



Hawkesbury City Council

ordinary  
meeting  
business  
paper

date of meeting: 23 February 2021

location: council chambers and by  
audio-visual link

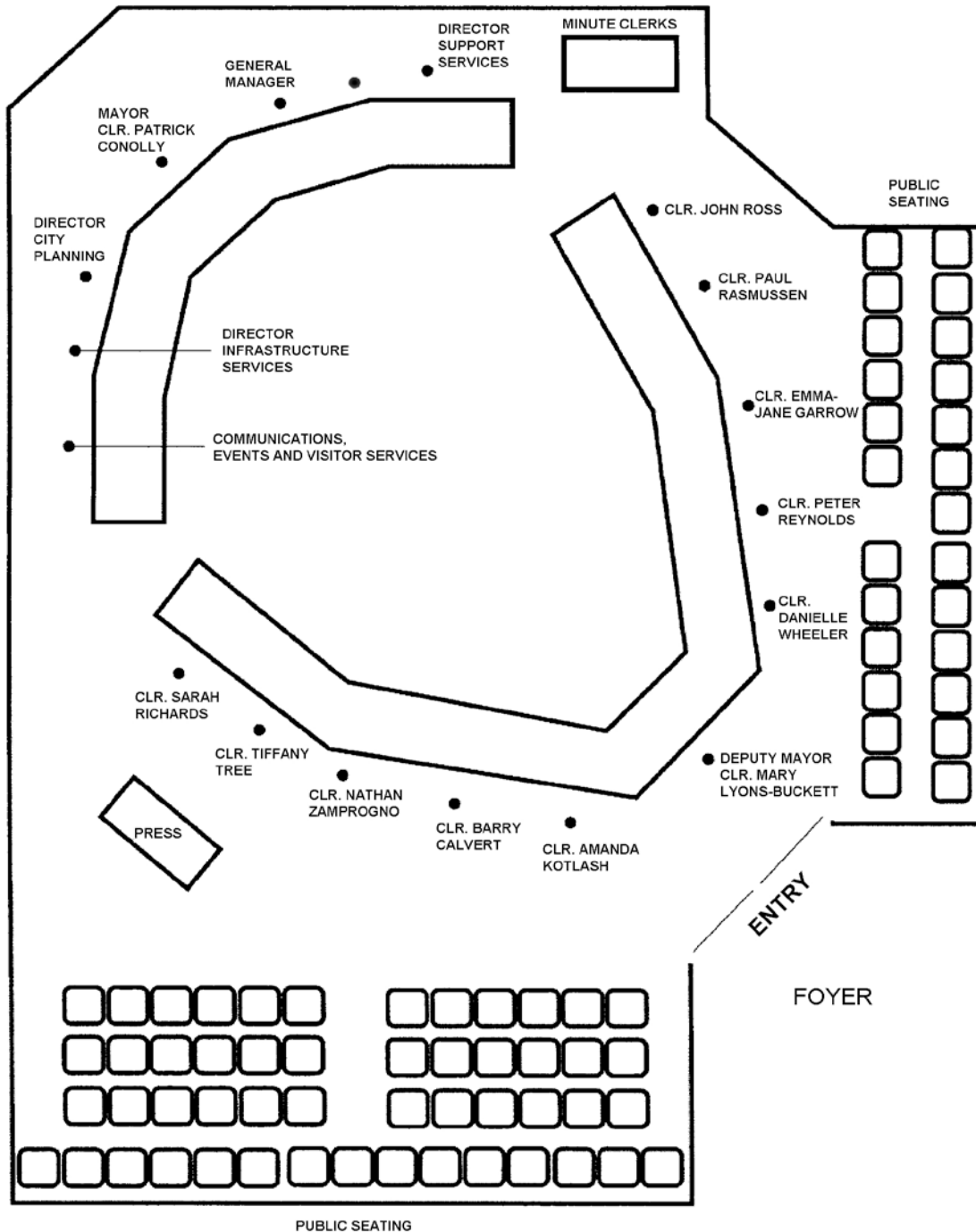
time: 6:30 p.m.



# mission statement

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

# Hawkesbury City Council





**ORDINARY MEETING**  
**Table of Contents**  
**Meeting Date: 23 February 2021**

**TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
<b>PROCEDURAL MATTERS</b>		<b>3</b>
<b>SECTION 1 - Confirmation of Minutes</b>		<b>6</b>
<b>SECTION 2 – Mayoral Minutes</b>		<b>9</b>
Item: 027	MM - Budget Process - (125610)	9
<b>SECTION 3 – Reports for Determination</b>		<b>13</b>
<b>PLANNING DECISIONS</b>		<b>13</b>
Item: 028	CP - Hawkesbury Local Strategic Planning Statement 2040 - (95498, 124414)	13
Item: 029	CP - Vineyard Precinct Stage 1 Contributions Plan - (95498, 124414)	17
Item: 030	CP - Update on Kurmond-Kurrajong Investigation Area Structure Plan - (124414, 95498)	25
<b>GENERAL MANAGER</b>		<b>38</b>
Item: 031	GM - Six Month Update on the 2020/2021 Operational Plan - 1 July to 30 December 2020 - (79351)	38
<b>INFRASTRUCTURE SERVICES</b>		<b>41</b>
Item: 032	IS - Hawkesbury and Blue Mountains World Heritage Centre Proposal - (95495)	41
Item: 033	IS - Short Term Licence for McMahon Park, Kurrajong - (95495, 79354, 105529)	46
Item: 034	IS - Weed and Biosecurity Management - (95495, 79354, 12212)	50
<b>SUPPORT SERVICES</b>		<b>55</b>
Item: 035	SS - Investment Report - January 2021 - (95496, 96332)	55
Item: 036	SS - December 2020 Quarterly Budget Review Statement - (95496, 96332)	61
Item: 037	SS - Financial Information Regarding Various Matters - (95496)	68
<b>SECTION 4 – Reports of Committees</b>		<b>95</b>
Item: 038	ROC - Audit Committee - 2 December 2020 - (91369, 95496, 79351)	95
Item: 039	ROC - Local Traffic Committee - 8 February 2021 - (80245, 95495)	106
Item: 040	ROC - Innovation and Partnerships Committee - 9 February 2021 - (79351, 95496)	135

**ORDINARY MEETING**

**Table of Contents**

**Meeting Date:** 23 February 2021

<b>SECTION 5 – Notices of Motion</b>	<b>143</b>
Item: 041      NM1 - Proposed Amendments to the Code of Meeting Practice - (79351, 125612)	143
Item: 042      NM2 - Parramatta Powerhouse Museum - (79351, 138880)	146
<b>CONFIDENTIAL REPORTS</b>	<b>147</b>
Item: 043      SS - Lease to Y Ghet Cang - Shop 2, McGraths Hill Shopping Centre - (95496, 111656, 112106) CONFIDENTIAL	147
Item: 044      SS - Tender - Provision of Legal Services - (95496) CONFIDENTIAL	148

**ORDINARY MEETING**  
**Procedural Matters**  
**Meeting Date: 23 February 2021**

**PROCEDURAL MATTERS**

**Welcome**

The Mayor, Councillor Patrick Conolly will acknowledge the Indigenous Heritage.

The Acting General Manager will address the Council meeting, mentioning:

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

**Attendance**

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

**Apologies and Leave of Absence**

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

**Declaration of Interest**

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

**Acknowledgement of Official Visitors to the Council**

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

**ORDINARY MEETING**

**Procedural Matters**

**Meeting Date:** 23 February 2021



ordinary

section 1

confirmation of minutes

**ORDINARY MEETING**

**SECTION 1 - Confirmation of Minutes**

**Meeting Date:** 23 February 2021

**SECTION 1 - Confirmation of Minutes**



# Hawkesbury City Council

## ordinary meeting minutes

date of meeting: 09 February 2021

location: council chambers and  
by audio-visual link

time: 6:30 p.m.



**ORDINARY MEETING****Table of Contents****Minutes: 09 February 2021****TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
	<b>ATTENDANCE</b>	<b>3</b>
	<b>APOLOGIES AND LEAVE OF ABSENCE</b>	<b>3</b>
	<b>DECLARATIONS OF INTEREST</b>	<b>3</b>
	<b>SECTION 1 - Confirmation of Minutes</b>	<b>4</b>
	<b>CONDOLENCES</b>	<b>4</b>
	<b>SECTION 2 – Mayoral Minutes</b>	<b>5</b>
	<b>SUPPLEMENTARY REPORT</b>	<b>5</b>
Item: 026	MM - Kurmond-Kurrajong Investigation Area - (125610)	5
	<b>SECTION 3 – Reports for Determination</b>	<b>6</b>
	<b>PLANNING DECISIONS</b>	<b>6</b>
Item: 018	CP - Planning Proposal to Amend Written Statement, Land Zoning, Lot Size and Height of Buildings and Restricted Lot Yield Maps of Hawkesbury Local Environmental Plan 2012 and Biodiversity Certification Application - Jacaranda Development, Glossodia	6
Item: 019	CP - Proposed Optional Natural Disasters Clause to the Standard Instrument (Local Environmental Plans) Order 2006 - (95498, 124414)	8
	<b>GENERAL MANAGER</b>	<b>9</b>
Item: 020	GM - Planning for Non-Planners Course and Planning 101 for Councillors - (79351)	9
	<b>SUPPORT SERVICES</b>	<b>10</b>
Item: 021	SS - Review of Council Committees - (95496)	10
	<b>SECTION 4 – Reports of Committees</b>	<b>12</b>
Item: 022	ROC - Hawkesbury Civic and Citizenship Committee - 24 November 2020 - (96972, 79351)	12
	<b>QUESTIONS FOR NEXT MEETING</b>	<b>13</b>
Item: 023	Questions with Notice - 9 February 2021	13

<p><b>ORDINARY MEETING</b></p> <p><b>Table of Contents</b></p> <p><b>Minutes: 09 February 2021</b></p>
--

<p><b>ORDINARY MEETING</b></p> <p><b>Table of Contents</b></p> <p><b>Minutes: 09 February 2021</b></p>
--

<p><b>ORDINARY MEETING</b></p> <p><b>Table of Contents</b></p> <p><b>Minutes: 09 February 2021</b></p>
--

CONFIDENTIAL REPORTS		14
Item: 024	SS - Property Matter - Easement Over 698 George Street, South Windsor - (10612, 95496, 112106)	15
Item: 025	SS - Property Matter - Licence Agreement with Coles Supermarkets Australia Pty Ltd - Car Spaces in part of Magnolia Mall Car Park, 7 West Market Street, Richmond (148887, 95496, 112106)	16

**CONFIDENTIAL REPORTS** **14**

Item: 024	SS - Property Matter - Easement Over 698 George Street, South Windsor - (10612, 95496, 112106)	15
-----------	---	----

Item: 025	SS - Property Matter - Licence Agreement with Coles Supermarkets Australia Pty Ltd - Car Spaces in part of Magnolia Mall Car Park, 7 West Market Street, Richmond (148887, 95496, 112106)	16
-----------	---	----

## ORDINARY MEETING

Minutes: 09 February 2021

Minutes of the Ordinary Meeting held at the Council Chambers and by Audio-Visual Link, Windsor, on 9 February 2021, commencing at 6:31pm.

### Welcome

The Mayor, Councillor Patrick Conolly 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:

At Council Chambers: Councillor Patrick Conolly, Mayor and Councillors Sarah Richards and Nathan Zamprogno.

By Audio-Visual Link: Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Barry Calvert, Emma-Jane Garrow, Amanda Kotlash, Paul Rasmussen, Peter Reynolds, Tiffany Tree and Danielle Wheeler.

#### ALSO PRESENT:

At Council Chambers: Acting General Manager - Laurie Mifsud, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Acting Director Support Services - Emma Galea, Manager Corporate Communications - Suzanne Stuart, Manager Corporate Services and Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

By Audio-Visual Link: Strategic Planning Manager - Andrew Kearns and Manager Community Services - Meagan Ang.

### APOLOGIES AND LEAVE OF ABSENCE

The Acting General Manager advised that a leave of absence from Council was received from Councillor John Ross for the Council Meeting on 9 February 2021.

#### 25 RESOLUTION:

RESOLVED on the motion of Councillor Richards and seconded by Councillor Zamprogno that the leave of absence be granted to Councillor Ross for the Council Meeting on 9 February 2021.

### DECLARATIONS OF INTEREST

Councillor Lyons-Buckett declared an interest on Item 026.

Councillor Richards declared an interest on Item 026.

## ORDINARY MEETING

Minutes: 09 February 2021

### Acknowledgement of Official Visitors to the Council

There were no official visitors to the Council.

### SECTION 1 - Confirmation of Minutes

#### 26 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Calvert that the Minutes of the Ordinary Meeting held on 25 January 2021, be confirmed.

### CONDOLENCES

#### MOTION:

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

*Refer to RESOLUTION*

#### 27 RESOLUTION:

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

That Council write to Cobar Shire Council to express our condolences upon the passing of Mayor Lillian Brady to the community of Cobar and to Mrs Brady's family. Within the letter we acknowledge the enormous contribution Mrs Brady has made to Local Government in NSW and to the Shire of Cobar.

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

**Against the Motion:** Nil.

**Absent:** Councillor Ross.



## ORDINARY MEETING

Minutes: 09 February 2021

### SECTION 2 – Mayoral Minutes

#### SUPPLEMENTARY REPORT

**Item: 026**                      **MM - Kurmond-Kurrajong Investigation Area - (125610)**

---

Councillor Lyons-Buckett declared a significant non-pecuniary conflict of interest in this matter as she lives at 90 Kurrajong Road, Kurrajong which is within the Investigation Area. She left the Meeting and did not take part in voting or discussion on the matter.

Councillor Richards declared a pecuniary interest in this matter as her partner owns property within the Kurmond-Kurrajong Investigation Area. She left the Meeting and did not take part in voting or discussion on the matter.

#### **MOTION:**

RESOLVED on the motion be the Mayor, Councillor Conolly.

*Refer to RESOLUTION*

#### **28 RESOLUTION:**

RESOLVED on the motion be the Mayor, Councillor Conolly.

That Council:

1. Note that Council still has outstanding planning proposals from 2014 that have not been determined in the Kurmond-Kurrajong Investigation Area.
2. Note that consideration of the Kurmond-Kurrajong Investigation Area Structure Plan has been deferred and this has delayed the determination of these proposals.
3. Receive a report at the next meeting of Council outlining options to finalise the consideration of the Kurmond-Kurrajong Investigation Area Structure Plan.

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 Conolly, Calvert, Kotlash, Reynolds, Tree and Zamprogno.

**Against the Motion:**                Councillors Garrow, Wheeler and Rasmussen.

**Absent:**                                  Councillors Lyons-Buckett, Richards and Ross.

## ORDINARY MEETING

Minutes: 09 February 2021

### SECTION 3 – Reports for Determination

#### PLANNING DECISIONS

**Item: 018** CP - Planning Proposal to Amend Written Statement, Land Zoning, Lot Size and Height of Buildings and Restricted Lot Yield Maps of Hawkesbury Local Environmental Plan 2012 and Biodiversity Certification Application - Jacaranda Development, Glossodia

**Previous Item:** 145, Ordinary (13 August 2019)

**Directorate:** City Planning

---

Ms Jacqueline Bowie, Mr Nathan Croft and Mr Robert Humphries addressed Council, speaking for the recommendation in the Business Paper.

#### **MOTION:**

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

#### ***Refer to RESOLUTION***

#### **29 RESOLUTION:**

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

That Council:

1. Receive and note the update on the Jacaranda Development, Glossodia.
2. Endorse the amended draft Jacaranda Planning Proposal, draft Biodiversity Certification Application, Report and Strategy, draft Jacaranda Development Control Plan, and draft Local Voluntary Planning Agreement contained in Attachments 1, 2, 3 and 4 respectively to this report as being generally consistent with Council's earlier decisions with respect to this matter.
3. Approve public exhibition of the amended draft Jacaranda Planning Proposal in accordance with s3.34(2) and clause 4 of Schedule 1 of the Environmental Planning and Assessment Act 1979 and Council's Community Participation Plan.
4. Approve public exhibition of the draft Jacaranda Development Control Plan in accordance with clause 18 of the Environmental Planning and Assessment Regulation 2000 and Council's Community Participation Plan, noting that the draft Jacaranda Development Control Plan and draft Jacaranda Planning Proposal must be published on Council's website for the same period as that for exhibition of the draft Planning Proposal.
5. Approve public exhibition of the draft Local Voluntary Planning Agreement in accordance with clause 25D(1A) of the Environmental Planning and Assessment Regulation 2000 and Council's Community Participation Plan, noting that this exhibition is to be part of and contemporaneous with that for the draft Planning Proposal.
6. Consult with the NSW government agencies listed in Condition 6 of the Gateway Determination.

## ORDINARY MEETING

Minutes: 09 February 2021

7. Approve public notification of the draft Biodiversity Certification Application, Report and Strategy in accordance with s126N(2) of the former Threatened Species Conservation Act 1995.
8. Receive a post exhibition/notification report for items 3, 4, 5 and 7 above.
9. Facilitate a COVID safe meeting or drop-in session where members of the public can ask questions about the process and changes from the original proposal and request representatives from the developer also attend.

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 Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillor Ross.

## ORDINARY MEETING

Minutes: 09 February 2021

**Item: 019**                      **CP - Proposed Optional Natural Disasters Clause to the Standard Instrument (Local Environmental Plans) Order 2006 - (95498, 124414)**

**Previous Item:**              158, Ordinary (25 August 2020)  
                                     002, Ordinary (25 January 2021)

**Directorate:**                City Planning

---

### **MOTION:**

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

*Refer to RESOLUTION*

### **30 RESOLUTION:**

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

That Council not opt into including the new Standard Instrument Natural Disaster Clause into the Hawkesbury Local Environmental Plan 2012 at this time.

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 Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**        Nil.

**Absent:**                        Councillor Ross.

## ORDINARY MEETING

Minutes: 09 February 2021

### GENERAL MANAGER

**Item: 020**                      **GM - Planning for Non-Planners Course and Planning 101 for Councillors - (79351)**

**Previous Item:**            004, Ordinary (25 January 2021)

**Directorate:**                General Manager

---

#### **MOTION:**

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

*Refer to RESOLUTION*

#### **31 RESOLUTION:**

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

That:

1. The report be received and noted.
2. Consideration be given to the participation of nominated Councillors at the Planning 101 for Councillors Course conducted by Local Government NSW on 26 February 2021.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Ross.

#### **32 RESOLUTION:**

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

That Councillors Kotlash, Lyons-Buckett, Reynolds, Richards, Wheeler and Zamprogno attend the Planning 101 for Councillors Course conducted by Local Government NSW on 26 February 2021.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Ross.

## ORDINARY MEETING

Minutes: 09 February 2021

### SUPPORT SERVICES

**Item: 021**                      **SS - Review of Council Committees - (95496)**

**Previous Item:**            256, Ordinary (8 December 2020)  
                                 010, Ordinary (25 January 2021)

**Directorate:**               Support Services

---

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

That:

1. The outstanding actions from the dissolved committees be reassigned to the relevant new committee in accordance with Attachment 1 to this report, as amended at the meeting including with the addition of due dates.
2. The projects currently assigned to working groups be reassigned to the relevant new committee in accordance with Table 1 in this report.
3. Members of the Dementia Friendly Working Group be advised that the Working Group will not be disbanded and will now report to the Community Services Committee.

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

That:

1. The outstanding actions from the dissolved committees be reassigned to the relevant new committee in accordance with Attachment 1 to this report, as amended at the meeting including with the addition of due dates.
2. The projects currently assigned to working groups be reassigned to the relevant new committee in accordance with Table 1 in this report.
3. Members of the Dementia Friendly Working Group be advised that the Working Group will not be disbanded and will now report to the Community Services Committee.
4. The proposed outstanding actions of the Heritage Committee be referred to the Heritage Committee to consider the prioritisation and deadlines of the actions, and be reported back to Council.

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

**Against the Amendment:**       Nil.

**Absent:**                              Councillor Ross.

## ORDINARY MEETING

Minutes: 09 February 2021

### MOTION:

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

### *Refer to RESOLUTION*

### 33 RESOLUTION:

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

That:

1. The outstanding actions from the dissolved committees be reassigned to the relevant new committee in accordance with Attachment 1 to this report, as amended at the meeting including with the addition of due dates.
2. The projects currently assigned to working groups be reassigned to the relevant new committee in accordance with Table 1 in this report.
3. Members of the Dementia Friendly Working Group be advised that the Working Group will not be disbanded and will now report to the Community Services Committee.
4. The proposed outstanding actions of the Heritage Committee be referred to the Heritage Committee, to consider the prioritisation and deadlines of the actions, and be reported back to Council.

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

**Against the Motion:** Nil.

**Absent:** Councillor Ross.

## ORDINARY MEETING

Minutes: 09 February 2021

### SECTION 4 – Reports of Committees

**Item: 022**                      **ROC - Hawkesbury Civic and Citizenship Committee - 24 November 2020 - (96972, 79351)**

**Directorate:**                General Manager

---

#### **MOTION:**

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

***Refer to RESOLUTION***

#### **34 RESOLUTION:**

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

That in the Minutes of the Hawkesbury Civic and Citizenship Committee Meeting held on the 24 November 2020 be received and noted.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Ross.



**ORDINARY MEETING**

**Minutes:** 09 February 2021

**QUESTIONS FOR NEXT MEETING**

**Item: 023**

**Questions with Notice - 9 February 2021**

---

Further questions, and comments to Councillor Questions with Notice listed in the Business Paper, were provided.

## ORDINARY MEETING

Minutes: 09 February 2021

### CONFIDENTIAL REPORTS

#### 35 RESOLUTION:

RESOLVED on the motion of Councillor Richards, 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 Meeting during consideration of the following items:

**Item: 024 SS - Property Matter - Easement Over 698 George Street, South Windsor - (10612, 95496, 112106)**

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

**Item: 025 SS - Property Matter - Licence Agreement with Coles Supermarkets Australia Pty Ltd - Car Spaces in part of Magnolia Mall Car Park, 7 West Market Street, Richmond (148887, 95496, 112106)**

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

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.

#### 36 RESOLUTION:

RESOLVED on the motion of Councillor Richards, seconded by Councillor Zamprognio that open meeting be resumed.

## ORDINARY MEETING

Minutes: 09 February 2021

**Item: 024**                      **SS - Property Matter - Easement Over 698 George Street, South Windsor - (10612, 95496, 112106)**

**Directorate:**                Support Services

---

### **MOTION:**

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

### ***Refer to RESOLUTION***

### **37 RESOLUTION:**

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

That:

1. Council approve the extension of an easement area, in the order of 34.15m<sup>2</sup> within 698 George Street, South Windsor (Lot 1 DP 879466) owned by Windsor Leagues Club, as shown in the Location Plan in this report, and compensation in the amount detailed in this report be accepted by Council.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of the resolution be conveyed to the owner together with the advice that Council, is not and will not, be bound by the terms of its resolution, until such time as appropriate documentation to put such resolution into effect has been agreed to and executed by all parties.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Ross.

## ORDINARY MEETING

Minutes: 09 February 2021

**Item: 025**                      **SS - Property Matter - Licence Agreement with Coles Supermarkets Australia Pty Ltd - Car Spaces in part of Magnolia Mall Car Park, 7 West Market Street, Richmond (148887, 95496, 112106)**

**Previous Item:**              132, Ordinary (14 July 2020)

**Directorate:**                Support Services

---

### MOTION:

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

### *Refer to RESOLUTION*

### 38 RESOLUTION:

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

That:

1. Council agree to enter into a new licence agreement with Coles Supermarkets Australia Pty Ltd for part of the property known Magnolia Mall Car Park, 7 West Market Street, Richmond, as outlined in the report.
2. Authority be given for the licence agreement and any other relevant documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Licensee, together with the advice that Council, is not and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Ross.

The meeting terminated at 8:13pm.

Submitted to and confirmed at the Ordinary meeting held on 23 February 2021.

.....  
Mayor

ordinary

section 2

mayoral minutes

**ORDINARY MEETING**  
**SECTION 2 – Mayoral Minute**  
**Meeting Date:** 23 February 2021

**ORDINARY MEETING**  
**SECTION 2 – Mayoral Minute**  
**Meeting Date: 23 February 2021**

**SECTION 2 – Mayoral Minutes**

**Item: 027**                      **MM - Budget Process - (125610)**

---

**BACKGROUND:**

At a meeting on 21 April 2015, Council adopted a new budget process that involved electing Councillor delegates to attend the Draft Budget Meetings to observe the inputs from Managers and the Executive into the budget process. This process has been valuable in enabling the delegates to learn more about the process, however there are only two Councillors included. It was raised during a recent Councillor Briefing Session that this system may not be allowing all Councillors to have adequate input into the process. It is proposed to replace this system with Q&A sessions open to all Councillors.

**RECOMMENDATION:**

That:

1. All Councillors be provided with the agenda for the Executive Team Draft Budget Meetings, and be given the opportunity to indicate which Branches they would like further explanation and/or discussion of.
2. Council be provided with budget briefing sessions on these areas, where staff including the Directors and Managers (where appropriate) would provide a very brief overview of the budget for the area, and then be open to questions from Councillors. The number of sessions would be determined based on the requests from Councillors and these sessions would be held prior to the Draft Operational Plan being considered by Council.
3. Council no longer have Councillor delegates attend the Draft Budget Meetings, instead allowing all Councillors to have the opportunity to gain insight into the various budgets across Council through budget briefing sessions on the relevant areas of interest.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF MAYORAL MINUTE Oooo**

**ORDINARY MEETING**  
**SECTION 2 – Mayoral Minute**  
**Meeting Date:** 23 February 2021



ordinary

section 3

reports  
for determination

**ORDINARY MEETING**

**SECTION 3 – Reports for Determination**

**Meeting Date:** 23 February 2021

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**SECTION 3 – Reports for Determination**

**PLANNING DECISIONS**

**Item: 028**                      **CP - Hawkesbury Local Strategic Planning Statement 2040 - (95498, 124414)**

**Previous Item:**        170, Ordinary (24 September 2019)  
                              232, Ordinary (10 December 2019)  
                              029, Ordinary (25 February 2020)  
                              095, Ordinary (26 May 2020)  
                              217, Ordinary (10 November 2020)

**Directorate:**            City Planning

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to submit the Hawkesbury Local Strategic Planning Statement 2040 for adoption following receipt of advice from the Greater Sydney Commission that the Draft Local Strategic Planning Statement has successfully completed the assurance process.

