either fails or is not implemented are not acceptable to the NSW SES.**

Mass rescue has historically been required for low flood islands where whole towns have needed rescue. The use of flood boats and helicopters may not always be feasible due to weather, resource availability or risks, which can result in large number of people trapped on the floodplain.

There are significant risks associated with mass rescue, including:

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- Insufficient number of flood rescue boats for the number of people remaining on low flood islands.
  - Insufficient air lift capacity
  - Severe weather which makes rescue by boat or air more difficult e.g. wind fetch caused waves
  - Potential exposure to sewage, contaminants, disease, chemical hazards, electrical hazards, hidden snags, displaced wildlife dead animals and debris such as glass and metal that can cause injury.
  - Drowning or injuries related to floodwater hazards.
- **The NSW SES is opposed to the imposition of development consent conditions requiring private flood evacuation plans rather than the application of sound land use planning and flood risk management.**
  - **NSW SES is opposed to development strategies that transfer residual risk, in terms of emergency response activities, to NSW SES and/or increase capability requirements of the NSW SES.**

The proposed site would become isolated in a moderately frequent flood, and would become inundated prior to a PMF. Even if flooding does not inundate the site during a particular event, SES resources will likely be required for resupply purposes, or for flood rescues such as if people attempt to evacuate the area once floodwaters have inundated evacuation routes. The proposal would increase the number of people residing within this high-risk location, and therefore this risk would be transferred to NSW SES.

- **Consent authorities should consider the cumulative impacts any development will have on risk to life and the existing and future community and emergency service resources in the future.**

You may also find the following Guidelines, originally developed for the Hawkesbury Nepean Valley and available on the NSW SES website useful:

- [Reducing Vulnerability of Buildings to Flood Damage](#)
- [Designing Safer Subdivisions](#)
- [Managing Flood Risk Through Planning Opportunities](#)

Please feel free to contact Claire Flashman via email at [rra@ses.nsw.gov.au](mailto:rra@ses.nsw.gov.au) should you wish to discuss any of the matters raised in this correspondence. The NSW SES would also be interested in receiving future correspondence regarding the outcome of this referral via this email address.

Yours sincerely

[www.ses.nsw.gov.au](http://www.ses.nsw.gov.au)

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Elspeth O'Shannessy  
A/ Senior Advisor Hawkesbury Nepean Strategy - Future Risk Team Leader  
NSW State Emergency Service

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**AT 6 - Public Exhibition Submissions with Applicant's Response**

Applicant's Comment	Submissions
<p>The subject lot is not in public ownership or subject to operational considerations, is not heritage listed and is perfectly suitable for residential accommodation.</p> <p>The land is not currently zoned open space.</p>	<p>The land should be retained as open space to contribute to the large lot rural residential character of the area and provide visual separation to the adjoining houses. A heritage assessment should also be undertaken to consider the visual curtilage and setting to the adjacent heritage item known as 'Cleary's House' in Hall Street. This view point is also significant as the adjacent signage promotes it as a location of historic paintings and vistas of the Hawkesbury and of Pitt Town. The significance of this space as open space must be assessed and protected. Changing the zoning will also require changing the classification from operational to non-operational land and this will create the expectation that the land will be developed which is not supported.</p>

oooO END OF REPORT Oooo

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

#### 4.2. GENERAL MANAGER

**4.2.1. GM - Six Monthly Progress Report - 2022/2023 Operational Plan - (79351,159586)**

**Previous Item:** 4.2.1, Ordinary (18 April 2023)

**Directorate:** General Manager

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#### **PURPOSE OF THE REPORT**

The purpose of this report is to inform Council of progress in implementing the 2022/2023 Operational Plan for the six month period 1 January 2023 to 30 June 2023, under the Integrated Planning and Reporting Framework (IP&R).

#### **EXECUTIVE SUMMARY**

Local councils in NSW are required to undertake their planning and reporting activities in accordance with the Integrated Planning and Reporting Framework (IP&R), under Section 406 of the Local Government Act 1993 and the Local Government (General) Regulation 2021. The Progress Report provides Council's six monthly update in completing actions within the 2022/2023 Operational Plan, delivered under the principal activities of the 2022-2026 Delivery Program.

#### **RECOMMENDATION**

That Council receive and note the Six Monthly Progress Report for period 1 January 2023 to 30 June 2023, on the 2022/2023 Operational Plan.

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#### **BACKGROUND**

The Operational Plan is a key plan for the Hawkesbury, leading Council's delivery of annual actions under the 2022-2026 Delivery Program principal activities. The delivery of these actions forms Council's contribution in moving the Hawkesbury towards the vision and outcomes detailed in the Community Strategic Plan - The Hawkesbury 2042 (CSP).

This report has been prepared in accordance with the Office of Local Government's IP&R Framework. It provides Council's six monthly update on the progress and performance during the period 1 January 2023 to 30 June 2023 in delivering actions outlined in the 2022/2023 Operational Plan.

The progress report provides an overview of achievements and action delivery under the four Community Outcomes set out in the CSP:

1. Great Place to Live
2. Protected Environment and Valued History
3. Strong Economy
4. Reliable Council

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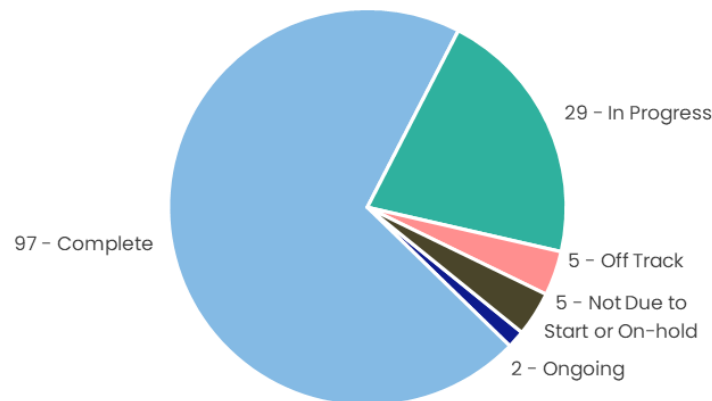
The overview is followed by detailed action status updates and comments for all 138 actions contained within the Operational Plan 2022/2023.

#### Relevant Legislation

Local Government Act 1993 (Section 406)  
Local Government (General) Regulation 2021

#### DISCUSSION

The Progress Report, attached as Attachment 1 to this report, provides details of Council's progress in achieving the 138 actions listed in the 2022/2023 Operational Plan for the period 1 January 2023 to 30 June 2023. The below chart shows a high level status report of all actions listed in the plan:



#### 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 Objectives set out within the CSP.

##### Reliable Council

- 4.1 Provide representative, responsive and accountable governance.
- 4.2 Encourage an informed community.
- 4.5 Encourage a shared responsibility for effective compliance.

#### FINANCIAL IMPACT

There are no financial implications applicable to this report.

#### ATTACHMENTS

- AT - 1 Six Monthly Progress Report - 2022/2023 Operational Plan - (Distributed under separate cover).

oooO END OF REPORT Oooo

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

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#### 4.3. CITY PLANNING

##### **4.3.1. CP - South Windsor Shopfront and Facade Report - (95498, 147666)**

**Previous Item:** 237, Ordinary (25 September 2018)  
183, Ordinary (29 September 2020)  
249, Ordinary (8 December 2020)

**Directorate:** City Planning

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#### **PURPOSE OF THE REPORT**

This report has been prepared to present to Council the Draft 'South Windsor Shopfront and Facade Improvement Guidelines', a document that has been prepared to guide improvements to shopfronts and facades in South Windsor Town Centre.

The report recommends that Council endorse the Draft Guidelines and determine how it may support implementation of the Guidelines through facilitating a small grants program, the options for which are provided in this report.

#### **EXECUTIVE SUMMARY**

Council undertook consultation with business operators and owners in the South Windsor Town Centre in 2020 to determine the appetite of local business operators to undertake improvements to shop front and facades, the results of which were reported to Council at its Ordinary Meeting of the 8 December 2020.

At this meeting Council resolved:

*"That:*

*Council note that there are significant improvements that can be made to the shop fronts and facades in South Windsor and calls for a report to outline the options available to Council to work with the property owners to improve the shop fronts and facades."*

Council undertook further engagement with business operators and owners in the South Windsor Town Centre in May 2022 and September 2022 by way of a survey that was distributed in person, through email to businesses and via mail directly to the property owners and real estate agents. Council received a total of 22 survey responses which overall indicated a high level of interest from business operators but a low level of interest from owners to undertake improvements to shop fronts and facades.

To encourage and assist with the improvement of shop fronts and facades, Council Officers developed the Draft Guidelines that are now provided for Council's endorsement. The Draft Guidelines also propose that Council facilitates a small grants program to make funding available on a dollar for dollar co-contribution basis to businesses in South Windsor to undertake eligible works to improve the appearance of shop fronts and facades.

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#### RECOMMENDATION

That Council:

1. Endorse the Draft South Windsor Shopfront and Facade Improvement Guidelines attached as Attachment 1 to this report.
2. Determine its preferred option from the three options that are provided in this report to pilot a small grants program to encourage improvements to shop fronts and facades in South Windsor.

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#### BACKGROUND

##### Consultation Process

Consultation was originally undertaken by Council in late 2020, with business operators and owners in South Windsor Town Centre to assess their interest in improving shop fronts and facades. This was completed by means of a survey whereby 12 responses were collected, and further discussions were held with two property owners/or their representatives. The majority of respondents rated themselves as 'happy' with the condition of their shop fronts and facades and all 12 respondents agreed that it was the responsibility of landowners to improve shopfronts and facades.

The responses from property owners at that time indicated that finances were a barrier to spending money on shop fronts and facades improvements due to the impact of COVID19 and the reductions in rent they had to offer in order to support the business operators.

A survey to all businesses and owners located along George Street was distributed in May 2022 and again in September 2022 in person, through email to both businesses and directly to the property owners and via real estate agents. Following the initial delivery of the survey, follow-ups were undertaken to encourage feedback and Council officers continued an open dialogue to gauge the interest levels in undertaking improvement works.

Council received a total of 10 survey responses as well feedback through informal conversations. Overall, the consultation indicated a high level of interest from business operators and a lower level of interest from owners. This was consistent with the findings of the 2020 survey results.

The findings from the surveys and discussions with businesses and owners located along George Street are outlined below.

##### Findings

Business operators reported being 'not happy' to 'fairly happy' with their facades and shop fronts across the main strip of South Windsor and indicated that they would like to see improvements, but did not feel it was their role to financially contribute to this and further noted how bushfires, floods and various COVID 19 lockdowns effected trade. Reported impacts included staff hours being reduced or cut completely, local businesses closing or going out of business and with the ever-increasing costs of living rising it was suggested a program like a shop front façade improvement program would be positive along with the revitalisation works Council was undertaking at that time. This was however identified as the building owner's responsibility.

Based on discussions with owners and their representatives it was advised that building owners in the area were also impacted by the same challenges as business operators and this had resulted in major economic impacts. Building owners reported a need to provide reductions in rent, loss of



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tenants through businesses closing leading to rent not being received and the rising costs in living all left limited resources available to undertake improvements to properties. Business owners indicated some level of interest to participate in a shopfront improvement program if it were to be led by Council and that the level of participation would likely be dependent on costs, expectations, and timing.

Council included all the feedback from the 2020 survey that was relative to the streetscape into the design of the Liveability Program to revitalise South Windsor; the construction of the Liveability Program in South Windsor is now complete.

Taking all of this information into consideration and acknowledging the challenges that business operators and owners continue to experience it is recommended that Council consider facilitating a small grants program as a pilot to encourage shop front and facade improvements in the South Windsor Town Centre in the future.

#### DISCUSSION

In 2019 Windsor RSL allocated funding to Council to revitalise the town centre of Windsor, specifically Windsor Mall. Council utilised a portion of this funding to develop a trial façade improvement scheme to assist business owners, tenants and landlords to improve the external appearance of their premises within Windsor Mall.

The scheme included a grants program to make funding available up to the value of \$1,000 or 50% of approved costs (whichever was the lower) to undertake improvement works to facades; the grant was taken up by one business.

The Draft Guidelines (Attachment 1) that is now presented for Council's consideration proposes that a similar pilot grant program be offered to businesses in South Windsor to improve their appearances and shop front facades.

Should Council wish to implement a pilot program the following options are presented for Council's consideration:

#### Option 1

##### **Seek grant funding to implement a grant program for Shop Front and Façade Improvements in South Windsor Town Centre.**

Council would need to seek external grant funding to be able to offer business owners the opportunity to apply for a grant of up to \$2000 to undertake works that are consistent with the Draft Guidelines.

Business owners would apply for a grant and would need to match the amount of funding that they were seeking from Council dollar for dollar.

The grants program would only be operational subject to Council attracting external grant funds.

#### Option 2

##### **Expand the existing Windsor Mall scheme to South Windsor**

Council still holds unspent funding that was previously allocated by Windsor RSL to undertake improvement works in Windsor Mall, of which \$58,000 remains unallocated.

Council could write to Windsor RSL to seek endorsement to expand the Windsor Mall Shop Front Improvement Scheme to South Windsor.

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Pending approval from Windsor RSL, Council would be able to offer business owners the opportunity to apply for a grant of up to \$2,000 to undertake works that are consistent with the Draft Guidelines.

Business owners would apply for a grant and would need to match the amount of funding that they were seeking from Council dollar for dollar.

The grants program would be funded through the funding allocated from Windsor RSL to the value of a maximum of \$38,000 should all of the 19 eligible businesses take up the grant opportunity.

#### Option 3

#### **Council to fund the implementation of a pilot Shopfront and Façade Improvement Scheme in South Windsor.**

Council would offer business owners the opportunity to apply for a grant of up to \$2,000 to undertake works that are consistent with the Draft Guidelines.

Business owners would apply for a grant and would need to match the amount of funding that they were seeking from Council dollar for dollar.

The grants program would be funded through Council's general fund and would cost Council a maximum of \$38,000 should all of the 19 eligible businesses take up the grant opportunity.

#### **COMMUNITY ENGAGEMENT**

The issues raised in this report concern matters do not constitute a trigger for Community Engagement under Council's Community Engagement Policy. The Draft Guidelines have been prepared following community consultation as outlined in this report.

#### **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.
- 1.6 Build on a sense of community and wellbeing.

##### 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.
- 3.5 Celebrate our creativity and cultural expression.

##### Reliable Council

- 4.4 Build strong relationships and shared responsibilities.
- 4.7 Encourage informed planning, balanced growth and community engagement.

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**FINANCIAL IMPACT**

*Direct Financial Implications*

The matters raised in this report have direct financial implications.

Should Council resolve to pursue Option 1, adoption of the Draft Guidelines will have no financial implication as Council will not operate a grants program if it cannot attract external investment to fund the program.

Should Council resolve to pursue Option 2 and Windsor RSL endorses expansion of the program, adoption of the Draft Guidelines will have no financial implication as Council holds donated funds that cover the costs of operating a grants program.

Should Council resolve to pursue Option 3, as the expenditure applicable is not provided for in the 2023/2024 Operational Plan, funding for a pilot grant program would be subject to consideration of a budget quarterly review and dependent on available funding. If Council pursues Option 3, implementation of a small grants program will cost Council a maximum of \$38,000 in 2023/2024.

**ATTACHMENTS**

**AT – 1** Draft South Windsor Shopfront and Facade Improvement Guidelines - (*Distributed under separate cover*).

**oooO END OF REPORT Oooo**

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**4.3.2. CP - Local Heritage Assistance Fund 2023/2024 - (95498, 124414, 80242)**

**Directorate:** City Planning

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**PURPOSE OF THE REPORT**

The purpose of this report is to consider and determine the applications for funding under the Hawkesbury Local Heritage Assistance Fund 2023/2024.

**EXECUTIVE SUMMARY**

The Local Heritage Assistance Fund is jointly funded each year by Council and Heritage NSW. For the 2023/2024 Financial Year, the \$48,750 program budget is funded by \$43,250 from Council and \$5,500 from Heritage NSW. In August 2023 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.

Council received a total of 33 applications under the program, and with an increased allocation of funding as part of Council's contribution, Council is able to consider approving the highest number of applications received under the Local Heritage Assistance Fund to date.

This report recommends that Council approve financial assistance to a total of 30 successful applicants, as detailed in this report.

**RECOMMENDATION**

That Council:

1. Approve grant funding under Section 356 of the Local Government Act 1993 for each of the following 30 successful applicants under the terms of the Local Heritage Assistance Fund 2023/2024:

<b>Heritage Property</b>	<b>Funding</b>
"Windsor Cottage" 267 George Street, Windsor	\$2,000
4 Catherine Street, Windsor	\$2,000
21 Fairfield Avenue, Windsor	\$2,000
1202 Settlers Road, Central Macdonald	\$2,000
14 Hall Street, Pitt Town	\$2,000
108 Pitt Town Ferry Road, Wilberforce	\$2,000
101 Old Bells Line of Road, Kurrajong	\$2,000
816 Grose Vale Road, Grose Vale	\$2,000
8 Mileham Street, Windsor	\$968
283 George Street, Windsor	\$2,000
166A George Street, Windsor	\$2,000
104 Bathurst Street, Pitt Town	\$2,000
29 Fitzgerald Street, Windsor	\$1,110
104 Lennox Street, Richmond	\$2,000

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100 The Terrace, Windsor	\$2,000
96 Pitt Town Road, McGraths Hill	\$2,000
61 Francis Street, Richmond	\$2,000
4 Little Church Street, Windsor	\$2,000
26 West Market Street, Richmond	\$2,000
5 Putty Road, Wilberforce	\$1,701
1 Moses Street, Windsor	\$2,000
117 George Street, Windsor	\$2,000
135A and 135B Wollombi Road, St Albans	\$2,000
335 Windsor Street, Richmond	\$550
110 Bathurst Street, Pitt Town	\$2,000
"Longford" 38 Eldon Street, Pitt Town	\$2,000
9 Chapel Street, Richmond	\$2,000
"Lindfield House" 94 The Terrace, Windsor	\$2,000
2/16 Charles Street, North Richmond	\$500
15 Brabyn Street, Windsor	\$2,000
TOTAL	\$54,829

2. Approve execution of an Agreement which includes the provisions for acceptance of the offer of funding and any special conditions relating to each 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.