**EXECUTIVE SUMMARY:**

The Draft Hawkesbury Local Strategic Planning Statement 2040 was made in order to fulfil the requirements of Section 3.9 of the Environmental Planning and Assessment Act 1979. This document provides the long term (20 year) land use vision for the Hawkesbury Local Government Area.

In March 2018, the planning framework for NSW - A Metropolis of Three Cities was released which placed strategic planning at the forefront, requiring councils to prepare a 20-year land use vision for their respective Local Government Area. The fundamental objective of the Local Strategic Planning Statement is to align the strategic planning framework at the Regional, District and Local level, and provide a clear line of sight between all levels.

Work on the Draft Hawkesbury Local Strategic Planning Statement commenced in 2018, shortly after the release of the NSW Planning Framework, and was guided and overseen by the Greater Sydney Commission and the Department of Planning, Industry and Environment.

Council has recently been advised that the Draft Hawkesbury Local Strategic Planning Statement has now received an assurance from the Greater Sydney Commission attached as Attachment 1 to this report. As such the Draft Hawkesbury Local Strategic Planning Statement is now being submitted for adoption by Council.

**RECOMMENDATION:**

That Council adopt the Hawkesbury Local Strategic Planning Statement 2040 attached as Attachment 2 to this report.

---

**BACKGROUND**

Following the release of the NSW Planning Framework - A Metropolis of Three Cities and the five District Plans, and subsequent amendment to the Environmental Planning and Assessment Act 1979 in March

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

2018, all councils in NSW were required to make a Local Strategic Planning Statement for their local government areas.

Work on the Local Strategic Planning Statement was guided by the Greater Sydney Commission in conjunction with the Department of Planning, Industry and Environment.

The Hawkesbury Local Strategic Planning Statement 2040 sets out:

- A 20-year vision for land use in the Hawkesbury Local Government Area;
- The Special characteristics which contribute to its identity;
- The shared community values to be maintained and enhanced; and
- How growth and change will be managed into the future.

The making of the Hawkesbury Local Strategic Planning Statement 2040 and subsequent amendment of Council's Local Environmental Plan and Development Control Plan will align and strengthen the line of sight in the strategic planning framework at the Regional, District and Local level as shown in Figure 1.



**Figure 1 – Line of Sight between Key Strategic Documents**

The Hawkesbury Local Strategic Planning Statement was supported and informed by preparation of the following strategies:

- Hawkesbury Local Housing Strategy
- Hawkesbury Employment Lands Strategy
- Hawkesbury Rural Lands Strategy

The Draft Hawkesbury Local Strategic Planning Statement 2040 was made in consultation with Councillors, the community and through the support of Council's Strategic Studies. There were also several technical working group sessions attended by Strategic Planning staff to understand the requirements and delivery of the Local Strategic Planning Statement.

Several Councillor Briefings and workshops were also undertaken during the preparation of the Local Strategic Planning Statement. Community consultation and information sessions were also undertaken to inform the community about the Draft Hawkesbury Local Strategic Planning Statement and determine the priorities for the area.

Between Council, the community and supporting plans and policies, various actions were prepared for the Local Strategic Planning Statement that respond to and builds on the Hawkesbury Local Government Area's strengths and opportunities and importantly highlights the various constraints.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

The Draft Hawkesbury Local Strategic Planning Statement has successfully completed a number of technical health checks with the Greater Sydney Commission. Following the Council resolution on 10 November 2020, the Amended Draft Hawkesbury Local Strategic Planning Statement was submitted to the Greater Sydney Commission for Assurance. The Assurance process is a verification process undertaken by the Greater Sydney Commission to ensure each council's Local Strategic Planning Statement is consistent with the Sydney Region Plan and Western City District Plan in the case of the Hawkesbury Local Government Area.

Following the Greater Sydney Commission's Assurance process, Council has been advised that the Amended Draft Hawkesbury Local Strategic Planning Statement has now successfully been Assured, and as such is completed ready for Council to adopt. A copy of correspondence received from the Greater Sydney Commission advising of the successful Assurance is included as Attachment 1.

Now that the Draft Hawkesbury Local Strategic Planning Statement has achieved Assurance, it is recommended that Council adopts it as Council's long-term (20 year) land use vision. A copy of the Amended Draft Hawkesbury Local Strategic Planning Statement that was Assured by the Greater Sydney Commission attached as Attachment 2 to this report.

#### **Relevant Legislation**

Environmental Planning and Assessment Act 1979.

#### **DISCUSSION**

Once the Draft Hawkesbury Local Strategic Planning Statement 2040 is adopted by Council, it will become a land use planning document that will provide consistent strategic reasoning in:

- Explaining the land use requirements to the community;
- Justifying the decision of a development application;
- Providing expert evidence at the Land and Environment Court; and
- Assisting Council to review its strategic direction.

#### **COMMUNITY ENGAGEMENT**

The Draft Local Strategic Planning Statement 2040 was publicly exhibited between Tuesday, 1 October 2019 to Wednesday, 13 November 2019 for a period of 42 days in accordance with Council's Community Participation Plan 2019. The outcome of the community engagement was reported to Council's Ordinary Meeting dated 10 December 2019.

#### **CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

Given the Hawkesbury Local Strategic Planning Statement is a document that covers many aspects, the report is consistent with all Focus Areas, Directions and Strategies within the Community Strategic Plan. As such all the Community Strategic Plan Directions and Strategies have not been listed.

#### **FINANCIAL IMPACT**

The Hawkesbury Local Strategic Planning Statement has no direct financial implications except the fact that it was prepared entirely at Council's cost. The supporting strategies were also funded by Council.

#### **FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

Does not align specifically with a Fit for The Future Strategy. The Hawkesbury Local Strategic Planning Statement includes several actions that will need to be considered in the preparation of the next Delivery Program.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**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** Correspondence from Greater Sydney Commission - *(Distributed under separate cover)*.
- AT - 2** Draft Hawkesbury Local Strategic Planning Statement 2040 - *(Distributed under separate cover)*.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Item: 029**                      **CP - Vineyard Precinct Stage 1 Contributions Plan - (95498, 124414)**

**Previous Item:**            099, Ordinary (8 May 2018)  
                                 192, Ordinary (14 August 2018)  
                                 181, Ordinary (29 September 2020)

**Directorate:**                City Planning

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to seek adoption of the draft Vineyard Precinct Stage 1 Contributions Plan following public exhibition.

**EXECUTIVE SUMMARY:**

The draft Vineyard Precinct Stage 1 Contributions Plan was placed on exhibition following the finalisation of its review by IPART and the Minister of Planning's Delegate. During the exhibition of the draft Vineyard Precinct Stage 1 Contributions Plan, two submissions were received. One submission raised no objections, whilst the other submission raised issues for consideration.

The issues raised through the submission included:

- The contribution amount is 84% more than the current market contribution rate
- Excessive contribution rates can have significant impact on housing affordability and is at complete odds to policy objectives of enabling affordable rental and enabling housing supply
- Council should request that the State Government make available similar funding programs for the Vineyard Precinct such as the Accelerated Infrastructure Fund that has been developed to assist with the delivery of local infrastructure within Blacktown and The Hills Local Government Areas
- Council should follow the Ministers Direction - Local Infrastructure Contributions Timing of Payments for certain types of development.

The issues raised are discussed in further detail within this report.

It is recommended that Council adopt the draft Vineyard Precinct Stage 1 Contributions Plan. Upon adoption of the Contributions Plan, Council Officers will be able to assess Development Applications within the Vineyard Precinct.

**RECOMMENDATION:**

That Council:

1. Receive the outcome of the public exhibition of the draft Vineyard Precinct Stage 1 Contributions Plan.
2. Adopt the Vineyard Precinct Stage 1 Contributions Plan attached as Attachment 2 to this report.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

## BACKGROUND

In 2005, the North West Priority Growth Area was established by the NSW Government. The affected areas included The Hills, Blacktown and Hawkesbury Local Government Areas. In order to streamline the re-zoning processes to facilitate development of the Growth Centres, the Department of Planning and Environment used a precinct planning process and created the 'Vineyard Precinct', the planning of which they commenced in 2013/2014.

The draft Vineyard Precinct Stage 1 Contributions Plan has been prepared following the rezoning of the precinct in order to address the local infrastructure requirements for the Vineyard community. The draft contributions plan was reviewed three times by IPART, and a Direction provided by the Minister for Planning's Delegate. The table below provides a chronology of background and events associated with the Draft Vineyard Precinct Stage 1 Contributions plan.

2005	The Vineyard Precinct Stage 1 was identified by the NSW State Government to be part of the North West Priority Growth Area (The Hills, Blacktown and Hawkesbury local government areas).
2013/2014	Precinct planning process commenced by the Department of Planning, Industry and Environment.
December 2017	The precinct plans were finalised and the land was rezoned and released. However, the Developer Contributions Plan was not finalised or adopted at this stage. GLN Planning was commissioned by the Department of Planning to make the Vineyard Contributions Plan.
18 January 2018	Vineyard Precinct DCP was commenced. Vineyard Precinct Contributions Plan making commenced – GLN Planning.
8 May 2018	Report to Council to present the Draft Vineyard Precinct Section 7.11 Contributions Plan, and seek endorsement to place it on public exhibition.
18 May to 18 June 2018	Public Exhibition of Draft Vineyard Precinct Contributions Plan.
14 August 2018	Post exhibition report was presented to Council recommending that Council note the outcome of the public exhibition of the draft contributions plan, amend the plan and forward it to IPART and the Department of Planning for their respective reviews.
22 August 2018	Draft Contributions Plan submitted to IPART and Department of Planning.
25 January 2019	Amendment to the Environmental Planning and Assessment Regulation 2000 to prevent development applications from being determined until a section 7.11 contributions plan is in effect for land that is subject to a precinct plan under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP).
17 February 2019	Council provided information to IPART in response to request for further information.
25 February 2019	Meeting and site visit with IPART.
31 May to 28 June 2019	Public Exhibition of Draft IPART Report.
28 June 2019	Council made submission on IPART's exhibition of the report.
20 September 2019	IPART releases second report on draft Vineyard Contributions Plan
18 October 2019	Council makes the second submission on IPART's report.
29 November 2019	IPART release Final Recommendations Report for Vineyard Precinct Contributions Plan.
22 August 2020	Minister's Delegate provides direction to Council to amend the Draft Contributions Plan following the Department of Planning, Industry and Environment's consideration of the Final IPART Recommendations Report.
29 September 2020	Report to Council seeking endorsement to place the draft reviewed Vineyard Precinct Contributions Plan on public exhibition.
16 October to 16 November 2020	Exhibition of the Draft Vineyard Precinct Stage 1 Contributions Plan.
23 February 2021	Report to Council recommending adoption of Vineyard Precinct Stage 1 Contributions Plan.

We are here



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Relevant Legislation**

Environmental Planning and Assessment Act 1979.

**DISCUSSION**

During the exhibition of the draft Vineyard Precinct Stage 1 Contributions Plan, two submissions were received. One submission raised no objections, whilst the other submission raised issues for consideration. A copy of the submission that raised issues is included as Attachment 1, and the issues raised through the submission are discussed in this section, including:

- The contribution amount is 84% more than the current market contribution rate
- Excessive contribution rates can have significant impact on housing affordability and is at complete odds to policy objectives of enabling affordable rental and enabling housing supply
- Council should request that the State Government make available similar funding programs for the Vineyard Precinct such as the Accelerated Infrastructure Fund that has been developed to assist with the delivery of local infrastructure within Blacktown and The Hills Local Government Areas
- Council should follow the Ministers Direction - Local Infrastructure Contributions Timing of Payments for certain types of development.

The submission indicated that the contributions rates are higher than the neighbouring Local Government Areas of Blacktown and The Hills, despite being within the North West Growth Centres.

It should be noted that Hawkesbury City Council is not part of the Local Infrastructure Growth Scheme. On 1 June 2017, the Premier announced a \$4.3 billion Housing Affordability Strategy for NSW, of which \$369 million was allocated to the Local Infrastructure Growth Scheme. The aim of the strategy was to facilitate the delivery of State and local infrastructure critical to deliver housing and give first home buyers more support to enter the housing market.

Within the North West Growth Centre, Blacktown City Council and The Hills Shire Council, where Local Infrastructure Growth Scheme funding already existed, were nominated to be funded under the new strategy. However, because Hawkesbury Council was not within the Local Infrastructure Growth Scheme, it was not included under the new strategy despite having the Vineyard Precinct as part of the North West Growth Centres. Representations had previously been made to include Vineyard within the Scheme, but to no avail.

Within the Local Infrastructure Growth Scheme transition areas, the infrastructure contribution caps were also listed as follows:

- \$35,000 in greenfield areas and \$25,000 in infill areas on 1 January 2018
- \$40,000 in greenfield areas and \$30,000 in infill areas on 1 July 2018
- \$45,000 in greenfield areas and \$35,000 in infill areas on 1 July 2019
- Lifted entirely on 1 July 2020

Since the lifting of the cap from 1 July 2020, the Minister for Planning and Public Spaces announced the Accelerated Infrastructure Fund on 3 April 2020. The funding was part of the Planning System Acceleration Program to cut red tape and fast track planning processes to keep people in jobs and the construction industry moving through the COVID-19 crisis. Under the scheme, local developer contributions were capped at \$50,000 per dwelling from 1 July 2020 to 31 December 2020.

The condition of the increased contributions was that the relevant contributions plans will be assessed by IPART and the Minister will provide advice on the outcome.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Accelerated Infrastructure Fund:**

The Accelerated Infrastructure Fund provides \$75.9 million to support the delivery of community infrastructure in the high growth areas of Blacktown and The Hills Local Government Areas within North West Growth Centres. This includes funding for those councils to deliver local roads, stormwater infrastructure and public open space projects to unlock plans for development of new homes and employment land. The objectives of the fund are to:

1. Fund infrastructure that unblocks development approvals and enables development activity
2. Stimulate construction activity by investing in 'shovel-ready' infrastructure projects
3. Reduce local developer contributions
4. Encourage developers to enact development approvals and invest in construction.

As part of the agreement of the Accelerated Infrastructure Fund, Blacktown City Council was provided upfront funding of approximately \$45 million, and The Hills Shire Council was provided \$30.96 million to co-fund and accelerate the delivery of 14 community infrastructure projects worth approximately \$145.99 million. The developers only paid a capped contribution of \$50,000 per dwelling for any development consent granted between 1 July to 31 December 2020.

Again, Hawkesbury City Council was not included in this funding despite being part of the North-West Growth Centres.

**Ministerial Direction - Payment of Infrastructure Contributions or Levies prior to the issuing of an Occupation Certificate.**

From 8 July 2020, the Environmental Planning and Assessment Regulation 2000 was amended to regulate the collection of contributions and levies prior to the issuing of Occupation Certificates. This amendment requires certifiers to confirm that there are no outstanding infrastructure contributions or levies.

This new requirement only applies to developments with an estimated construction cost of \$10 million or more. The new timing of payment Ministerial Directions and determinations mean that consent authorities cannot impose a condition that requires an infrastructure contribution or levy to be paid prior to just before the issue of an Occupation Certificate. The directions do not apply to development involving the subdivision of land, whether or not they also involve construction, or to complying development.

In the case of the Vineyard Precinct, most of the development applications that Council has received are for subdivision, and the Ministerial Direction does not apply to development involving subdivision of land.

In the absence of alternative funding mechanisms such as the Local Infrastructure Growth Scheme or the Accelerated Infrastructure Fund, for Council to adopt a Contributions Plan that accepts less than the costs outlined within the Contributions Plan means that the Hawkesbury community would have to subsidise development within the precinct. This is not a recommended course of action, and as such it is recommended that Council adopt the exhibited Contributions Plan.

The Draft Vineyard Precinct Stage 1 Contributions Plan provides Council and other consent authorities with the legal means of requiring contributions from developments, and includes:

- A schedule of Local Infrastructure comprising land, works and interest costs with a total value (in June quarter 2020 dollars) of \$165.9 million
- A schedule of contribution rates for various classes of development, and details on how those rates were calculated
- Provisions enabling reasonable contributions to be imposed on development that is not identified in the specific development classes included in the plan
- Various policies on how and when developers can settle their contributions obligations, including opportunities for developers to provide land and works 'in kind'

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

- Specific advice on the role of Accredited Certifiers in section 7.11 contributions
- Various other matters related to the fair and transparent administration of section 7.11 contributions.

The schedule also includes an allowance to recoup the costs of taking out a loan (approximately \$16.8M) to forward fund certain items including acquisition of land for trunk drainage and basins, survey and design costs for collector roads and basins, and construction of key components of the trunk stormwater network.

Based on the planned 2,500 new dwellings and an additional population of approximately 7,500, the proposed contributions in the amended plan amount to approximately:

- \$70,834 per dwelling on average for low density development
- \$54,705 per dwelling on average for medium density development

It should be noted that as is normal practice, the plan includes the levying of contributions that include a figure of \$1.3 million in administration charges to fund positions relating to the implementation and administration of the Contributions Plan.

### **COMMUNITY ENGAGEMENT**

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Participation Plan.

The Draft Vineyard Precinct Stage 1 Contributions Plan was publicly exhibited for the period Friday, 16 October to Monday, 16 November 2020.

The Draft Contributions Plan was available for viewing during the exhibition period via:

- Council's online community engagement site [www.yourhawkesbury-yoursay.com.au](http://www.yourhawkesbury-yoursay.com.au)
- Council's website [www.hawkesbury.nsw.gov.au](http://www.hawkesbury.nsw.gov.au)
- In person between 9am and 4pm Monday to Friday at Council's Administration Building, 366 George Street, Windsor.

Written submissions in relation to the Draft Contributions Plan were encouraged to be provided in the following ways:

- Submission via Council's online community engagement site [www.yourhawkesbury-yoursay.com.au](http://www.yourhawkesbury-yoursay.com.au)
- Posted to Hawkesbury City Council, PO Box 146, WINDSOR NSW 2756
- Faxed to (02) 4587 7740, or
- Emailed to [council@hawkesbury.nsw.gov.au](mailto:council@hawkesbury.nsw.gov.au)

### **CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

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

#### Our Leadership

- 1.5 Regulation and Compliance - Encourage a shared responsibility for effective local compliance.
  - 1.5.1 Undertake Council initiatives within a clear and fair framework of strategic planning, policies, procedures and service standards as required under all regulatory frameworks.
  - 1.5.2 Best practice, sustainability principles, accountability and good governance are incorporated in all activities undertaken by Council.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

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.
  - 5.1.3 Council will continually review its service provision to ensure best possible outcomes for the community.
  - 5.1.4 Encourage increased community participation in planning and policy development.
  - 5.1.5 The needs of our community will be reflected in Local, State and Regional Plans

**FINANCIAL IMPACT**

The Draft Vineyard Precinct Contributions Plan once adopted will enable Council to generate and collect compulsory development contributions to cover the costs of delivering infrastructure needed to support the new Vineyard community.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

The matter in this report is consistent with Council's Fit for the Future Strategy considerations - Sustainable Population Growth - Continued implementation of Hawkesbury Residential Land Strategy to concentrate new residential development around existing urban centres and villages.

**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** Submission to Draft Vineyard Precinct Contributions Plan.
- AT - 2** Draft Vineyard Precinct Contributions Plan - (*Distributed under separate cover*).

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**AT - 1 Submission to Draft Vineyard Precinct Contributions Plan**



Australia's property industry  
**Creating for Generations**

Property Council of Australia  
ABN 13 00847 4422  
Level 1, 11 Barrack Street  
Sydney NSW 2000  
T. +61 2 9033 1900  
E. [nsw@propertycouncil.com.au](mailto:nsw@propertycouncil.com.au)  
[propertycouncil.com.au](http://propertycouncil.com.au)  
[@propertycouncil](https://twitter.com/propertycouncil)

16 November 2020

Mr Peter Conroy  
General Manager  
Hawkesbury City Council  
PO Box 146  
WINDSOR NSW 2755

Email – [council@hawkesbury.nsw.gov.au](mailto:council@hawkesbury.nsw.gov.au)

Dear Mr Conroy

**Draft Vineyard Precinct Section 7.11 Contributions Plan - Reviewed**

The Property Council welcomes the opportunity to provide Council with comments regarding the exhibition of the Vineyard Precinct Section 7.11 Contributions Plan (the Plan).

As Australia's peak representative of the property and construction industry, the Property Council's members include investors, owners, managers and developers of property across all asset classes. We are pleased to provide the following comments for your consideration.

We note that this contributions plan was reviewed by the Independent Pricing and Regulatory Tribunal (IPART) during 2019 and its recommendations were released in November of the same year. The Minister for Planning and Public Spaces issued his advice to Council in August 2020 and that advice required Council to make nineteen (19) amendments to the plan for it to be deemed an "IPART reviewed contributions plan".

Upon the commencement of this plan a typical dwelling house developed within the Vineyard Precinct will be levied for a contribution of approximately \$55,255. This represents about \$25,000 (or 84%) more than the contribution rate that applies today. Combined with the North West Growth Area SIC, the total amount of infrastructure contributions for this precinct are approaching \$70,000 per dwelling.

Currently contribution rates in Blacktown and The Hills are capped at \$50,000 per dwelling until at least 31 December 2020. Accordingly, the contribution rates for the Vineyard Precinct are some of the highest in Sydney. Excessive contribution rates can have a significant impact on housing affordability and at complete odds to policy objectives of enabling affordable rental and for purchase housing supply. The Property Council therefore suggests that Council formally request the Department of Planning, Industry and Environment (DPIE) for State Government funding similar to the Accelerated Infrastructure Fund (AIF) that has been developed to assist with the delivery of local infrastructure within Blacktown and The Hills Councils.

PROSPERITY | JOBS | STRONG COMMUNITIES

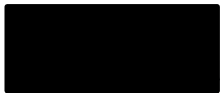
**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

2

Regarding Section 5 of the Plan and timing of payments, Council will be aware that in response to the COVID-19 pandemic and subsequent induced recession, the Minister issued a direction (*Environmental Planning and Assessment (Local Infrastructure Contributions – Timing of Payments) Direction 2020*) in July 2020. This Direction temporarily requires councils to defer the payment of local contributions and levies until at least the first Occupation Certificate for certain types of development. This approach is strongly supported by the Property Council, particularly given the current economic conditions.

Should you have any questions regarding the content of this submission, please contact Troy Loveday, NSW Policy Manager, on 0414265152 or [tloveday@propertycouncil.com.au](mailto:tloveday@propertycouncil.com.au)

Yours sincerely



**Adina Cirson**  
**Executive Director**  
**Property Council of Australia**

PROSPERITY | JOBS | STRONG COMMUNITIES

oooO END OF REPORT Oooo

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Item: 030**                      **CP - Update on Kurmond-Kurrajong Investigation Area Structure Plan - (124414, 95498)**

**Previous Item:**        40, Ordinary (March 2015)  
                             114, Ordinary (July 2015)  
                             134, Ordinary (August 2015)  
                             199, Ordinary (November 2015)  
                             188, Ordinary (August 2016)  
                             257, Ordinary (November 2016)  
                             164, Ordinary (10 September 2019)  
                             111, Ordinary (30 June 2020)

**Directorate:**              City Planning

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to respond to the Council resolution from Council's 9 February 2021 Ordinary Meeting and provide a report to Council outlining options to finalise consideration of the Kurmond-Kurrajong Investigation Area Structure Plan. Additionally, the report provides an update on the status of the remaining individual planning proposals within the investigation area.

**EXECUTIVE SUMMARY:**

Following receipt of a Mayoral Minute at Council's Ordinary Meeting on 9 February 2021, Council resolved:

*"That Council:*

- 1. Note that Council still has outstanding planning proposals from 2014 that have not been determined in the Kurmond-Kurrajong Investigation Area.*
- 2. Note that consideration of the Kurmond-Kurrajong Investigation Area Structure Plan has been deferred and this has delayed the determination of these proposals.*
- 3. Receive a report at the next meeting of Council outlining options to finalise the consideration of the Kurmond-Kurrajong Investigation Area Structure Plan."*

This report has been prepared to specifically respond to the resolution of Council at the Meeting on 9 February 2021.

The report notes that following public exhibition, Council previously considered the Draft Kurmond-Kurrajong Investigation Area Structure Plan at Council's Ordinary Meeting on 30 June 2020 where Council resolved:

*"That Council:*

- 1. Receive the outcome of the public exhibition of the Draft Kurmond-Kurrajong Investigation Area Structure Plan.*
- 2. Defer consideration of the Draft Kurmond-Kurrajong Investigation Area Structure Plan until the following key strategy documents are completed:*
  - a) Hawkesbury Local Housing Strategy*
  - b) Hawkesbury Rural Lands Strategy*
  - c) Hawkesbury Local Strategic Planning Statement."*

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

The following provides an update on progress of these key strategy documents:

- a) Hawkesbury Local Housing Strategy - Council adopted on 8 December 2020
- b) Hawkesbury Rural Lands Strategy – Council endorsed the Draft Strategy for the purposes of public exhibition on 8 December 2020. The Draft Strategy was publicly exhibited between 18 December 2020 to 15 February 2021. A post exhibition report will be presented to Council with a recommendation to adopt the Draft Strategy having considered the submissions received
- c) Hawkesbury Local Strategic Planning Statement - advice received from Greater Sydney Commission on 8 February 2021 that Draft Hawkesbury Local Strategic Planning Statement had achieved Assurance - A separate report regarding this matter has been included in the business papers for the 23 February 2021 Ordinary Meeting recommending the adoption of the Hawkesbury Local Strategic Planning Statement.

**RECOMMENDATION:**

That Council:

1. Receive and note the report responding to the resolution of Council at the 9 February 2021 Ordinary Meeting requiring a report to outline the options for consideration of the Kurmond-Kurrajong Investigation Area Structure Plan.
2. Select an option to finalise consideration of the Kurmond-Kurrajong Investigation Area Structure Plan.