In order to promote a positive community attitude towards heritage, and to also 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 \$48,740 joint funding is budgeted for the 2023/2024 Local Heritage Assistance Fund program which is comprised of \$43,250 from Council, and \$5,500 from Heritage NSW.

The Local Heritage Assistance Fund program has focused on Minor Maintenance or Conservation Works to heritage listed properties within the Hawkesbury Local Government Area in accordance with the Heritage Strategy 2021-2024.

In early August 2023 all owners and managers of locally listed properties within the Hawkesbury Local Government Area were advised in writing of the Local Heritage Assistance Fund 2023/2024 and

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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.

#### **Applications for Funding and Assessment of Applications.**

In total, 33 applications were received for funding under the Local Heritage Assistance Fund 2023/2024.

The total value of proposed works for the 2023/2024 program is \$471,543.69, with applicants contributing \$347,714.69 towards these costs.

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

Works proposed in each application were ranked according to the following key priorities:

1. Works are critical to the ongoing preservation of the historic fabric item of the item, in the short term.
2. Works are desirable but do not appear as critical as those works identified in Priority 1 from a conservation perspective.
3. Works are potentially desirable but not critical to the ongoing preservation or maintenance of the heritage item.

Applications were evaluated by a panel comprised of Council's Senior Heritage Officer and other relevant Council Officers. In addition to ranking the priority of proposed works, 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.
- Whether the applicants had received a grant under the Local Heritage Assistance Fund (LHAF) in the previous three years.

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**Table 1: Summary of Applications Under the Local Heritage Assistance Fund 2023/2024**

No	Owners Name and Heritage Listed Property Address	Proposal	Total project cost (\$)	Financial Assistance Sought	Applicants Contribution	Evaluation of suitability of proposal	Priority Number / recent LHAFF recipient (Yes/No)
1	Ms Aileen Yen  "Windsor Cottage" 267 George Street, Windsor	Replacement of roof that is leaking and causing damage to interior ceilings and walls	\$39,741	\$2,000	\$37,741	Yes. Supportable subject to guidance on proposed materials to be used (to be provided pending application approval)	1/No
2	Mr Ross and Mrs Rachael Laves  4 Catherine Street, Windsor	Re-cladding of horizontal timbers and corrugated iron sheets on the gable ends of the historic timber slab barn on the property	\$16,801	\$2,000	\$14,801	Yes. Supportable and desirable from a heritage perspective	1/No
3	Ms Sharon Nancarrow  21 Fairfield Avenue, Windsor	Full replacement of galvanised Ogee gutters and rounded galvanised downpipes	\$26,228	\$2,000	\$24,228	Yes. Proposed work is important to prevent further water damage to this significant mansion	1/No
4	Mr Doug Le Lievre  1202 Settlers Road, Central MacDonald	Replacement of timber supports to verandah on main historic cottage and new supports for lean to and laundry roof on side cottage	\$9,150	\$2,000	\$7,150	Yes. Proposed work is critical	1/No
5	Ms Coral E Cleary  14 Hall Street, Pitt Town	Carry out required repairs to fascia and paint all fascias and barge boards of this historic dwelling and the adjoining garage	\$5,280	\$2,000	\$3,280	Yes. Proposed works are critical to the weather protection of significant historic fabric	1/No

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No	Owners Name and Heritage Listed Property Address	Proposal	Total project cost (\$)	Financial Assistance Sought	Applicants Contribution	Evaluation of suitability of proposal	Priority Number / recent LHA recipient (Yes/No)
6	Mr Christopher and Mrs Catherine Ford  108 Pitt Town Ferry Road, Wilberforce	Repainting of roof and the remaining parts of the exterior of this historic dwelling	\$4,320	\$2,000	\$2,320	Yes. Proposed works are critical to the weather protection of significant historic fabric – Note: this dwelling was impacted by recent flood events	1/No
7	Mr Marcello Araldi  101 Old Bells Line of Road, Kurrajong	Replacement roofing, gutters, downpipes, fascias and eaves	\$34,430	\$2,000	\$32,430	Yes. Works to this significant Kurrajong Village landmark are critical	1/No
8	Ms Robyn Miller  816 Grose Vale Road, Grose Vale	Replacement of gutters and downpipes	\$4,894	\$2,000	\$2,894	Yes. Proposed works are critical to the weather protection of significant historic fabric and supportable subject to guidance on proposed materials to be used (to be provided pending application approval)	1/No
9	Mr Paul and Mrs Narelle Little  8 Mileham Street, Windsor	Repairs to chimney to halt water damage. Repairs to rear timber decking	\$1,936	\$968	\$968	Yes. Proposed works are critical	1/No
10	Ms Deanne Bradford  283 George Street, Windsor	Repainting of historic front section of the dwelling	\$5,720	\$2,000	\$3,720	Yes. Proposed works are critical to the weather protection of significant historic fabric	1/No



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<b>No</b>	<b>Owners Name and Heritage Listed Property Address</b>	<b>Proposal</b>	<b>Total project cost (\$)</b>	<b>Financial Assistance Sought</b>	<b>Applicants Contribution</b>	<b>Evaluation of suitability of proposal</b>	<b>Priority Number / recent LHAf recipient (Yes/No)</b>
11	Ms Carolyn Norman and Ms Hannah Sok  166A George Street, Windsor	Removal of modern vinyl floor covering on historic internal stairs. Remove paint back to natural timber on stairs and skirting boards and three internal doors and repair and potentially repaint in heritage colours	\$6,930	\$2,000	\$4,930	Yes. Supportable and desirable from a heritage perspective subject to guidance on proposed materials to be used (to be provided pending application approval)	3/No
12	Mr P and Mrs E King.  104 Bathurst Street, Pitt Town	Replacement of front picket fence	\$4,235	\$2,000	\$2,235	Funding has been sought for works retrospectively and whilst the recently completed picket fence is not a best practice match of the earlier front boundary timber picket fence, there is a considerable backlog of maintenance tasks on the property. On this basis it is considered that funding for the works should be supported as a general incentive to continue undertaking maintenance works to the site	3/No

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<b>No</b>	<b>Owners Name and Heritage Listed Property Address</b>	<b>Proposal</b>	<b>Total project cost (\$)</b>	<b>Financial Assistance Sought</b>	<b>Applicants Contribution</b>	<b>Evaluation of suitability of proposal</b>	<b>Priority Number / recent LHAF recipient (Yes/No)</b>
13	Ms Nichola Buchanan  Windsor Uniting Church, 29 Fitzgerald Street, Windsor	Removal of mould and algae from external paint work on Church building	\$2,220	\$1,110	\$1,110	Yes, subject to guidance on proposed methods and materials to be used (as provided by Council's Consultant Heritage Advisor pending application approval)	2/No
14	Mrs Catherine and Mr Anthony Smith.  9 Brabyn Street, Windsor	Replace front verandah roof, remove front verandah walls and re-tile verandah in keeping with the historic character of the dwelling	\$6,500	\$2,000	\$4,500	No. Works cannot be supported as no quote was provided and the works were proposed to be undertaken by owners which does not conform to the requirements of the fund	3/No
15	Ms Petra Maul  104 Lennox Street, Richmond	Replace front verandah guttering and repair internal floorboards	\$4,286	\$2,000	\$2,286	Yes. Proposed works are supportable subject to guidance on materials (to be provided pending application approval)	1/No
16	Ms Kathryn Murphy  337 Windsor Street, Richmond	Replace timber boundary fence between neighbouring property	\$6,649	\$2,000	\$4,649	No. The replacement of side boundary fences are works that would normally fall under the typical conservation works that are not supported under this fund	3/No

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No	Owners Name and Heritage Listed Property Address	Proposal	Total project cost (\$)	Financial Assistance Sought	Applicants Contribution	Evaluation of suitability of proposal	Priority Number / recent LHAf recipient (Yes/No)
17	Mr Garth and Mrs Emma Lazaro  100 The Terrace, Windsor	Roof repairs to prevent additional damage to ceilings	\$5,005	\$2,000	\$3,005	Yes. Proposed works are critical to the weather protection of significant historic fabric	1/No
18	Mr Paul and Mrs Mirva Crinnion  96 Pitt Town Road, McGraths Hill	Replacement of front verandah deck timbers	\$4,565	\$2,000	\$2,565	Yes. Proposed works are supportable subject to guidance on materials (to be provided pending application approval)	1/No
19	Ms Ann Gibson  61 Francis Street, Richmond	Repair and painting of interior walls	\$4,100	\$2,000	\$2,100	Yes. Supportable subject to guidance on proposed materials & methods to be used (to be provided pending application approval)	1/Yes
20	Ms Wendy Phillips  4 Little Church Street, Windsor	Repair windows and French doors	\$6,085	\$2,000	\$4,085	Yes. Proposed works are critical to the weather protection of significant historic fabric	1/Yes
21	Richmond Literary Institute Inc.  26 West Market Street, Richmond	Painting of Library Room and Auditorium walls, ceilings and woodwork	\$24,772	\$2,000	\$22,772	Yes. Proposed works are supportable subject to guidance on methods and materials (to be provided pending application approval)	2/Yes
22	Ms Linda McAuslan "Primrose Cottage"  5 Putty Road, Wilberforce	Secure horsehair ceilings and repair cracks	\$3,402	\$1,701	\$1,701	Yes. Proposed works are critical to the preservation of historic original internal fabric	1/Yes

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No	Owners Name and Heritage Listed Property Address	Proposal	Total project cost (\$)	Financial Assistance Sought	Applicants Contribution	Evaluation of suitability of proposal	Priority Number / recent LHAf recipient (Yes/No)
23	St Matthews Anglican Parish  1 Moses Street, Windsor	Funds to assist with repairs to stone wall fencing fronting St Matthews Anglican Church Graveyard	\$150,000	\$2,000	\$85,000  (Note support is also expected from the NSW Government)	Yes. Proposed works are supportable	1/Yes
24	Mr Joe Vaccari  117 George Street, Windsor	Replacement of Ogee profiled gutters	\$5,280	\$2,000	\$3,280	Yes. Supportable subject to guidance on proposed materials to be used (to be provided pending application approval)	1/Yes
25	Mr Anthony Shannon  135A and 135B Wollombi Road, St Albans	Various repairs to historic timber slab barn on the property	\$10,200	\$2,000	\$8,200	Yes. Proposed works are critical to the conservation of this historic timber slab barn	1/Yes
26	Ms Margaret Ashwell  335 Windsor Street, Richmond	Window and door repairs and replacement of timber shutters	\$1,100	\$550	\$550	Yes. Only part of the proposed works are supportable under the fund requirements e.g. \$1,100.00 worth of work that will be undertaken by a third party. The applicant is also seeking funding for works that have been completed by themselves previously; these works were not to conserve historic fabric and there was no quote submitted for	2/Yes

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No	Owners Name and Heritage Listed Property Address	Proposal	Total project cost (\$)	Financial Assistance Sought	Applicants Contribution	Evaluation of suitability of proposal	Priority Number / recent LHAf recipient (Yes/No)
						these works. As such, only \$550 is recommended for approval	
27	Anglican Church Property Trust Diocese of Sydney  110 Bathurst Street, Pitt Town	Replacement of gutters and downpipes to S. James Anglican Church	\$7,700	\$2,000	\$5,700	Yes. Proposed works are critical to the conservation of this historic church	1/Yes
28	Mr Michael Edwards  "Longford"  38 Eldon Street, Pitt Town	Replacement of front boundary fence and gates sympathetic to the heritage of the dwelling	\$14,748	\$2,000	\$12,748	Yes. Proposed works are supportable	2/Yes
29	Ms Kathleen Graham  9 Chapel Street, Richmond	Replacement of side boundary fence, replace damaged weatherboards on north end of verandah and damp coursing to existing fireplace	\$4,158	\$2,000	\$2,158	Boundary fence component - No. The replacement of side boundary fences are works that would normally fall under the typical conservation works that are not supported under this fund.  Other proposed conservation works – Yes. Supportable on heritage grounds	1/Yes
30	Mr Michael and Mrs Brenda Bennett  239 Windsor Street, Richmond	Internal painting of entire building.	\$30,000  (Estimate ?)	\$2,000	\$28,000	No. Works cannot be supported. No quote provided	2/Yes

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No	Owners Name and Heritage Listed Property Address	Proposal	Total project cost (\$)	Financial Assistance Sought	Applicants Contribution	Evaluation of suitability of proposal	Priority Number / recent LHAf recipient (Yes/No)
31	Mr Horst Hauser "Lindfield House" 94 The Terrace, Windsor	Replace leaking rear roof area with galvanised roof sheeting	\$13,013	\$2,000	\$11,013	Yes. Proposed works are critical to prevent water damage to this heritage item	1/ Yes
32	Mr Richard Davies 2/16 Charles Street, North Richmond	Repair and repaint weatherboards to both sides of the dwelling. Repaint part of timber verandah flooring	\$1,000	\$500	\$500	Yes. Proposed works are critical to prevent water damage to this heritage item	1/Yes
33	Mr Greg Langdon 15 Brabyn Street, Windsor	Repairs to internal cracks in original plaster walls	\$7,095	\$2,000	\$5,095	Yes. Proposed works are critical to the ongoing maintenance of this heritage item	1/Yes
	<b>TOTAL</b>		<b>\$471,544</b>	<b>\$60,829</b>	<b>\$347,715</b>		
	<b>(Excluding non-supported applications)</b>		<b>\$428,394</b>	<b>\$54,829</b>	<b>\$310,565</b>		

Following this process, the assessment panel determined that 30 projects are considered suitable to approve. These 30 projects are included within the recommendation of this report.

**Implementation**

Subject to endorsement by Council, all applicants will be advised in writing of the outcome of their application. Successful 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. The successful applicant is 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.

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#### 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.

#### 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 Local Heritage Assistance Fund 2023/2024 is consistent with the following Focus Area, Direction and Strategy within the Community Strategic Plan 2022-2042.

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

#### FINANCIAL IMPACT

A total of \$48,750 joint funding is budgeted for the 2023/2024 Local Heritage Assistance Fund Program which is comprised of \$43,250 from Council, and \$5,500 from NSW Heritage.

The grant applications received and supported by assessment under the 2023/2024 Local Heritage Assistance Fund Program have a combined total of \$54,829. It is noted that as per previous years programs that a number of successful applicants typically do not proceed with the works for various reasons. Should the \$11,579 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.

As part of the 2022/2023 funding round, Council similarly approved applications above the budget, but it is noted that approximately 25% of the applicants subsequently withdrew as they were unable to complete the works within the required timeframe. Given those withdrawn applications, the total budget of the Program was not exceeded, and unspent funds have been made available to support the 2023/2024 Program. This figure of withdrawn applications has been consistent since 2020/2021 with availability of contractors to undertake the works being the primary reason for withdrawal.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 10 October 2023

**ATTACHMENTS**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**



**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 10 October 2023**

**4.4. CORPORATE SERVICES**

**4.4.1. CS - Investment Report - August 2023 - (95496, 96332)**

**Previous Item:** 4.4.2, Ordinary (20 June 2023)

**Directorate:** Corporate Services

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**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 \$92 million in investments as at 31 August 2023 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 August 2023 be received and noted.

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**BACKGROUND**

Council held \$92 million in investments as at 31 August 2023. 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.

**1. Composition of Investment portfolio**

Tables 1 to 3 below provide details regarding the \$92 million in investments as at 31 August 2023.

**Table 1: Summary of Council's Investment Portfolio as at 31 August 2023.**

<b>Product Type</b>	<b>Face Value</b>	<b>% of Total</b>
Term Deposits - Fixed Rate	\$77,000,000	84%
NSW TCorp Long Term Growth Fund	\$991,137	1%
At Call Deposits	\$14,000,000	15%
<b>Grand Total</b>	<b>\$91,991,137</b>	<b>100%</b>

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

Long Term Credit Rating	Face Value	% of Total
AA-	\$76,000,000	82%
A+	\$6,000,000	7%
BBB+	\$9,000,000	10%
NSW TCorp Managed Funds	\$991,137	1%
<b>Grand Total</b>	<b>\$91,991,137</b>	<b>100%</b>

**Table 3: Fixed Term Deposits**

Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
Bank of Queensland	BBB+	25-Oct-23	4.80%	\$2,000,000
		6-Dec-23	4.80%	\$3,000,000
		6-Dec-23	4.90%	\$1,000,000
		4-Mar-24	1.70%	\$2,000,000
		30-Mar-28	4.80%	\$1,000,000
Commonwealth Bank	AA-	20-Nov-23	0.65%	\$1,000,000
		13-Dec-23	4.96%	\$5,000,000
		25-Jan-24	5.46%	\$2,000,000
		31-Jan-24	5.47%	\$4,000,000
		12-Feb-24	4.95%	\$2,000,000
		6-Mar-23	5.42%	\$3,000,000
		10-Apr-24	3.01%	\$2,000,000
		21-Feb-24	4.99%	\$2,000,000
National Australia Bank	AA-	8-Sep-23	0.60%	\$1,000,000
		13-Sep-23	4.50%	\$5,000,000
		26-Sep-23	4.50%	\$3,000,000
		11-Oct-23	4.65%	\$4,000,000
		25-Oct-23	4.45%	\$1,000,000
		25-Oct-23	4.55%	\$2,000,000
		10-Nov-23	4.50%	\$3,000,000
		10-Nov-23	4.77%	\$1,000,000
		20-Nov-23	4.70%	\$2,000,000
		6-Dec-23	4.85%	\$2,000,000
		6-Mar-24	4.95%	\$2,000,000
		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
5-Mar-25	1.05%	\$1,500,000		

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Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
		3-Nov-25	0.95%	\$ 500,000
		19-Nov-25	0.90%	\$ 500,000
		13-Jan-26	1.00%	\$ 500,000
		4-Mar-26	1.30%	\$1,500,000
Suncorp	A+	10-Jan-24	5.35%	\$2,500,000
		10-Jan-24	5.45%	\$3,500,000
Westpac	AA-	10-Nov-23	1.11%	\$1,000,000
		25-Jan-24	4.36%	\$2,000,000
		20-Feb-25	4.97%	\$2,000,000
<b>Grand Total</b>				<b>\$ 77,000,000</b>

## 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.

**Table 4: ESG Investments**

Institution	Maturity	Rate	Face Value
Westpac	10-Nov-23	1.11%	\$1,000,000
Westpac	25-Jan-24	4.36%	\$2,000,000
<b>Grand Total</b>			<b>\$3,000,000</b>

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

Product Type	Face Value	% of Total
Environmental, Social and Governance (ESG)	\$3,000,000	4%
Other	\$74,000,000	96%
<b>Grand Total</b>	<b>\$77,000,000</b>	<b>100%</b>

## 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.

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**Table 6: Exposure Limits to credit ratings bands**

Long-Term Credit Rating	% of Portfolio	Policy Maximum	Compliant with Policy
AA	79%	100%	Yes
A	8%	60%	Yes
BBB	12%	50%	Yes
NSW TCorp Funds	1%	20%	Yes

**Table 7: Term to Maturity**

Term to Maturity	% of Portfolio	Policy Range	Compliant with Policy
Between 0 and 1 years	87%	40% - 100%	Yes
Between 1 and 5 years	13%	0% - 60%	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.

**Table 8 – Portfolio Return**

31 August 2023	Monthly Return (Annualised)	Financial Year to Date (Annualised)
Hawkesbury City Council – Investment Portfolio	3.99%	4.11%
Benchmark – Bloomberg Ausbond Bank Bill Index	4.39%	4.44%
<b>Performance Relative to Benchmark</b>	<b>-0.40%</b>	<b>-0.33%</b>

#### 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.

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### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

#### DISCUSSION

Council's investments and returns achieved are driven and impacted by economic and market conditions. Council's Investment Advisor, Prudential Investment Services Corp has reviewed Council's investments as at 31 August 2023 and has advised of the following:

*"Council's investment portfolio, excluding the transactional cash account, returned 3.99%pa for the month on a marked-to-market basis versus the bank bill index benchmark's 4.39%pa return. Over the past 12 months, the investment portfolio has returned 3.05% versus the bank bill index benchmark's 3.37%.*

*The NSW TCorpIM Long Term Growth Fund returned -0.28% (actual) for the month. The slump in share market returns negated good gains in the fund's fixed and floating rate bonds following the release of favourable inflation data at the end of the month.*

*Without marked-to-market influences, Council's investment portfolio yielded 4.08%pa for the month, up from 4.03%pa in July. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the TCorp growth fund.*

*During August, Council had a \$3m NAB 5 month term deposit mature which had a rate of 4.45%pa. Council took advantage of CBA's competitive rates investing the \$3m proceeds in a CBA 7 month term deposit paying 5.42%pa.*

*Looking forward, the following is recommended for consideration over the coming month:*

- *Speculation is growing that the RBA may not raise rates again in this cycle. Consequently, term deposit rates across the 1mo – 5yr range dropped an average of 25 basis points in August. The rates on 1 to 12 month deposits are back to a 'normal' yield curve shape with gradually increasing rates. Term deposit rates then drop lower across the 2-5 year terms.*
- *If cashflow requirements allow, look for specials in the 12 month area. CBA's rates had gone off the boil by late August but NAB is currently offering competitive rates above its peers across the 3 -12 month range. Their 12 month rate, in the 5.20% area, represents 100 basis points above the 1 year swap rate.*
- *Some 3-5yr Fixed Rate Bond offerings are showing good value. Note that Fixed Rate bonds can provide a known income level for budgeting purposes, but typically their mark-to-market valuations are more impacted by changes in market interest rates than Floating Rate Notes.*
- *Recently issued 3yr and 5yr Fixed Rate Bonds and FRNs from highly rated banks have been good additions to long term portfolios with good margins over the bank bill swap being offered. When Council is ready to consider this asset class, safe custody alternatives will be considered.*

*It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection and holding the securities for the recommended time horizons of their asset classes."*

#### Restriction of Funds

Council's total investment portfolio as at 31 August 2023 included funds that are restricted as to what they can be expended on.

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**Table 9 – Restriction of Funds**

<b>Restriction Type</b>	<b>Amount</b>	<b>%</b>
External Restrictions - S7.11 and S7.12 Developer Contributions	\$20,817,531	22.63%
External Restrictions - Western Parkland City Liveability Program	\$579,632	0.63%
External Restrictions - Bushfire and Flood Grants	\$8,863,468	9.64%
External Restrictions - Local & Regional Roads Repair Program	\$4,190,708	4.55%
External Restrictions - Other (e.g. domestic waste, sewerage, loans)	\$14,764,905	16.05%
Internal Restrictions (e.g. election, workers compensation, Employee Leave Entitlements)	\$33,197,158	36.09%
Unrestricted	\$9,577,735	10.41%
<b>Total</b>	<b>\$91,991,137</b>	<b>100.00%</b>

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.

#### **COMMUNITY ENGAGEMENT**

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

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**CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042**

The proposal is consistent with the following Long-Term Community Objectives 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 is provided for in the Adopted 2023/2024 Operational Plan.

**ATTACHMENTS**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 10 October 2023

**4.4.2 CS - Financial Statements for the year ended 30 June 2023 - (95496, 96332)**

**Directorate:** Corporate Services

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**PURPOSE OF THE REPORT**

The purpose of this report is to refer the General Purpose Financial Statements and Special Purpose Financial Statements (Financial Statements) for the financial year 2022/2023, to audit.

**EXECUTIVE SUMMARY**

Section 413(1) of the Local Government Act 1993 (the Act) requires that *“a council must prepare financial reports for each year and must refer them for audit as soon as practicable.”* The unaudited Annual Financial Statements for 2022/2023 have been completed, are ready for audit and are included as Attachment 1 to this report.

It is noted that the revaluation indexation for Investment Properties is yet to be received and will be available within the audited Financial Statements to be tabled at the Council Meeting on 21 November 2023.

For the financial year ending 30 June 2023, Council’s net operating result before capital grants and contributions was a surplus of \$15.1 million. The main contributing factor is the receipt of a range of operating grants and contributions relating to natural disasters where either the expenditure was capital in nature, was incurred in prior years, or will be incurred in future financial years.

The Financial Statements are prepared in accordance with Australian Accounting Standards and the Local Government Accounting Code. These Standards require Council to include unbudgeted, non-cash accounting entries such as revaluations, asset disposals where there is no sale, and fair value adjustments. These requirements are to be taken into consideration when using Financial Statements to evaluate Council’s performance against the annual Budget.

As shown in Attachment 3 to this report, Council’s Bottom Line Result for the year ended 30 June 2023 is a deficit of \$23.8 million, mainly arising from the expenditure on flood recovery that is yet to be recovered of \$8.1M and the impairment of assets arising from the July 2022 flood, being \$14.6M. It is to be noted that the revaluation indexation of Investment Properties is likely to reduce this deficit.

Further improvements to asset accounting have occurred, arising from the establishment of the Asset Systems and Planning Branch, resulting in more accurate processing of asset disposals when assets are renewed or replaced, resulting in an unbudgeted \$4.5M of expenditure. This will benefit Council over the long term, with reduced depreciation and a more accurate reflection of asset values.

**RECOMMENDATION**

That:

1. Council note the following Statement in respect of Section 413(2)(c) of the Local Government Act 1993 as to its Annual Financial Statements:
  - a) Council’s Annual Financial Statements for 2022/2023 have been drawn up in accordance with:
    - (i) The Local Government Act 1993 (NSW) (as amended) and the Regulations made thereunder;



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- (ii) The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board; and
  - (iii) The Local Government Code of Accounting Practice and Financial Reporting.
- b) The Statements present fairly the Council's financial position and operating result for the year.
  - c) The Statements are in accordance with the Council's accounting and other records.
  - d) The signatories do not know of anything that would make these Statements false or misleading in any way.
2. Council sign the "Statements by Councillors and Management". The Statements are to be signed by the Mayor, Deputy Mayor, General Manager, and the Responsible Accounting Officer.
  3. Council note the endorsement made by the Audit and Risk Improvement Committee to submit the Financial Statements to Council.
  4. Council seek a presentation from the NSW Audit Office, or its representative, at a Council Meeting following the completion of the audit.

**BACKGROUND**

Section 413(1) of the Act requires that *"a council must prepare financial reports for each year and must refer them for audit as soon as practicable."* Section 416(1) of the Act requires a council's financial reports for a year to be prepared and audited within four months after the end of the year concerned.

The unaudited Financial Statements for the year ended 30 June 2023 (Attachment 1) have been completed and are ready for audit. It is to be noted that the revaluation indexation for Investment Properties is yet to be received and will be available within the audited Financial Statements to be tabled at the Council Meeting on 21 November 2023.

The unaudited Financial Statements were presented to the Audit and Risk Improvement Committee on the 29 September 2023 and endorsed for Council to consider the Statements for referral to audit.

A copy of the audited Financial Statements for the year ended 30 June 2023 will be submitted at the Council Meeting on 21 November 2023. A detailed explanation of key results will be included in the report presented at that meeting, and a presentation relating to the Financial Statements will be given by the NSW Audit Office and Grant Thornton, who have been subcontracted to perform the audit, by the NSW Audit Office.

Statements by Councillors and Management on Council's Financial Statements in the prescribed format must be signed to refer the Financial Statements to audit. These Statements are attached in Attachment 2 to this report.

Clause 215(1) of the Local Government (General) Regulation 2021 (Regulation) determines the format of the Statement by Councillors and Management, attached as Attachment 2. The Statement must:

*"a) Be made by resolution of Council; and*

*b) Be signed by:*

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- (i) the Mayor, and*
- (ii) at least one other member of the Council, and*
- (iii) the Responsible Accounting Officer, and*
- (iv) the General Manager”*

Clause 215(2) of the Regulation also requires that the Statement must indicate:

*“a) Whether or not Council’s annual financial reports have been drawn up in accordance with:*

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

*b) Whether or not those reports present fairly the Council’s financial position and operating result for the year;*

*c) Whether or not those reports are in accordance with the Council’s accounting and other records; and*

*d) Whether or not the signatories know of anything that would make those statements false or misleading in any way.”*

**Relevant Legislation**

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

**DISCUSSION**

Overview of Key Financial Information

*Income Statement*

Provided below is a summary of Council's financial results for the period ended 30 June 2023.

<b>Statement of Financial Performance</b>	<b>2022/2023 \$'000</b>	<b>2021/2022 \$'000</b>	<b>Movement Increase /(Decrease) \$'000</b>
Income from Continuing Operations	173,082	143,736	29,346
Expenses from Continuing Operations	126,517	101,677	24,840
Net Operating Result for the Year	46,565	42,059	4,506
Capital Grants and Contributions	31,504	20,528	10,976
<b>Net Operating Result before Capital Grants and Contributions</b>	<b>15,061</b>	<b>21,531</b>	<b>(6,470)</b>

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Income from Continuing Operations	2022/2023 \$'000	2021/2022 \$'000	Movement Increase /(Decrease) \$'000
Rates and Annual Charges	71,566	69,096	2,470
User Charges and Fees	7,587	6,942	645
Other Revenue	4,894	1,412	3,482
Grants and Contributions – Operating	51,474	31,347	20,127
Grants and Contributions – Capital	31,504	20,528	10,976
Interest and Investment Income	2,821	625	2,196
Other Income	3,236	13,786	(10,550)
<b>Total Income from Continuing Operations</b>	<b>173,082</b>	<b>143,736</b>	<b>29,346</b>

Expenses from Continuing Operations	2022/2023 \$'000	2021/2022 \$'000	Movement Increase /(Decrease) \$'000
Employee Costs	37,358	31,497	5,861
Materials and Services	51,822	39,336	12,486
Borrowing Costs	1,851	287	1,564
Depreciation, Amortisation and Impairment	24,491	24,236	255
Other Expenses	6,600	5,882	718
Loss on Sale or Disposal of Assets	4,935	439	3,956
<b>Total Expenses from Continuing Operations</b>	<b>126,517</b>	<b>101,677</b>	<b>24,840</b>

*Statement of Financial Position*

Provided below is a summary of Council's financial position as at 30 June 2023.

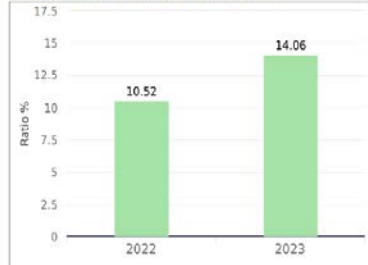
Statement of Financial Position	2022/2023 \$'000	2021/2022 \$'000	Movement Increase /(Decrease) \$'000
Current Assets	140,312	108,789	31,523
Non-Current Assets	1,667,686	1,481,277	186,409
<b>Total Assets</b>	<b>1,807,998</b>	<b>1,590,066</b>	<b>217,932</b>
Current Liabilities	47,019	44,582	2,437
Non-Current Liabilities	71,587	27,315	44,272
<b>Total Liabilities</b>	<b>118,606</b>	<b>71,897</b>	<b>46,709</b>
Net Assets	1,689,392	1,518,169	171,223
<b>Equity</b>	<b>1,689,392</b>	<b>1,518,169</b>	<b>171,223</b>

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*Performance Indicators*

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

**1. Operating performance ratio**



**Purpose of operating performance ratio**

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

**Commentary on 2022/23 result**

2022/23 ratio 14.06%

The ratio improved from the previous year, predominantly as a result of unbudgeted operating grants and contributions, which relate to the recovering of past expenditure relating to flood events and future expenditure relating to the Regional and Local Roads Repair Program. Prepayment of the Financial Assistance Grant (100%) were also received.

The ratio is better than the benchmark.

Benchmark: — > 0.00%

Ratio achieves benchmark

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio is outside benchmark

**2. Own source operating revenue ratio**



**Purpose of own source operating revenue ratio**

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.

**Commentary on 2022/23 result**

2022/23 ratio 52.03%

The ratio declined from the previous year, as a result of the unbudgeted grants and prepaid grants outlined above.

The ratio is below the benchmark, but is due to a timing issue only.

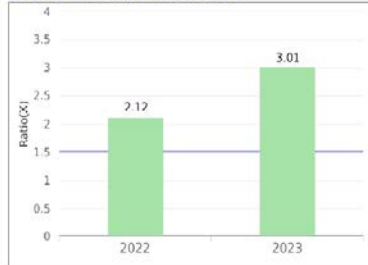
Benchmark: — > 60.00%

Ratio achieves benchmark

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio is outside benchmark

**3. Unrestricted current ratio**



**Purpose of unrestricted current ratio**

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.

**Commentary on 2022/23 result**

2022/23 ratio 3.01x

The ratio improved as a result of the level of current assets less all external restrictions increasing from the previous reporting period.

The ratio is better than the benchmark.

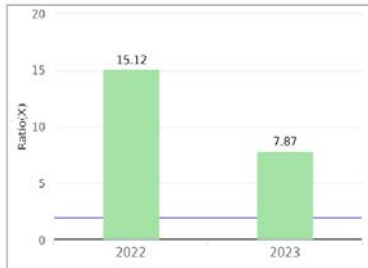
Benchmark: — > 1.50x

Ratio achieves benchmark

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio is outside benchmark

**4. Debt service cover ratio**



**Purpose of debt service cover ratio**

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments

**Commentary on 2022/23 result**

2022/23 ratio 7.87x

The ratio declined due to the increase in loan borrowing costs associated with a \$32.5M loan for the restoration of Rising Main C and a \$17M loan as part of the Infrastructure Renewal Program.

The ratio is better than the benchmark.

Benchmark: — > 2.00x

Ratio achieves benchmark

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio is outside benchmark

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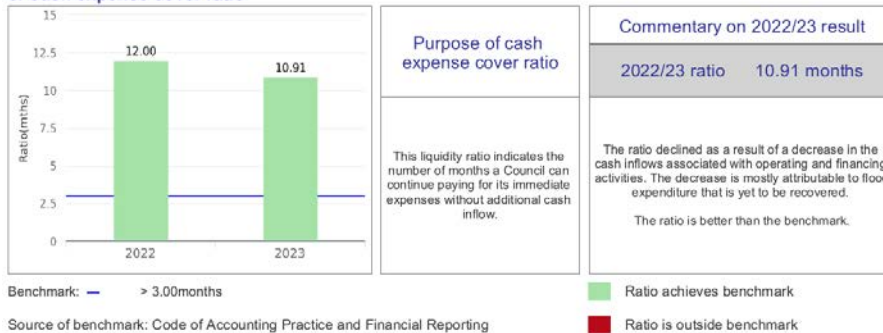
### 4. REPORTS FOR DETERMINATION

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#### 5. Rates and annual charges outstanding percentage



#### 6. Cash expense cover ratio



#### Interpretation of Financial Results

Council's operating result improved from a surplus of \$42.1 million in 2021/2022 to a surplus of \$46.6 million in 2022/2023. The net operating result before capital grants and contributions was a surplus of \$15.1 million in 2022/2023, compared to a \$21.5 million surplus in 2021/2022, mainly due to improvements in the disposal of assets that have been renewed and replaced.