---

**BACKGROUND**

The Draft Kurmond-Kurrajong Investigation Area Structure Plan was prepared and publicly exhibited from 27 September to 7 November 2019 with further consultation occurring with property owners in early 2020. A post exhibition report on the Draft Kurmond-Kurrajong Investigation Area Structure Plan was presented to Council at its Ordinary Meeting on 30 June 2020 which has been included as Attachment 1 to this report. At that Meeting, Council resolved to defer consideration of the Draft Kurmond-Kurrajong Investigation Area Structure Plan until the following key strategy documents were completed:

- Hawkesbury Local Housing Strategy
- Hawkesbury Employment Lands Strategy
- Hawkesbury Local Strategic Planning Statement

**Status of Remaining Planning Proposals within the Investigation Area**

There are six remaining individual planning proposals within the Kurmond-Kurrajong Investigation Area that are at different stages of the plan making process with some having already undergone public exhibition and others still to be publicly exhibited.

Tables 1 and 2 below provide an update of the remaining individual planning proposals within the Kurmond-Kurrajong Investigation Area, both Pre and Post Gateway. Table 3 provides details of the recently determined and finalised planning proposals.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Table 1 - Current Planning Proposals within Kurmond-Kurrajong Investigation Area - Pre-Gateway**

No:	Application No	Date Received	Address	Proposed number of Lots	Status of the Planning Proposal and what is required to progress
1	LEP017/16	29/11/2016	49 and 56 Longleat Road, Kurmond	10	<p>On 8 December 2016 Council requested the Applicant to amend the planning proposal to address site constraints (slope and vegetation).</p> <p>Meetings with the owner were held 11 March 2019, 1 October 2019 and 26 August 2020.</p> <p>Most recent formal request to applicant to amend the Planning Proposal to address site constraints was on 15 July 2020.</p> <p>The matter is with the applicant to amend the Planning Proposal to address the site constraints.</p> <p>Once Council has received an amended Planning Proposal the next step would be to prepare a report to the Hawkesbury Local Planning Panel for advice prior to bringing a report to Council for consideration.</p>
2	LEP009/16	23/03/2016	42 Bells Lane, Kurmond	5	<p>At the 10 September 2019 Ordinary Meeting, Council resolved to submit the planning proposal as lodged to the Department of Planning, Industry and Environment for a Gateway Determination.</p> <p>Planning Proposal lodged with Department of Planning, Industry and Environment on 17 September 2019.</p> <p>Planning Proposal refused at Gateway by Department of Planning, Industry and Environment on 5 May 2020.</p> <p>Applicant submitted a Gateway Review with the Department of Planning, Industry and Environment on 1 July 2020.</p> <p>The Department of Planning, Industry and Environment referred the matter to the Independent Planning Commission for advice on 19 October 2020.</p> <p>A meeting between Council and the Independent Planning Commission occurred on 4 November 2020.</p> <p>On 23 November 2020 - Independent Planning Commission issued Gateway Determination Advice Report to the Department of Planning, Industry and Environment advising that the Planning</p>

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

No:	Application No	Date Received	Address	Proposed number of Lots	Status of the Planning Proposal and what is required to progress
					<p>Proposal should not proceed.</p> <p>Matter is with the Department of Planning, Industry and Environment to consider the advice from the Independent Planning Commission.</p> <p>The Department of Planning, Industry and Environment will provide correspondence to the applicant and Council once the Gateway Review has been completed.</p>
3	LEP007/16	09/02/2016	535 Bells Line of Road, Kurmond	5	<p>Series of requests made for the Applicant to amend the Planning Proposal to address site constraints since lodged, most recent of which was on 15 July 2020.</p> <p>Meetings with the owner were held 21 March 2019, 27 March 2019 and 1 October 2019.</p> <p>Ongoing discussions with applicant to amend the Planning Proposal.</p> <p>The matter is with the applicant to amend the Planning Proposal to address the site constraints</p> <p>Once Council has received an amended Planning Proposal, the next step is to prepare a report to the Hawkesbury Local Planning Panel for advice prior to bringing a report to Council for consideration.</p>
4	LEP003/16	21/01/2016	36 and 42 Vincents Road, Kurrajong	6	<p>Series of requests made for the Applicant to amend the Planning Proposal to address site constraints since lodged, most recent of which was on 15 July 2020.</p> <p>The applicant has advised that they are waiting for the Kurmond-Kurrajong Structure Plan to be adopted by Council prior to amending the planning proposal to address the site constraints.</p> <p>Once Council has received an amended Planning Proposal the next step would be to prepare a report to the Hawkesbury Local Planning Panel for advice prior to bringing a report to Council for consideration.</p>

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Table 2 - Current Planning Proposals within Kurmond-Kurrajong Investigation Area - Post-Gateway**

No:	Application No	Date Received	Address	Proposed number of Lots	Status of the Planning Proposal
5	LEP002/15	30/01/2015	79, 95 & 100 Bells Lane, Kurmond  457 Bells Line of Road, Kurmond	18	<p>Altered Gateway Determination issued by Department of Planning, Industry and Environment on 6 April 2020 requiring a minimum lot size of 1 ha and the removal of 100 Bells Lane, Kurmond from the Planning Proposal.</p> <p>On 27 April 2020 meeting held between the Applicant, Department of Planning, Industry and Environment and Council Officers. At that Meeting the Department of Planning, Industry and Environment agreed to review the amended 'Gateway' Determination.</p> <p>The Department of Planning, Industry and Environment have referred the matter to the Independent Planning Commission for advice.</p> <p>Following the provision of advice from the Independent Planning Commission, the Department of Planning, Industry and Environment will complete the Gateway Review.</p>
6	LEP005/14	23/12/2014	2 Inverary Drive, Kurmond	31	<p>Gateway Determination issued 28 June 2018 following Rezoning Review request by Applicant.</p> <p>Council requested the Applicant amend the Planning Proposal on 18 December 2018, 15 April 2019 and 3 October 2019, including the need to address the Western City District Plan – Metropolitan Rural Area.</p> <p>Applicant responded to request to amend Planning Proposal in May 2020.</p> <p>Public agency consultation undertaken. NSW Environment, Energy and Science raised concern with the inadequacy of Flora and Fauna Assessment.</p> <p>Public exhibition undertaken 29 June 2020 to 27 July 2020.</p> <p>6 Submissions received raising the following:</p> <ul style="list-style-type: none"> <li>• Change to character</li> <li>• Increased traffic increasing existing traffic problems locally and with North Richmond bridge</li> <li>• Road congestion</li> </ul>

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

No:	Application No	Date Received	Address	Proposed number of Lots	Status of the Planning Proposal
					<ul style="list-style-type: none"> <li>• Lack of infrastructure</li> <li>• Lack of connectivity of riparian areas with those on adjoining properties</li> </ul> <p>The outcome of the public exhibition was scheduled to be reported to Council for consideration following receipt of a Gateway extension. (Note - request for an extension of Gateway was lodged with the Department of Planning, Industry and Environment on 25 November 2019).</p> <p>Altered Gateway Determination received from Department of Planning, Industry and Environment 4 December 2020. Altered Gateway Determination advises that the proposal is inconsistent with the strategic planning framework, specifically the values of the Metropolitan Rural Area. This needs to be resolved and further work is required to demonstrate how the proposal protects and enhances the environmental, social and economic values of the rural areas.</p> <p>The Altered Gateway Determination requires an amended indicative subdivision plan to be submitted to the Department of Planning, Industry and Environment for endorsement with consideration given to a minimum lot size of 1 hectare, and for the proposal to demonstrate how it protects the significant biodiversity and addresses landscape character. Note the current proposed minimum lot size is 2,000m<sup>2</sup>.</p> <p>Officers met with the Applicant on 14 December 2020 to discuss the Altered Gateway Determination.</p> <p>Applicant lodged Gateway Review on 14 January 2021. Department of Planning, Industry and Environment have advised that the matter will be referred to the Independent Planning Commission for advice.</p> <p>Following the provision of advice from the Independent Planning Commission, the Department of Planning, Industry and Environment will complete the Gateway Review.</p>

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Table 3 - Planning Proposals within Kurmond-Kurrajong Investigation Area Determined since 30 March 2020**

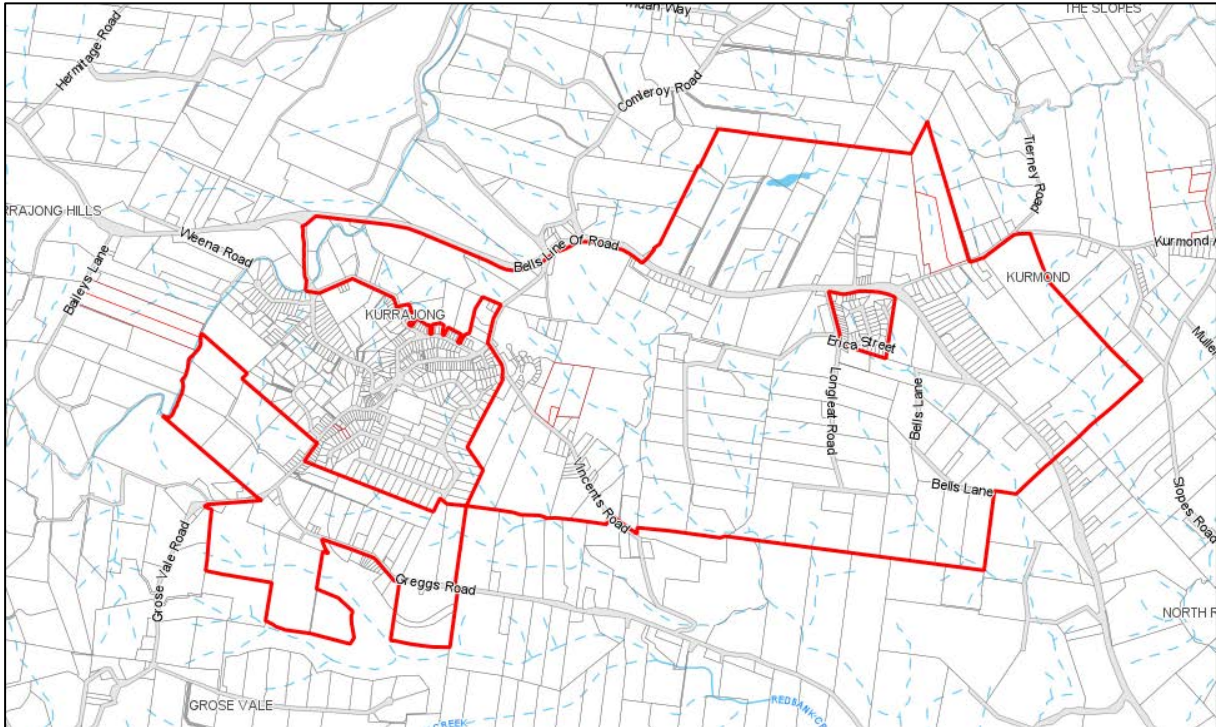
	Application No	Date Received	Address	Proposed number of Lots	Status of the Planning Proposal
	LEP006/14	18/08/2014	631 Bells Line of Road, Kurrajong	3	<p>Amended Gateway Determination received from Department of Planning, Industry and Environment 26 September 2020.</p> <p>Based on advice from Department of Planning, Industry and Environment, Planning Proposal amended from 10 lots to 3 lots with minimum lot size of 4 Ha.</p> <p>The Proposal was reported to Council Meeting 24 November 2020 seeking approval to finalise. Following endorsement from Council, matter has been finalised and notified by the Department of Planning, Industry and Environment on 4 December 2020 – LEP Amendment made and published.</p>
	LEP006/16	09/02/2016	98 Bells Lane, Kurmond	4	<p>At the 10 September 2019 Ordinary Meeting, Council resolved to submit planning proposal as lodged to Department of Planning, Industry and Environment.</p> <p>Proposal lodged with Department of Planning 17 September 2019.</p> <p>Refused at Gateway by Department of Planning, Industry and Environment on 5 May 2020.</p> <p>No request for Gateway Review lodged, and therefore matter did not proceed.</p>
	LEP010/16	11/04//2016	74 Longleat Lane, Kurmond	2	<p>LEP Amendment made and published on 24 April 2020.</p>
	LEP009/13	14/11/2013	377 Bells Line of Road, Kurmond	6	<p>LEP Amendment made and published on 29 June 2020.</p>

### Location Plan

The Kurmond-Kurrajong Investigation Area was identified by considering the location criteria provided within the Hawkesbury Residential Land Strategy 2011 (ie “within 1km radius” and “cluster around or on the periphery of villages”), undertaking a desk top survey of matters such as slope, existing vegetation, existing road layout and accesses, and zone and property boundaries.

The investigation area consists of approximately 457 individual property owners as shown in Figure 1.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**



**Figure 1: Kurmond-Kurrajong Investigation Area**

### **Relevant Legislation**

Hawkesbury Local Environmental Plan 2012.

### **DISCUSSION**

The Draft Kurmond-Kurrajong Investigation Area Structure Plan has been prepared to provide guidance for future rural residential development within the investigation area. The Structure Plan has been prepared in accordance with the NSW Planning Framework including the Sydney Region Plan and Western City District Plan. Specifically, the Structure Plan has considered Objective 29 - environmental, social and economic values in rural areas are protected and enhanced of the Sydney Region Plan - 'Metropolitan Rural Area'.

Council's resolution of 30 June 2020 meeting stated that consideration of the Kurmond-Kurrajong Investigation Area Structure Plan would be deferred until the completion of the Hawkesbury Local Housing Strategy, Hawkesbury Rural Lands Strategy and the Hawkesbury Local Strategic Planning Statement 2040. The following provides an update on progress with each of those key strategy documents.

### **Hawkesbury Local Housing Strategy**

The Hawkesbury Local Housing is now complete and adopted by Council on 8 December 2020. The key issues to emerge from the Hawkesbury Local Housing Strategy include:

- Need to accommodate steady growth – five-year target of 1,150 dwellings and growth to continue to 2036;
- Limited diversity in the housing stock;
- Emerging mismatch between household size and dwelling type/size;
- Pockets of housing stress and a growing need for more affordable housing; and
- Significant constraints are a major barrier to development (flooding, bushfire risk, ANEF aircraft contours, biodiversity/vegetation, heritage considerations).

## ORDINARY MEETING

### SECTION 3 – Reports for Determination

Meeting Date: 23 February 2021

Key recommendations of the Hawkesbury Local Housing Strategy include:

- Focus new housing growth in urban release areas and encourage some smaller dwellings in these areas to increase housing diversity;
- Maximise the potential of existing urban lands;
- Increase the supply of smaller dwellings in both established and new areas;
- Continue to expand affordable housing options and further enhance Council's existing Affordable Housing Policy, including Council's involvement with the preparation of the Western City Affordable Housing Strategy;
- Maintain a long-term supply of residential land by investigating potential new urban areas;
- Develop a program to monitor housing land supply and housing delivery;
- Address homelessness through continued implementation and updates to Homelessness Action Plan; and
- Consideration of the provision of Detached Dual Occupancies and Secondary Dwellings through a place-based approach that considers the recommendations of the Hawkesbury Rural Lands Strategy.

#### Hawkesbury Rural Lands Strategy

The Draft Hawkesbury Rural Lands Strategy was reported to Council at the Ordinary Meeting of 8 December 2020, seeking endorsement to undertake public exhibition. The Draft Strategy was publicly exhibited between 18 December 2020 to 15 February 2021. A post exhibition report will be presented to Council with a recommendation to adopt the Draft Strategy having considered the submissions received.

The Draft Strategy presents relevant data and characteristics of the combined localities of the rural areas of the Hawkesbury Local Government Area. The following are key highlights:

- Rural residential makes up 86.1% of the total rural land use and irrigated plants is the second most common with 4.5% of the land use.
- Rural residential land use is the dominant use in all parts of the Local Government Area with the irrigated plants uses clustered around the Hawkesbury River Flats as well as some intensive animals in this area. The River Flats are also the lowest proportion of rural residential land use.
- Market gardening of vegetables make up 46.2% of the irrigated plants followed by turf farms with 32.2% and then protected cropping makes up 7.6%.
- The rural residential land use is comprised of mostly just a dwelling (83%), however there are also horses (9.2%), trucks (6.5%), home businesses (1%) and Bed and Breakfasts (0.3%).
- Rural residential takes up 65.4% of the area of all private land use which demonstrates that it is on large lots of greater than 10 ha as well as lots less than that.
- The size of rural holdings analysis shows that 62.3% of all land ownership is on holdings of less than 3 ha and 81.1% is holdings of less than 8 ha. Most of the small lots less than 3 ha are in the South East part of the Local Government Area and the larger holdings are in the northern parts of the Local Government Area.
- Agricultural production in the Local Government Area is valued at \$158.6 million. The major components of this are from vegetables (\$63.7m) turf (\$48.5 m), poultry meat (\$19.1 m) and eggs (\$18.7 m).
- Hawkesbury is the number one turf producing Local Government Area in Australia, number one perishable vegetable producer in Sydney and NSW as well as number 13 in Australia. It is the number two egg producer in Sydney, number four in NSW and number eight in Australia.
- The Sydney Peri-Urban area (which is the Sydney region and the Central Coast) has a value of production of \$806.4 m which is 6.2% of NSW total value of production. The Sydney Peri-Urban area is the number one producer of perishable vegetables and number four for total vegetables. It is the number one poultry producer and number one egg production area. It is also the number one producer of nurseries, flowers and turf.
- Analysis has been carried to show the demographic make-up of the rural lands. This showed that is the urban-rural population split was 57.6% urban and 42.4 % live in the rural lands. There are more people in the rural lands in the secondary school age (12-17) and more parents and homebuilders (35-39), older workers and pre-retirees (50-69) and seniors (70-84).

## ORDINARY MEETING

### SECTION 3 – Reports for Determination

Meeting Date: 23 February 2021

- There are considerably more couples with children over 15 and couples with no children at home in the rural areas and slightly more couples with children under 15 in the rural areas than the urban area.
- The number one sector of employment is construction, followed by retail, education and training, health care and social assistance, manufacturing, public administration, professional scientific and technical services, other services, accommodation and food services with agriculture coming in at number ten. This verifies the high number of rural residential uses in the rural landscape.

#### **Hawkesbury Local Strategic Planning Statement 2040**

The Draft Hawkesbury Local Strategic Planning Statement 2040 was made in order to fulfil the requirements of Section 3.9 of the Environmental Planning and Assessment Act 1979. The Draft Hawkesbury Local Strategic Planning Statement has recently received Assurance from the Greater Sydney Commission. A separate report recommending the adoption of the Hawkesbury Local Strategic Planning Statement is included in this Business Paper.

After the release of the NSW Planning Framework - A Metropolis of Three Cities and the five District Plans, and subsequent amendment to the Environmental Planning and Assessment Act 1979 in March 2018, all Councils in NSW were required to make a Local Strategic Planning Statement for their Local Government Areas.

Preparation of the Local Strategic Planning Statement was guided by the Greater Sydney Commission in conjunction with the Department of Planning, Industry and Environment.

The Draft Hawkesbury Local Strategic Planning Statement 2040 sets out:

- A 20-year vision for land use in the Hawkesbury Local Government Area;
- The Special characteristics which contribute to its identity;
- The shared community values to be maintained and enhanced; and
- How growth and change will be managed into the future.

The making of the Hawkesbury Local Strategic Planning Statement 2040 and subsequent amendment of Council's Local Environmental Plan and Development Control Plan will align and strengthen the line of sight in the strategic planning framework at the Regional, District and Local level.

The Hawkesbury Local Strategic Planning Statement was supported by the additional strategic studies including:

- Hawkesbury Local Housing Strategy
- Hawkesbury Employment Lands Strategy
- Hawkesbury Rural Lands Strategy

#### **Options to Finalise Consideration of the Draft Kurmond-Kurrajong Investigation Area Structure Plan**

Council's resolution from the 9 February 2021 Ordinary Meeting called for a report to consider the options to finalise consideration of the Kurmond-Kurrajong Investigation Area Structure Plan.

The report to Council's 30 June 2020 Ordinary Meeting had recommended adoption of the Draft Kurmond-Kurrajong Investigation Area Structure Plan. A copy of that report to Council is included as Attachment 1, whilst the Draft Kurmond-Kurrajong Investigation Area Structure Plan is included as Attachment 2.

Responding to the Council resolution calling for a report on the options to finalise consideration of the Kurmond-Kurrajong Investigation Area Structure Plan, the following are options for Council's consideration:

1. Adopt Structure Plan, and proceed with planning proposal to amend zoning, minimum lot sizes and Development Contribution Plan provisions
2. Adopt Structure Plan but do not proceed with a planning proposal



## ORDINARY MEETING

### SECTION 3 – Reports for Determination

Meeting Date: 23 February 2021

3. Adopt Structure Plan with removal of elements (this will have implications for the changes to the Local Environmental Plan such as identification of 4000m<sup>2</sup> lots and 1 Ha)
4. Not adopt Structure Plan and assess remaining individual proposals against the interim development constraints principles and NSW Planning Framework (Sydney Region Plan and Western City District Plan including Metropolitan Rural Area).

Option 1 is consistent with the recommendation to Council's Ordinary Meeting on 30 June 2020, and if adopted would result in a Council led Planning Proposal as detailed within the Draft Kurmond-Kurrajong Investigation Area Structure Plan. This would include amendments to the zoning, minimum lot size and Development Control Plan controls.

Option 2 would result in the Draft Kurmond-Kurrajong Investigation Area Structure Plan being utilised as a reference document to inform planning within the area and guide assessment of individual planning proposals, noting that the NSW State Planning Framework (Sydney Region Plan and Western City) will still need to be considered.

Option 3 would require further work on the Draft Kurmond-Kurrajong Investigation Area Structure Plan in order to consider the implications of removing certain elements. Note this would likely have an impact on the identification of areas with a minimum lot size of 4,000m<sup>2</sup> versus 1 Hectare. Additionally, this would require the exhibition of an amended Plan.

Option 4 would result in no further work associated with the Draft Kurmond-Kurrajong Investigation Area Structure Plan being undertaken, including pursuing amendments to Local Environmental Plan provisions or Development Control Plan in this respect. Continued assessment of the remaining individual planning proposals would be informed by the interim development constraints principles developed at the start of the Structure Planning process, including

1. Building envelopes, asset protection zones, driveways and roads are to be located on land with a slope less than 15%
2. Removal of significant vegetation is to be avoided
3. Fragmentation of significant vegetation is to be minimised
4. Building envelopes, asset protection zones, driveways and roads (not including roads for the purposes of crossing watercourse) are to be located outside of riparian corridors
5. Road crossings of water courses are to be minimised
6. Fragmentation of riparian areas is to be minimised
7. Removal of dams containing significant aquatic habitat is to be avoided

Additionally, the NSW State Planning Framework (Sydney Region Plan and Western City) will still need to be considered as part of assessment of the remaining planning proposals.

### COMMUNITY ENGAGEMENT

The Draft Kurmond-Kurrajong Investigation Area Structure Plan was exhibited from Friday, 27 September to Thursday, 7 November 2019 in accordance with Council's Community Engagement Plan.

The public exhibition included:

- Public notices in The Hawkesbury Courier on 26 September, 10 October and 24 October 2019
- Council's Website and Community Engagement Platform Your Hawkesbury Your Say
- Hard copies of the exhibition were placed at Council's Administration Centre
- Media Release
- Letters sent to approximately 450 property owners within the Investigation Area

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

During the public exhibition period, Council received a number of enquiries regarding the Draft Kurmond-Kurrajong Investigation Area Structure Plan by phone and at the counter. All enquirers were encouraged to put in a written submission.

A total of 26 written submissions were received during the public exhibition of the Draft Kurmond-Kurrajong Investigation Area Structure Plan. One submission was received after the close of the public exhibition period. A total of 12 submitters supported, and six submitters objected to the Draft Structure Plan. Nine submitters neither supported nor objected to the Structure Plan, but provided comments on matters such as more parking spaces in Kurrajong town centre, revitalisation of the Kurmond-Kurrajong town centres, update on Stage 2 of the Hawkesbury Local Government Area wide Traffic Study to be able to comment on the Draft Structure Plan, inclusion of walkways and cycle-ways and cleared vegetation along the road sides, and appropriateness of Minimum Lot Sizes larger than 4,000m<sup>2</sup> to protect the environment within the investigation area. Key issues raised in submissions related to:

- Lot sizes
- Traffic impacts
- Infrastructure requirements
- Views and vistas
- Landscape character
- Biodiversity mapping
- Environmental impacts

Further consultation with property owners was undertaken in early 2020.

**CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

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

Our Leadership

1.5 Regulation and Compliance:

- 1.5.1 Undertake Council initiatives within a clear and fair framework of strategic planning policies, procedures and service standards as required under all regulatory frameworks.
- 1.5.2 Best practise sustainability principles, accountability and good governance are incorporated in all activities undertaken by Council.

Our Environment

- 3.1 The natural environment is protected and enhanced - Value, protect and enhance our unique natural environment
  - 3.1.1 Encourage effective management and protection of our rivers, waterways, riparian land, surface and ground waters, and natural eco-systems through local action and regional partnerships.
  - 3.1.2 Act to protect and improve the natural environment including working with key agency partners.
  - 3.1.3 Minimise our community's impacts on habitat and biodiversity and protect areas of conservation value.
  - 3.1.4 Use a range of compliance measures to protect the natural environment.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

Our Future

5.1 Strategic Planning Governance

- 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.
- 5.1.3 Council will continually review its service provision to ensure best possible outcomes for the community.
- 5.1.4 Encourage increased community participation in planning and policy development.
- 5.1.5 The needs of our community will be reflected in Local, State and Regional Plans.

**FINANCIAL IMPACT**

There are no financial implications arising from this report.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

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

**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** Report to Ordinary Meeting 30 June 2020 - (*Distributed under separate cover*).
- AT - 2** Draft Kurmond-Kurrajong Investigation Area Structure Plan - (*Distributed under separate cover*).

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**GENERAL MANAGER**

**Item: 031**                      **GM - Six Month Update on the 2020/2021 Operational Plan - 1 July to 30 December 2020 - (79351)**

**Previous Item:**            112, Ordinary (30 June 2020)

**Directorate:**              General Manager

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to inform Council of progress in implementing Council's 2020/2021 Operational Plan for the period from 1 July 2020 to 31 December 2020.

**EXECUTIVE SUMMARY:**

Local councils in NSW are required to undertake their planning and reporting activities in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005. The Progress Report provides Council's six monthly update on the organisation's progress and performance in delivering actions outlined in Council's 2020/ 2021 Operational Plan.

**RECOMMENDATION:**

That Council receive and note the six month progress update on the 2020/2021 Operational Plan for the period from 1 July 2020 to 31 December 2020.