Council's cash and current investments increased from \$80.8 million to \$100 million during the reporting period and included restricted and unrestricted funds. The increase in cash and current investments is partly due to payment of the Local and Regional Roads Repair Program of \$11.5M, of which \$8.1M is yet to be expended (at the end of the Financial Year). Also contributing is the increase in cash due to the draw-down of the loan for the Infrastructure Borrowings Program (\$17M) and a Sewer Loan (\$32.5M) for restoration of Rising Main C, which are yet to be fully spent.

Council's Unrestricted Current Ratio at 30 June 2023 is 3.01 and remained significantly above the accepted industry benchmark of 1.5. The Debt Service Ratio was 7.87 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, and developer contributions being 52.06% as against 60.92% for 2021/2022. This result is still less than the 60% benchmark.

The Rates Outstanding Ratio increased to 11.17% 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 7.8%.

#### Matters of Note

- *Revaluation of Council Investment Property Portfolio*

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

At the time of writing this report, the revaluation index to be provided through an external valuer was still outstanding. Appropriate adjustments will be made to the Statements, audited as required and reported within the Audited Financial Statements to be presented to Council at its meeting on 21 November 2023. It is likely that there will be an improvement in both Council's operating result and overall equity.

- *Revaluations applied to Property, Plant and Equipment*

Council reviews the fair valuation of all infrastructure assets annually to determine if a material difference to the fair value and the written down value has arisen. This assessment considers changes in costs associated with gross replacement values (the cost to replace the asset), and the remaining useful lives of these assets.

It is to be noted that generally revaluation adjustments do not impact Council's operating result and are reflected as changes in the Infrastructure Property Plant and Equipment Revaluation Reserve within the Statements of Financial Position.

A full revaluation of Buildings and Operational Land was undertaken by APV Pty Limited and resulted in a \$17.5 million increase in the fair value of these assets. In line with the Local Government Accounting Code, Sewer Assets were increased by the index issued by the NSW Office of Water, resulting in an increase of \$12.2 million. Community Land was adjusted in line with the NSW Valuations assessment undertaken in 2022, increasing by \$46.5 million. Land Under Roads was based on average englobo values applied to NSW Valuation assessments, increasing this value by \$0.8 million.

The remaining fair valuation adjustments were undertaken through indexations applying to Roads, Bridges, Footpaths and Drainage provided by APV Pty Limited, resulting in an increase to the fair valuation of \$62.3 million. Most of this increase in value is attributable to the impact of cost escalation experienced.

The methodologies used for each asset category outlined above are outlined in Note E.2 Fair Valuation Measurement.

- *Asset impairments due to flood damage*

An impairment of \$14.6M was applied to roads, footpaths and drainage arising from the July 2022 flood that had not been reinstated as at the end of the reporting period.

#### **Budget Performance – Bottom Line Result**

Attached as Attachment 3 is Council's financial performance against the Budget for the year ended 30 June 2023.

The Financial Statements are prepared in accordance with Australian Accounting Standards and the Local Government Accounting Code. However, Financial Statements do not provide insight into the performance of Council against its budgeted Bottom Line Result. The Bottom Line Result reflects the sum of all income received less all expenditure. This result also reflects the use of restricted cash (Reserves) and removes the impact of depreciation. Council aims for a balanced Bottom Line Result (\$0) to ensure that expenditure does not exceed all funding available.

It is to be noted that the Financial Statements only refer to the Original Budget and do not incorporate the changes made to the budget throughout the year during Quarterly Budget Reviews.

As shown in Attachment 3 to this report, Council's Bottom Line Result for the year ended 30 June 2023 is a deficit of \$23.8 million. This is predominantly a reflection of the impact of floods in respects to unclaimed expenditure for recovery works and impairments of infrastructure assets.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 10 October 2023

**Conclusion**

Council's Financial Statements have been prepared in accordance with the requirements detailed in Clause 215(2) (a) to (c) of the Regulation, as outlined above. Council's Chief Financial Officer, as the Responsible Accounting Officer, considers that these Financial Statements fairly present Council's financial position.

**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 Objectives set out within the CSP.

Reliable Council

- 4.2 Encourage an informed community.
- 4.3 Build strong financial sustainability for now and future generations.

**FINANCIAL IMPACT**

There are no financial implications applicable to this report. The Statements are the mechanism by which the financial performance over the 12 months ending 30 June 2023 and the financial position as at the same date are reported. Any observed concerning trends are noted and addressed by management.

**ATTACHMENTS**

- AT – 1** Financial Statements for the year ended 30 June 2023 - *(Distributed under separate cover)*.
- AT – 2** Statements by Councillors and Management.
- AT – 3** Performance against Budget for the year ended 30 June 2023.

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 10 October 2023**

**AT - 2 Statement by Councillors and Management**

Hawkesbury City Council

General Purpose Financial Statements  
for the year ended 30 June 2023

Statement by Councillors and Management

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Statement by Councillors and Management made pursuant to Section 413 (2c) of the *Local Government Act 1993* (NSW)

The attached general purpose financial statements have been prepared in accordance with:

- the *Local Government Act 1993* and the regulations made thereunder,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these statements:

- present fairly the Council's operating result and financial position for the year
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 10 October 2023.

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Sarah McMahon  
Mayor  
10 October 2023

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Barry Calvert  
Deputy Mayor  
10 October 2023

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Elizabeth Richardson  
General Manager  
10 October 2023

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Vanessa Browning  
Responsible Accounting Officer  
10 October 2023



**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**

**Meeting Date: 10 October 2023**

**Hawkesbury City Council**

**Special Purpose Financial Statements**

for the year ended 30 June 2023

**Statement by Councillors and Management**

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**Statement by Councillors and Management made pursuant to the Local Government Code of Accounting Practice and Financial Reporting**

The attached special purpose financial statements have been prepared in accordance with:

- NSW Government Policy Statement, *Application of National Competition Policy to Local Government*
- Division of Local Government Guidelines, *Pricing and Costing for Council Businesses: A Guide to Competitive Neutrality*
- The Local Government Code of Accounting Practice and Financial Reporting
- Sections 3 and 4 of the NSW Department of Planning and Environment, *Water's Regulatory and assurance framework for local water utilities*.

To the best of our knowledge and belief, these statements:

- present fairly the operating result and financial position for each of Council's declared business activities for the year,
- accord with Council's accounting and other records; and
- present overhead reallocation charges to the water and sewerage businesses as fair and reasonable.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 10 October 2023.

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Sarah McMahon  
**Mayor**  
10 October 2023

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Barry Calvert  
**Deputy Mayor**  
10 October 2023

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Elizabeth Richardson  
**General Manager**  
10 October 2023

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Vanessa Browning  
**Responsible Accounting Officer**  
10 October 2023

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

Meeting Date: 10 October 2023

**AT - 3 Performance against Budget for year ended 30 June 2023**

(\$'000)	Original Budget 2022/2023	Amended Budget 2022/2023	Actuals 2022/2023
<b>Income from Continuing Operations</b>			
<b>Revenue</b>			
Rates and Annual Charges	(70,598)	(71,647)	(71,566)
User Charges and Fees	(7,044)	(7,013)	(7,587)
Other Revenues	(1,851)	(4,907)	(4,894)
Grants and Contributions provided for Operating Purposes	(10,765)	(35,772)	(51,474)
Grants and Contributions provided for Capital Purposes	(11,935)	(32,168)	(31,504)
Interest and Investment Income	(1,058)	(2,574)	(2,821)
Other Income	(3,106)	(3,182)	(3,236)
<b>Total Income from Continuing Operations</b>	<b>(106,357)</b>	<b>(157,264)</b>	<b>(173,082)</b>
<b>Expenses from Continuing Operations</b>			
Employee Benefits and On-Costs	34,807	35,774	37,358
Materials and Services	30,440	47,356	51,822
Borrowing Costs	522	1,616	1,851
Depreciation and Amortisation and Impairment of IPP&E	22,570	22,608	24,491
Other Expenses	5,197	5,500	6,600
Net Losses from the Disposal of Assets	0	0	4,395
<b>Total Expenses from Continuing Operations</b>	<b>93,536</b>	<b>112,854</b>	<b>126,517</b>
<b>Net Operating Result for the Year</b>	<b>(12,821)</b>	<b>(44,410)</b>	<b>(46,565)</b>
<b>Net Operating Result for the year before Grants and Contributions provided for Capital Purposes</b>	<b>(886)</b>	<b>(12,241)</b>	<b>(15,061)</b>
<b>Source of capital funding (excluding reserves)</b>			
Proceeds from the sale of capital assets	(1,067)	(1,438)	(641)
Depreciation, Amortisation and Impairment of IPP&E	(22,570)	(22,608)	(24,491)
Grants and Contributions - Capital	(11,935)	(32,169)	(31,504)
	<b>(35,572)</b>	<b>(56,215)</b>	<b>(56,636)</b>
<b>Application of Capital Funding</b>			
Land, Building and Land Improvements	7,463	21,366	33,549
Roads, Bridges, Footpaths and Drainage	16,375	41,552	24,989
Sewer Infrastructure	6,066	23,475	22,176
Parks Assets and Other Structures	6,870	14,714	10,014
Other Assets	3,896	6,799	7,686
Plant and Equipment	3,021	4,729	1,760
	<b>43,691</b>	<b>112,636</b>	<b>100,175</b>
<b>Net Capital Expenditure</b>	<b>8,119</b>	<b>56,421</b>	<b>43,539</b>
<b>Retained (surplus)/deficit from prior years</b>			
Transfer from Reserves	(60,381)	(132,059)	(107,473)
Transfer (to) Reserves	53,148	87,879	102,776
	<b>(7,233)</b>	<b>(44,180)</b>	<b>(4,696)</b>
<b>Retained (surplus)/deficit available for general funding purposes</b>	<b>-</b>	<b>-</b>	<b>23,782</b>

oooO END OF REPORT Oooo

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 10 October 2023

**4.4.3. CS - Fraud and Corruption Prevention Policy - (95496, 96333)**

**Previous Item:** 232, Ordinary (12 December 2017)

**Directorate:** Corporate Services

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**PURPOSE OF THE REPORT**

The purpose of this report is to seek Council's endorsement to place the Draft Fraud and Corruption Prevention Policy on public exhibition.

**EXECUTIVE SUMMARY**

Council adopted its Fraud and Corruption Prevention Policy in 2017.

In 2021, Council was subject to a Continuous Risk Improvement Program (CRIP) Audit. One of the Audit's recommendations was that the Fraud and Corruption Prevention Policy be reviewed.

A review of the Policy was conducted, and an amended Policy has been prepared for endorsement by Council for placing on public exhibition.

**RECOMMENDATION**

That:

1. The Draft Fraud and Corruption Prevention Policy, attached as Attachment 1 to this report, be placed on public exhibition for 28 days.
2. At the expiration of the public exhibition period, the following action be taken:
  - a) Should any submissions be received, a further report be submitted to Council, or
  - b) Should no submissions be received, Council adopt the Fraud and Corruption Prevention Policy, attached as Attachment 1 to this report.

**BACKGROUND**

In 2017 Council developed a Fraud and Corruption Prevention Policy in response to recommendations released by the Independent Commission Against Corruption (ICAC), following that Agency's investigation into the former City of Botany Bay Council (Operation Ricco), and after undertaking a review of Council's operations in the context of fraud and corruption prevention.

Council's current Fraud and Corruption Prevention Policy was adopted by Council at its meeting on 12 December 2017.

Through membership of the CivicRisk Mutual, Council participates in Continuous Risk Improvement Program (CRIP) Audits. One of the recommendations from the last CRIP Audit in 2021 was that Council review the Fraud and Corruption Prevention Policy.

**Relevant Legislation**

- Independent Commission Against Corruption Act 1988

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

- Local Government Act 1993
- Local Government (General) Regulation 2021
- Public Interest Disclosures Act 2022

#### DISCUSSION

In reviewing the Policy, Council gave consideration to the ICAC's 'Advice on developing a fraud and corruption control policy'. Amendments to the Policy include:

- Introducing a 'Scope'
- Providing examples of what fraud and corruption look like in Council and the functions of Council where fraud and corruption could commonly arise
- Amending the roles and responsibilities to account for:
  - A Disclosure Officer's responsibilities under the Public Interest Disclosures Act 2022
  - Council's desire to carry out fraud and corruption risk assessments and implement its Fraud Control Action Plan
  - The responsibilities associated with the Audit, Risk and Improvement Committee
  - Including the description of 'corrupt conduct' from the Independent Commission Against Corruption Act 1988.

Councillors were briefed on the Draft Policy at a Councillor Briefing Session on 29 August 2023. The Draft Policy was also reported to Council's Audit, Risk and Improvement Committee on 29 September 2023. It is recommended that the Draft Fraud and Corruption Prevention Policy, attached as Attachment 1 to this report, be placed on public exhibition for 28 days and that any submissions made during the public exhibition be reported to Council.

#### COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. It is proposed that the Draft Fraud and Corruption Prevention Policy attached as Attachment 1 to this report be placed on public exhibition for 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

- 4.1 Provide representative, responsive and accountable governance.
- 4.5 Encourage a shared responsibility for effective compliance.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 10 October 2023

**FINANCIAL IMPACT**

There are no financial implications applicable to this report.

**ATTACHMENTS**

**AT - 1** Draft Fraud and Corruption Prevention Policy - (*Distributed under separate cover*).

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 10 October 2023

**4.4.4. CS - Disclosure of Pecuniary Interests and Other Matters Returns - (95496)**

**Directorate:** Corporate Services

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**PURPOSE OF THE REPORT**

The purpose of this report is to table the required Pecuniary Interest Returns lodged by Councillors and Designated Persons.

**EXECUTIVE SUMMARY**

Council's Code of Conduct details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Returns by Councillors and Designated Persons. This report provides information regarding Returns recently lodged with the General Manager by Councillors and Designated Persons.

**RECOMMENDATION**

That Council note that the Disclosures of Pecuniary Interests and Other Matters Returns, lodged with the General Manager, have been tabled.

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**BACKGROUND**

Sections 4.21 to 4.27 of Council's Code of Conduct (the Code) relate to the register of Pecuniary Interest Returns and the tabling of these Returns, which have been lodged by Councillors and Designated Persons. Section 4.21 of the Code is as follows:

*"4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in Schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in Schedule 1 to this code within 3 months after:*

- (a) becoming a councillor or designated person, and*
- (b) 30 June of each year, and*
- (c) the councillor or designated person becoming aware of an interest they are required to disclose under Schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b)."*

As required by Section 4.24 of the Code, a register of all Returns to be completed under Section 4.21 is kept by Council.

In accordance with Section 4.25, all Returns lodged by Councillors and Designated Persons under Section 4.21(b) must be tabled at the first meeting of the Council after the last day the return is required to be lodged.

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 10 October 2023**

**DISCUSSION**

The following Returns have been lodged under Section 4.21(b):

<b>Councillor</b>	<b>Return Period</b>	<b>Date Lodged</b>
Councillor Barry Calvert	30 June 2022 – 30 June 2023	29 September 2023
Councillor Patrick Connolly	30 June 2022 – 30 June 2023	11 July 2023
Councillor Shane Djuric	30 June 2022 – 30 June 2023	29 September 2023
Councillor Eddie Dogramaci	30 June 2022 – 30 June 2023	9 August 2023
Councillor Amanda Kotlash	30 June 2022 – 30 June 2023	27 July 2023
Councillor Mary Lyons-Buckett	30 June 2022 – 30 June 2023	10 September 2023
Councillor Sarah McMahon	30 June 2022 – 30 June 2023	18 July 2023
Councillor Jill Reardon	30 June 2022 – 30 June 2023	18 July 2023
Councillor Leslie Sheather	30 June 2022 – 30 June 2023	19 September 2023
Councillor Paul Veigel	30 June 2022 – 30 June 2023	18 July 2023
Councillor Danielle Wheeler	30 June 2022 – 30 June 2023	29 September 2023
Councillor Nathan Zamprogno	30 June 2022 – 30 June 2023	12 September 2023

<b>Audit, Risk and Improvement Committee Member</b>	<b>Return Period</b>	<b>Date Lodged</b>
Michael Quirk	30 June 2022 - 30 June 2023	21 September 2023
Rhonda Wheatley	30 June 2022 - 30 June 2023	20 September 2023
Rachel Harris	30 June 2022 - 30 June 2023	4 October 2023

<b>Position</b>	<b>Return Period</b>	<b>Date Lodged</b>
General Manager	30 June 2022 – 30 June 2023	7 September 2023
Corporate Planning and Performance Strategist	30 June 2022 – 30 June 2023	27 September 2023
Director City Planning	30 June 2022 – 30 June 2023	22 September 2023
Manager City Design and Economic Development	30 June 2022 – 30 June 2023	4 September 2023
Manager Strategic Planning	30 June 2022 – 30 June 2023	18 September 2023
Senior Strategic Landuse Planner	30 June 2022 – 30 June 2023	18 September 2023
Senior Strategic Landuse Planner	30 June 2022 – 30 June 2023	19 September 2023
Coordinator Environmental Sustainability	30 June 2022 - 30 June 2023	27 September 2023
Manager Development Assessment	30 June 2022 - 30 June 2023	27 September 2023
Coordinator Town Planning	30 June 2022 – 30 June 2023	22 September 2023
Senior Town Planner	30 June 2022 – 30 June 2023	1 September 2023
Senior Town Planner	30 June 2022 – 30 June 2023	11 September 2023

**ORDINARY MEETING****4. REPORTS FOR DETERMINATION****Meeting Date:** 10 October 2023

<b>Position</b>	<b>Return Period</b>	<b>Date Lodged</b>
Senior Town Planner	30 June 2022 – 30 June 2023	14 September 2023
Senior Town Planner	30 June 2022 – 30 June 2023	6 September 2023
Duty Officer	30 June 2022 – 30 June 2023	19 September 2023
Development Assessment Support Officer	30 June 2022 - 30 June 2023	29 September 2023
Development Assessment Support Officer	30 June 2022 - 30 June 2023	27 September 2023
Coordinator Building Surveyor	30 June 2022 - 30 June 2023	25 September 2023
Senior Building Surveyor	30 June 2022 - 30 June 2023	25 September 2023
Senior Building Surveyor	30 June 2022 - 30 June 2023	27 September 2023
Building Surveyor	30 June 2022 - 30 June 2023	25 September 2023
Manager Regulatory Services	30 June 2022 – 30 June 2023	27 September 2023
Coordinator Environmental Health	30 June 2022 – 30 June 2023	15 September 2023
Environmental Health Officer	30 June 2022 – 30 June 2023	15 September 2023
Environmental Health Officer	30 June 2022 – 30 June 2023	1 September 2023
Environmental Health Officer	30 June 2022 – 30 June 2023	5 September 2023
Coordinator Compliance	30 June 2022 – 30 June 2023	21 September 2023
Compliance Investigation Officer	30 June 2022 – 30 June 2023	26 September 2023
Community Enforcement Officer	30 June 2022 – 30 June 2023	25 September 2023
Community Enforcement Officer - Parking	30 June 2022 – 30 June 2023	5 September 2023
Technical Officer - SMF	30 June 2022 – 30 June 2023	27 September 2023
Technical Officer - SMF	30 June 2022 – 30 June 2023	29 September 2023
Companion Animals Team Leader	30 June 2022 – 30 June 2023	28 September 2023
Companion Animals Controller	30 June 2022 – 30 June 2023	21 September 2023
Director Infrastructure Services	30 June 2022 – 30 June 2023	4 September 2023
Executive Manager Infrastructure Operations	30 June 2022 – 30 June 2023	1 September 2023
Coordinator Building Services	30 June 2022 – 30 June 2023	29 September 2023
Building Services Officer	30 June 2022 – 30 June 2023	4 September 2023
Building Services Officer	30 June 2022 – 30 June 2023	20 September 2023
Building Services Officer	30 June 2022 – 30 June 2023	6 September 2023
Parks Officer - Land Management	30 June 2022 – 30 June 2023	19 September 2023
Pool Superintendent	30 June 2022 – 30 June 2023	27 September 2023
Trade Waste Technical Officer	30 June 2022 – 30 June 2023	13 September 2023
Wastewater Project/Works Engineer	30 June 2022 – 30 June 2023	26 September 2023
Coordinator Project Design	30 June 2022 - 30 June 2023	28 September 2023



**ORDINARY MEETING****4. REPORTS FOR DETERMINATION****Meeting Date:** 10 October 2023

<b>Position</b>	<b>Return Period</b>	<b>Date Lodged</b>
Coordinator Development Engineering	30 June 2022 – 30 June 2023	22 September 2023
Senior Subdivision and Development Engineer	30 June 2022 – 30 June 2023	19 September 2023
Senior Subdivision and Development Engineer	30 June 2022 – 30 June 2023	19 September 2023
Engineering Technical Officer	30 June 2022 – 30 June 2023	27 September 2023
Project Engineer	30 June 2022 – 30 June 2023	28 September 2023
Coordinator Spatial Information Services	30 June 2022 – 30 June 2023	1 September 2023
Design and Investigation Engineer	30 June 2022 - 30 June 2023	27 September 2023
Director Corporate Services	30 June 2022 - 30 June 2023	22 September 2023
Manager Community Planning and Partnerships	30 June 2022 – 30 June 2023	27 September 2023
Property Services Lead	30 June 2022 – 30 June 2023	7 September 2023
Property Officer	30 June 2022 – 30 June 2023	1 September 2023
Manager Governance	30 June 2022 - 30 June 2023	24 September 2023
Publishing Manager	30 June 2022 – 30 June 2023	28 September 2023
Chief Financial Officer	30 June 2022 – 30 June 2023	15 September 2023
Procurement Coordinator	30 June 2022 – 30 June 2023	1 September 2023
Rates and Revenue Coordinator	30 June 2022 – 30 June 2023	5 September 2023
Manager Information Services	30 June 2022 – 30 June 2023	1 September 2023
Corporate Systems and Database Coordinator	30 June 2022 – 30 June 2023	4 September 2023
Senior Network Administrator	30 June 2022 – 30 June 2023	7 September 2023
Coordinator Library	30 June 2022 – 30 June 2023	26 September 2023
Local History Librarian	30 June 2022 – 30 June 2023	19 September 2023
Customer Services Librarian	30 June 2022 – 30 June 2023	7 September 2023
Manager Arts and Culture	30 June 2022 – 30 June 2023	28 September 2023
Manager Communication and Events	30 June 2022 - 30 June 2023	26 September 2023
Visitor Information Centre Coordinator	30 June 2022 - 30 June 2023	28 September 2023
Coordinator Customer Experience	30 June 2022 - 30 June 2023	27 September 2023

Five designated persons were unable to lodge returns under section 4.21(b) of the Code due to unavailability. Once lodged those returns will be the subject of a further report to Council.

With regard to Section 4.25, the following Returns have been lodged under Section 4.21(a):

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 10 October 2023

<b>Position</b>	<b>Return Date</b>	<b>Date Lodged</b>
Manager Development Assessment	14 November 2022	28 September 2023
Building Surveyor	12 December 2022	27 September 2023
Coordinator Town Planning	3 January 2023	29 September 2023
Corporate Planning and Performance Strategist	13 February 2023	27 September 2023
Manager Arts and Culture	11 April 2023	28 September 2023
Coordinator Environmental Sustainability	15 May 2023	27 September 2023
Manager Community Planning and Partnerships	5 June 2023	27 September 2023
Engineering Technical Officer	5 June 2023	27 September 2023
Design and Investigation Engineer	5 June 2023	28 September 2023

The above details are now tabled in accordance with Section 4.25 of the Code, and the Returns are available for inspection, if requested.

#### **COMMUNITY ENGAGEMENT**

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

#### **CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042**

##### Reliable Council

4.1 Provide representative, responsive and accountable governance.

#### **FINANCIAL IMPACT**

There are no financial implications applicable to this report.

#### **ATTACHMENTS**

There are no supporting documents for this report.

oooO END OF REPORT Oooo

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

#### 4.5. INFRASTRUCTURE SERVICES

##### 4.5.1. IS - Kangaroo and Driver Safety on The Driftway - (95495, 159579)

**Previous Item:** 3.1.1, Ordinary (11 July 2023)

**Directorate:** Infrastructure Service

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#### PURPOSE OF THE REPORT

The purpose of this report is to provide Councillors with further information following the resolution made at the Ordinary Meeting of Council held 11 July 2023, where it was resolved, among other things:

*“That Council receive a report as soon as possible, detailing the effectiveness, costs, viability and process of implementing safety measures at specific points along The Driftway, between Londonderry Rd and Castlereagh Road (as identified by local WIRES volunteers) to limit the amount of car accidents involving kangaroos. Council contact Western Sydney University and collate the data that is currently available. This report details the effectiveness, costs, viability, and process of implementing safety measures at specific points along The Driftway, between Londonderry Rd and Castlereagh Road (as identified by local WIRES volunteers) to limit the amount of car accidents involving kangaroos. This report is to consider efficacy, costs, viability, and process of implementing, including:*

- *Kangaroo warning signage;*
- *Painted markings on the road surface (for example lines, crossing zones or wildlife markings);*
- *Flashing signs that are activated at dusk and dawn;*
- *Speed humps;*
- *Reducing the speed limit;*
- *Virtual fencing.”*

#### EXECUTIVE SUMMARY

The Hawkesbury LGA is not unique when it comes to the incidence of animal strikes on its road network. 19,000 collisions with animals were reported across Australia in 2022, with the number of animals killed likely to be far higher.

There is little evidence in support of the efficacy of the treatments available to reduce the incidence of animal strike, however studies do provide an insight into where road authorities can focus their attention, namely on the transition of lit to unlit roads in rural and semi-rural locations.

Within the Hawkesbury, there are documented high rates of kangaroo mortality at Agnes Banks and specifically on Castlereagh Road (a State Road) between The Driftway and Drift Road, The Driftway (a Local Road) between Castlereagh Road and Londonderry Road (a State Road) and in the vicinity of the intersection of Londonderry Road and The Driftway.

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The measure identified range in cost from low (less than \$1,000 for a minimum implementation) to very high (more than \$50,000 for a minimum implementation) and most rely on warning drivers to exercise caution and be vigilant. The exception to this is virtual fencing which acts to startle kangaroos before a vehicle gets too close. There are also stronger engineering controls such as lowering the speed limit or installing speed humps, however these are unsupported due to the roads' environment and Council does not have delegated authority to install such devices without first presenting such proposals to the Local Traffic Committee.

Given this, Council will continue to explore the opportunity to partner with WIRES, TfNSW and potentially an academic partner to develop and implement a cost effective lit to unlit transition treatment.

#### RECOMMENDATION

That Council:

1. Install Kangaroo warning signage along The Driftway.
2. Staff liaise with WIRES and TfNSW on the prospect of a targeted approach to reducing kangaroo mortality on The Driftway, Londonderry Road and Castlereagh Road.

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#### BACKGROUND

Animal strikes are an all too common occurrence on roads in NSW and more broadly across Australia. A report undertaken by insurer, AAMI, estimated there were 19,000 animal related collisions across Australia in 2022. The report stressed that this number is likely to be much higher as many go unreported.

Within the Hawkesbury, a combination of a large semi-regional or peri-urban road network intersecting with rich agricultural lands and high quality native vegetation supporting a high population of native animals, particularly kangaroos, has resulted in a large number of animal strikes. An estimate of the annual number of animal strikes within the LGA was not known at the time of writing this report.

In preparing this report, Council has made contact with both WIRES and the University of Western Sydney (UWS). Information was received from UWS, however due to WIRES staff leave, no additional information had been received at the time of writing this report. Nonetheless, Council will continue to liaise with WIRES as it progresses with developing its response to this issue.

The initial concerns raised and contemplated in the Mayoral Minute presented to the 11 July 2023 Ordinary Meeting focused on an area generally within Agnes Banks in the vicinity of The Driftway and Castlereagh Road.

In respect of road classification, The Driftway is a Local Road under the care and control of Council, however Castlereagh Road and Londonderry Road are State Roads, under the care and control of Transport for NSW. Relevantly, despite the classification, Transport for NSW is undertaking Stage 1 of the New Richmond Bridge which involves the upgrade of part of The Driftway, between Londonderry Road and Blacktown Road.

#### DISCUSSION

There is very limited information available on the efficacy of the various treatments which claim to reduce animal strike, specifically collisions with kangaroos. The study provided by UWS provides

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some guidance in what measures may be worthy of further investigation or trialling and the location that these are likely to have the greatest impact, but without further trials and/or evidence, any measure implemented will have a question over its value in reducing the likelihood of kangaroo strikes.

The study *What influences road mortality rates of eastern grey kangaroos in a semi-rural area?* Identified two hot-spots on the Agnes Banks area:

- Within the area of the Driftway-Londonderry Road intersection, and
- Between the Castlereagh Road-The Driftway intersection and the Castlereagh Road-Drift Road intersection

Additionally, the account of local volunteers suggests a further hotspot on The Driftway between Castlereagh Road and Bonner Road.

Further, the study provides evidence on where treatments would have the greatest impact, specifically at the interface of lit and unlit areas of the road network; of all recorded kangaroo deaths, 75% occurred within 200m of the termination of a lit stretch of road. This information suggests that targeting the first 200-300m of unlit sections of road, notably around significant intersections, would provide for the greatest opportunity to reduce the mortality rate.

With respect to road classification, it is only The Driftway which falls within Council's care and control and to this extent, while Council will continue to liaise with TfNSW, our focus will be on investigating further a combined approach in consultation with WIRES and potentially the researchers who undertook the study.

In respect to the measures identified, a summary of their costs and feasibility is provided in the table below.

Measure	Cost	Comments – viability, efficacy and process
<b>Kangaroo warning signage</b>	Low cost (<\$250 per sign)	Anticipate low efficacy, particularly if widely used. Only acts by drawing attention of motorists to heightened risk. Suitable in targeted locations. Council has discretion on roads under care and control of Council. This measure could be implemented from Council's current Operational Plan.
<b>Painted markings on the road surface (for example lines, crossing zones or wildlife markings);</b>	Low cost (<\$250 per decal, dependent on size)	Potential to reinforce message that motorists are entering a high risk area. Potential road safety considerations to be explored further. May be suitable. Council would need to undertake further investigations into the specific type of pavement marking and may require reporting to Local Traffic Committee. This measure could be implemented from Council's current Operational Plan.

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<b>Measure</b>	<b>Cost</b>	<b>Comments – viability, efficacy and process</b>
<b>Flashing signs that are activated at dusk and dawn;</b>	Moderate cost (<\$5,000 per sign) plus ongoing maintenance costs	Higher efficacy than static warning signs. Suitable in targeted locations. Council has discretion on roads under care and control of Council. Dedicated funding would need to be provided.
<b>Speed humps;</b>	High cost (>\$50,000)	Speed humps are not suitable in speed environments >60km/h and the subject roads all have speed zones of 80km/h. Council would need to report any proposal to Local Traffic Committee. Dedicated funding would need to be provided. This measure is not supported.
<b>Reducing the speed limit;</b>	Low cost	Speed limit reviews are the responsibility of TfNSW. The road environment is not supportive of a reduction in speed. This measure is not supported.
<b>Virtual fencing.</b>	High cost (\$12,000/km)	High initial efficacy, unknown long-term efficacy once habituation is accounted for. High cost and ongoing maintenance costs make this unfeasible unless grant funded and deployed in small, targeted locations.

Council staff will continue to liaise with WIRES and TfNSW on the prospect of a targeted approach to reducing kangaroo mortality on The Driftway, Londonderry Road and Castlereagh Road, including:

- Further investigation into a trial of virtual fencing if grant funding can be secured
- Development of a lit to unlit transition treatment consisting of additional warning signs (either activated or static) and any suitable pavement markings.

**COMMUNITY ENGAGEMENT**

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

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**CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042**

The proposal is consistent with the following 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

Strong Economy

- 3.1 Creating an integrated and well-maintained transport system is an important local priority

Reliable Council

- 4.4 Build strong relationships and shared responsibilities

**FINANCIAL IMPACT**

There are no direct financial impacts as a result of the proposed recommendation. For any future initiatives which cannot be funded from the Operational Plan, consideration will be given to including these at a future Quarterly Budget Review.

**ATTACHMENTS**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

**5. REPORTS OF COMMITTEES**

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**5. REPORTS OF COMMITTEES**

**5.1.1. ROC - Local Traffic Committee - 11 September 2023 - (95495, 80245)**

**Directorate:** Infrastructure Services

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**PURPOSE OF THE REPORT**

The purpose of this report is to present the Minutes of the Local Traffic Committee, held on 11 September 2023.

**EXECUTIVE SUMMARY**

The Local Traffic Committee considered four items, contained within the Minutes of the Local Traffic Committee.

The Committee has been constituted for the purpose of providing technical review and advice on various traffic related matters, to Council in the exercising of its delegated functions as they relate to the regulation of traffic on the public road network, for which Council is the Roads Authority. The Committee has, however, no delegation authority in its own right and cannot bind Council.

The recommendations of the Committee are in line with the objectives of the Committee, as set out under the Delegation Instrument, and with established practices and procedures.

**RECOMMENDATION**

That the Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Local Traffic Committee meeting held on 11 September 2023.

**DISCUSSION**

The Committee considered staff reports on a range of matters as shown in the attached minutes (Attachment 1).

- General Traffic Matter - Item: 4.1.1 - Proposed Road Safety Infrastructure Upgrades in Grose Wold Road, Grose Wold - Grose View Public School (Hawkesbury)
- General Traffic Matter - Item: 4.1.2 - Proposed Traffic Calming Road Safety Treatments along Francis Street, Richmond (Hawkesbury)
- Special Event Matter - Item: 4.2.1 - Hanna Park Carols 2023 - (Hawkesbury)
- Special Event Matter - Item 4.2.2 - Bridge to Bridge Water Ski Classic 2023 - (Hawkesbury)

**ATTACHMENTS**

**AT - 1** Minutes of the Local Traffic Committee held on 11 September 2023.



**ORDINARY MEETING**  
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**AT - 1 Minutes of the Local Traffic Committee held on 11 September 2023**

**1. AGENDA**

**Welcome**

Minutes of the Meeting of the Local Traffic Committee held remotely on Monday, 11 September 2023 commencing at 3pm.