---

**BACKGROUND**

The Operational Plan is a key plan for the Hawkesbury. It translates Council's priorities and services set out in 'The Hawkesbury 2036: It's Our Future' Community Strategic Plan and four-year Delivery Program, into measurable actions for the full financial year.

This report has been prepared in accordance with the Office of Local Government's Integrated Planning and Reporting Framework. It provides Council's six monthly update on the organisation's progress and performance during the period from 1 July 2020 to 31 December 2020 in delivering actions outlined in Council's 2020/2021 Operational Plan.

The progress report provides a snapshot of achievements under the five focus areas set out in the Community Strategic Plan:

- Our Leadership
- Our Community
- Our Environment
- Our Assets
- Our Future

The snapshot is followed by detailed updates on key programs the organisation is progressing in line with the 2020/2021 Operational Plan

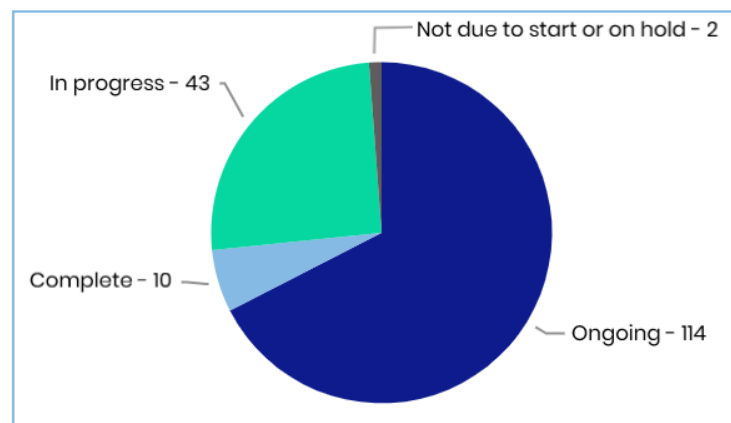
**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Relevant Legislation**

The Local Government Act 1993  
The Local Government (General) Regulation 2005

**DISCUSSION**

The attached progress report attached as Attachment 1 to this report, provides details of Council's progress in achieving the 169 actions listed in Council's 2020/2021 Operational Plan for the period from 1 July 2020 to 31 December 2020. The below chart shows a high level status report of the 169 actions listed in the plan. It is important to note that this report does not contain an update on every service and activity provided by Council.



**COMMUNITY ENGAGEMENT**

This report does not require community consultation.

**CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

The report is consistent with the following Focus Area, Direction and Strategy within the Community Strategic Plan.

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.

**FINANCIAL IMPACT**

There are no financial implications applicable to this report.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

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

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**ATTACHMENTS:**

- AT – 1**      Progress Report on the 2020/2021 Operational Plan for the period from 1 July 2020 to 31 December 2020 - *(Distributed under separate cover)*.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**INFRASTRUCTURE SERVICES**

**Item: 032**                      **IS - Hawkesbury and Blue Mountains World Heritage Centre Proposal - (95495)**

**Previous Item:**            Item 159, Ordinary (14 July 2020)  
                                 Item 272, Ordinary (27 October 2020)  
                                 Item 226, Ordinary (10 November 2020)

**Directorate:**                Infrastructure Services

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to consider the response received from the Minister for Infrastructure, Transport and Regional Development concerning the Hawkesbury and Blue Mountains World Heritage Centre Proposal.

**EXECUTIVE SUMMARY:**

At the Ordinary meeting of 27 October 2020 Council considered a Notice of Motion concerning a Bilpin Visitor Information Centre. The Notice of Motion requested that Council write to the Hon Michael McCormack MP, Minister for Infrastructure, Transport and Regional Development, with a copy to be forwarded to Senator the Hon Marise Payne, Senator for New South Wales to bring to the Minister's attention the revitalised concept of the Bilpin Visitor Information Centre.

Correspondence dated 24 November 2020 was forwarded to the Hon Michael McCormack MP, Minister for Infrastructure, Transport and Regional Development with a copy for Senator Marise Payne. A response from the Minister has now been received.

**RECOMMENDATION:**

That the correspondence from the Minister for Infrastructure, Transport and Regional Development regarding the Hawkesbury and Blue Mountains World Heritage Centre Proposal be received and noted.

---

**BACKGROUND**

At the Ordinary meeting of 27 October 2020 Council considered a Notice of Motion concerning a Bilpin Visitor Information Centre. The Notice of Motion requested that Council write to the Hon Michael McCormack MP, Minister for Infrastructure, Transport and Regional Development, with a copy to be forwarded to Senator the Hon Marise Payne, Senator for New South Wales to bring to the Minister's attention the revitalised concept of the Bilpin Visitor Information Centre.

It was noted that Council had previously considered a Notice of Motion in relation to the proposed Hawkesbury and Blue Mountains World Heritage Centre at the Ordinary meeting of 14 July 2020 where it was resolved that Council provide its support for an investigation into the revitalised concept of the Hawkesbury and Blue Mountains World Heritage Centre Proposal.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

At the meeting of 27 October 2020 it was resolved as follows:

*"That Council:*

1. *Note the establishment of an additional \$200 million as part of the Building Better Regions Fund in the Federal Government's Budget 2020/2021.*
2. *Write to the Hon Michael McCormack MP, Minister for Infrastructure, Transport and Regional Development, copying in Senator the Hon Marise Payne, Senator for New South Wales, to bring to his attention the revitalised concept of the Bilpin Visitor Information Centre, emphasising that Hawkesbury City Council has already passed a motion with unanimous support for the concept of this project at the Hawkesbury City Council meeting on 14 July 2020.*
3. *Table the response from the above correspondence in a future Council meeting when received."*

In accordance with the resolution, correspondence dated 24 November 2020 was forwarded by the Mayor to the Hon Michael McCormack MP, Minister for Infrastructure, Transport and Regional Development with a copy to Senator Marise Payne, Senator for New South Wales.

A response dated 15 January 2021 has been received from the Hon Michael McCormack MP and is attached as Attachment 1 to this report.

## **DISCUSSION**

Contact has been made with National Parks and Wildlife Service to discuss the potential for such a project and possible siting given the likely need for a site to be located in the National Park. National Parks and Wildlife Service advised that at this stage they have not recently considered the issue of a visitors centre. They did note that the previous proposal, which did not proceed, sought to also address administration and office issues that existed in the early 2000s. Current office and administration accommodation arrangements are considered satisfactory. National Parks and Wildlife Service also commented on the need to consider long term staffing and operational costs associated with a visitors centre. A formal approach to National Parks and Wildlife Service would be required to consider involvement and approval of that agency, for both site provision and possible operational management. This would also depend on the nature and scale of a facility.

## **COMMUNITY ENGAGEMENT**

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

## **CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

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

### Our Future

- 5.7 Tourism and Economic Development - Promote our community as the place to visit, work and invest
  - 5.7.1 Working in partnership we will actively market our City and our capabilities to existing and potential businesses, visitors and investors.
  - 5.7.2 Develop Hawkesbury Tourism to enhance and strengthen opportunities within our tourism sector.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**FINANCIAL IMPACT**

The matters raised in this report do not have any direct financial implications.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**


The proposal is not aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks.

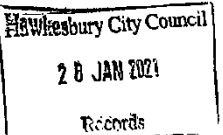
**ATTACHMENTS:**

- AT - 1** Letter dated 15 January 2021 - the Hon Michael McCormack MP, Minister for Infrastructure, Transport and Regional Development.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**AT - 1 Letter dated 15 January 2021 - the Hon Michael McCormack MP, Minister for Infrastructure, Transport and Regional Development**

  
**The Hon Michael McCormack MP**



**Deputy Prime Minister**  
**Minister for Infrastructure, Transport and Regional Development**  
**Leader of The Nationals**  
**Federal Member for Riverina**

Ref: MC20-010055  
**15 JAN 2021**

Cr Patrick Conolly  
Mayor  
Hawkesbury City Council  
PO Box 146  
WINDSOR NSW 2756

Dear Mayor


Thank you for your letter of 24 November 2020 regarding the Hawkesbury and Blue Mountains World Heritage Centre Proposal.

For most Australians, including those in our regional communities, 2020 will be the toughest year we have had to endure. The Australian Government continues to respond with urgency and seriousness to this pandemic. The Government's priority is the health and wellbeing of all Australians, their livelihoods and their jobs, and ensuring that Australia is positioned to emerge from this crisis stronger and more resilient.

As Deputy Prime Minister, I manage a \$1 billion COVID-19 Relief and Recovery Fund (the Fund) to support regions, communities and industry sectors that have been disproportionately affected by the COVID-19 crisis.

The initiatives that have been announced under the Fund are providing support for a number of industries, including agriculture, the arts, fisheries, tourism and transport. Information on the assistance measures provided through the Fund is available at [www.regional.gov.au/regional/programs/covid-19-relief-and-recovery-fund.aspx](http://www.regional.gov.au/regional/programs/covid-19-relief-and-recovery-fund.aspx).

The Fund includes the \$33.5 million Sustaining Tourism at Australia's Iconic World and National Heritage Sites initiative. This initiative will provide grants to support conservation, tourism and infrastructure upgrades across 23 national and world heritage sites at National and World Heritage places; preserving and enhancing them while creating jobs and lasting benefits for our tourism industry. Under this initiative, the Greater Blue Mountains World Heritage Area will receive \$600,000 to provide improved educational and interpretative signage and facilities for visitors and education groups.

  
**SCANNED**

The Hon Michael McCormack MP  
Parliament House Canberra | (02) 6277 7520 | [minister.mccormack@infrastructure.gov.au](mailto:minister.mccormack@infrastructure.gov.au)  
Suite 2, 11-15 Fitzmaurice Street, Wagga Wagga NSW 2650 | [michael.mccormack.mp@aph.gov.au](mailto:michael.mccormack.mp@aph.gov.au)

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

The Fund is just one of the ways in which we are investing in regional Australia. Through the 2020-21 Budget and Fund initiatives announced in October, we are ensuring that our regions are positioned to emerge stronger and more resilient from the pandemic. Over \$285 million is being invested to fund investment-ready infrastructure projects, provide new quality tourism infrastructure, help regions to attract domestic visitors, increase regional connectivity and develop the leadership skills of local regional leaders.

The Government has also announced a further \$200 million in the 2020-21 Budget towards a fifth round of the Building Better Regions Fund (BBRF), bringing the total commitment for this program to \$1.04 billion from 2017-18 to 2023-24. In Round Five, the Government is again targeting investment in shovel-ready projects that deliver jobs and drive economic growth.

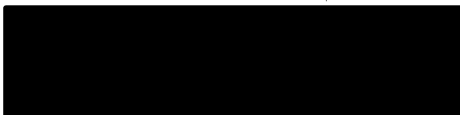
The Guidelines and other supporting materials for Round Five are available at [www.business.gov.au/bbrf](http://www.business.gov.au/bbrf), allowing potential applicants to carefully consider the requirements and make an informed decision about whether to apply for funding through the BBRF. Applications can be submitted from 12 January 2021 until 5 March 2021, and applicants are encouraged to start sourcing their supporting documents etc. to assist in the preparation of a quality application.

The Government continues to receive requests for support which we are carefully considering to ensure timely support is provided when and where it is most critically needed. Your correspondence will help inform consideration of how best to deliver future assistance.

I have provided a copy of your correspondence to the Hon Dan Tehan MP, Minister for Trade, Tourism and Investment, and the Hon Sussan Ley MP, Minister for the Environment, for their information.

Thank you for bringing your concerns to my attention and I trust this information is of assistance.

Yours sincerely



**Michael McCormack**

cc    The Hon Dan Tehan MP, Minister for Trade, Tourism and Investment  
      The Hon Sussan Ley MP, Minister for the Environment

oooO END OF REPORT Oooo

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Item: 033**                      **IS - Short Term Licence for McMahon Park, Kurrajong - (95495, 79354, 105529)**

**Directorate:**                Infrastructure Services

---

**PURPOSE OF THE REPORT:**

The purpose of this report is for Council to consider the approval of a short term licence to Hawkesbury Community Outreach Services Inc to erect a temporary shelter for their bus at McMahon Park, Kurrajong.

**EXECUTIVE SUMMARY:**

Hawkesbury Community Outreach Services Inc is seeking permission, to extend the existing shed to house an additional bus, within McMahon Park, Kurrajong.

McMahon Park is Crown Land and is set aside for the purpose of Public Recreation. Due to the proposal not meeting this specific purpose, Council as Trust Manager of the Crown Land can only give a temporary licence for a maximum period of 12 months. No renewal is possible unless the purpose of the land is changed and the Plan of Management permits the construction.

Council will consider a permanent structure as part of the plan of management currently being developed for the Park, with the final approval for the change of purpose will subject to the Minister for Crown Land.

**RECOMMENDATION:**

That:

1. Council to enter into a Temporary Licence for a maximum of 12 months with Hawkesbury Community Outreach Services Inc to install a temporary bus shelter at McMahon Park, Kurrajong.
2. The General Manager be given delegated authority to execute the Temporary Licence.
3. Hawkesbury Community Outreach Services Inc to lodge with Council a bond of \$1000 which is refundable less any costs incurred by Council, administrative or otherwise, to remove the temporary structure after the twelve month period in the event that the necessary approvals are not in place at that time.

---

**BACKGROUND**

Hawkesbury Community Outreach Services Inc is a not for profit organisation administrated by a voluntary Management Committee. Hawkesbury Community Outreach Services Inc was formed in 1980, and are currently based at the Kurrajong Community Centre, McMaho Park. They lease part of the office space and hire out the hall on a weekly basis.

Hawkesbury Community Outreach Services Inc provides a range of services including:

- Information and Referral services
- Photocopying and fax services
- Community Development
- Child, Youth and Family service
- Mobile Pre-School

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

- Playgroup
- Before and After School Care
- Vacation Care
- Mobile Minders service
- Seniors service
- Various skills and health programs

Hawkesbury Community Outreach Services Inc have approached Council asking if they can extend an existing building used for storage of a bus located within McMahon Park in order to house an additional bus.

McMahon Park is Crown Land and is set aside for the purposes of Public Recreation. The advice from Crown Land is that a bus shelter/shed does not meet the purposes of recreation and therefore should not be approved. Should Council however wish to give consideration to this request, this can only be achieved by addressing it in the Plan of Management and having the purpose amended. No guarantee can however be given to such purpose being approved by the Minister, when the Plan of Management is submitted for Minister's consent.

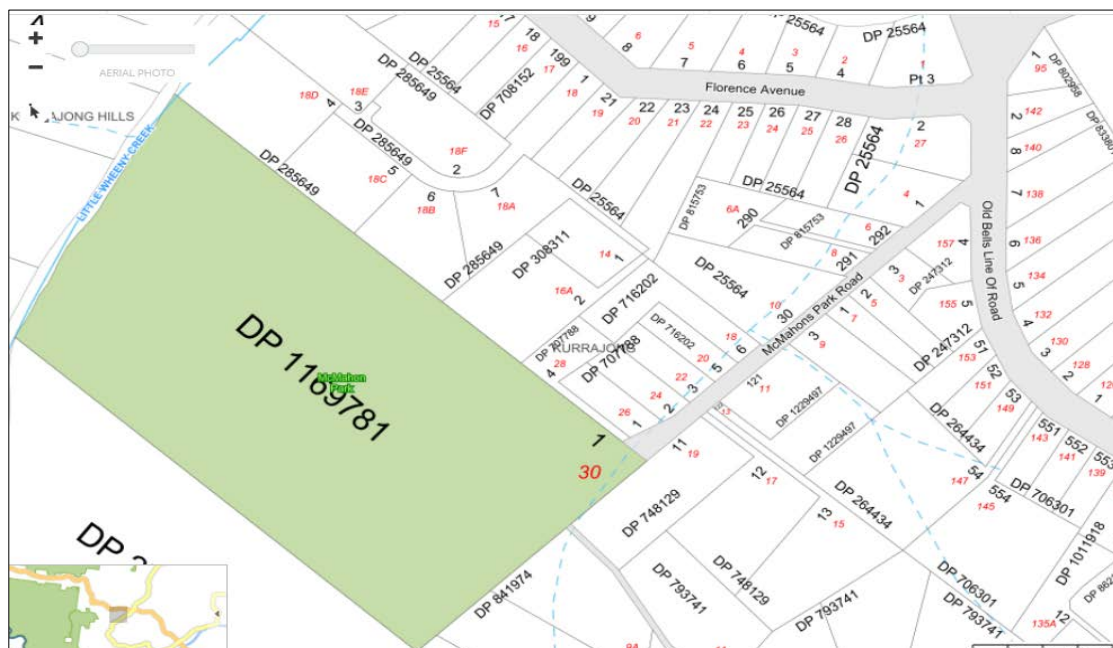
Council is currently in the process of developing a Plan of Management for McMahon Park and the Plan will consider a permanent shelter for the bus as part of the process. Until such time as Council and then the Minister of Crown Land approve the necessary changes to allow such a structure in the Plan of Management, a permanent structure cannot be installed.

Discussions with Crown Land have identified that as Council is a Trust Manager of this Reserve, Council can give a temporary licence pursuant to Section 2.20 of the Crown Land Management Act 2016 using purposes that are noted in Section 31 of the Crown Land Regulation 2018. This short term licence is valid for a maximum of twelve months and there can be no extensions. If the approval of a permanent structure is not approved in the plan of management, the temporary structure would need to be removed at the cost of Hawkesbury Community Outreach Services Inc.

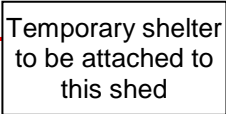
Due to there already being a bus shed on site, it is recommended that a temporary licence be granted for an additional temporary bus shelter. It is further recommended that a bond/bank guarantee be held should the applicant fail to remove the structure at the end of the twelve months.

#### **Location Plan**

McMahon Park is located at 30 McMaho Park Road, Kurrajong.



<p align="center"><b>ORDINARY MEETING</b></p> <p align="center"><b>SECTION 3 – Reports for Determination</b></p> <p align="center"><b>Meeting Date:</b> 23 February 2021</p>
--



Local Government Act 1993  
Crown Lands Act 2016  
Crown Land Regulation 2018

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. However Community Consultation will occur through the normal consultation process associated with the preparation of the Plan of Management which will consider a permanent approval for this use.

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

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

- 4.3.2 Provide a variety of quality active recreation spaces including playgrounds, sporting fields, pool, stadium and multipurpose centres to enhance our community's health and lifestyle.
- 4.3.3 Provide a variety of quality shared spaces including meeting spaces accommodating public art, cultural and environmental amenity to enhance our community's health and lifestyle.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**FINANCIAL IMPACT**

There is no direct financial cost to Council. The applicant would bear the cost of the installation and removal of the structure.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

As this is an external request, it does not relate to the Long Term Financial Plan.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Item: 034**                      **IS - Weed and Biosecurity Management - (95495, 79354, 12212)**

**Previous Item:**            199, Ordinary (13 October 2020)

**Directorate:**              Infrastructure Services

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to inform Council of various aspects of weed and biosecurity management undertaken by Hawkesbury River County Council and alternative service delivery arrangements.

**EXECUTIVE SUMMARY:**

Hawkesbury City Council is a constituent Council of the Hawkesbury River County Council which is a specific purpose County Council that administers weed/biosecurity functions on behalf of the member councils.

This report details broad costs and functions delivered to Hawkesbury City Council and provides indicative costs of undertaking that function directly. The report also outlines the cost and structures of two other councils that undertake this function directly. Should Council seek to further explore the direct management of weeds/biosecurity further significant research into weed management and required activities/service levels would need to be carried out.

**RECOMMENDATION:**

That the report regarding Weed and Biosecurity Management be received and noted.

---

**BACKGROUND**

At the Ordinary Meeting held on 13 October 2020, in considering a report on the review of Hawkesbury River County Council, it was resolved that Council be provided with a report to the efficacy and value obtained from Hawkesbury River County Council and alternative methods of weed management.

This report specifically provides a response to Part 5 of the Resolution (with further information on requests for Hawkesbury River County Council to address various matters to be reported separately) being;

Council be provided with a report to an Ordinary Meeting in February 2021 to the efficacy and value obtained from Hawkesbury River County Council and alternative methods of weed management, including but not limited to:

- a) A detailed list of the services that Council expects to receive from Hawkesbury River County Council on an annual basis and an analysis of the costs of these services. This analysis should include a comparison of the estimated costs of completing this work ourselves or by Hawkesbury River County Council.
- b) Details of how Councils that are not part of Hawkesbury River County Council deal with their weed management obligations (eg. Wollondilly, Camden, Central Coast, Hornsby, Blue Mountains).



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

- c) An analysis of the sources of funding for weed management and in particular, any differences between Hawkesbury Council's eligibility for grant funding and Hawkesbury River County Council's eligibility for grant funding.
- d) Details of the current weed management capabilities of Hawkesbury City Council, including our access to trained staff and equipment.

**DISCUSSION**

Hawkesbury River County Council is a specific purpose County Council formed in 1948 to address weed management on a regional basis. Its constituent members are Penrith, Blacktown, The Hills and Hawkesbury Councils. Its principal goal is to administer the Biosecurity Act for its member Councils, and seeks to undertake this function on a nil-tenure basis, with weed management carried out on a regional landscape basis.

a) Service Provision by Hawkesbury River County Council

Services that Council receives from Hawkesbury River County Council include:

- Administration of the Biosecurity Act 2015
- Property inspections for Priority Weeds
- Control of Priority Weeds on Council lands
- Inspections of nurseries and plant sale outlets for Priority Weed species
- Provide education and advice to occupiers of land and ensure they meet their obligations under the Biosecurity Act 2015
- Submit data to the NSW Biosecurity Information System

A full analysis of the cost of these services to Hawkesbury City Council has not been possible as Hawkesbury River County Council has not previously detailed these on an individual Council basis. This is being addressed by Hawkesbury River County Council with monthly activity reporting now occurring on a Council area basis. Some costings will in all likelihood still be done on an aggregated basis.

Hawkesbury City Council's contribution to Hawkesbury River County Council for 2020/2021 is \$194,604 (equal for all four constituent Councils).

On the available information it is difficult to be able to make a direct comparison of the cost of undertaking obligations under the Biosecurity Act and weed management by Council directly compared to Hawkesbury River County Council.

Hawkesbury River County Council prioritises, operates and conducts its activities over its whole area of operation and while each constituent Council area receives services based on need, actions are not directly correlated to annual contributions by each Council.

Under the Biosecurity Act, a Local Control Authority (in our case this is Hawkesbury River County Council) has a legal obligation to manage the biosecurity risk posed or likely to be posed to human health, the economy, community and environment by Priority Weeds.

Local Control Authorities can meet these obligations through programs to:

- Control Priority Weeds on Council managed land
- Inspect private lands to ensure owners of land carry out their obligations

Hawkesbury River County Council has an annual target of approximately 930 property inspections and 170ha of total weed control for each Council area. For Hawkesbury City Council to meet those targets for our area it is estimated that a minimum of three staff would be required at an estimated operational cost of \$370,000 per annum. (This would include wages, materials, plant and contract costs).

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

It is difficult to make a direct comparison of the outcome or service level that might be achieved through direct operation by Hawkesbury City Council, however there would be a greater ability to integrate with our other land and bushland management activities.

b) Management of Biosecurity and Weeds by Other Councils

Detailed information was sought from a number of Councils, to identify costs and structure for undertaking their Biosecurity Act obligations. Detailed responses were received from Blue Mountains Council and Camden Council.

*Blue Mountains City Council*

Blue Mountains City Council has a number of programs in place for the control of weeds within their LGA with activities undertaken directly. Management of the biosecurity function is undertaken within a broader function area with four full-time inspectors, and complete approx. 1,200 private land inspections per year and control of priority weeds on public lands.

This team operates within a larger group of 18 full time and 8 part time staff including coordination and administration staff.

This group undertakes bushland management, walking trails and bushcare.

Whilst the total cost of the functional area is approximately \$2m per annum, the biosecurity function is only a component of that cost.

*Camden Council*

Camden Council undertakes the biosecurity/weeds function as the Local Control Authority and has one full-time Weeds Officer who inspects around 430 properties per annum. These consist of larger rural, smaller rural, peri-urban and residential land inspections. Staff also inspect public land such as parks and reserves, road reserves, major roadways, train lines, creeks and the Nepean River.

The cost of provision of these services is approximately \$240,000 per annum, for which Camden attracts approximately \$56,000 in grants.

Camden Council has other teams who undertake works (mowing, maintenance etc) in reserves, parks, ovals, gardens, roadsides etc. This includes voluntary Bushcare groups overseen by council staff. Council's Parks and Gardens teams also do the more common weed control – but do not have specific responsibility for Priority Weeds under the legislation.

c) Funding Sources

Sources of external funding for weed management include Federal and State grant opportunities such as the Environment Restoration Fund, NSW Environmental Trust, Local Land Services and the NSW Weeds Action Program (WAP). The NSW WAP is available to Local Control Authorities, therefore currently excluding Hawkesbury City Council, otherwise there are no differences between either Councils or the County Councils eligibility for grant funding.

Hawkesbury City Council, if it were the Local Control Authority, would also be eligible to apply for grant funding.

Hawkesbury River County Council currently attracts approximately \$980,000 in grant funding from a number of sources including:

- Crown Reserves Improvement Fund
- Weeds Action Program
- Local Land Services/Department of Primary Industries
- Commonwealth Department of Science Energy and Resources

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

Hawkesbury City Council could attract funding from these sources. This could be potentially higher proportionally than the amount received by HRCC depending on grant parameters and assessment. Arguably direct allocation of grant funds to Council may reduce the ability for HRCC to act effectively on a regional basis.

d) Council Capabilities and Capacity

Hawkesbury City Council staff have significant knowledge and expertise in the realm of weed management however the on-ground control capacity of Council is limited by current staff numbers, and structure due to the longstanding role of Hawkesbury River County Council. Weed management is undertaken through the Parks and Recreation branch and extends from Open Space weed control by Parks staff, through to Natural Area control undertaken by Council contractors under the Land Management Program. Open Space weed control is mainly focussed on common grass weeds.

The Land Management Program targets invasive and environmental weeds, many of which are listed in the Hawkesbury Priority Weeds list published by Hawkesbury River County Council and therefore require control under the Biosecurity Act 2015. Council's annual budget for Land Management activities is approximately \$250,000 per annum, and allocated across some 40 reserves and is focussed on weed control, bushfire mitigation, threatened species protection, habitat enhancement and waterway health. The annual budget is also used to leverage additional grant funding for specific projects.