**ATTENDANCE**

**Present:** Councillor Mary Lyons-Buckett, Hawkesbury City Council  
Ms Melissa Monroe, Transport for NSW (TfNSW)  
Inspector Mark Harvey, NSW Police Force  
Mr Ben Cantor, Busways

**Apologies:** Ms Felicity Findlay, Office of Member for Hawkesbury

**In Attendance:** Mr Christopher Amit, Hawkesbury City Council, (Chair)  
Ms Cathy Mills, Hawkesbury City Council  
Mr Rob Wainhouse, Hawkesbury City Council

**Apologies**

RESOLVED on the motion of Councillor Mary Lyons-Buckett, seconded by Ms Melissa Monroe, that the apologies be accepted.

**Declaration of Interests**

There were no Declarations of Interest made.

**2. CONFIRMATION OF MINUTES**

The Committee resolved on the Motion of Councillor Mary Lyons-Buckett, seconded by Ms Melissa Monroe, that the Minutes from the previous meeting held on Monday, 14 August 2023 be confirmed.

**3. BUSINESS ARISING**

There was no business arising from the previous minutes

**4. REPORTS FOR DETERMINATION**

**4.1. GENERAL TRAFFIC**

**4.1.1. LTC – Proposed Road Safety Infrastructure Upgrades in Grose Wold Road, Grose Wold – Grose View Public School (Hawkesbury) – (80245, 159580, 73625, 123265, 18994)**

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ORDINARY MEETING

5. REPORTS OF COMMITTEES

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**Figure 2: Site Plan of Existing Pedestrian Crossing and Indented Bus Bay along Grose Wold Road outside the School.**

**DISCUSSION:**

Site visits have been previously undertaken between Council staff and School representatives to discuss road and pedestrian safety matters raised by the School. These previous visits have resulted in changes to signage, vegetation trimming, provision of footpath and other treatments to improve safety along the frontage of the School. The most recent works undertaken were in July 2022 included repainting of linemarking, additional signage within the indented bus bay and vegetation clearing in the vicinity of No.261 Grose Wold Road to allow for additional space along the nature strip for parents/carers and students to walk to and from their vehicles safely as well as allowing vehicles to park safely on the road shoulder, away from the travelling lane.

As a result of the works undertaken in July 2022, the School indicated that there have been improvements to the morning drop off and that the afternoon pick up was working well. The School also indicated that Parents and Carers are updated by the School, both in person and via the school newsletter, on any road safety concerns such as queuing on Grose Wold Road, illegal U-turns across double lines and not using the pedestrian crossing to cross the road.

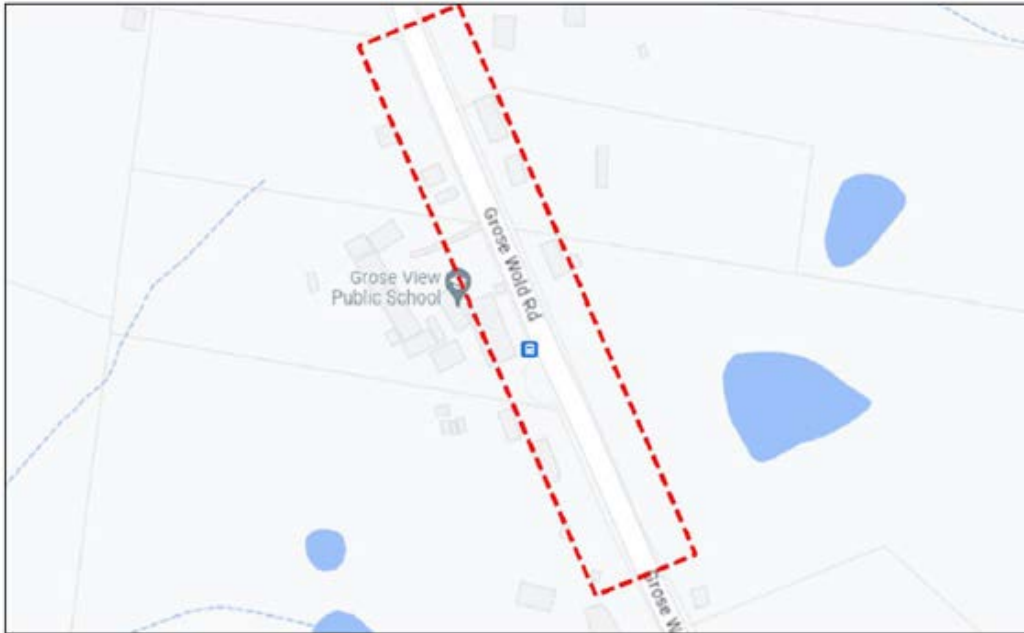
Whilst there have been notable improvements from previous measures undertaken at this location, the School requested a further review. To facilitate this, an independent assessment has been undertaken of the site with a view to investigating traffic and pedestrian behaviour and recommending further options to improve functionality and safety at this location, taking into account the potential for additional traffic at this location due to the proposed Grose River Bridge.

The location of the assessment was confined to the bounds of the specified area highlighted in the red dash line outline in Figure 3.

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**Figure 3: Site of Assessment**

**Assessment of Existing Conditions:**

The assessment involved reviewing both vehicle and pedestrian behaviour around the School.

The speed limit along Grose Wold Road adjacent to the School frontage is 60km/h outside the School Zone period. A traffic survey was undertaken over a seven day period from 17 May to 23 May 2023. The count was undertaken approximately 10metres south of the pedestrian crossing fronting the School.

The 85th percentile speeds recorded outside the School Zone times (60km/h operating speed) was 65km/h. This is 5km/h over the posted speed limit and considered to be generally within an acceptable limit.

The 85th percentile speeds recorded during the School Zone times was 39km/h in the morning (8am to 9.30am) and 45km/h in the afternoon (2.30pm to 4pm). The school period traffic volumes were 169veh/hr in the morning and 108veh/hr in the afternoon.

It is notable that during the morning period the speeds travelled are compliant whilst in the afternoon period was 5 km/h over the speed limit. This could be attributed to the higher traffic volume in the morning creating congestion resulting in lower speeds, whilst in the afternoon the parents/carers were arriving over a longer period of time to find suitable parking.

A review of the most recent TfNSW crash data (Q1 2008 to Q3 2022) reveals one crash within the school zone. The crash involved a road user movement (RUM) of 71 which is 'left off carriageway into object' in June 2017 and resulted in injury. This type of crash can be attributed to speeding. The crash location is outlined in Figure 4.

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**Figure 4: Crash Diagram – Grose Wold Road, Grose Wold – adjacent to Grose View School**

Key observations made during the peak afternoon period on 18 May 2023 relating to pedestrian and vehicle behaviour include:

- The existing Wombat Pedestrian Crossing is at-grade and ideally should be a raised Wombat Pedestrian Crossing. This safety requirement would be in keeping with pedestrian crossings fronting Schools.
- Good compliance observed within the bus bay area as a result of the signs implemented in July 2022.
- During a 15 minute period when parents and carers arrived to pick up students, occasional queuing of vehicles was observed in the north bound direction for drivers accessing the No Parking zone (de-facto Kiss and Drop Off zone). Whilst this was minor and sporadic, overall, this area functioned efficiently. Whilst this area was busy during the peak time, most traffic had cleared by 3:15pm (Bell time is 3pm).
- Some Parents/Carers arrived 15 minutes prior to the Bell and parked on the shoulder area of the road. Due to restrictions/obstructions such as the shape of the verge area, vegetation, parked vehicles and undeveloped shoulder area, pedestrian access alongside the road was restricted mainly towards the north of the school gate. Vehicles were also observed obstructing the footpath to the south of the gate along the eastern side of the road.
- Several U-Turn manoeuvres were observed across the double lines (BB) whilst some drivers used the indented bus bay to turn around.
- Some Parents/Carers and students used the pedestrian crossing, notably others did not with vehicles slowing down to allow these pedestrians to cross the road.

The assessment made the following recommendations for improvements/treatments to existing conditions at the site:

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- Convert the existing at-grade Wombat Pedestrian Crossing to a Raised Wombat Pedestrian Crossing and provide a Children's Crossing:
  - a) Given the moderate trend of speeding particularly during school hours, raising the existing pedestrian crossing will enhance the visibility of the crossing and induce a vertical deflection, thereby slowing down vehicles.
  - b) In consultation with the school, convert the Wombat Crossing to a combined Children's Crossing. The introduction of children's crossing controls will require motorists to stop at the holding line when pedestrians approach to cross the road.
- Extension of the kerb and gutter and pavement works to improve kerbside parking areas taking into consideration existing infrastructure. Details as outlined in Attachments 1 and 2.
- Installation of a 1.5m wide concrete footpath to the north and south of the school, adjacent to the proposed kerb and gutter works. This will provide a link to the existing bus bay as well as provide pedestrians with a connection from the parking areas to the pedestrian crossing and keep pedestrians off the road.
- Remark and install double barrier (BB) and edge (E1) line marking on both sides of Grose Wold Road fronting the school as outlined in Attachments 1 and 2. These measures will improve traffic movement through the area and also define the available parking areas.
- Trim and remove roadside vegetation to improve pedestrian access to assist in the prevention of pedestrians walking within the travel lane.
- NSW Police be requested to patrol Grose Wold Road within the school zone to address speeding.
- School safety education information be provided through Council's Road Safety Officer, Transport for NSW, and the Department of Education.

Draft concept designs for the treatments in Grose Wold Road are included in Attachments 1 and 2.

Treatments 1, 2 and 3 will require detailed design, concrete and pavement infrastructure works, lighting, line marking and signage. The provisional cost for these works is estimated at \$565,000. Initial enquiries will be made with Transport for NSW (TfNSW) under one of its Road Safety programmes for potential funding. If funding is not available through TfNSW, it is recommended that Council incorporate these works on its unfunded works program for prioritisation against competing projects in the preparation of future capital works programs.

Treatments 4 and 5 have been actioned to be undertaken as maintenance activities.

#### Summary:

As a result of the independent assessment undertaken of the site with a view to investigating traffic and pedestrian behaviour, the following recommended options to improve functionality and safety at this location are listed below.

1. Line marking improvements will result in the remark and installation of double barrier (BB) and edge (E1) line marking on both sides of Grose Wold Road fronting the school as outlined in Attachments 1 and 2. These measures will improve traffic movement through the area and define the available parking areas. These works have been actioned to be undertaken as a maintenance activity.

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2. Trimming and removal of roadside vegetation to improve pedestrian access will assist in the prevention of pedestrians walking within the travel lane. These works have been actioned to be undertaken as a maintenance activity.
3. The raising of the existing at-grade Pedestrian Wombat Crossing, converting the Wombat Crossing to a combined Children's Crossing, extension of the kerb and gutter and pavement works, installation of a 1.5m wide concrete footpath to the north and south of the school, adjacent to the proposed kerb and gutter works to improve functionality and safety at this location, as outlined in Attachments 1 and 2, will require an allocation of funding. Initial enquiries will be made with Transport for NSW (TfNSW) under one of its Road Safety programmes for potential funding. If funding is not available through TfNSW, it is recommended that Council incorporate these works on its unfunded works program for prioritisation against competing projects in the preparation of future capital works programs.
4. NSW Police be requested to patrol Grose Wold Road within the school zone to address speeding.
5. School safety education campaigns be administered through the joint TfNSW and Council Road Safety Programs as resources allow.

The proposed safety requirement of raising the pedestrian crossing is in keeping with pedestrian crossings fronting Schools needing to be raised wombat crossings. These works will improve safety of pedestrians using the pedestrian crossing and reducing the speed of vehicles travelling through this section of road. The proposed upgrade works will provide a link to the pedestrian crossing and ensure that the lighting at the crossing conforms to the Australian Standard.

**RECOMMENDATION TO COMMITTEE:**

That:

1. The proposed works along Grose Wold Road, Grose Wold adjacent to Grose View Public School, which includes raising of the existing at-grade Pedestrian Wombat Crossing, converting the Wombat Crossing to a combined Children's Crossing, extension of the kerb and gutter and pavement works, installation of a 1.5m wide concrete footpath to the north and south of the school, adjacent to the proposed kerb and gutter works to improve functionality and safety at this location, as outlined in Attachments 1 and 2 be endorsed.
2. NSW Police be requested to patrol Grose Wold Road within the school zone to address speeding.
3. School safety education information be provided through Council's Road Safety Officer, Transport for NSW, and the Department of Education.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Mary Lyons-Buckett, seconded by Ms Melissa Monroe.

Support for the recommendation: Unanimous support

That:

1. The proposed works along Grose Wold Road, Grose Wold adjacent to Grose View Public School, which includes raising of the existing at-grade Pedestrian Wombat Crossing, converting the Wombat Crossing to a combined Children's Crossing, extension of the kerb and gutter and pavement works, installation of a 1.5m wide concrete footpath to the north and south of the school, adjacent to the proposed kerb and gutter works to improve functionality and safety at this location, as outlined in Attachments 1 and 2 be endorsed.

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2. NSW Police be requested to patrol Grose Wold Road within the school zone to address speeding.
3. School safety education information be provided through Council's Road Safety Officer, Transport for NSW, and the Department of Education.

**4.1.2. LTC - Proposed Traffic Calming Road Safety Treatments along Francis Street, Richmond (Hawkesbury) - (80245, 123265)**

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**INTRODUCTION:**

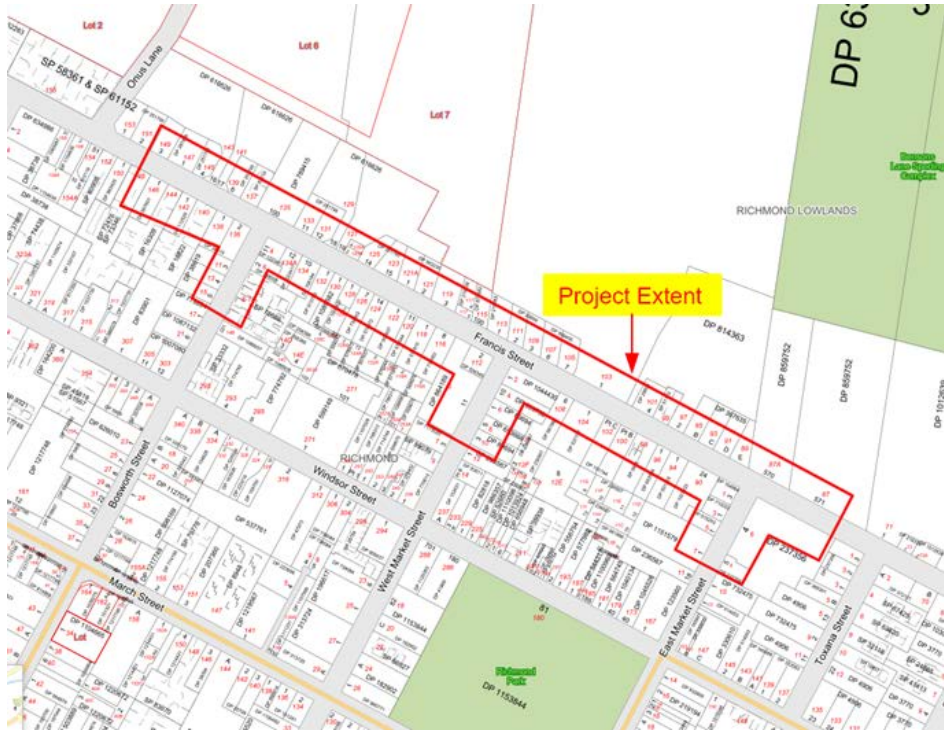
Funding to the value of \$5000,000 has been provided under the 2022/2023 Australian Government Black Spot Program to improve the safety and functionality along Francis Street, Richmond between Onus Lane and Toxana Street and within the extent outlined in Figure 1. This location, as a result of its injury crash history, has met the criteria for the funding.

**DISCUSSION:**

The works will include the following treatments:

- Installation of Speed Humps (Watts Profiles) and associated centre line (BB) and edge line (E1) linemarking along Francis Street between the following side streets:
  - a) Onus Lane and Bosworth Street
  - b) Bosworth Street and West Market Street
  - c) West Market Street and East Market Street.
- Installation of Pedestrian Refuges in:
  - a) Bosworth Street at Francis Street
  - b) East Market Street at Francis Street
- Installation of a single lane roundabout at the intersection of Francis Street and West Market Street.
- Speed Cushions in:
  - a) East Market Street in the north bound lane adjacent to the new Pedestrian Refuge.
  - b) Francis Street on both approaches to the on-grade pedestrian crossing between East Market Street and Toxana Street.





**Figure 1: Project Extent along Francis Street, Richmond**

The Crash pattern along Francis Street at this location is made up of the following road user movement (RUM) crashes; 'right far' (11), 'right through' (21), 'left off carriageway into object' (71), 'right off carriageway into object' (73) and 'off carriageway right into object' (85). There were five Injury Accidents recorded between July 2015 and June 2020. The crash locations are outlined in Figure 2 and Attachment 7.

The speed limit along Francis Street and adjacent side roads is 50km/h. Francis Street is on the north-eastern fringe of the Richmond business district. This area is a mix of residential and commercial, with a bus service that travels along Francis Street.



**Figure 2: Crash Diagram - Francis Street, Richmond**

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The provision of the Speed Humps (Watts Profiles) and associated centre line (BB) and edge line (E1) linemarking along Francis Street is to reduce the overall speed of vehicles travelling along this section of road. The treatments are generally mid block and located between Onus Lane and Bosworth Street, Bosworth Street and West Market Street, West Market Street and East Market Street, as well as the speed cushions on both approaches to the on-grade pedestrian crossing between East Market Street and Toxana Street. There are no proposed changes to existing parking restrictions along Francis Street due to the provision of the Speed Humps and Speed Cushions. Details are included in Attachments 2, 3 and 4.

The provision of the Pedestrian Refuges in Bosworth Street at Francis Street and East Market Street at Francis Street incorporating existing Giveway controls will improve pedestrian and traffic safety through better definition of the intersection layout, vehicle turning paths as well as defining the termination of both Bosworth Street and East Market Street at Francis Street.