Council currently does not own the equipment necessary to undertake widespread weed control and significant investment in plant, staff and training that would be required to undertake activities currently undertaken by Hawkesbury River County Council.

**CONCLUSION**

The foregoing information provides a broad assessment of costs only, and a significant amount of further research would need to be undertaken to refine needs and service levels required to meet obligations under the Biosecurity Act. This would involve a detailed review of both private and public lands, weed distribution/classification, and the resourcing needed to meet various service levels.

**COMMUNITY ENGAGEMENT**

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

**CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

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

Our Environment

3.1 The natural environment is protected and enhanced

- 3.1.1 Encourage effective management and protection of our rivers, waterways, riparian land, surface and ground waters, and natural eco-systems through local action and regional partnerships.
- 3.1.2 Act to protect and improve the natural environment including working with key agency partners.
- 3.1.4 Minimise our community's impacts on habitat and biodiversity and protect areas of conservation value.
- 3.1.5 Use a range of compliance measures to protect the natural environment.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**FINANCIAL IMPACT**

There are no direct financial implications arising from this report.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

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

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**SUPPORT SERVICES**

**Item: 035**                      **SS - Investment Report - January 2021 - (95496, 96332)**

**Previous Item:**            150, Ordinary (10 March 2020)

**Directorate:**              Support Services

---

**PURPOSE OF THE REPORT:**

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

**EXECUTIVE SUMMARY:**

This report indicates that Council held \$57.63 million in investments at 31 January 2021 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

**RECOMMENDATION:**

That the Monthly Investments Report for January 2021 be received and noted.

---

**BACKGROUND**

Council held \$57.63 million in investments as at 31 January 2021. 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 \$57.63 million in investments held as at 31 January 2021.

***Table 1 - Summary of Council's Investment Portfolio as at 31 January 2021***

<b>Product Type</b>	<b>Face Value</b>	<b>% of Total</b>
At Call Deposits	\$3,700,000	6.4%
TCorp Cash Fund	\$2,132,926	3.7%
Term Deposits - Fixed Rate	\$51,800,000	89.9%
<b>Grand Total</b>	<b>\$57,632,926</b>	<b>100.0%</b>

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

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

Long Term Credit Rating	Face Value	% of Total
AA-	\$50,500,000	87.6%
BBB	\$3,000,000	5.2%
BBB+	\$2,000,000	3.5%
NSW TCorp Cash Fund	\$2,132,926	3.7%
<b>Grand Total</b>	<b>\$57,632,926</b>	<b>100.0%</b>

**Table 3 – Fixed Term Deposits**

Institution	Long Term Rating	Short Term Rating	Maturity	Rate	Face Value
<b>ANZ</b>	AA-	A-1+	07-Jul-21	0.80%	\$3,000,000
<b>Bank of Queensland</b>	BBB+	A-2	11-Aug-21	0.90%	\$2,500,000
			16-Dec-21	0.55%	\$500,000
<b>Commonwealth Bank of Australia</b>	AA-	A-1+	06-May-21	0.25%	\$500,000
			21-Jul-21	0.67%	\$2,000,000*
			21-Jul-21	0.61%	\$1,000,000
			26-Aug-21	0.69%	\$1,000,000*
			14-Oct-21	0.64%	\$3,000,000
			04-Nov-21	0.55%	\$1,500,000
			20-Nov-23	0.65%	\$1,000,000
<b>ME Bank</b>	BBB	A-2	09-Dec-21	0.50%	\$2,000,000
<b>National Australia Bank</b>	AA-	A-1+	10-Feb-21	1.50%	\$1,000,000
			19-Feb-21	1.50%	\$1,000,000
			05-Mar-21	1.30%	\$2,000,000
			29-Apr-21	1.10%	\$1,000,000
			06-May-21	0.35%	\$500,000
			26-May-21	1.02%	\$1,500,000
			03-Jun-21	0.99%	\$3,000,000
			22-Sep-21	0.70%	\$1,000,000
			14-Oct-21	0.50%	\$500,000
			10-Nov-21	0.50%	\$2,000,000
			13-Jan-22	0.45%	\$2,000,000
			27-Jan-22	0.42%	\$800,000
			19-Nov-24	0.75%	\$1,000,000
			15-Jan-25	0.80%	\$500,000
			03-Nov-25	0.95%	\$500,000
<b>Westpac</b>	AA-	A-1+	19-Nov-25	0.90%	\$500,000
			13-Jan-26	1.00%	\$500,000
			22-Feb-21	1.50%	\$1,000,000
			17-Mar-21	1.31%	\$3,000,000
			07-Apr-21	1.00%	\$1,000,000
			21-Apr-21	1.00%	\$1,000,000
			29-Apr-21	1.00%	\$1,000,000
			06-May-21	0.95%	\$1,500,000
			26-May-21	0.95%	\$500,000
			03-Jun-21	0.91%	\$1,000,000
<b>Grand Total</b>			18-Jun-21	0.92%	\$1,500,000
			22-Sep-21	0.67%	\$1,000,000*
			09-Dec-21	0.49%	\$2,000,000*
					<b>\$51,800,000</b>

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

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

## 2. Compliance to Investment Policy

Tables 4 to 5 below summarise Council's exposure limits to the credit ratings bands, term to maturity parameters and compliance with Council's Investment Policy.

**Table 4 – Exposure Limits to credit ratings bands**

Long-Term Credit Rating	Exposure of Entire Portfolio		
	Actual	Maximum	Compliant
AAA to AA- or Major Bank and below	96.30%	100%	Yes
A+ to A- and below	8.68%	50%	Yes
BBB+ to BBB and below	8.68%	30%	Yes
BBB- and below	0%	5%	Yes
TCorp Cash Fund	3.70%	20%	Yes

**Table 5 – Term to Maturity**

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

## 3. Portfolio Return

Council's investment portfolio (excluding At Call Deposits and TCorp Cash Fund) provided a weighted average return (running yield) as shown in Table 6 below.

**Table 6 – Portfolio Return**

30 November 2020	Weighted Average Return (Running Yield)
Hawkesbury City Council – Investment Portfolio	0.070%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.001%
<b>Performance Relative to Benchmark</b>	0.069%

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

## Relevant Legislation

According to Clause 212 of the Local Government (General) Regulation 2005, the Responsible Accounting Officer must provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must include a certificate as to whether investments have been made in accordance with the Act, the Regulation and the Council's Investment Policy.

## Investment Certification

I, Emma Galea (Responsible Accounting Officer), hereby certify that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**DISCUSSION**

Council's investments and returns achieved are driven and impacted by economic and market conditions. Council's Investment Advisor has reviewed Council's investments as at 31 January 2021 and has advised as follows:

- *"Council's portfolio monthly return is around 0.07% above the Bloomberg AusBond Bank Bill benchmark. This return excludes at Call Accounts and the NSW TCorp Cash Fund. While Council's investment performance has fallen in recent times it has maintained an excellent return over the benchmark index and relative to comparable councils.*
- *In terms of Investment Policy Limits, Council's total exposure to Bank of Queensland (BoQ) totalling \$3 million in term deposits represents 5.21% of total portfolio and therefore slightly exceeds the 5% limit for banks rated BBB+. At the time of investing with BoQ, the invested amount with BoQ was within the policy limit, but the total exposure to BoQ is now slightly above the policy limit as the total dollar amount of the portfolio declined to \$57.6 million as at 31 January from \$61.3 million as at 31 December. All of Council's \$3 million investment with BoQ will mature in 2021, with \$2.5 million maturing in August 2021 and \$500,000 in December 2021. Amicus recommends no additional investments be made with BoQ at this stage.*
- *Overall, exposures to individual entities and to credit limits have been well managed such that there is additional capacity to add exposures to any of the existing entities if an opportunity arises, or to absorb any downgrades. Amicus generally recommends its clients operate with "buffers" between policy limit maximums and minimums to provide flexibility and avoid breaches, which is the strategy adopted by Hawkesbury City Council.*

*In the current investment environment, Amicus suggests Council pursues the following investment strategies with regards to any excess liquidity:*

- *Invest in the best Term Deposit rates available within the capacity of Policy limits.*
- *Take limited exposures (no more than 5% of the total portfolio per entity, obviously within policy limits) to issuers outside the Major Banks in short-dated Term Deposits if rates are attractive. This is a very low risk strategy given the steps taken by the Reserve Bank of Australia to ensure no Authorised Deposit Taking Institutions will fail due to liquidity reasons in the short-term. In making these investments, Council should consider the likely lowest overall total size of the investment portfolio over the year to ensure that total exposures to an issuer outside the Major Banks does not exceed the 5% limit because the overall portfolio size has decreased since the initial investment was made.*
- *Consider investing in Bonds and Floating Rate Notes where the yields and risks are attractive relative to Term Deposits. As per prior reports, the relative value of these two instruments varies with market conditions and there are commonly periods where one is more attractive than the other and vice versa.*
- *With current Term Deposit rates well below the average of Council's average annual yield investment returns will fall in the coming months and so Amicus recommends Council actively pursue the strategies outlined above to mitigate the coming impact on absolute returns."*

During the reporting period, the investment portfolio decreased by \$3.6 million reflecting funds received, payments made, and redemption of invested funds and lodging of new term deposits, which is driven by cash flow requirements.

**Restriction of Funds**

Council's total investment portfolio as at 31 January 2021 included funds that are restricted as to what they can be expended on.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Table 7 – Restriction of Funds**

<b>Restriction Type</b>	<b>Amount</b>	<b>%</b>
External Restrictions - S7.11 and S7.12 Developer Contributions	\$12,098,965	20.99%
External Restrictions - Western Parkland City Liveability Program	\$3,522,618	6.11%
External Restrictions - Bushfire and Flood Grants	\$830,896	1.44%
External Restrictions - Other (e.g. domestic waste, sewerage)	\$3,890,716	6.75%
Internal Restrictions (e.g. election, workers compensation, Employee Leave Entitlements)	\$16,302,080	28.29%
Unrestricted	\$20,987,651	36.42%
<b>Total</b>	<b>\$57,632,926</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.

***Liveability, Fire and Flood Funding***

At its meeting on 28 July 2020 Council resolved that future monthly investment reports identify the proportion of total investments made up of:

- Western Parkland City Liveability Program funding
- State and Federal Government grant funding for fire and flood.

Table 7 (above) has been amended to provide the details of the proportions

**COMMUNITY ENGAGEMENT**

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

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

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

Our Leadership

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

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

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

**FINANCIAL IMPACT**

The matters raised in this report have direct financial implications. The income applicable is provided for in the Adopted 2020/2021 Operational Plan.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

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

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Item: 036**                      **SS - December 2020 Quarterly Budget Review Statement - (95496, 96332)**

**Previous Item:**            112, Ordinary (30 June 2020)

**Directorate:**              Support Services

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to inform Council of its financial position as at 31 December 2020 and to seek adoption of proposed changes required to the Budget within the Adopted 2020/2021 Operational Plan.

**EXECUTIVE SUMMARY:**

Council is required to review its progress in achieving the financial objectives set out in its Operational Plan, within two months of the end of each quarter. The Responsible Accounting Officer must submit to Council a budget review statement that shows the revised estimate of the income and expenditure for that year, referencing the estimate of income and expenditure included in the Adopted Operational plan.

The Responsible Accounting Officer has revised Council's income and expenditure for the 2020/2021 financial year and recommends revising estimates in line with Council's financial performance as at the end of December 2020, and as projected for the remainder of the financial year. This report and the relevant attachment provide information on Council's financial performance and financial position for:

- The second quarter of the 2020/2021 financial year; and
- The resulting financial position including the Budget variations proposed.

The Quarterly Budget Review Statement – December 2020 (the Statement) recommends budget adjustments that result in an overall budgeted surplus for the quarter of \$126K. It is proposed that this surplus is allocated to the Multi-Year Reserve.

**RECOMMENDATION:**

That:

1. Council receive the information contained in this report regarding the December 2020 Quarterly Budget Review and that the Budget adjustments, as summarised in the report and detailed in Attachment 1 to the report, be adopted.
  2. The budgeted surplus of \$126K is transferred to the Multi Year Reserve.
- 

**BACKGROUND**

Clause 203 of the Local Government (General) Regulation 2005 stipulates that the Responsible Accounting Officer of a council must prepare and submit to the Council a Budget Review Statement within two months after the end of each quarter (except the June quarter).

The Integrated Planning and Reporting (IP&R) Framework outlines that Councils are required to present a summary of the Council's financial position at the end of each quarter. It is the mechanism whereby councillors and the community are informed of the Council's progress against the Original Budget and the last revised budget along with recommended changes and reasons for major variances.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

The Quarterly Budget Review Statement is the mechanism stipulated by the Local Government Regulation 2005 for councils to revise the adopted Operational Plan for the year to reflect the actual financial performance as at the end of each quarter and projected to the end of the financial year. This review ensures Council's Budget remains current and relevant throughout the financial year and provides early indication of progress in achieving financial targets.

In revising estimates, a conservative approach has been taken. Unfavourable trends relating to income outside Council's control are proposed to be adjusted to reflect the anticipated performance up to the 30 June 2021. Unfavourable trends relating to expenditure outside Council's control are also proposed to be adjusted for the same period.

The Adopted 2020/2021 Operational Plan included various assumptions to reflect the financial risks associated with COVID-19. Funding of \$1.2M was used from the Multi-Year Reserve to maintain an overall budgeted financial position. Assumptions made in regard to certain income and expenditure line items have been reviewed as at 31 December 2020, and where applicable further adjustments have been made.

The Statement recommends budget adjustments that result in an overall budgeted surplus adjustment for the Quarter. It is proposed that the budgeted surplus is allocated to the Multi-Year Reserve to partly replenish funds used during the preparation of the 2020/2021 Operational Plan.

Variations proposed are necessary to ensure appropriate budget allocations are available to deliver Council's Adopted Operational Plan. Refer to Attachment 1 to this report for details.

#### **Relevant Legislation**

Local Government Act, 1993  
Local Government (General) Regulation 2005

#### **DISCUSSION**

##### Financial Position

The Statement recommends budget adjustments that result in an overall result in an overall surplus of \$126K for the Quarter.

In the opinion of the Responsible Accounting Officer, Council is in a satisfactory short term financial position and remains on track to achieve the required Fit for the Future Ratios, as planned in its Long-Term Financial Plan.

##### Impact of the COVID-19 Pandemic

The 2020/2021 Operational Plan was prepared during the peak of the COVID-19 Pandemic. At that time, the length and the severity of the impact of the pandemic was unknown. A prudent approach was taken and a number of assumptions were made in regard to certain income and expenditure lines and the associated budgets were adjusted accordingly.

A number of the income and expenditure lines that were adjusted are showing a favourable trend. Accordingly, adjustments have been included in relation to expenditure on community events and income pertaining to Upper Colo Reserve and Section 603 Certificates.

A number of the income and expenditure lines that were adjusted are showing an unfavourable trend. Accordingly, adjustments have been included in regard to income from regulatory activities, which is outlined within the Unfavourable Adjustments section of this report.

The COVID-19 situation and the likely impact will continue to be monitored and if necessary, adjustments will be made in future Quarterly Reviews.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

Attachment 1 to this report (distributed under separate cover) includes an executive summary of Council's financial performance as at the end of the second quarter of 2020/2021 and provides further details within financial reports provided.

The Attachment also details all the major budget variations proposed. Adjustments include variations that are minor or not operationally significant in nature and adjustments to the phasing of budgets. These latter adjustments have no impact on Council's overall Budget position or Operating Performance Ratio.

The more significant items of the December 2020 Quarterly Budget Review Statement include:

**1. Favourable Adjustments:**

- *Deferral of Childcare Centre Renewals (\$222K)* – At the time of developing the 2020/2021 Original Budget, it was anticipated that the childcare leases would be in the second year of effect, with associated expenditure on childcare renewals of \$222K. In line with the Council Resolution at the Ordinary Council Meeting on 30 June 2020, the associated expenditure has been deferred for 12 months.
- *Community Events Program (\$101K)* – As a result of Public Health Orders due to the COVID-19 Pandemic, some events have either been cancelled, or have been delivered in a reduced capacity, requiring lower expenditure than projected.
- *Plant Running Costs (\$55K)* – The 2020/2021 Original Budget for plant running cost was developed based on the fuel prices at the time, which have significantly lowered over the last six months. In line with current fuel prices, it is proposed to reduce the budgeted plant running costs for the year by \$55K.
- *NSW Rural Fire Service (RFS) Allocations (\$46K)* – The Original Budget was developed based on the application submitted to NSW RFS by the Hawkesbury District RFS. Based on the written advice received from NSW RFS, Council's net cost is \$46K lower than the budgeted amount.
- *Operation of Lower Portland Ferry (\$33K)* – Transport for NSW has confirmed the funding arrangements for the operation of the Lower Portland Ferry, being up to \$500K, to be reimbursed in regard to operational costs incurred. A favourable adjustment of \$33K is required to bring the budgeted amount in line with the confirmed amount and scope of works eligibility.
- *Upper Colo Reserve (\$29K)* – Bookings made for Upper Colo have generated \$29K more than the Full Year Budget, as the closure of the Reserve was for less time than projected.
- *Section 603 Certificates (\$20K)* – The property market has experienced some recovery since the development of the 2020/2021 Original Budget, and based on income received to date, the budget for this income is projected to be exceeded by \$20K over the remainder of the financial year.

**2. Unfavourable Adjustments:**

- *Building Renewals (\$162K)* – Council develops its building renewal program, and associated budget, based on assumed costs of buildings works, anticipated works required and asset condition. However, detailed specifications, changes in unit costs, external influences on scope, changed service level requirements, and changes in asset management methodology, may impact the estimated cost. An additional \$162K is required to complete the Buildings Renewals Program, budgeted at \$5.6M.
- *Regulatory Infringements Income (\$152K)* – Council receives regulatory infringement income from Revenue NSW once the fine is paid. As a result of the COVID-19

## ORDINARY MEETING

### SECTION 3 – Reports for Determination

Meeting Date: 23 February 2021

Pandemic, the NSW Government has provided some assistance in relation to payment arrangements. During this time Council has taken a lenient approach to issuing infringement notices. As a result, it is anticipated that the following income lines will be less than budgeted:

- Carparking \$85K
  - Regulatory \$42K
  - Companion Animals \$25K
- *Kurrajong Memorial Park Playground Replacement (\$41K)* – The budget for the playground replacement at Kurrajong Memorial Park is \$348,945. An additional \$41K is required to fund contract variations and other associated expenditure incurred as a result of a redesign to address concerns raised in regard to the impact on properties neighbouring the Park.
- *Richmond Pool Infrastructure (\$38K)* – Asset replacements are budgeted based on projected asset conditions and usage. A recent assessment of assets at Richmond Pool indicated that some pumps and chemical feeders require replacement earlier than projected. The cost is estimated at \$38K.
- *Companion Animal Impounding (\$25K)* – Due to changes in operations by other Local Governments that use the Hawkesbury Companion Animal Shelter, it is projected that impounding fees will be \$25K less than the forecast.

#### 3. Adjustments with Nil Impact on Council's Overall Budget position

- *Road Sealing Program* – The design of the sealing of gravel roads for Old East Kurrajong Road, East Kurrajong and Reedy Road, Maraylya, indicated that it would be more cost-effective to upgrade the associated drainage systems in conjunction with the sealing work. Accordingly, \$190K is being re-allocated from the Drainage Budget to these two projects.
- *Hawkesbury Oasis Aquatic and Leisure Centre* – The 2020/2021 Original Budget for the refurbishment of the Hawkesbury Oasis Aquatic and Leisure Centre was based on the condition and unit costs at the time. Recent condition audits indicated that an additional \$73K is required to complete the refurbishment in a cost effective manner. Flood lighting reactive works (\$30K) and early invention relining works on the wading pool (\$30K) are also funded in this budget review. These amounts are proposed to be funded through reallocation of the budget for the North Richmond Park Amenities Roof Renewal. This project is proposed to be deferred to a future year so as to enable a more comprehensive refurbishment including improved accessibility.

#### 4. Grants – Additional Works and Programs - \$1.62M

A number of adjustments relating to grant funding, successfully secured by Council, are included in this Statement. These adjustments have a nil effect on the Budget position, as amounts included for income have a corresponding amount for expenditure. The securing of grant funding assists Council to undertake works otherwise not funded through Council's available funds.

There are several major adjustments relating to grant funding, as outlined below:

- *Greening our City (\$1.2M)* – Green Innovations Program funded by Local Government NSW has approved the Hawkesbury Vibrant Towns and Villages program – to provide green tree boulevards for Richmond, South Windsor and Windsor.
- *Combatting Illegal Dumping, Cleaning and Prevention Program (\$20K)* – Funding under the Environment Protection Authority to establish illegal dumping baseline data with a view to better recording and responding to illegal dumping incidences.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

- *Bushfire Community Recovery & Resilience Funding (\$250K)* – Resilience NSW is providing \$250K to support councils to help coordinate and facilitate community led projects, activities and events that contribute to the community's recovery, resilience and future preparedness.
- *Boating Now Program (\$150K)* – Transport for NSW is providing \$150K as part of the Boating Now Program for boat parking improvements at Governor Philip Park.

**5. Reserve Funded Adjustments**

The following major adjustments are within internally or externally restricted funds, and consequently have nil impact on Council's overall position:

- *Childcare Centre Renewal Reserve* – An adjustment of \$20K to the Childcare Centre Renewals Reserve has been made to reflect the actual income to be received from the Child Care Centres during the 2020/2021 financial year.
- *Voluntary Planning Agreement Reserve* – A budget adjustment of \$94K regarding income received from a Voluntary Planning Agreement for Longleat Lane, Kurmond is included, with funds to be used for future works for infrastructure, services or other public amenities.
- *Multi-Year Reserve* – In order to deliver the Signage Program during 2021/2022, \$66K is being brought forward to engage a consultant to develop the over-arching framework to determine the appropriate locations, designs and a sign replacement program. This will enable works to commence in early 2021/2022.
- *Infrastructure Borrowings Loan Reserve* – As part of preparing for the Road Sealing Program for 2021/2022, an amount of \$100K is being brought forward to undertake design works for the sealing of Douglas Street, North Richmond and Packer Road, Blaxland Ridge. A budget adjustment \$54K is included to enable the delivery of the Accessibility Improvements Program in 2020/2021.
- *Planning Proposal Reserve* – A review of restricted funds held within this Reserve has been undertaken. Income and expenditure relating to planning proposals is not required to be restricted as any expenditure associated with planning proposals generally relates to staff time or budgeted consultancy expenditure. Therefore, funds restricted within this Reserve have been released to General Funds, resulting in a \$114K favourable variance.
- *Property Development Reserve* – A review of restricted funds held within this Reserve has been undertaken. Some of the expenditure budgeted to be funded from this Reserve was not aligned with the original intent of this Reserve. The Reserve was established to enable restriction of funds from sale of surplus property to enable future strategic property acquisition. Expenditure budgeted to be funded from this Reserve will be funded from General Funds, resulting in a \$244K unfavourable variance.
- *Construction and Engineering Reserve* – A review of restricted funds held within this Reserve has been undertaken. The income and expenditure relating to construction and engineering is not required to be restricted. Therefore, funds restricted within this Reserve have been released to General Funds, resulting in a \$38K favourable variance.
- *Sewer Reserve* – In line with the insurance premium paid for sewer assets, an additional \$89K funding is required from this Reserve.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

The Statement includes a number of minor adjustments and reallocation of funds that have not been detailed above. Further details can be found in the attachment to this report.

**6. Budgeted Overall Surplus**

The main Budget variations detailed above and other minor variations listed in Attachment 1 to this report, result in an overall budgeted surplus position of \$126K. It is recommended that this Surplus is transferred to the Multi Year Reserve.

The Multi Year Infrastructure Projects Reserve underpins the Long Term Financial Plan ensuring that funding availability and optimal asset management are aligned. In preparing the 2020/2021 Budget, it was necessary to borrow \$1.2M from this Reserve to balance the Budget in light of the COVID-19 Pandemic impacts. Accordingly, it is appropriate that any surplus arising in Quarterly Reviews in 2020/2021, and if necessary in future financial years, is allocated to this Reserve with the aim of over time of restoring it to the balances built in in the Long Term Financial Plan.

**7. Performance against Financial Sustainability Benchmarks**

Table 1 provides an update of Council's performance against the Financial Sustainability Benchmarks, as determined as part of the Fit for the Future Framework.

**Table 1**

Financial Sustainability Ratio	Benchmark	Original Budget 20/21	Amended Budget 20/21 After Carry Overs & Sep QBRS	Amended Budget 20/21 After Dec QBRS
Operating Performance	$\geq 0$	0.002	-0.07	-0.05
Own Source Revenue	$> 60\%$	83.2%	77.9%	76.3%
Asset Renewal	$> 100\%$	128.3%	163.7%	201.2%
Infrastructure Backlog	$< 2\%$	0.8%	0.3%	0.5%
Asset Maintenance	$> 100\%$	103.3%	112.5%	110.3%
Debt Service	0%-20%	5.3%	5.3%	5.3%
Real Operating Expenditure per Capita	Decrease	Increase	Increase	Increase

**8. The Budgeted (Projected) Operating Performance Ratio**

- a) The projected Operating Performance Ratio deteriorates to -0.07 in the September 2020 Quarter, due to the impact of the prepayment of part of the 2020/2021 Financial Assistance Grant in 2019/2020 and amounts carried over from 2019/2020. As at this time, there is no certainty that the 2021/2022 Financial Assistance Grant will be partly prepaid in this financial year. The 2020/2021 Budget needs to reflect a shortfall of \$2.3M. As occurred in 2019/2020, it is anticipated the Operating Performance Ratio will again be rectified as at June 2021 if the 2021/2022 Financial Assistance Grant is partially prepaid. The Budget also assumes that all budgeted operating expenditure is spent as at 30 June 2021.
- b) As at the end of December 2020, the projected Operating Performance Ratio improved from the September 2020 Quarter, mainly as a result of the \$1.1M Round 1 Stimulus funding received from the Commonwealth Government, which will be expended on capital projects.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

As at the end of the December 2020 Quarter, Council is on track to achieve the required Fit for the Future Ratios, as planned in its Long-Term Financial 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 2017-2036**

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

Our Leadership

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

**FINANCIAL IMPACT**

The matters raised in this report have direct financial implications. If adopted, the Budget proposed will be added to the current 2020/2021 Budget.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

The subject of this report does not directly align with a specific Fit for the Future Strategy, but does impact on the overall Fit for the Future objectives, being to attain financial sustainability and meet all Fit for the Future benchmarks by June 2021.

It is to be noted that the NSW Government has advised that as a result of the natural disasters and the COVID-19 Pandemic, that Local Government is to focus on supporting the community, rather than focus solely on achieving the Fit for the Future Benchmarks by June 2021.

**ATTACHMENTS:**

**AT - 1** The Quarterly Budget Review Statement - December 2020 - *(Distributed under separate cover)*.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Item: 037**                      **SS - Financial Information Regarding Various Matters - (95496)**

**Previous Item:**            093, Ordinary (26 May 2020)

**Directorate:**              General Manager

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to provide information requested by Council in regard to various financial matters.

**EXECUTIVE SUMMARY:**

On 26 May 2020, Council considered a report regarding Council spending during the period 2014/2015 and 2019/2020. At that meeting Council resolved that the matter be deferred, and that a Workshop be convened before the matter is reported back to Council.

Accordingly, a Councillor Workshop was held on 15 December 2020. Additional information was provided at a Councillor Briefing on 2 February 2021. The information provided was based on the information provided to the Council meeting on 26 May 2020 as reviewed, updated and clarified as appropriate.

The information relates to the following areas:

- The Contingency Reserve
- Full Time Equivalent Staff
- Consultants
- Legal Expenditure
- Prepayments
- Carryovers
- Infrastructure backlog, maintenance and capital works
- Biodiversity Income
- Property Related Income
- Audit Committee
- Special Rate Variation Projects

**RECOMMENDATION:**

That the information in regard to various financial matters be received and noted.

---

**BACKGROUND**

On 26 May 2020, Council considered a report regarding Council spending during the last six years. At that meeting Council resolved, in part

*"That:*

1. *Consideration of this matter be deferred.*
2. *All Councillors submit by email to the General Manger by Friday, 29 May 2020 any questions in relation to the report.*

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

3. *Once the questions have been answered, the General Manager convene a Workshop before the matter is reported back to Council."*

Requests for further or more detailed information were raised during the Council Meeting and a number of further requests were requested through subsequent emails from Councillors. Information requested related to the following matters:

- The Contingency Reserve
- Full Time Equivalent Staff
- Consultants
- Legal Expenditure
- Prepayments
- Carryovers
- Infrastructure backlog, maintenance and capital works
- Biodiversity Income
- Property Related Income
- Audit Committee
- Special Rate Variation Projects

The information provided to the Council meeting on 26 May 2020 was reviewed, updated and clarified as appropriate. Where relevant, information was updated to reflect the information as at 30 June 2020.

A Councillor Workshop was held on 15 December 2020 and information in regard to the matters above was provided and discussed. Further information was requested in regard to some of the matters discussed. The additional information was provided at the Councillor Briefing Session on 2 February 2021.

## **DISCUSSION**

The Information provided in regard to various financial matters is summarised below:

### **1. The Contingency Reserve**

#### **1.1 Background**

Council has two categories of Reserves, Restricted and Internally Restricted.

Restricted Reserves are Reserves that are required to be established by external legislation, for example, Developer Contribution Reserves.

Internally Restricted Reserves are Reserves that are not required to be established by external Legislation. They are established and used by Council to facilitate its ongoing day to day operations or for a specific future purpose.

The Contingency Reserve is one of 14 Internally Restricted Reserves used by Council.

#### **1.2 Purpose of Contingency Reserve**

*The Contingency Reserve was established on 29 August 2006 as a part of the June Quarterly Review. Council resolved in part that:*

2. *"A Contingency Reserve be established with any available surplus being transferred to this reserve to fund any future unforeseen budget adjustments or emergency expenditure."*

The purpose of the Contingency Reserve is as outlined in the Council resolution. An amount of \$231,000 was initially transferred to this new Reserve.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

### 1.3 *Movements in and out of the Contingency Reserve*

As at 1 July 2014, the Contingency Reserve had a balance of \$345,637. As at 30 June 2020, the balance was \$485,397. Table 1 below shows details of all movements in and out of the Contingency Reserve.

**Table 1 - Movements in and out of the Contingency Reserve since 1 July 2014**

Details of transfers to and from Contingency Reserve		
Year	Description	Amount
	<b>Opening Balance July 2014/2015</b>	<b>345,637</b>
2014/2015	Regulatory Services Relocation	-6,113
2014/2015	Hawkesbury Oasis Leisure Centre Equipment - urgent replacement of pool filter	-11,800
2014/2015	Redirection of 2014/2015 Budgetary Surplus to Contingency Reserve as part of End of Year Process	467,958
2015/2016	Funding of 2015/2016 Original Budget Deficit	-183,448
2015/2016	Communication material in relation to proposed merger with The Hills Council - Council Resolution 28 January 2016	-12,000
2017/2018	Transfer of unallocated Carryover Reserve funds to Contingency Reserve	120,978
2018/2019	Implementation of Fit for the Future Strategies - Depot Operations	-133,715
2018/2019	Implementation of Fit for the Future Strategies - Business Improvement	-115,437
2018/2019	Implementation of Fit for the Future Strategies - Information Services	-86,979
2018/2019	Replenishment of Reserve	93,037
2018/2019	Funding of December 2018 Quarterly Review Deficit	-236,283
2018/2019	Repayment of Reserve from March 2019 Quarterly Review Surplus	59,335
2018/2019	Redirection of 2018/2019 Budgetary Surplus to Contingency Reserve as part of End of Year Process	120,000
2019/2020	Implementation of Fit for the Future Strategies - Depot Operations	-159,318
2019/2020	Implementation of Fit for the Future Strategies - Business Improvement	-109,995
2019/2020	Implementation of Fit for the Future Strategies - Information Services	-90,395
2019/2020	Implementation of Fit for the Future Strategies - Human Resources	-99,768
2019/2020	Replenishment of Reserve	614,595
2019/2020	Funding of December 2019 Quarterly Budget Review Deficit	-60,780
2019/2020	Clean-up on flood damaged properties - Council Resolution	-19,375
2019/2020	Funding of March 2020 Quarterly Budget Review Deficit	-69,984
2019/2020	Redirection of 2019/2020 Budgetary Surplus to Contingency Reserve as part of End of Year Process - Council Resolution	59,246
	<b>Net movement in Reserve for the last 6 years as at 30 June 2020</b>	<b>139,760</b>
	<b>Balance as at 30 June 2020</b>	<b>485,397</b>
2020/2021	Part repayment of funding for implementation of Fit for the Future Strategies - Depot Operations (to be made over 3 years)	97,678
2020/2021	Part repayment of funding for implementation of Fit for the Future Strategies - Business Improvements (to be made over 3 years)	77,504
2020/2021	Part repayment of funding for implementation of Fit for the Future Strategies - Information Services (to be made over 3 years)	59,424
2020/2021	Implementation of Fit for the Future Strategies - Human Resources	-120,003
2020/2021	Clean-up on flood damaged properties - Council Resolution	-5,626
	<b>Net projected movement as at 30 June 2021</b>	<b>108,977</b>
	<b>Projected Balance as at 30 June 2021</b>	<b>594,374</b>

### 1.4 *Funding of unfavourable or unforeseen expenditure*

Council established a Contingency Reserve for the purpose of building up a funding source that could be accessed should a shortfall occur due to unfavourable or unforeseen circumstances.

In accordance with this intent, the Reserve has been used to fund unexpected necessary expenditure. Specifically, The Reserve was utilised to fund the following expenditures:

- 2014/2015 - Regulatory Services Relocation to Dight Street Offices - \$6,113
- 2014/2015 - Urgent replacement of pool filter at Hawkesbury Oasis - \$11,800
- 2015/2016 - Funding of Original Budget Deficit - \$183,448
- 2015/2016 - Expenditure associated with proposed merger with Hills Council - \$12,000
- 2018/2019 - Funding of December 2018 Quarterly Review Budget Deficit - \$236,283

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

- 2019/2020 - Funding of December 2019 Quarterly Review Budget Deficit - \$60,780
- 2019/2020 - Clean Up on Flood damaged properties - \$25,000
- 2019/2020 - Funding of March 2020 Quarterly Review Budget Deficit - \$69,984

Prior to the period being reported, the Contingency Reserve was also used for the urgent replacement of the Lower Portland Ferry.

The above uses of the Contingency Reserve was either resolved by, or reported to, Council.

**1.5 Funding of staff positions**

In recent years the Reserve has also been used to fund resources engaged in activities that support the implementation of Council's Fit for the Future strategies. As these positions were expected to generate savings, incrementally over a number of years, the Long-Term Financial Plan made provision for amounts funded to be repaid to the Contingency Reserve in future years.

The following positions were funded from the Contingency Reserve:

- Executive Manager Operations
- Business Improvement Specialist
- IT Analyst
- Senior People and Development Advisor

Whilst the respective Operational Plans associated with funding of the staff positions detailed above did not detail the positions and source of funding, Council were advised of additional resources being required to address certain activities.

In future Operational Plans and subsequent Quarterly Budget Reviews, any additional resources, including the source of funding, will be reported.

**1.6 Replenishment of the Contingency Reserve**

Over the years Council was able to build the balance of the Reserve by setting funds aside through favourable Budget variations, during the financial year or as part of the end of year process.

Whenever possible, either as part of a budget process or end of year close off, funds have been transferred to the Contingency Reserve to ensure it is maintained at a level enough to provide a buffer for unforeseen circumstances. This has occurred as follows:

- 2014/2015 - \$467,958 (End of Year Process)
- 2017/2018 - \$120,978 (Transfer from Carryover Reserve – unused funds)
- 2018/2019 - \$93,037 (2018/2019 Budget Process)
- 2018/2019 - \$59,335 (March 2018 Quarterly Review Budget Surplus)
- 2018/2019 - \$120,000 (End of Year Process)
- 2019/2020 - \$614,595 (2019/2020 Budget Process)

Whilst transfer of funds to the Contingency Reserve as part of Quarterly Budget Reviews are reported, transfers associated with the preparation of the Operational Plan and/ or processed as part of the end of year financial close-off may not have been reported as clearly. In future all transfers to the Contingency Reserve will be reported.

It is further noted that in regard to reporting of Reserves in general, the Quarterly Budget Review Statement and the Annual Financial Statements include a report on balances of each respective Reserve, including the Contingency Reserve.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**2. Full Time Equivalent Staff**

**2.1 Background**

Council delivers its various services and works through a combination of permanent staff, temporary staff, casuals, contracts, and consultants. Staff and other resources required will vary depending on services offered and works delivered, and the various sources of funding. The increase in funding through the Special Rate Variation and grants awarded have enabled Council to resource the additional works and increased service levels.

**2.2 Number of Full Time Equivalent Staff and Cost**

At the meeting on 26 May 2020, a summary of Full Time Equivalent staff numbers for each year, and the Total Cost of those staff for each year in terms of salary, wages and superannuation were provided.

However discrepancies have been identified in regard to the number of Full time Equivalent staff reported against the numbers reported in the Financial Statements.

The discrepancies can be attributed to:

- The different areas of Council holding different information for different purposes
- The absence of one set of business rules applying to reporting on the number of Full Time equivalents.
- Gaps in workflow of information between the various areas of Council dealing with matters associated with Full Time staff equivalents

A reconciliation has now been undertaken and the Organisation Chart confirmed. This information is now in the process of being reflected in all the various elements of the IT system that supports the management of Council's Organisation Chart.

Also in progress is the development of a set of business rules that will apply to the management of the Organisation Chart, in particular in regard to the correct coding, and subsequently, reporting on Full Time staff equivalents. This will ensure that the accuracy and integrity of Council's information regarding the organisation structure is always maintained and accurate reports can be produced any time, by anyone, and for the purpose required.

Table 2 below provides a summary of the Full Time Equivalents and Cost of positions across Council from 2014/2015 to 2019/2020.

**Table 2 - Summary of Full Time Equivalents**

Year	Full-Time Equivalents	Cost \$000's
2014/15	283.63	21,237
2015/16	288.37	21,625
2016/17	289.48	21,951
2017/18	292.31	22,282
2018/19	289.06	23,620
2019/20	315.56	25,733

Please refer to Attachment 1 to this report for the updated Full Time Equivalent information.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**2.3     *Movements in Full Time Staff Equivalent numbers***

Attachment 1 provides details on staff movements' year on year.

All the positions that were intended to be funded by the Special Rate Variation are as follows:

- Corporate Planner
- Strategic Planner - Heritage & Urban Design
- Strategic Planner - Environment & Sustainability
- Strategic Planner - Transport & Infrastructure
- Marketing & Branding Coordinator
- Civic & Place Making Events Officer
- Committee Clerks ( x 2 part-time)
- Partnerships & Volunteer Coordinator
- Community Planner - Human Services
- Project Manager – Roads ( x 2)
- Project Manager – Parks
- Parks Operational Supervisor
- Parks Intermediate Plant Operator ( x 2)

**2.4     *Increase in Full Time Equivalent staff numbers and consultants***

Attachment 1 to this report provides explanations for the increase in Full Time Equivalent staff numbers as reported. Over the last few years, specifically since the commencement of the Special Rate Variation, Council has expanded its works program and service delivery. Council has also focused on the preparation of a number of strategic initiatives. The increase in Full Time Equivalent staff and consultants reflects the increased resourcing requirements.

**2.5     *Comparison to other peri urban councils***

A comparison to other peri urban councils in regard to the following has been undertaken:

- Geographical area,
- Population,
- Full time equivalent staff,
- Staff to population ratio,
- Total budget, % of total budget to salaries, wages and other employment costs

Details are provided in Appendix 1 to Attachment 1 to this report.

A comparison to other peri urban councils in relation to what functions are carried out, and how these functions are resourced has been undertaken. Specifically councils were compared in regard to:

- Sewerage service
- Landfill site
- Domestic waste services

Details are provided in Appendix 2 to Attachment 1 to this report.

Council generally compares favourably to other peri urban councils. However, whilst comparisons with other councils in regard to staff numbers can provide some observations, this information should not be used to measure a council's efficiency. In addition to different councils providing different services, councils also have a different resource mix between staff and contractors. The optimal mix will vary for each council depending on various factors including but not limited the size and capacity of the council. A council may have a large

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

number of staff because they have a low proportion of contracted out services. Conversely a council may have a small staff base because they contract a high proportion of their services.

**2.6 Legislative Requirements as to Council's Role regarding movements of Full Time Equivalents**

Advice was sought in regard to Council's role regarding movements of Full Time Equivalents, from Local Government NSW. The advice is as follows:

*"I write in relation to our brief conversation earlier today about the operation of section 332 of the Local Government Act 1993 (NSW) (the Act). The purpose of this email is to make some observations about the legislative intent of the phrase '...after consulting the council...' found in section 332(1A) of the Act.*

*By way of background the provisions of section 332(1) provide that after consulting the general manager, the council determines the senior staff positions within the organisation and the resources to be allocated towards the employment of staff. Section 332(1A) provides that:*

*"The general manager must, after consulting the council, determine the positions (other than the senior staff positions) within the organisation structure of the council".*

*Therefore, unlike senior staff positions the general manager determines the remaining positions that make up the organisation structure. In addition Sections 335(h) and (i) confirm that the functions of the general manager include appointing staff to the organisation structure, directing staff and dismissing staff.*

*Turning to the essence of your question I think that if there is any doubt about the meaning of the phrase '...after consulting the council...' there is some guidance to be found in the OLG's interpretation of the phrase found in section 337 that refers to the general manager appointing and dismissing senior staff "...only after consultation with the council". In this regard I make reference to the attached circular which was disseminated by the OLG on 14 August 2019. The pertinent points are that:*

- Consultation is not bound to occur at a formal council meeting;*
- Consultation can occur outside of a council meeting;*
- Consultation must be undertaken in a way that ensures that all members of the governing body are informed of the proposed decision and have an opportunity to provide comment;*
- The ultimate decision rests with the general manager and not the governing body;*
- It is not open to the governing body to direct the general manager on the appointment or dismissal of senior staff or in this instance on the determination of the positions within the organisation structure of the council.*

*The advice confirms that the General Manager determines the positions in the organisation structure other than senior staff positions, in consultation with the Council. The role of the Council as far as that part of the organisation structure is not an approval or decision making role. I received verbal advice from LGNSW that the determination of positions within the organisation structure should be generally consistent with the strategies determined through the Community Strategic Plan."*

As outlined in the advice above, resourcing to deliver the Operational Plan is an operational matter, that does not require Council approval. It is understandable that Council wishes to remain informed regarding Full Time Equivalents and reports regarding the Annual Operational Plan and Quarterly Reviews will be amended to include information regarding changes to Full Time Equivalents.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**2.7 Council's Consideration of the Workforce Plan**

The current Workforce Plan was reported to Council as part of the 2017/2018 Supplementary Resourcing Strategy, which was adopted by Council on 28 November 2017, and is available at [https://www.hawkesbury.nsw.gov.au/data/assets/pdf\\_file/0016/103183/Supplementary-RS-incorporating-Supp-DP-2018-January.pdf](https://www.hawkesbury.nsw.gov.au/data/assets/pdf_file/0016/103183/Supplementary-RS-incorporating-Supp-DP-2018-January.pdf).

**2.8 Staff positions intended to be funded by the Special Rate Variation**

In line with the community consultation held regarding service levels, the Special Rate Variation outlined enhanced programs, which are identified in Table 16 on page 54 of the Resourcing Strategy. The Resourcing Strategy also mentions that there will be an increase in staffing costs in order to deliver the enhanced programs on page 67.

The Workforce Plan within this document outlines priorities, including the enhanced programs over the following four years on page 103, however it is not tied specifically to the Special Rate Variation. On page 104, Option 3 outlines that resources to deliver capital works, an additional parks maintenance crew and community programs (including heritage, events, waterway monitoring, volunteer management and community engagement would be required).

The Special Rate Variation application did not include specific positions but did stipulate that there would be additional staffing to deliver the enhanced programs desired by community. The optimal resourcing of these programs and configuration of positions was not fully developed at the time of Special Rate Variation application. It is to be noted that the Special Rate Variation is now included in Council's general rating income and is not specifically tied to specific positions but has enabled Council to deliver enhanced services levels.

**2.9 Number of Casual staff positions across the Organisation**

Council has 58 currently active casual staff. The number of casuals employed during any one week varies and is dependent upon vacancies, leave arrangements and operational requirements at a number of Council sites including the Companion Animal Shelter, Richmond Pool, Richmond Library, the Regional Library, Regional Museum and Regional Gallery. A breakdown of the currently active casual employees as at 30 June 2020 is provided in Table 3 below:

**Table 3 – Casual staff**

<b>Casuals listed as active employees - 30 June 2020</b>	
<b>Area</b>	<b>Number</b>
Executive Management	0
Risk Management	1
Communication and Events - Visitor Information Centre	2
Human Resources	0
Community Partnerships	1
Customer Service	1
Corporate Governance	1
Property Services	1
Cultural Services - Gallery & Museum	4
Cultural Services - Library	4
Finance	1
Information Services	0
Environment & Regulatory - Companion Animal Shelter	6
Development Services	1
Strategic Planning	0
City Design & Economic	0

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

<b>Casuals listed as active employees - 30 June 2020</b>	
<b>Area</b>	<b>Number</b>
Building Services	1
Construction & Maintenance	5
Design and Mapping	1
Parks and Recreation - Richmond Pool	24
Sewer Operations	1
Waste Management Facility	2
Executive Operations	1
Fire Control	0
<b>Total</b>	<b>58</b>

As a result of analysis conducted on the optimal resourcing solutions, since 2014/2015 a total of 2.71 casuals have been converted to permanent part-time staff. During 2014/2015, 2.31 Full Time equivalents were transferred from casual positions at the Visitor Information Centre and in 2019/2020 0.4 Full Time equivalents were transferred from casual within Information Services.

### 3. Consultants

#### 3.1 Background

Council engages external consultants for a range of reasons, for example:

- To perform specialist duties or undertake specialist works that are not within the day to day skills and abilities of Council staff. For example specialist advice in relation to the Power Purchase Agreement or the development of the long term Waste Strategy
- To carry out strategic studies to support related activities required by Government Legislation, for example the Demographic and Housing Study required to prepare the Local Strategic Planning Statement
- To provide advice in response to State Government initiatives and projects, for example flood advice in relation to the State Government Hawkesbury Floodplain Study – Resilient Valley Resilient Community
- To provide independent advice and support for the organisation in relation to industrial and safety matters
- To carry out additional work beyond the scope of Council's existing resources, for example \$15million Livability Grant

Consultants are generally not used in lieu of staff but rather compliment staff with their specific expertise.

#### 3.2 Detailed information on Consultancy Expenditure

The engagement of external consultants and the resulting costs fluctuates from year to year depending on the number and type of projects undertaken in the year, the availability of the required expertise internally, and grant funds received.

The Table below summarises the cost incurred in relation to external consultants for the financial years 2014/2015 to 2019/2020.

**Table 4 - Summary of Total Costs – External Consultants**

<b>Financial Year</b>	<b>Total Cost</b>
2014/2015	\$744,929
2015/2016	\$636,757
2016/2017	\$807,220
2017/2018	\$758,639
2018/2019	\$1,189,790
2019/2020	\$1,397,245

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

Details in regard to consultants' expenditure are included in Attachment 2 to this report.

### **3.3 Reporting of Consultancy Expenditure**

Consultants are included under Materials and Contracts (Note 5c) in the Annual Financial Statements. This is in accordance with reporting requirements in accordance with the Local Government Code of Accounting Practice and Reporting and Accounting Standards, and the associated standard templates. Currently the total expenditure under Materials and Contracts is detailed by the area to which the expenditure relates. If Council were to separately report consultancy expenditure, it would then not be possible to report by area. The Annual Financial Statements are not the best avenue to report details on consultancy expenditure.

Consultancy expenditure is reported to Council within the Quarterly Budget Review Statement as a total amount expended in the Quarter. It is suggested that if Council wished to see the details of the reported Consultancy expenditure, then this can be requested either as part of the Quarterly Budget Review, or at any other frequency Council deems appropriate.

### **3.4 Legislative Parameters**

In regard to reporting on Consultancy expenditure legal advice has been sought regarding any legislative requirement to withhold the name of the consultant and the amount expended with that consultant.

A person's name is a piece of information about an individual that can identify them. However, Council publishing a consultant's business name that also contains their personal name is not considered 'personal information' under the Act, if their name can be ascertained from other publicly available publications. If they are a legitimate business, they will have an ABN. It's possible that, as a business, they have an internet presence, such as a website or social media accounts. As a consultant conducting work on behalf of Council, it is possible that their reports have been published on Council's website (for example as part of a Business Paper report).

Council is also required under to report in its Annual Report the details of certain contracts under Regulation 217 of the Local Government (General) Regulation 2005.

The Regulation requires the reporting of:

*"(a2) details of each contract awarded by the council during that year (whether as a result of tender or otherwise) other than--*

*(i) employment contracts (that is, contracts of service but not contracts for services), and  
(ii) contracts for less than \$150,000 or such other amount as may be prescribed by the regulations, including the name of the contractor, the nature of the goods or services supplied by the contractor and the total amount payable to the contractor under the contract"*

The Act contains an exemption from compliance with Information Protection Principle 18 where disclosure is required by law. This would apply to the requirement to publish information pursuant to the Regulation.

Section 25 of the Act says:

*"25 Exemptions where non-compliance is lawfully authorised or required*

*A public sector agency is not required to comply with section 9, 10, 13, 14, 15, 17, 18 or 19 if--*

*(a) the agency is lawfully authorised or required not to comply with the principle concerned, or  
(b) non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998)."*

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

It is recommended that in relation to consultants, Council not make publicly available the name of consultants, where Council would not be required to disclose the names under Regulation 217 of the Local Government (General) Regulation 2005, unless any information identifying an individual is already in the public domain.

**4. Legal Expenditure**

**4.1 Background**

Council engages its Panel of Legal Advisers for a range of reasons, for example:

1. To provide specialist advice on detailed legal matters relating to a wide range of legislation and regulations
2. To support Council and staff in the negotiation and resolution of detailed contracts and disputes
3. To assisting Council staff in transacting day to day operational issues in respect of property, insurance, health and safety, industrial relations etc.
4. To provide Council with confidential legally privileged legal advice in relation to sensitive matters.
5. To represent Council in proceedings in courts and tribunals.

**4.2 Legal Budget and Budget Variances**

In preparing the Original Budget each year Council reviews the recent trends in legal costs, any ongoing significant legal matters, and any matters that are likely to result in legal costs in the year being budgeted.

Due to the unknown nature future legal costs, an annual Budget is set as a total, rather than by specific matter. Whilst an estimated for a particular case is obtained at the outset before engaging a legal advisor, there is no specific allocation of Budget to each specific matter.

Accordingly, a case-by-case commentary regarding variances from the original budgets is not possible. Expenditure trends and the impact of specific ongoing cases likely to result in the total budgeted expenditure for the year to be exceeded are reflected in Quarterly Budget Reviews during the year.

**4.3 Detailed information on Legal Advice Expenditure**

The Table below summarises the cost incurred in relation to legal services for the financial years 2014/2015 to 2019/2020.

**Table 5 - Summary of Total Budgeted and Actual Costs – Legal Advice**

Financial Year	Original Budget	Actual Cost
2014/2015	\$300,000	\$254,735
2015/2016	\$300,000	\$366,258
2016/2017	\$297,000	\$386,639
2017/2018	\$300,000	\$302,741
2018/2019	\$250,000	\$761,349
2019/2020	\$255,000	\$682,671

It is noted that legal expenditure is difficult to predict. Accordingly, the Budget is generally set based on the trend observed over a number of years. A Legal Services Reserve is maintained, and if required is used to fund any necessary budget variations during the year through Quarterly Budget Reviews. The Reserve currently has a balance of \$200,000.

Attachment 3 to this report provides a Detailed Listing of Legal Expenditure by year.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

Appendix 1 provides- Detailed information regarding all Land and Environment and Court matters. Details include – Appellant, Reason for court action, Appeal outcome, cost and other relevant information

#### **4.4 Reporting of Legal Expenditure**

Legal expenditure is reported in the Annual Financial Statements within Note 5(c) – Materials and Contracts. Expenses are reported under three categories – Planning and Development, Debt Recovery and Other. For the purposes of providing a response to the request for information regarding the cost associated with legal advice, the costs reported in the Annual Financial Statements in regard to debt recovery are excluded. These costs are excluded as they are fully recoverable from the persons subject to the debt recovery legal action. Legal expenditure amounts reported under Note (5c) exclude legal expenses incurred as part of a capital project and are therefore capitalised. Costs associated with a legal matter may be captured under other operating expenses for the purpose of financial reporting.