The Pedestrian Refuge in Bosworth Street will require changes to the existing parking zones only in Bosworth Street. The proposed changes to the existing parking zones are to ensure minimum sight distance and vehicle manoeuvring requirements are met. The existing No Stopping zone on the north-western side of Bosworth Street will be extended by 10metres. This will result in the loss of approximately 1 parking space and is balanced by the safety improvements provided for both drivers and pedestrians. Details are included in Attachment 1.

The Pedestrian Refuge in East Market Street will require changes to the existing parking zones in both East Market Street and Francis Street. The proposed changes to the existing parking zones are to ensure minimum sight distance and vehicle manoeuvring requirements are met. The existing No Stopping zone on the north-western and south-eastern side of East Market Street will be extended by 10metres. The existing No Stopping zone on the north-eastern side of Francis Street will be extended in a north-westerly direction by 24 metres opposite to the intersection. These changes to the parking restrictions will result in the loss of approximately 6 parking spaces and is balanced by the safety improvements provided for both drivers and pedestrians. Details are included in Attachment 3.

The provision of the single lane roundabout at the intersection of Francis Street and West Market Street is to provide traffic calming and mitigate potential collisions at the intersection. The roundabout will provide safer turning within the intersection, with the approach splitter islands providing refuge for pedestrians crossing both roads. The existing intersection is a T-Junction with the priority through movement along Francis Street, with West Market Street being the controlled movement with Give Way controls.

The design for the roundabout has been undertaken which includes, traffic calming devices, pedestrian refuge facilities, line marking, lighting and signage. As part of the design process a road safety audit has also been undertaken.

As part of the intersection improvements, the functionality of the intersection and its approach roads will alter. This will result in changes to the existing on-street parking in both Francis Street and West Market Street as these changes are required to improve safety at this location as well as allow the roundabout to function. The existing No Stopping zones on both the north-western and south-eastern side of West Market Street will be extended by 10metres. The existing No Stopping zones on the south-western side of Francis Street will be extended in a north-westerly direction by 5 metres and 15 metres in a south-easterly direction. The north-eastern side of Francis Street will be provided with a new No Stopping zone for a distance of 56 metres which will be opposite the intersection. These changes to the parking restrictions will result in the loss of approximately 12 parking spaces (taking into consideration there are existing driveways within the proposed zones) with the loss of parking balanced by the safety improvements provided for both drivers and pedestrians. Details are included in Attachment 5.

The proposed roundabout is considered to be the most effective means of improving road safety with an overall benefit to the community by treating the accident trend at this location as well as reducing speed and providing improved manoeuvring at the intersection.

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Other options of traffic calming devices such as chicanes were considered but did not provide the overall benefit compared to the roundabout, and/or resulted in a greater loss of on-street parking which could not be justified given their reduced efficacy. The chicanes are not suited close to an intersection and generally the positioning of these devices is restricted due to the close proximity of driveways that result in access issues. The resultant loss of parking to facilitate chicanes on both approaches along Francis Street will require further losses in street parking compared to the proposed roundabout. Roundabouts are known to reduce certain accident trends by up to 70%. The proposed roundabout provides for the following benefits which include:

- Providing a clear right of way opportunity for vehicles and helps manage traffic flows in the road network.
- Speeds are reduced as the roundabout acts as traffic calming due to the horizontal deflection.
- Pedestrian safety is improved as pedestrians have a two stage crossing opportunity with their exposure to the roadway reduced.

The provision of these safety improvements will result in the loss of 19 parking spaces which is balanced by the safety improvements provided for across the broader community for both drivers and pedestrians. Further parking is available within this area, with the existing parking currently not being fully utilised.

Details of the turning paths in relation to the proposed pedestrian refuges and the roundabout are included in Attachments 1, 3, 6 and 7 to this report. Bus movements are in a straight direction along Francis Street at West Market Street with some turns undertaken at East Market Street. The roundabout can accommodate the straight movement through the roundabout for both buses (12.5metres) and Semi-trailers (19metres).

#### **Consultation:**

Consultation with residents generally within the extent of the proposed works and as outlined in Figure 1 was undertaken in November 2022. Responses were only received from two residents in the vicinity of the proposed roundabout location providing feedback based on the potential loss of parking and requiring further details. These residents did not object to the proposed roundabout.

After the Completion of the detailed design for the roundabout, further consultation was undertaken by way of face-to-face meetings in May 2023 with residents in the vicinity of the roundabout. At this point objections were received from residents located at Nos. 111 and 113 Francis Street due to the proposed roundabout layout which they indicated would affect their driveway access. Adjustment to the driveways at the kerb line were undertaken in the design to incorporate further widening and improve turning movements to alleviate their concerns. Specific turning path diagrams were presented to these resident to demonstrate that their vehicles could manoeuvre in and out of their properties unimpeded by the proposed roundabout.

Access to No. 113 has been further enhanced by modifying one of the median Island on the departure side of the kerb line to be a painted Island. This further improves the left turn into the property with other access available by turning right from Francis Street as well as travelling straight along West Market Street. The roundabout will provide additional protection for the vehicle turning into the property as approaching vehicles need to give way whilst the turning vehicle is within the roundabout. Attachment 7 provides details on how the vehicle can manoeuvre both in a forward direction and reverse out of the property. In addition to this, there is existing available space within No. 113 for a vehicle to turnaround and leave the property in a forward direction.

Further concerns were raised by residents in the vicinity of the roundabout with a meeting held on site on 16 August 2023 to work through their concerns. At this meeting, three key objections were raised:

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- Impacts on access/egress to house no. 113
- Loss of on-street parking, and
- Heavy vehicle (19m articulated) access along Francis Street in both directions

While no further changes to the design resulted from this meeting, the traffic calming options were again reviewed and the roundabout determined to be the most appropriate solution, balancing broad community need with impacts on residents. Additionally, further analysis of the access/egress to house no. 113 was undertaken and determined that there would be no undue constraints.

As has been mentioned, the roundabout represents the option with the lesser amount of lost on-street parking. The other alternative, being the chicanes, would likely result in a greater loss of on-street parking across a larger area and impacting on more residents.

A check was undertaken of the swept path for a 19m articulated heavy vehicle and it was confirmed that there would be no access issues in either direction of travel along Francis Street.

In relation to the proposed Speed Humps (Watts Profiles), further consultation was undertaken in June 2023 with residents adjacent to the proposed facilities with no objections received. The consultation was undertaken by door-knocking these properties.

**Summary:**

It is proposed that the provision of traffic safety and traffic calming treatments which include Speed Humps (Watts Profiles), Speed Cushions, Pedestrian Refuges and a Single Lane Roundabout, with associated linemarking, signage and lighting, to improve the safety and functionality along Francis Street, Richmond between Onus Lane and Toxana Street, Richmond be undertaken in accordance with the details outlined in Attachments 1 to 7 (Project No. 23006).

It is noted that the provision of these safety improvements will result in the loss of 19 parking spaces which is balanced by the safety improvements provided for across the broader community for both drivers and pedestrians.

**RECOMMENDATION TO COMMITTEE:**

That the provision of traffic safety and traffic calming treatments which include Speed Humps (Watts Profiles), Speed Cushions, Pedestrian Refuges and a Single Lane Roundabout, with associated linemarking, signage and lighting, to improve the safety and functionality along Francis Street, Richmond between Onus Lane and Toxana Street, Richmond be undertaken in accordance with the details outlined in Attachments 1 to 7 (Project No. 23006).

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Ms Melissa Monroe, seconded by Inspector Mark Harvey.

Support for the Recommendation: Unanimous support

That the provision of traffic safety and traffic calming treatments which include Speed Humps (Watts Profiles), Speed Cushions, Pedestrian Refuges and a Single Lane Roundabout, with associated linemarking, signage and lighting, to improve the safety and functionality along Francis Street, Richmond between Onus Lane and Toxana Street, Richmond be undertaken in accordance with the details outlined in Attachments 1 to 7 (Project No. 23006).

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**4.2. SPECIAL EVENTS**

**4.2.1. LTC - Hanna Park Carols 2023 - (Hawkesbury) - (80245, 76799)**

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**INTRODUCTION:**

An application has been received on behalf of Hawkesbury Valley Baptist Church seeking approval (in traffic management terms) to conduct the Hanna Park Carols 2023 event within Hanna Park, North Richmond, on Saturday, 23 December 2023.

The event organiser has advised:

- This event has been held previously.
- The event is a non-profit, volunteer based event held by Hawkesbury Valley Baptist Church. Entry to the event is free and open to the public.
- The event is a family focused Carols by Candlelight event with food stalls, children's activities, live music and a fireworks display.
- The event will be conducted between 4:30pm and 9:30pm. The set up and pack down times are between 8am and midnight.
- The event will be held within Hanna Park at the end of Beaumont Avenue, North Richmond.
- The event is expected to attract approximately 5,000 spectators.
- Pedestrians can access Hanna Park either from Beaumont Avenue or from the south western side of Bells Line of Road by the concrete path which is situated under the bridge.
- Parking for vehicles will be provided within Hanna Park with all vehicles gaining access from Beaumont Avenue. Event Marshalls will be used to direct traffic into the event parking area.
- Pedestrian will be able to walk directly from the car parking area into the event without crossing roads.
- To allow the setup and pack up for the event and prevent parking in the Hanna Park car park, the car park will be closed from 8am to midnight on Saturday, 23 December 2023.
- Due to the event being family focused, families with younger children generally start leaving the event around 7:30pm after the first carols session and the completion of the Santa visit.
- With the previous events there has been traffic congestion through the intersection of Bells Line of Road and Terrace/Grose Vale Road. The traffic congestion has been evident prior to and mainly after the event. With parking for the event being onsite, at the conclusion of the event there is a rush of cars leaving the event which are queued all the way along Beaumont Road to the intersection of Bells Line of Road. It can take up to an hour for the traffic to clear from the site. To improve traffic flow from the site, Transport for NSW – TfNSW (formerly TMC) has been approached to temporarily alter the phasing of the signalised intersection.

**DISCUSSION:**

It would be appropriate to classify the event as a "Class 2" special event under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW

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(formerly RTA/RMS) as the event may impact on minor traffic and transport systems and there may be low scale disruption to the non-event community.

Access to Hanna Park is from Beaumont Avenue which is a dead end road that extends from Terrace Road for a distance of approximately 625 metres. At the end of Beaumont Avenue is the entrance to Hanna Park with the only side street along Beaumont Avenue being Norfolk Place, positioned approximately 125 metres prior to the end of the road. The road is sealed for its full length with a speed limit of 50kph.

To ensure the free flow of traffic to and from the event, the event organiser is to liaise with Transport for NSW – TfNSW (formerly TMC) to review and implement changes to the signal function at the intersection of Bells Line of Road, Terrace Road and Grose Vale Road during the event period. Alternatively NSW Police could be approached to take control of the intersection. Improvements to traffic flow through the intersection will ensure that those attending the event will utilise the car park within the site. Parking of vehicles within the site will ensure a safer passage for pedestrians.

The event organiser has submitted the following items in relation to the event: Attachment 3 (ECM Document Set ID No: 8526980):

- Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
- Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
- Special Event Transport Management Plan Template – RTA (Transport for NSW – TfNSW),
- Event and Parking Layout Plan and Special Event Traffic Management Plan that requires updating to include details on the operation of the Bells Line of Road Traffic signals provided by TfNSW.
- Copy of Insurance Policy which is valid to 30 September 2023, and also does not include Hawkesbury City Council and the Transport for NSW – TfNSW (formerly RTA/RMS) as Interested Parties.
- Copy of the application to the NSW Police Force.

#### RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <https://www.hawkesbury.nsw.gov.au/your-council/events/traffic-management-for-special-events>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Hanna Park Carols 2023 event within Hanna Park and accessed from Beaumont Avenue, North Richmond, on Saturday, 23 December 2023 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).

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3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions;

#### **Prior to the event:**

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) to alter the operation of the traffic signals at the intersection of Bells Line of Road, Terrace Road and Grose Vale Road, North Richmond; a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire event incorporating a Traffic Control Plan (TCP) which is to include details of the alteration to operations of the signalised intersection of Bells Line of Road, Terrace Road and Grose Vale Road, North Richmond to Council for acknowledgement and Transport for NSW – TfNSW (formerly RTA/RMS) for concurrence. The TCP should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and Transport for NSW – TfNSW (formerly RTA/RMS) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;

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

**During the event:**

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



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for NSW – TfNSW (formerly RTA/RMS);

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

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Mary Lyons-Buckett, seconded by Ms Melissa Monroe.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <https://www.hawkesbury.nsw.gov.au/your-council/events/traffic-management-for-special-events>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Hanna Park Carols 2023 event within Hanna Park and accessed from Beaumont Avenue, North Richmond, on Saturday, 23 December 2023 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions;

**Prior to the event:**

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

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provided to assist in identifying and controlling risks);

- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) to alter the operation of the traffic signals at the intersection of Bells Line of Road, Terrace Road and Grose Vale Road, North Richmond; a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire event incorporating a Traffic Control Plan (TCP) which is to include details of the alteration to operations of the signalised intersection of Bells Line of Road, Terrace Road and Grose Vale Road, North Richmond to Council for acknowledgement and Transport for NSW – TfNSW (formerly RTA/RMS) for concurrence. The TCP should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and Transport for NSW – TfNSW (formerly RTA/RMS) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. As the event requires occupation and traffic control on a public road, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4h. the event organiser is to obtain written approval from Council for the use of Hanna Park;
- 4i. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4j. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4k. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4l. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the

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event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;

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

**During the event:**

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

**4.2.2. LTC - Bridge to Bridge Water Ski Classic 2023 - (Hawkesbury) - (80245, 74204)**

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**INTRODUCTION:**

An application has been received from the NSW Water Ski Federation Ltd, seeking approval (in traffic management terms) to conduct the Bridge to Bridge Water Ski Classic 2023 event on Saturday, 25 and Sunday, 26 November 2023.

The event organiser has advised;

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- The Bridge to Bridge Water Ski Classic is an annual water ski racing event along the Hawkesbury River extending from Dangar Island, Brooklyn to Governor Phillip Park, Windsor for a distance of approximately 112 kilometres.
- This annual event has been held since 1961 and is a regular feature of the local community calendar in the Hawkesbury area and is also an internally renowned event.
- Event Schedule:
  - Saturday, 25 November 2023: 7am – 5pm.
  - Starting at Sackville Ski Gardens and finishing at Governor Phillip Park, Windsor.
  - Sunday, 26 November 2023: 7am – 5pm.
  - Starting at Danger Island Brooklyn and finishing at Governor Phillip Park, Windsor.
- The suspension of ferry services, controlled by Transport for NSW – TfNSW (formerly RTA/RMS) and Council, is required on Sunday, 26 November 2023:
  - Wisemans Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
  - Webbs Creek Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
  - Lower Portland Ferry (HCC): 8:30am to 3pm
  - Sackville Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 3pm
- The suspension of the ferry services is required for safety reasons. Emergency vehicles will be allowed access at all times. The ferries will operate in the event of an emergency and competitors will be stopped to ensure the safety of all.
- Safety Vessels with crew will be placed downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between the boat and ferry vessel. Such procedures will be implemented to the satisfaction of Transport for NSW – TfNSW (formerly RTA/RMS) and Hawkesbury City Council.
- Transport for NSW – TfNSW (formerly RTA/RMS) and Hawkesbury City Council will be delegated authority to alter ferry suspension times if necessary.
- Alternate routes for traffic are available which include travelling via Putty Road to Windsor on the western side and via Pitt Town, Cattai and Wisemans Ferry Roads to Windsor on the eastern side of the River.
- The event will be held within Governor Phillip Park located at the northern end of George Street, Windsor.
- Windsor boat ramp will be closed to the public on both days.
- The number of participants expected is approximately 400 for the event, which includes 100 boats in teams of 4.
- There will be approximately 1,500 spectators for the event at the finish venue in Windsor.