For the reasons outlined above, the total legal costs as included in this report will vary from the amounts reported in the Annual Financial Statements under Note 5(c). A full reconciliation between amounts reported in this report and the Annual Financial Statements for each respective year is attached as Appendix 2 – Reconciliation to Annual Financial Statements.

#### **4.5 Legislative Parameters**

In regard to reporting on legal expenditure, in particular court cases, legal advice has been sought in regard to any legislative requirement to withhold certain information. The publishing of details of Council's legal matters in a publicly available report could potentially mean the disclosure of personal information. Council's records in regard to legal advice sought contains identifiable information, such as a person's name and property address. This is information that Council does not currently have the authority to disclose, due to Information Protection Principle 11, contained in Section 18 of the Privacy and Personal Information Protection Act, 1998.

##### Non-Litigated Legal Matters

A surname on its own is not necessarily personal information as it may not be used to identify a person, however, in conjunction with a property address, could become personal information and may not be able to be disclosed in a publicly available report as it does not meet any of the qualifications under Section 18 of the Act, nor is there a specific exemption that applies.

It is recommended that in relation to Legal Expenditure, Council not make publicly available the names of persons (or other information which might identify them) who have been the subject of any non-litigated legal matter. Given the role of the elected body of the Council, the information is not being disclosed if shared with the elected body, and this could be done in a confidential report.

##### Litigated Legal Matters

Information in the financial report about litigants could be treated similarly to consultants if their identifying information is generally available in other publicly available publications. (An issue arises here as to whether information that might be limited to the name of another party is personal information "collected" by Council, and that might vary case by case).

Court listings, judgments and decisions are published on websites such as Caselaw NSW, AustLII NSW and the NSW Online Registry for Courts and Tribunals where an individual's name is included in a case's name and property addresses are mentioned in judgments. In this case matters which are the subject of litigation could be included in publicly available reports.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

#### 4.6 Code of Conduct Matters

Information was requested regarding Code of Conduct matters from 2014/2015 to 2019/2020. It is to be noted that for consistency, the information provided is for the period 1 September to 31 August, for each year, to align with the Office of Local Government reporting for Code of Conduct matters.

Details are attached as Appendix 3 and include:

- Reporting period
- The number of Code of Conduct complaints received against Councillors and the General Manager
- The number of Code of Conduct complaints referred to another Agency
- The number of Code of Conduct complaints dealt with by the General Manager
- The number of Code of Conduct complaints referred to Conduct Reviewers
- Conduct Reviewer Findings
- Total amount spent in the reporting period

#### Legal and Consultant Expenditure - 67 Kurrajong Road, Kurrajong

Information was requested in relation to all costs associated with a proposed subdivision regarding 67 Kurrajong Road, Kurrajong, including costs associated with the submission to IPART. In regard to the submission to IPART, a total of \$14,275 has been incurred in legal costs, including \$9,800 in disbursements for consultants. Subsequent to the submission, advice was provided by IPART that an amendment had been made and another consultant was engaged to provide advice on the amendment. The cost of this work was a further \$4,909. It is not possible to recover any of the costs relating to this submission. A further \$120,395 was spent in regard to legal costs associated with the Land and Environment Court.

Table 6 below provides a detailed breakdown of the type of legal expenditure incurred as part of managing Council's property portfolio. The total expenditure incurred depends upon the number of leases required to be renewed or established, the number of property acquisitions and disposals and the level of any tenancy issues. As shown in the Table, there have been significant costs incurred as a result of action taken to recover unpaid rent relating to Hawkesbury House.

**Table 6 – Legal Expenses – Property Management**

	2014/2015	2015/16	2016/17	2017/18	2018/19	2019/20
Acquisition / Disposal	\$3,176	\$7,362	\$7,687	\$6,996	\$5,052	\$5,445
Title Searches	\$150	\$430	\$941	\$490	\$1,215	\$707
Leasing	\$27,625	\$20,443	\$12,126	\$58,517	\$98,396	\$128,568
General	\$1,838	\$2,851	\$7,265	\$14,168	\$8,125	\$3,605
Valuations	\$6,600	\$2,600	\$500	\$1,000	\$0	\$0
Easements	\$3,022	\$0	\$0	\$1,763	\$1,450	\$3,630
Surveying	\$1,431	\$0	\$0	\$0	\$0	\$0
Miscellaneous	\$1,726	\$9,346	\$0	\$1,188	\$957	(\$189)
<b>Total</b>	<b>\$45,569</b>	<b>\$43,033</b>	<b>\$28,519</b>	<b>\$84,122</b>	<b>\$113,282</b>	<b>\$141,765</b>
Leases No.	13	12	4	16	21	19
Hawkesbury House (within total)	\$0	\$0	\$0	\$9,132	\$35,157	\$96,322

Council captures the insurance costs and claims associated with a public liability claim under public liability expenditure and is not incorporated into the legal costs.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**5. Prepayments**

**5.1 Background**

The following comments relate primarily to the Commonwealth Financial Assistance Grants, as they are the most significant and most frequently prepaid.

When Council develops its annual budget for a particular financial year, and subsequently when reviewing budgets through Quarterly Budget Reviews, one of the principles is to only incorporate only those items of income and expenditure that can be reasonably expected to eventuate in that financial year.

As such, in relation to prepayments that may occur in regard to Financial Assistance grants in a particular financial year, because they are uncertain, they cannot be reasonably factored into the budget.

When the prepayment is received, because it has not been budgeted for, it presents as additional income, which creates the impression of better financial performance, as the prepayment is for the following financial year.

When the prepayments cease. For the financial year that this occurs in, if part of that year's payment was prepaid in the previous financial year, it presents as less income for that financial period. This creates the impression of poor financial performance.

As prepayments are sometimes received year after year, after the first prepayment, they tend to cancel each other out.

**5.2 Impact of prepaid Financial Assistance Grants on Council's financial position**

When Council receives these funds, it generally happens towards the end of the financial year with little or no advance notice. As such it is unknown whether a similar prepayment will re-occur in the financial year.

As stated in the background, Council budgets from year to year based on a certain degree of certainty. Council cannot assume that something is going to happen just because it has happened in the past.

This is the position that Council finds itself in with some prepayments such as the Commonwealth Financial Assistance Grants. In recent years they have tended to be pre-paid a year in advance, but there is no guarantee that this will occur each financial year.

In accordance with the applicable Accounting Standards, funds relating to untied grants (such as the Commonwealth Financial Assistance Grants), are to be accounted for in the year they are received, regardless of the period they relate to.

In the year that the prepayment is made there will be surplus income in excess of the budget. This "surplus" income is allocated to a Reserve for future use. In the following year, income will be less than the budget, but the Reserve is available to use.

In summary, a prepayment of funds to Council has a favourable impact in the year it is received but leaves a corresponding initial unfavourable budgeted impact in the year in which it is budgeted to be received.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**Table 7 - Summary of and Impacts of Financial Assistance Grant Prepayments on Operating Income**

<b>Financial Year</b>	<b>Amount prepaid (\$000's)</b>	<b>Budgeted Operating Grants (\$000's)</b>	<b>Actual Operating Grants (\$000's)</b>	<b>Notes</b>
2014/2015	\$0	\$6,988	\$7,282	Minimal Variance due differences in other Grants
2015/2016	\$0	\$6,849	\$7,033	Minimal Variance due differences in other Grants
2016/2017	\$2,175	\$6,530	\$9,572	Total variance of \$3.1M - \$2.2M due to prepayment of Financial Assistance Grant (FAG)
2017/2018	\$2,273	\$6,422	\$7,694	Total variance of \$1.2M - variance due to differences in other Grants - first half of 2017/2018 FAG paid in 2016/2017 (\$2.2M) - second half of 2017/2018 FAG paid in 2017/2018 - first half of 2018/2019 FAG paid in 2017/2018 (\$2.3M). - In summary, one year's worth of FAG received in 2017/2018
2018/2019	\$2,254	\$6,487	\$11,093	Total Variance \$4.6M - variance due to differences in other Grants - first half of 2018/2019 FAG paid in 2017/2018 (\$2.3M) - second half of 2018/2019 FAG paid in 2018/2019 - first half of 2019/2020 FAG paid in 2018/2019 (\$2.3M) - In summary, one year's worth of FAG received in 2018/2019
2019/2020	\$2,314	\$7,759	\$10,112	Total Variance \$2.4M - variance due to differences in other Grants - first half of 2019/2020 FAG paid in 2018/2019 (\$2.3M) - second half of 2019/2020 FAG paid in 2019/2020 - first half of 2020/2021 FAG was prepaid in 2019/2020 (\$2.3M) - In summary, one year's worth of FAG received in 2018/2019

## 6. Carryovers

### 6.1 Background

At the end of the financial year there are generally projects that:

- have commenced but are not fully completed,
- have not commenced but are committed, or
- are not committed but it is desired they are completed in the following financial year.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

To enable completion of these projects, it is often necessary to carry over the associated unspent funds into the new financial year.

There are two types of carryovers – Operational carryovers and Capital carryovers.

Operational Carryovers are unspent funds associated with operational expenditure, carried over from one financial year to the next. Examples include funds for consultancy work in progress and funds associated with operational grants.

## **6.2 Impact of Carryovers on Council's final financial position**

At the end of the financial year if Council has not spent all the money allocated to operational expenditure that money is carried over into the next financial year (Operational Carryovers).

For example, if \$50,000 was allocated to a consultancy for a planning study, and by 30 June \$30,000 had been spent on that project, \$20,000 would be unspent and carry over to the next financial year.

This impacts Council's operating result at the end of the financial year. In the example, the unspent \$20,000 improves the operating result because \$50,000 in expenditure was budgeted to be spent but Council only spent \$30,000. Council retains the \$20,000 to complete the project - which it carries over to the next year.

However, unspent funds which carry over are added to the operating budget for that next year. In the example, when the unspent \$20,000 is added to the budget for the next year, it increases the budgeted operating expenditure. This worsens the budgeted operating result for that year because an extra \$20,000 in excess of what was budgeted for will be spent. Table 4 shows the operational carryover amounts for the last six years.

**Table 8 – Operational Carryovers**

<b>Financial Year</b>	<b>Amount of Operational Carryovers</b>	<b>Favourable impact on actual Operating Result of current financial year</b>	<b>Unfavourable impact on Budgeted Operating Result in following financial year</b>
2013/2014	\$1.6M	\$1.6M	\$1.6M
2014/2015	\$2.4M	\$2.4M	\$2.4M
2015/2016	\$2.2M	\$2.2M	\$2.2M
2016/2017	\$1.9M	\$1.9M	\$1.9M
2017/2018	\$2.2M	\$2.2M	\$2.2M
2018/2019	\$3.1M	\$3.1M	\$3.1M
2019/2020	\$3.1M	\$3.1M	\$3.1M

As at 30 June 2020 (financial year 2019/2020), \$3.1 million in operating expenditure was carried over.

The operating surplus was therefore improved by that \$3.1 million.

The same \$3.1 million was added to the 2020/2021 operating budget, making the budgeted operating result "worse" by the same amount. In line with previous years it is expected that an amount associated with works in progress will be unspent as at 30 June 2021. As in previous years, this will result in the actual operating result for the 2020/2021 financial year, to be "better off" by that unspent amount.

At the end of a financial year, generally there are also unspent funds relating to capital works. These are also carried forward to enable the completion of works without impacting on the new financial year's budget. Capital amounts carried forward do not impact on the operating result for the year but do impact on what funds are available at the end of the year compared to the budget.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

It is difficult to plan and deliver all projects within the strict 12 month budget window. Many factors have the potential to impact on project timelines and projected expenditure. Most years a combination of these circumstances influences the final outcome. As this is an annual occurrence, the year on year situations tend to balance each other out.

**7. Infrastructure backlog, maintenance and capital works**

Information was requested in regard to a comparison of infrastructure backlog, maintenance and capital works from 2014/2015 to 2019/2020.

The Annual Financial Statements, specifically the Report on Infrastructure Assets (previously known as Special Schedule 7) provide a snapshot of expenditure relating to Council's assets, including measuring of this expenditure against industry benchmarks. Asset expenditure benchmarks are a main measure of a council's financial sustainability.

Table 5 summarises asset related expenditure and associated performance against benchmark. Additional funds generated predominantly through the Special Rate Variation commencing in 2018/2019, has enabled an increase in maintenance and asset renewal, and consequently a reduction in backlog to better than the benchmark of 2%.

**Table 9 – Financial Results - Assets**

Financial Year	Infrastructure Backlog \$000's	Infrastructure Backlog Ratio Benchmark <2%	Asset Maintenance \$000's	Asset Maintenance Ratio Benchmark >100%	Asset Renewal Ratio Benchmark >100%
2014/2015	\$17,630	2.60%	\$11,042	86.26%	50.97%
2015/2016	\$15,182	2.22%	\$9,969	81.00%	69.20%
2016/2017	\$19,562	3.10%	\$12,749	95.00%	131.91%
2017/2018	\$17,159	2.27%	\$17,183	88.76%	65.45%
2018/2019	\$10,340	1.26%	\$18,011	98.77%	72.85%
2019/2020	\$9,079	0.75%	\$18,671	105.78%	65.52%

**8. Biodiversity Income**

**8.1 Background**

*Biodiversity Strategy*

In order to provide background to specific questions it is worth acknowledging that Council has a responsibility relating to protection of biodiversity. In response to that responsibility Council has explored opportunities under the various legislative and regulatory environments to achieve environmental outcomes at the same time as managing its financial commitments.

Council is currently preparing a Biodiversity Strategy which is nearing completion. This will provide an overall framework to assist in the consideration of biodiversity within the context of Hawkesbury City Council's operations. The Framework will include biodiversity prioritisation mapping to co-ordinate the delivery of key biodiversity outcomes within the LGA in line with the overarching objectives of relevant regional plans and to identify key sensitive areas that require urgent conservation.

The Biodiversity Strategy will be reported to Council early in 2021.

Separately, the issue of Biobanking or Biodiversity stewardship is principally related to the protection of environmentally significant lands and is intended to provide a financial incentive principally for that purpose. Biobanking Legislation commenced with the amendment of the Threatened Species and Conservation Act 1995 - by the inclusion of a new Part 7A in 2006,

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

which formally introduced the NSW Biobanking scheme. There have been subsequent amendments and changes to that legislative framework that have impacted on opportunity for Council to participate in a sound manner in the various iterations of the stewardship schemes. These are outlined below.

Biodiversity Conservation Act 2016 (enacted 2017).

The Threatened Species Conservation Act 1995 was subsequently replaced by the Biodiversity Conservation Act 2016.

The purpose of the Biodiversity Conservation Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

The Biodiversity Conservation Act allows for a range of conservation agreements to be registered on private lands. One type of conservation agreement is a Biodiversity Stewardship Agreement. These are in-perpetuity agreements and are registered on the property title. These sites generate 'biodiversity credits' which can be sold to offset the impacts of approved developments elsewhere. Landholders receive ongoing annual management payments and a potential profit from credit sales, once the credits are sold.

Whilst the Biodiversity Conservation Act came into operation on 25 August 2017, its commencement was postponed in certain Interim Designated Areas until 25 November 2019. A number of *peri-urban* areas – including Hawkesbury, Campbelltown, Wollondilly and Camden were identified as being an Interim Designated area.

The new Act impacted on the value of Biodiversity Stewardship Sites.

## **8.2 Potential Biodiversity Stewardship Sites 2017**

In January 2017 Council identified the opportunity to understand the likely opportunities and values associated with the Biodiversity Conservation Act (which was enacted Aug 2017) and engaged *eco logical Australia* to ascertain the number and types of biodiversity credits that could potentially be generated from Council land. A total of 26 sites were reviewed and estimates prepared in relation to both the:

- In perpetuity management costs of managing the sites going forward
- potential credit sale price, based on the then prevailing market conditions.

The report indicated that because of the likely time consuming and uncertain negotiation outcomes regarding options to biobank council managed Crown land, that Council would prioritise consideration of Council owned land as potential biobank sites. The advice identified four properties owned by Council that could deliver a financial benefit to Council by way of the sale of Biobanking Credit. The estimated value of the credits was in the order of \$2,500,000, with the bulk of that amount attributable to the one site – Bellbird Hill Reserve.

A copy of the 2017 report prepared by *eco logical Australia* is attached as Attachment 4 (Appendix 1) as background information only.

## **8.3 Potential Biodiversity Stewardship Sites – Reviewed April 2020**

In April 2020 Council requested *eco logical Australia* to update the desktop assessment undertaken in 2017 to align with the NSW Biodiversity Conservation Act 2016, noting that the Act impacted on the site assessment method and consequently the value of credits that could be obtained.

The assessment identified seven properties that could be further considered as biodiversity stewardship sites. The sites are as follows:

## ORDINARY MEETING

### SECTION 3 – Reports for Determination

Meeting Date: 23 February 2021

- Bellbird Hill Reserve
- Part Oakville Park
- Chain of Ponds
- Devils Hole Creek Reserve
- Part Powell Park
- Bowen Mountain Reserve lands
- Part Colo Park and Morans Rock Reserve

One property is wholly Council owned, with the other six properties being wholly or partially owned by Crown. It is unknown as to whether Council would have any entitlement to the credits generated from land partially or wholly owned by Crown. The process and uncertainty around the Crown's willingness and ability to work with Council in regard to these sites is also unknown.

Following consideration of the Ecological Australia 2020 report, staff have now undertaken a preliminary review of the six properties that under all or part Crown ownership. Of the six sites, three properties have had successful land claims (i.e. now owned by Local Land Council) and the other three properties are subject to an Aboriginal Land Claim.

The uncertainty around the applicable processes, entitlement to credits and the risks associated with land subject to an Aboriginal Land Claim, indicate that Council should focus on the one property under its ownership in the first instance.

The Council owned property is Bellbird Hill Reserve. The estimated net credit value, after taking into consideration management costs, is in the order of \$483,000. It is estimated that for this site the establishment costs are in the order of \$50,000. Site establishment takes between 6 and 12 months to complete. It is unknown what the demand would be for bio banking of this particular vegetation community, being turpentine / ironbark forest.

In light of the uncertainty in regard to the value and timing of realisation, it is not prudent, at this stage, to include any potential income in Council's Long-Term Financial Plan.

At the time of the development of the report submitted to Council on 26 May 2020, staff were still reviewing the consultant's progress report dated 28 April 2020 and therefore, were unable to include the updated information. This body of work is still in progress and once finalised will be reported to Council in due course.

A copy of the Ecological Australia April 2020 report is attached as Appendix 2 to Attachment 4 to this report.

#### **8.4 Estimated Biodiversity Income**

The completion of the Biodiversity Strategy will also confirm the results provided in the April 2020 ecological report. However, at this stage, in light of the risks and uncertainty associated with the realisation of credits, it is not prudent to include any potential income in Council's Long-Term Financial Plan.

Other City Deals councils' positions in relation to Biodiversity have been obtained. Only one Council, Fairfield City Council is in the process of developing a Biodiversity Strategy.

#### **9. Property Related Income**

The information provided at the Meeting on 26 May 2020 has been reviewed and updated with up to date information, and with additional details for clarity.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**9.1 Background**

Council has a substantial property investment portfolio which currently generates in the order of \$2.2 million per annum. Council is looking to progressively improve this position over time through a Property Strategy that optimises the value of Council's property portfolio through leasing, property disposal and strategic property acquisition.

**9.2 Surplus Properties**

In 2016 a number of surplus properties were identified. These included 17 sites, most of which were classified as "Community" land and could be re-classified as "Operational" land and be disposed of. These properties were presented to Council in early 2017 as "pocket parks".

At the time these parcels of land had a combined value in the order of \$3.5M.

A list of these properties is provided below:

- 96 Bull Ridge Road, East Kurrajong
- 25 Mitchell Drive, Glossodia
- 55 Chestnut Drive, Glossodia
- 25 Ian Street, Glossodia
- 6 Timms Road, Kurrajong
- 4 Pinedale Place, Kurrajong Heights
- 26 Bradley Road, North Richmond
- 21 and 23 Campbell Street, North Richmond
- 40 and 42 Enfield Avenue, North Richmond
- 28 Arthur Phillip Drive, North Richmond
- 27a Tyne Crescent, North Richmond
- 8 William Street, North Richmond
- 22 Copeland Road, Wilberforce
- 16 Hanover Street, Wilberforce
- 66 Riverside Drive, Yarramundi
- 80 Riverside Drive, Yarramundi
- 83 Riverside Drive, Yarramundi

The properties at the following locations were identified for potential social housing partnerships:

- 21 and 23 Campbell Street, North Richmond
- 27a Tyne Crescent, North Richmond
- 8 William Street, North Richmond

To date there has been no established partnerships.

The property at 16 Hanover Street, Wilberforce would require a rezoning and part acquisition by Transport for NSW and the two properties at Riverside Drive Yarramundi could have flooding constraints that may need further investigations.

In addition to the above "pocket parks", the following properties may also be surplus properties:

- 921 Grose Vale Road, Grose Vale
- 139 Colonial Drive, Bligh Park
- 85 Rifle Range Road, Bligh Park

The combined value of the above additional properties is in the order of \$4M.

## ORDINARY MEETING

### SECTION 3 – Reports for Determination

Meeting Date: 23 February 2021

In addition to the above, as Council has been advised, Council staff are also progressing initiatives in relation to a new dwelling at 14 Cabbage Tree Road, Grose Vale, utilising insurance funds associated with property located at 2/8 The Driftway, Londonderry destroyed by fire in January 2019. The proposed dwelling will be a net zero emissions construction.

The surplus property numbers and properties reported reflect the properties that are surplus to Council's requirements and could potentially be disposed of. It is unclear as to the reason why a different number was reported to Council at the meeting on 26 May 2020.

It is to be noted that as previously advised, the Property Strategy was placed on hold until the Biodiversity Strategy and the Recreation and Open Space Strategy were completed. It is anticipated that the Biodiversity Strategy will be reported to Council in the near future. The scope of the Recreation and Open Space Strategy is currently being reviewed to identify the critical elements that need to be addressed in the first instance. This will enable confirmation of any impact on surplus properties, and consequently enable the progression of the Property Strategy.

#### **9.3 Status of Property Strategy**

In 2017, it was determined that the finalisation of the Property Strategy, and consequently disposal of surplus land should be paused until some further investigations were undertaken and other studies and strategies were completed. It was determined that Council must finalise some related matters that will inform the ultimate outcome, namely:

- The Bio-diversity Study, to identify which properties Council needs to retain for their environmental value and potentially their value as an income stream via Biobanking credits
- The Recreation and Open Space Strategy, to ensure that land required for future recreation and open space purposes is not prematurely disposed of.

#### Bio Diversity Strategy

The overall Bio-Diversity Strategy is in the final stages of completion and will be reported to Council early in 2021.

#### Recreation and Open Space Strategy

A brief for a new Recreation and Open Space Strategy (ROSS) to build and expand on the previous 2013 strategy has been developed in order to provide an overarching strategy to assess the sport, recreation and leisure needs of the Hawkesbury Community. As the strategy was intended to also examine the land and facilities necessary to support those needs, a key element was to determine any gaps or oversupply of open space or indoor facilities and make recommendations regarding disposal, acquisition and capital investment.

Previous reviews of open space, in particular "pocket parks" had identified the potential for a number of dispositions that could occur, however to date no actions to realise those sales have occurred.

Staff had commenced preparation of the brief in early 2020 and following a number of reviews the draft brief was finalised on 15 September 2020. Staff were then requested to forward this draft to Blacktown City Council for peer review. Staff at Blacktown City Council have subsequently provided general feedback.

The NSW Government has recently prepared a number of responses to the contemporary needs, use and planning for Open Space including exhibition of the NSW draft Public Spaces Charter, draft NSW Guidelines for Open Space and Recreation, NSW Open Space Vision discussion paper and the anticipated draft NSW Design and Place SEPP. Given the potential impacts of this State level planning, it is now recommended that commencement of the project

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

be delayed so that this new policy and guidelines can be properly addressed in the brief for the Recreation and Open Space Strategy.

Once the Biodiversity Strategy and the Recreation and Open Space Strategy are completed Council will be in a position to complete its Property Strategy to guide and support the:

- Future reclassification of land
- Future disposal and/or development of Council land surplus to requirements.

**9.4 Budget for income from sale of property**

As a result of the Property Strategy being paused and awaiting the completion of other studies and strategies, it is difficult to determine the timing and the amounts realised from surplus properties. Accordingly there are currently no amounts budgeted in regard to income from sale of surplus properties.

Upon finalisation of the Property Strategy and its implementation, amounts could be included in Council's Long-Term Financial Plan. It is envisaged that any income received from the sale of surplus properties would be placed in Council's Property Reserve to enable future strategic property investment.

**10 Audit Committee's considerations of Council's December 2019 Quarterly Report.**

**10.1 Background**

Pursuant to Internal Audit Guidelines issued by the then Department of Local Government, Council established an Independent Audit Committee to provide independent assurance and assistance to Council on Risk Management, Control, Governance and its External Accountability Responsibilities.

Council's Independent Audit Committee currently comprises five members, including:

- Three Independent external members
- Two Councillors - with alternate Councillors in the event that the primary member cannot attend.

The Audit Committee is chaired by an external independent member. The Audit Committee meets no less than four times per annum, usually in March, June, September and December.

**10.2 Details of the Audit Committee's considerations of Council's December 2019 Quarterly Report.**

The Independent Audit Committee considered the December Quarterly Review Budget Statement at its meeting on 4 March 2020. The following information has been extracted from the Minutes relating to the Audit Committee's consideration of December Quarterly Review Budget Statement.