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- There will be an increase to traffic flow on roads surrounding Governor Phillip Park and there may be considerable impacts on traffic using Windsor Road, Bridge Street, Macquarie Street and Wilberforce Road.
- It is expected that residents on George Street, Palmer Street, North Street, Arndell Street and Court Street may be affected due to the increased traffic flow.
- Parking will be at Governor Phillip Park, with access to the Event Parking area provided from Palmer Street.
- Traffic controllers will manage the entry into the event car park in Palmer Street and to manage event patrons crossing the internal access road within the park to the event parking in the field adjacent to Governor Phillip Park accessed from Palmer Street and manage access to the boat ramp.
- Vehicles can approach the access point into the Event Parking area from the direction of either George Street or Court Street.
- With the completion of the new Windsor Bridge and the upgrade of the intersection of Bridge Street and George Street from a roundabout to traffic signals, access for traffic to Governor Phillip Park has changed.
- With the installation of the new traffic signals, to maintain traffic flow in Bridge Street, the right turn from Bridge Street (northbound) into George Street (eastbound) is now prohibited and all traffic is required to turn right at Court Street at the uncontrolled intersection.
- As Bridge Street is effectively one lane at Court Street, allowing event traffic to turn right at this location has the potential to increase congestion and as such it is proposed to ban the right turn into and out of Court Street at Bridge Street between 7am and 4pm on Saturday 25 and Sunday 26 November 2023.
- Traffic that would normally turn right into Court Street will be detoured over the Windsor Bridge to perform a U-turn at the new roundabout at Freemans Reach Road, return back over the Bridge and then turn left into George Street or at Court Street for vehicles over 9metres in length.
- Traffic turning right out of Court Street will be detoured to the traffic signals at George Street.
- All traffic movements in Court Street will be restricted to left in/left out at Bridge Street to manage event traffic, improve road safety and maintain traffic flow in Bridge Street/Windsor Road.
- A detour route will be signposted to direct vehicles travelling from the south to continue north along Bridge Street over the new Windsor Bridge and perform a U-turn at the roundabout on the northern side of the bridge at Freemans Reach Road to travel south along the Bridge and turn left into George Street or at Court Street for vehicles over 9metres in length.
- Vehicles travelling from the west along Macquarie Street will turn right into Bridge Street and then left into Court Street.
- Variable Message Signs (VMS) signs will be used to inform traffic and detour routes signposted. A VMS plan with three VMS boards located at key locations and detour plan that guides event traffic and local road network traffic has been prepared.
- Variable Message Signs (VMS) will be provided to inform traffic on how to enter the Event site and will be located at;

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- Bridge Street, Windsor - North Bound near Court Street,
  - Bridge Street, Windsor - North Bound near George Street,
  - Bridge Street, Windsor - South Bound near George Street.
- In addition to the proposed traffic restrictions at Court Street and Bridge Street, road closures are required on the approach roads to the four ferries along the Hawkesbury River.
  - The River will be closed for the duration of the event on each of the two days along the length of the event course.
  - When the event concludes at 5pm on both Saturday and Sunday and the patrons are leaving, the traffic volumes on Bridge Street will be lower than the peak periods during the earlier part of the day. Furthermore as all queuing is contained within the local road network, it is anticipated that there will be minimal delays to regional traffic.
  - Approval by way of exclusive use is being sought to utilise Governor Phillip Park for the event.

Details of the Event Traffic Control and VMS Plans are contained in Attachments 1 to 3.

**DISCUSSION:**

The event organiser is seeking Council and Transport for NSW – TfNSW (formerly RTA/RMS) approval for the suspension of the following Ferry Services on Sunday, 26 November 2023:

- Wisemans Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Webbs Creek Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Lower Portland Ferry (HCC): 8:30am to 3pm
- Sackville Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 3pm

The total suspension of the ferries will enable a free flow of competitors across the ferry crossings. The four ferries will be suspended generally between 8:30am to 1pm with the Lower Portland Ferry and Sackville Ferry closure times extending to 3pm as these two ferries are further along the course route.

Ferry operations are not affected on Saturday, 25 November 2023, as Wiseman Ferry, Webbs Creek Ferry, Sackville Ferry and Lower Portland Ferry are all located downstream of the Sackville Ski Gardens.

Emergency vehicles will be allowed access onto the ferries. Safety vessels with crew will be placed downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between the boat and the ferry vessel.

Lower Portland Ferry Service is under the care and control of Hawkesbury City Council. The Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry services are under the care and control of Transport for NSW – TfNSW (formerly RTA/RMS).

The event will be held principally along the Hawkesbury River with the event organiser requesting exclusive use of the River from Transport for NSW – TfNSW (formerly NSW Maritime). The participants/spectators travelling to the event, and in particular to Governor Phillip Park, may impact heavily on the state road network along Windsor Road, Macquarie Street, Wilberforce Road and Bridge Street as well as the local roads such as George Street and Court Street.

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With the completion of the new Windsor Bridge and the upgrade of the intersection of Bridge Street and George Street from a roundabout to traffic signals, access for traffic to Governor Phillip Park has changed. The Management measures proposed have been previously discussed between Police, TfNSW and Council to ensure that traffic movement is not compromised in particular at the intersection of Bridge Street and Court Street. These measures have been utilised for other events held recently at Governor Phillip Park.

A summary of the traffic management measures is listed below:

- Temporary turn restrictions at the intersection of Bridge Street (State Road) and Court Street between 7am and 4pm on Saturday 25 and Sunday 26 November 2023.
- All traffic movements in Court Street will be restricted to left in/left out at Bridge Street (State Road) to manage event traffic, improve road safety and maintain traffic flow in Bridge Street/Windsor Road.
- A traffic control vehicle will be parked in the centre of Court Street with barrier boards and traffic cones used to delineate and enforce the No Right Turn restrictions.
- A detour route will be signposted to direct vehicles travelling from the south to travel north along Bridge Street over the new Windsor Bridge and perform a U-turn at the roundabout on the northern side of the bridge at Freemans Reach Road and then travel south along Bridge Street to turn left into George Street or at Court Street for vehicles over 9metres in length.
- Traffic turning right out of Court Street will be detoured to the traffic signals at George Street via either Arndell Street or Palmer Street.
- Vehicles travelling from the west along Macquarie Street will turn right into Bridge Street and then left into Court Street.
- VMS's will be used to inform traffic and all detour routes signposted.

The suspension of the Ferry services and subsequent road closures leading to these ferries namely, Wisemans Ferry affecting Settlers Road (Transport for NSW Ferry), Webbs Creek Ferry affecting St Albans Road (Transport for NSW Ferry), Sackville Ferry affecting Sackville Road (Transport for NSW Ferry) and Lower Portland Ferry affecting the Ferry Road off West Portland Road (HCC Ferry), will have an impact on the adjacent road network in the vicinity of the ferries. The suspension of the Transport for NSW ferries is affectively closing a State road. It would be appropriate to classify the event as a "Class 1" special event under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).

As the event is classified as a "Class 1" event, approval is to be sought directly by the event organiser for the suspension of the Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry services from Transport for NSW – TfNSW (formerly TMC).

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document Set ID No: 8544208):

- Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
- Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
- Special Event Transport Management Plan Template – RTA (Transport for NSW – TfNSW),

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### 5. REPORTS OF COMMITTEES

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- Special Event Traffic Management Plan.

The Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) once updated and completed are to be submitted to Transport for NSW – TfNSW (formerly TMC) for authorisation due to the proposed road and ferry closures.

#### RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <https://www.hawkesbury.nsw.gov.au/your-council/events/traffic-management-for-special-events>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Bridge to Bridge Water Ski Classic 2023 event planned for Saturday 25 and Sunday, 26 November 2023 by the NSW Water Ski Federation Ltd, be classified as a "Class 1" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted, the following traffic control measures:
  - a) Temporary turn restrictions at the intersection of Bridge Street (State Road) and Court Street between 7am and 4pm on Saturday 25 and Sunday 26 November 2023. All traffic movements in Court Street will be restricted to left in/left out at Bridge Street to manage event traffic, improve road safety and maintain traffic flow in Bridge Street/Windsor Road.
  - b) Partial road closure permitted at the access point into Governor Phillip Park at the intersection of George Street and Palmer Street, Windsor between 7am and 4pm on Saturday 25 and Sunday 26 November 2023.

and the following conditions:

#### **Prior to the event:**

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of



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meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);

- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) as this is a "Class 1" event, the road closures resulting from the suspension of the HCC and TfNSW (formerly RTA/RMS) ferries and the traffic movements and restrictions along Bridge Street (State Road) and its intersections with George Street and Court Street, Windsor and the proposed turn restrictions at the intersection of Bridge Street and Court Street between 7am and 4pm on Saturday 25 and Sunday 26 November 2023 where all traffic movements in Court Street will be restricted to left in/left out at Bridge Street, Windsor; a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating Traffic Control Plans (TCPs) for the entire route which need to include details such as the specific position of barriers, signs etc, required for the proposed ferry/road closures and traffic diversions, and how traffic will be managed along Bridge Street, Windsor taking into account the traffic movements and restrictions along Bridge Street and its intersections with George Street and Court Street, to Council for acknowledgement and Transport for NSW – TfNSW (formerly TMC) for concurrence. The TCP should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 noting Council and Transport for NSW – TfNSW (formerly TMC and RTA/RMS) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event requires traffic control on Council roads and the closure of public roads due to the suspension of Ferry services, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the roads;
- 4h. the event organiser is to obtain the relevant approval to conduct the event along the Hawkesbury River from Transport for NSW – TfNSW (formerly NSW Maritime); a copy of this approval to be submitted to Council;
- 4i. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4j. the event organiser is to advise all adjoining Councils such as Central Coast, The Hills

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### 5. REPORTS OF COMMITTEES

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and Hornsby of the event and in particular the suspension of the ferries and obtain any necessary approvals from these Councils; a copy of this approval to be submitted to Council;

- 4k. the event organiser is to obtain written approval from Council for the use of Governor Phillip Park;
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4m. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4n. the event organiser is to directly notify relevant ferry operators, bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4o. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4p. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

#### **During the event:**

- 4q. access is to be maintained for businesses, residents and their visitors;
- 4r. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4s. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4t. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route ( including the road closure points for the ferry closures), during the event, under the direction of a traffic controller holding appropriate certification as required by Transport for NSW – TfNSW (formerly

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RTA/RMS);

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

**Ferry Services**

- 5. The applicant is to seek approval from Transport for NSW – TfNSW (formerly TMC and RTA/RMS), for the suspension of the Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry services, due to the event being classified as a Class 1 event. There is no objection to the suspension of the Lower Portland Ferry Service.

Suspension of the ferry services on Sunday, 26 November 2023 as listed below:

- Wisemans Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Webbs Creek Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Lower Portland Ferry (HCC): 8:30am to 3pm
- Sackville Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 3pm

is subject to the applicant complying with the following conditions, as well as any conditions imposed by Transport for NSW – TfNSW (formerly TMC):

- 5a. the applicant is to contact Hawkesbury City Council's Infrastructure Operations Section and the Ferry operator, three weeks prior to the event with regard to the suspension of the Lower Portland Ferry service maintained by Hawkesbury City Council;
- 5b. advertising of the proposed event is to be undertaken at the expense of the event organiser in both Sydney and Local newspapers, two weeks prior to the event, in relation to:
  - traffic impact and delays,
  - exclusive use of Governor Phillip Park,
  - timings of suspension/operation of ferry services,

such notice is to be incorporated in the news sections of those newspapers and to be approximately 1/8 (one-eighth) page size;

- 5c. signs are to be erected at the expense of the event organiser in locations indicated in the approved Transport Management Plan and Traffic Control Plan and at a size indicated in the same, on all roads leading to the ferries, as well as on each ferry, for at least two weeks prior to the event;
- 5d. safety precautions outlined in the TMP are to be in place at all ferry locations, such to include a boat and crew upstream and/or downstream from each ferry as applicable with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and the ferry vessel, such procedures are to be

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implemented to the satisfaction of Transport for NSW – TfNSW (formerly TMC, RTA/RMS and NSW Maritime) and Hawkesbury City Council; and,

- 5e. Transport for NSW – TfNSW (formerly TMS and RTA/RMS) and Council be authorised to alter ferry suspension/operation times if necessary.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Mary Lyons-Buckett, seconded by Ms Melissa Monroe.

Support for the Recommendation: Unanimous Support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <https://www.hawkesbury.nsw.gov.au/your-council/events/traffic-management-for-special-events>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Bridge to Bridge Water Ski Classic 2023 event planned for Saturday 25 and Sunday, 26 November 2023 by the NSW Water Ski Federation Ltd, be classified as a "Class 1" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted, the following traffic control measures:
  - a) Temporary turn restrictions at the intersection of Bridge Street (State Road) and Court Street between 7am and 4pm on Saturday 25 and Sunday 26 November 2023. All traffic movements in Court Street will be restricted to left in/left out at Bridge Street to manage event traffic, improve road safety and maintain traffic flow in Bridge Street/Windsor Road.
  - b) Partial road closure permitted at the access point into Governor Phillip Park at the intersection of George Street and Palmer Street, Windsor between 7am and 4pm on Saturday 25 and Sunday 26 November 2023.

and the following conditions:

**Prior to the event:**

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at

## ORDINARY MEETING

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least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);

- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) as this is a "Class 1" event, the road closures resulting from the suspension of the HCC and TfNSW (formerly RTA/RMS) ferries and the traffic movements and restrictions along Bridge Street (State Road) and its intersections with George Street and Court Street, Windsor and the proposed turn restrictions at the intersection of Bridge Street and Court Street between 7am and 4pm on Saturday 25 and Sunday 26 November 2023 where all traffic movements in Court Street will be restricted to left in/left out at Bridge Street, Windsor; a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating Traffic Control Plans (TCPs) for the entire route which need to include details such as the specific position of barriers, signs etc, required for the proposed ferry/road closures and traffic diversions, and how traffic will be managed along Bridge Street, Windsor taking into account the traffic movements and restrictions along Bridge Street and its intersections with George Street and Court Street, to Council for acknowledgement and Transport for NSW – TfNSW (formerly TMC) for concurrence. The TCP should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 noting Council and Transport for NSW – TfNSW (formerly TMC and RTA/RMS) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event requires traffic control on Council roads and the closure of public roads due to the suspension of Ferry services, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the roads;
- 4h. the event organiser is to obtain the relevant approval to conduct the event along the Hawkesbury River from Transport for NSW – TfNSW (formerly NSW Maritime); a copy of

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**5. REPORTS OF COMMITTEES**  
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this approval to be submitted to Council;

- 4i. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4j. the event organiser is to advise all adjoining Councils such as Central Coast, The Hills and Hornsby of the event and in particular the suspension of the ferries and obtain any necessary approvals from these Councils; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain written approval from Council for the use of Governor Phillip Park;
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4m. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4n. the event organiser is to directly notify relevant ferry operators, bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4o. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4p. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

**During the event:**

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

**ORDINARY MEETING**

**5. REPORTS OF COMMITTEES**

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area, are to hold appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);

- 4t. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route ( including the road closure points for the ferry closures), during the event, under the direction of a traffic controller holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4u. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4v. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity,

**Ferry Services**

5. The applicant is to seek approval from Transport for NSW – TfNSW (formerly TMC and RTA/RMS), for the suspension of the Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry services, due to the event being classified as a Class 1 event. There is no objection to the suspension of the Lower Portland Ferry Service.

Suspension of the ferry services on Sunday, 26 November 2023 as listed below:

- Wisemans Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Webbs Creek Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Lower Portland Ferry (HCC): 8:30am to 3pm
- Sackville Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 3pm

is subject to the applicant complying with the following conditions, as well as any conditions imposed by Transport for NSW – TfNSW (formerly TMC):

- 5a. the applicant is to contact Hawkesbury City Council's Infrastructure Operations Section and the Ferry operator, three weeks prior to the event with regard to the suspension of the Lower Portland Ferry service maintained by Hawkesbury City Council;
- 5b. advertising of the proposed event is to be undertaken at the expense of the event organiser in both Sydney and Local newspapers, two weeks prior to the event, in relation to:
  - traffic impact and delays,
  - exclusive use of Governor Phillip Park,
  - timings of suspension/operation of ferry services,

such notice is to be incorporated in the news sections of those newspapers and to be approximately 1/8 (one-eighth) page size;

- 5c. signs are to be erected at the expense of the event organiser in locations indicated in the approved Transport Management Plan and Traffic Control Plan and at a size indicated in the same, on all roads leading to the ferries, as well as on each ferry, for at least two

**ORDINARY MEETING**

**5. REPORTS OF COMMITTEES**

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- weeks prior to the event;
- 5d. safety precautions outlined in the TMP are to be in place at all ferry locations, such to include a boat and crew upstream and/or downstream from each ferry as applicable with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and the ferry vessel, such procedures are to be implemented to the satisfaction of Transport for NSW – TfNSW (formerly TMC, RTA/RMS and NSW Maritime) and Hawkesbury City Council; and,
- 5e. Transport for NSW – TfNSW (formerly TMS and RTA/RMS) and Council be authorised to alter ferry suspension/operation times if necessary.

**4.3. FOR INFORMATION**

There were no reports for Information.

**5. GENERAL BUSINESS**

There was no general business.

The next Local Traffic Committee meeting is proposed to be held on Monday, 9 October 2023 at 3.00pm.

The meeting terminated at 3:30pm.

**oooO END OF REPORT Oooo**



**ORDINARY MEETING**

**6. NOTICES OF MOTION**

**Meeting Date:** 10 October 2023

**6. NOTICES OF MOTION**

Nil Reports.

**ORDINARY MEETING**

**7. QUESTIONS FOR NEXT MEETING**

**Meeting Date:** 10 October 2023

**7. QUESTIONS FOR NEXT MEETING**

**7.1.1 Responses to Councillor Questions Taken on Notice at the Council Meeting - 12 September 2023**

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The following questions were raised from Councillors regarding matters on the Council Meeting Business Paper of 12 September 2023. These questions were taken on notice and the responses are provided below:

<b>#</b>	<b>Councillor</b>	<b>Question</b>	<b>Response</b>
1	Kotlash	Has Sydney Water gifted land in any other jurisdictions?	Officers have enquired of Sydney Water as to whether or not they have gifted land in any other jurisdictions.
2	Wheeler	Do we know if Council has up to date fire safety statements on all the buildings that Council is responsible for. How comprehensive and up to date is the full register of properties.	Officers are compiling this information and will provide a further update at a future Council meeting.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

**8. CONFIDENTIAL REPORTS**

**Meeting Date:** 10 October 2023

**8. CONFIDENTIAL REPORTS**

**8.1 MAYORAL MINUTE**

**8.1.1. MM - Staff Matter**

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**REASON FOR CONFIDENTIALITY**

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

*Specifically, the matter is to be dealt with pursuant to Section 10A(2)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).*

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

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**ORDINARY MEETING**  
**8. CONFIDENTIAL REPORTS**  
**Meeting Date: 10 October 2023**

**8.2. GENERAL MANAGER**

Nil Reports.

**8.3. CITY PLANNING**

Nil Reports.

**8.4. CORPORATE SERVICES**

Nil Reports.

**8.5. INFRASTRUCTURE SERVICES**

Nil 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.