**"OFFICER'S RECOMMENDATION:**

*That the Audit Committee receive and note the report on the December 2019 Quarterly Budget Review Statement and the January 2020 Investment Report.*

**DISCUSSION:**

- *Discussion took place concerning the cost of workers compensation claims, and the impact manual labour and an ageing workforce on the incidence of claims.*

## ORDINARY MEETING

### SECTION 3 – Reports for Determination

Meeting Date: 23 February 2021

- Staff explained to the Committee how the prepayment of grant funds impacted on Council's reported financial position, as Accounting Standards in place at the time of the receipt of some funds required Council to recognise the funds at that time. Staff explained that Council was unable to apply the accounting convention described as the "Matching Principle", and this was confirmed by Council's Auditor - NSW Audit Office.
- Committee members emphasised the importance of making it clear that the current Accounting Standards prevents Council from applying the Matching Principle convention.

#### **COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Councillor Paul Rasmussen, seconded by Ms Ellen Hegarty.

That:

1. The Audit Committee receive and note the report on the December 2019 Quarterly Budget Review Statement and the January 2020 Investment Report. In doing so the Audit Committee observed:
  - a) The advice received from Council's Auditors - the NSW Audit Office, that Accounting Standards in place at the time of preparing the Financial Statements for the years ended 30 June 2018 and 30 June 2019 required Council to recognise grant funds when received – not when expended, as Council had control over the funds.
  - b) That the application of the Accounting Standards in line with the advice outlined in point 1, currently precludes Council from adopting the "Matching Principle" convention in relation to its financial reporting.
  - c) That when the December 2019 Quarterly Budget Review Statement was considered in the context of Council's financial performance in recent years, the financial results for both the years ended 30 June 2018 and 30 June 2019 were more favourable, due to the pre-payment of government grants.
  - d) Note that the recent change in Accounting Standards will improve Council's ability to adopt the "Matching Principle" convention and in doing so, make further adjustments to Council's financial position and reporting as at the 30 June 2020."

## **11. Special Rate Variation Projects**

### **11.1 Background**

At the meeting on 26 May 2020 information was provided in regard to:

- Works completed to date
- Works expected to be completed by 30 June 2020
- Works that are expected not to be completed by 30 June 2020.

At that Meeting it was clarified that this was not the information that was requested. The information requested was in regard to the delivery of projects that were to be funded under Option 3 of the Special Rate Variation. Accordingly this report submits details on the status of these projects from the first year of the Special Rate Variation (2018/2019 to 2019/2020)

In responding to this enquiry, the information provided relates to infrastructure works. Works on some projects also continue over different financial years as a matter of the nature of the project type, scale and practical timing.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 23 February 2021**

**11.1 Status of works under Option 3 of the Special Rate Variation**

There were 56 projects funded by the approved Special Rate Variation (Option 3), for the period between 1 July 2018 to 30 June 2020. As at 30 June 2020, 46 projects were completed. The remaining projects were:

- Old East Kurrajong Rd - New Work - Sealing Gravel Road
- Colo Heights Reserve - Park Furniture, Picnic Shelter, Play & Sports Equipment Renewal
- Woodbury Reserve - New Skate Park
- Richmond Park - Grandstand - Sewer Renewal
- Glossodia Long Day Care - Building Refurbishment
- Wilberforce Long Day Care - Building Refurbishment
- Windsor Pre-School - Fit Out Renewal
- Bushfire Headquarters Bligh Park - Drainage Renewal
- North Richmond Community Precinct - Refurbishment and Redevelopment
- North Richmond Community Precinct - Refurbishment and Redevelopment

**COMMUNITY ENGAGEMENT**

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

**CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

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

Our Leadership

- 1.1 Local Leadership and effective governance - Provide representative, responsive and accountable governance.

**FINANCIAL IMPACT**

There are no financial implications applicable to this report.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

This is an information report. Accordingly, there are no resourcing implications, outside of Council's adopted Long-Term Financial Plan.

**ATTACHMENTS:**

- AT - 1** Combined Attachments 1, 2, 3 and 4 - *(Distributed under separate cover)*.
1. Full Time Equivalents (FTEs)
  2. Detailed Consultants Expenditure
  3. Detailed Legal Expenditure
  4. Ecological Australia Reports

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

**SECTION 3 – Reports for Determination**

**Meeting Date:** 23 February 2021

ordinary

section 4

reports  
of committees

**ORDINARY MEETING**

**SECTION 4 – Reports of Committees**

**Meeting Date:** 23 February 2021

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**SECTION 4 – Reports of Committees**

**Item: 038**                      **ROC - Audit Committee - 2 December 2020 - (91369, 95496, 79351)**

**Directorate:**                Support Services

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to present the Minutes of the Audit Committee, held on 2 December 2020.

**EXECUTIVE SUMMARY:**

The Audit Committee considered eleven items at its meeting on 2 December 2020.

All Items have no policy or financial implications for Council, and therefore are presented for information only.

**RECOMMENDATION:**

That Council receive and note the Minutes of the Audit Committee Meeting held on 2 December 2020.

---

**DISCUSSION**

The Audit Committee met on 2 December 2020 and considered reports on the following matters, as shown in the minutes, attached as Attachment 1 to this report.

- |          |  |
|----------|--|
| Item: 1  | Election of Chairperson  |
| Item: 2  | Election of Deputy Chairperson   |
| Item: 3  | 2019/2020 and 2020/2021 Internal Audit Programs Update   |
| Item: 4  | Status of Internal Audit Management Actions  |
| Item: 5  | City Planning - Applications and Certificates Audit Report                                       |
| Item: 6  | Audit Committee Charter Review   |
| Item: 7  | Audit Committee Annual Report - September 2020   |
| Item: 8  | Audited General Purpose and Special Purpose Financial Statements for the Year Ended 30 June 2020 |
| Item: 9  | Finance Reports  |
| Item: 10 | Hawkesbury City Council Updates to the Enterprise Risk Register                                  |
| Item: 11 | Meeting Dates for 2021   |

The above items do not have any policy or financial implications to Council, and therefore, are presented to Council to receive and note.

In regard to Item 7 regarding the Audit Committee Annual Report - September 2020, the Audit Committee discussed the content on Page 3 of the Annual Report, under Profile of Committee Members, specifically the content relating to Mr Craig Bennett and Ms Ellen Hegarty. Following the discussions, a number of exclusions and inclusions were requested.

*"That the Audit Committee Annual Report – September 2020, attached as Attachment 1 to this report, be endorsed to be submitted to Council, subject to the following amendments to be made on page 3 of the Annual Report:*

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**

**Meeting Date:** 23 February 2021

- *Craig Bennett*
  - *Removal of reference to Treasurer of Kurrajong Anglican Church*
  - *Add position of Vice-President of Retirement Village Residents Association Inc. NSW.*
- *Ellen Hegarty*
  - *Add Nepean Blue Mountain Local Health District (NBMLHD) Consumer Advocacy Network; Consumer Representative to the Research Committee of Nepean Hospital*
  - *Qualifications include Master of Applied Finance and Certification in Internal Auditing and Quality Assurance."*

**Comment**

The Audit Committee's Annual Report - September 2020, will be reported to Council at its meeting on 9 March 2021.

**ATTACHMENTS:**

**AT - 1** Minutes of the Audit Committee meeting held on 2 December 2020.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**AT - 1 Minutes of the Audit Committee meeting held on 2 December 2020**

Minutes of the Meeting of the Audit Committee held by Audio-Visual link, on 2 December 2020, commencing at 4:03pm.

**ATTENDANCE**

**Present:** Councillor Paul Rasmussen, Hawkesbury City Council  
 Councillor John Ross, Hawkesbury City Council (joined at 4:44pm)  
 Mr Craig Bennett, Community Representative  
 Ms Ellen Hegarty, Community Representative  
 Ms Nisha Maheshwari, Chairperson Community Representative

**In Attendance:** Mr Laurie Mifsud, Hawkesbury City Council  
 Ms Emma Galea, Hawkesbury City Council  
 Ms Penelope Corkill, Centium  
 Mr Kenneth Leung, NSW Audit Office  
 Ms Shirley Huang, NSW Audit Office  
 Mr James Winter, NSW Audit Office  
 Mr Jeff Organ, Hawkesbury City Council  
 Ms Linda Perrine, Hawkesbury City Council  
 Mr Charles McElroy, Hawkesbury City Council  
 Mr Conrad Webb, Hawkesbury City Council  
 Ms Tracey Easterbrook - Minute Secretary, Hawkesbury City Council

Member	11/09/2019	6/11/2019	04/12/2019	04/03/2020	03/06/2020	26/08/2020	16/09/2020	2/12/2020
Councillor Paul Rasmussen	A	A	✓	✓	✓	✓	✓	✓
Councillor John Ross	✓	✓	✓	✓	✓	✓	✓	✓
Councillor Patrick Conolly (Alternate)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Mr Craig Bennett	✓	✓	✓	A	✓	✓	✓	✓
Ms Ellen Hegarty	✓	A	✓	✓	✓	✓	A	✓
Ms Nisha Maheshwari (Chairperson)	✓	✓	A	✓	✓	✓	✓	✓

**DECLARATIONS OF INTEREST**

There were no Declarations of Interests made.

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Councillor Paul Rasmussen and seconded by Mr Craig Bennett that the Minutes of the Audit Committee held on the 26 August 2020, be confirmed.

**RESOLVED** on the motion of Councillor Paul Rasmussen and seconded by Mr Craig Bennett that the Minutes of the Audit Committee held on the 16 September 2020, be confirmed with the following amendment.

Remove on page 15, the Confirmation of Minutes for the 26 August 2020 meeting.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**SECTION 3 - Reports for Determination**

**Item: 1**                      **AC - Election of Chairperson - (91369, 95496, 79351)**

**Division:**                      Support Services

---

**OFFICER'S RECOMMENDATION:**

That a Chairperson of the Audit Committee for the next twelve months, from September 2020 to September 2021, be determined.

**DISCUSSION:**

The Acting General Manager, Mr Laurie Mifsud, called for nominations for the position of Chairperson.

Ms Nisha Maheshwari	Nominated by Councillor Paul Rasmussen
	Seconded by Ms Ellen Hegarty
	ACCEPTED

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Councillor Paul Rasmussen, seconded by Ms Ellen Hegarty

That Ms Nisha Maheshwari be elected as Chairperson of the Audit Committee for the twelve months from September 2020 to September 2021.

**Item: 2**                      **AC - Election of Deputy Chairperson - (91369, 95496, 79351)**

**Division:**                      Support Services

---

**OFFICER'S RECOMMENDATION:**

That a Deputy Chairperson of the Audit Committee for the next twelve months, from September 2020 to September 2021, be determined.

**DISCUSSION:**

The Acting General Manager, Mr Laurie Mifsud, called for nominations for the position of Deputy Chairperson.

Mr Craig Bennett	Nominated by Councillor Paul Rasmussen
	Seconded by Ms Ellen Hegarty
	ACCEPTED

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Councillor Paul Rasmussen, seconded by Ms Ellen Hegarty.

That Mr Craig Bennett be elected as Deputy Chairperson of the Audit Committee for the twelve months from September 2020 to September 2021.



**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**Item: 3**                      **AC - 2019/2020 and 2020/2021 Internal Audit Programs Update - (91369, 121470, 95496, 79351)**

**Directorate:**              Support Services

---

**OFFICER' S RECOMMENDATION:**

That the progress on the 2019/2020 and the 2020/2021 Internal Audit Programs be received and noted.

**DISCUSSION:**

- The Acting General Manager provided status updates on the Internal Audit Programs:

**2019/2020**

- DRIVES24 Compliance Audit - Completed.
- The City Planning Applications and Certificates Audit - Is included in this business paper for discussion.
- The Customer Service - Standards and Complaints Audit - Completed, and is in draft form, scheduled to be presented to the next Audit Committee Meeting in 2021.

**2020/2021**

- Payroll Audit - Audit Planning has commenced, Centium will develop the Draft Workplan which will be provided to the Audit Committee.
- Internal Audit Function Audit - Scheduled to commence in early 2021.
- DRIVES24 Compliance Audit - Scheduled to commence, April/May 2021.

**COMMITTEE RECOMMENDATION:**

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

That the progress on the 2019/2020 and the 2020/2021 Internal Audit Programs be received and noted.

**Item: 4**                      **AC - Status of Internal Audit Management Actions - (91369, 121470, 95496, 79351)**

**Directorate:**              Support Services

---

**OFFICER'S RECOMMENDATION:**

That the Audit Committee receive and note the following reports;

1. Internal Audit Management Actions Status Report as at 19 November 2020 as outlined in Attachment 1 to this report.
2. Incomplete Internal Audit Management Actions Report as at 19 November 2020 as outlined in Attachment 2 to this report.
3. Recently Completed Internal Audit Management Actions Report as outlined in Attachment 3 to this report.
4. Overdue Extreme / High Risk Internal Audit Management Actions Report as outlined in Attachment 4 to this report.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

4. Request for Due-Date Extension for Internal Audit Management Actions items as outlined in Attachment 5 to this report.

**DISCUSSION:**

- The Acting General Manager provided an overview of Audit Management Actions;
  - Incomplete - 46
  - Completed since the last report - 26, Total completed 217
  - High Risk - None overdue.
- Incomplete Internal Audit Management Actions due dates have been revised to reflect resourcing.
- The Acting General Manager indicated that where there was turnover in staff in key positions, staff acting in the relevant management positions, will be responsible for the progression of audit management actions. Council manage succession planning through delegations, as staff are required to move into acting roles.
- A suggestion was made that an alternate Internal Audit Management Actions attachment accompany future reports, with data being sorted by Revised Action Due Date, followed by the Risk Rating.

**COMMITTEE RECOMMENDATION:**

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

That the Audit Committee receive and note the following reports:

1. Internal Audit Management Actions Status Report as at 19 November 2020 as outlined in Attachment 1 to this report.
2. Incomplete Internal Audit Management Actions Report as at 19 November 2020 as outlined in Attachment 2 to this report.
3. Recently Completed Internal Audit Management Actions Report as outlined in Attachment 3 to this report.
4. Overdue Extreme / High Risk Internal Audit Management Actions Report as outlined in Attachment 4 to this report.
5. Request for Due-Date Extension for Internal Audit Management Actions items as outlined in Attachment 5 to this report.

**Item: 5**                      **AC - City Planning - Applications and Certificates Audit Report - (91369, 121470, 95496, 95498, 79351)**

**Directorate:**              Support Services

---

**OFFICER'S RECOMMENDATION:**

That the Audit Committee receive and note the City Planning Applications and Certificates Audit Report attached as Attachment 1 to this report.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**DISCUSSION:**

- Penelope Corkill from Centium provided an overview of the City Planning Applications and Certificates Audit:
  - Council staff understand their roles and responsibilities and cooperated with the audit
  - The Development Application process is well controlled with checklists and a comprehensive review process
  - Reporting improvements have been identified for the Property and Rating system
  - It was highlighted there is a significant risk to Council if Policies and Procedures are not kept up to date
  - Certificates checklists are not in place for all building certification processes.

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion by Mr Craig Bennett and seconded by Ms Ellen Hegarty.

That the Audit Committee receive and note the City Planning Applications and Certificates Audit Report attached as Attachment 1 to this report.

**Item: 6**                      **AC - Audit Committee Charter Review - (95496, 79351, 91369)**

**Directorate:**              General Manager

---

**OFFICER'S RECOMMENDATION:**

That the Audit Committee Charter attached as Attachment 1 to the report be adopted.

**DISCUSSION:**

- The Acting Director Support Services advised the Audit Committee Charter is required to be reviewed on a regular basis. It is recommended at the present time, that no changes be made to the current Charter.
- Councillor Ross requested that the Audit Committee name be changed to Audit Risk and Improvement Committee.
- Penelope Corkill provided an overview of the Local Government Internal Audit Network meeting she attended.
- The Acting Director Support Services outlined amendments to the Local Government Act 1993, which requires Councils to establish an "Audit Risk and Improvement Committee". Council's will not be required to establish committees in accordance with the new framework until, six months following the Local Government Elections scheduled for 4 September 2021.
- Councillor Ross was requested by the Chair to provide supporting documentation to support his changes to the Audit Committee Constitution. Councillor Ross agreed to provide this information to the Chair.

**COMMITTEE RECOMMENDATION:**

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

That this matter be deferred to the first Audit Committee Meeting in 2021 for consideration.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**Item: 7**                      **AC - Audit Committee Annual Report - September 2020 - (95496, 79351, 91369)**

**Directorate:**              Support Services

---

**OFFICER'S RECOMMENDATION:**

That the Audit Committee Annual Report – September 2020, attached as Attachment 1 to this report, be endorsed to be submitted to Council.

**DISCUSSION:**

- Craig Bennett requested that the following amendments be made to his profile:
  - Removal of reference to Treasurer of Kurrajong Anglican Church
  - Add position of Vice-President of Retirement Village Residents Association Inc. NSW.
- Ellen Hegarty requested that the following be added to her profile, as follows:
  - Nepean Blue Mountain Local Health District (NBMLHD) Consumer Advocacy Network; Consumer Representative to the Research Committee of Nepean Hospital
  - Qualifications include Master of Applied Finance and certification in Internal Auditing and Quality Assurance.

**COMMITTEE RECOMMENDATION:**

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

That the Audit Committee Annual Report – September 2020, attached as Attachment 1 to this report, be endorsed to be submitted to Council, subject to the following amendments to be made on page 3 of the Annual Report:

- Craig Bennett
  - Removal of reference to Treasurer of Kurrajong Anglican Church
  - Add position of Vice-President of Retirement Village Residents Association Inc. NSW.
- Ellen Hegarty
  - Add Nepean Blue Mountain Local Health District (NBMLHD) Consumer Advocacy Network; Consumer Representative to the Research Committee of Nepean Hospital
  - Qualifications include Master of Applied Finance and Certification in Internal Auditing and Quality Assurance.

**Item: 8**                      **AC - Audited General Purpose and Special Purpose Financial Statements for the Year Ended 30 June 2020 - (91369, 121470, 95496, 79351)**

**Directorate:**              Support Services

---

**OFFICER'S RECOMMENDATION:**

That the Audit Committee:

1. Receive and note the completion of the audited General Purpose Financial Statements, Special Purpose Financial Statements and Schedules for the year ended 30 June 2020.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

2. Receive and note the reports issued by the NSW Audit Office regarding the audit of the General Purpose Financial Statements, Special Purpose Financial Statements and Schedules for the year ended 30 June 2020.

**DISCUSSION:**

- James Winter, from Grant Thornton provided an overview of the actions conducted to complete the audited General Purpose Financial Statements, Special Purpose Financial Statements and Schedules for the year ended 30 June 2020.
- Nisha Maheshwari, Craig Bennett and Councillor Paul Rasmussen thanked the Auditors and Council staff for their work on these statements.
- Craig Bennett enquired as to whether next year's Financial Statements and preparing for new Accounting Standards will have an impact on Council. Kenneth Leung advised that this would only have effect on large corporate partnership contracts, but does not feel it will have a significant impact on Hawkesbury City Council.
- Councillor Ross advised that at Council's Meeting on the 24 November 2020, point 3 of the recommendation was added regarding S7.11 Pitt Town Reserves, but it has not been included in this report.
- Councillor Rasmussen enquired as to what would be the estimated time to complete an audit. James Winter provided a response outlining the audit process and anticipation start date of February 2021.
- Nisha Maheshwari, requested that the Management Letter be made available and included as an agenda item at the first Audit Committee Meeting in 2021.

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Councillor Paul Rasmussen, seconded by Ms Ellen Hegarty.

That the Audit Committee:

1. Receive and note the completion of the audited General Purpose Financial Statements, Special Purpose Financial Statements and Schedules for the year ended 30 June 2020.
2. Receive and note the reports issued by the NSW Audit Office regarding the audit of the General Purpose Financial Statements, Special Purpose Financial Statements and Schedules for the year ended 30 June 2020.

Councillor Ross requested that he is recorded as voting against the motion.

**Item: 9**                      **AC - Finance Reports - (91369, 121470, 95496, 79351)**

**Directorate:**              Support Services

---

**OFFICER'S RECOMMENDATION:**

That the Audit Committee receive and note the report on the September 2020 Quarterly Budget Review Statement and the October 2020 Investment Report.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**DISCUSSION:**

The Finance Report was taken as read and no further comments were raised by the Committee.

**COMMITTEE RECOMMENDATION:**

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

That the Audit Committee receive and note the report on the September 2020 Quarterly Budget Review Statement and the October 2020 Investment Report.

**Item: 10**                      **AC - Hawkesbury City Council Updates to the Enterprise Risk Register - (91369, 121470, 95496, 79351, 79509)**

**Directorate:**              General Manager

---

**OFFICER'S RECOMMENDATION:**

That the Audit Committee note the updates to the Hawkesbury City Council Enterprise Risk Register.

**DISCUSSION:**

- Conrad Webb, Council's Manager Enterprise Risk Systems, provided an update on the addition of the following risks to Council's Enterprise Risk Register;
  - Misuse by Staff of Council Equipment or Properties
  - Theft by Council Staff and Council Equipment, Resources or Materials

**COMMITTEE RECOMMENDATION:**

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

That the Audit Committee note the updates to the Hawkesbury City Council Enterprise Risk Register.

**Item: 11**                      **AC - Meeting Dates for 2021 - (95496, 91369, 79351)**

**Division:**                  Support Services

---

**OFFICER'S RECOMMENDATION:**

That the Audit Committee meeting dates for 2021, as outlined in the report, be approved.

**DISCUSSION:**

- In accordance with Clause 9.1(a) of the Audit Committee Charter, meetings of the Audit Committee are to be held no less than four times per year.
- The proposed Audit Committee meeting dates for 2021 are as follows:
  - Wednesday – 4:00pm – 24 February 2021
  - Wednesday – 4:00pm – 26 May 2021

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

- Wednesday – 4:00pm – 11 August 2021
- Wednesday – 4:00pm – 24 November 2021
- It was advised that an additional meeting may be required to consider the Annual Financial Statements in September/October 2021.

**COMMITTEE RECOMMENDATION:**

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

That the Audit Committee meeting dates for 2021, as outlined in the report, be approved.

**SECTION 4 - General Business**

There was no General Business.

The meeting terminated at 5:33pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**Item: 039**                      **ROC - Local Traffic Committee - 8 February 2021 - (80245, 95495)**

**Directorate:**                Infrastructure Services

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to present the Minutes of the Local Traffic Committee, held on 8 February 2021. The Local Traffic Committee is not a Committee of Council but a Statutory Committee.

**EXECUTIVE SUMMARY:**

The Local Traffic Committee considered three items, contained within the Minutes of the Local Traffic Committee. As these items have no policy or financial implications to Council, they are presented for information only.

**RECOMMENDATION:**

That Council receive and note the Minutes of the Local Traffic Committee Meeting held on 8 February 2021.

---

**DISCUSSION**

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

- Special Event Traffic – Convict 100 Mountain Biking Event 2021
- Special Event Traffic – Ironman 70.3 Western Sydney 2021
- General Traffic Matter – Proposed Parking Restriction to Nos 44 and 401 – Sandstone Arch Redbank, North Richmond – DA0430/19

**ATTACHMENTS:**

**AT - 1**    Minutes of the Local Traffic Committee held on 8 February 2021.



**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**AT - 1 Minutes of the Local Traffic Committee held on 8 February 2021**

Minutes of the Meeting of the Local Traffic Committee held remotely on 8 February 2021.

**ATTENDANCE**

**Present:** Councillor Peter Reynolds, Hawkesbury City Council  
Senior Constable Damien Mitchell, NSW Police Force  
Mr David Osborne, Transport for NSW  
Mr Steve Grady, Busways  
Mr Mark Rusev, Representing Ms Robyn Preston, Member for Hawkesbury

**Apologies:** Nil

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

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

**SECTION 1 - Minutes**

**Item 1.1 Confirmation of Minutes**

The Committee resolved on the Motion of Mr David Osborne, seconded by Councillor Peter Reynolds, that the Minutes from the previous meeting held on Monday, 11 January 2021 be confirmed.

**Item 1.2 Business Arising**

There was no Business Arising from the previous minutes.

**SECTION 2 - Reports for Determination**

**Item: 2.1 LTC - Convict 100 Mountain Biking Event 2021 - St Albans (Hawkesbury) - (80245, 85193)**

---

**REPORT:**

An application has been received from Maximum Adventure Pty Ltd seeking approval (in traffic management terms) to conduct the Convict 100 Mountain Biking Event 2021 - St Albans, on Saturday 01 May 2021.

The event organiser is proceeding with the event based on the current Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020 under the Public Health Act 2010 (NSW).

The event organiser has advised;

- The event is a Mountain Bike (Cycling) Endurance Race in and around the St Albans and Macdonald Valley areas. The event in 2020 was cancelled due to COVID-19.
- The event has been held for 15 years and was previously known as the Dirk Works 100 Kilometre Classic.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

- The event gets its name from the old Convict trail it traverses.
- The event is run predominantly on trails through the Parr, Dharug and Yengo National Parks.
- The event enjoys the continued support of the St Albans RFS and local community.
- The event will be undertaken between 6:30am and 6pm.
- Approximately 1300 participants are expected for the event.
- Approximately 30 spectators and their vehicles are expected. Parking will be available on private land.
- There are 3 courses for the event; 100, 68 and 44 kilometres.
- The start and finish of the race will be in the town of St Albans, on Wharf Street.
- The event route is similar to previous years.
- It is proposed to close a section of Wharf Street, between Bulga Street and Wollombi Road, St Albans (100 metre long sealed section), commencing from 9am, Friday 30 April 2021, through to 6pm, Saturday 01 May 2021.
- Alternate access is available via Wollombi Road and Bulga Street.
- Route/Course for the three Rides:
  - Convict 100 kilometre Course
    - Commence at Wharf Street (0.05km) and enter the course by turning right onto Wollombi Road and travel along Wollombi Road (4km) and turn left into the Road Reserve just past No. 529 Wollombi Road and onto Joes Crossing (0.55km).
    - Cross the Macdonald River at the first River Crossing Point and onto the Road Reserve adjacent to No. 476 Upper Macdonald Road and then turn left onto Upper Macdonald Road and travel along Upper Macdonald Road (3.3km) and turn right onto Jacks Track.
    - Travel along Jacks Track (7.4km) and turn left onto Womerah Range Trail.
    - Travel along Womerah Range Trail (11.8km) and turn left onto Webbs Creek Mountain Road.
    - Travel along Webbs Creek Mountain Road (0.45km) and turn left onto St Albans Road.
    - Travel along St Albans Road (4.6km) and turn right into No. 934 St Albans Road and travel through this property (0.5km) crossing the Macdonald River at the Second River Crossing and entering and traveling through No. 916 Settlers Road (0.15km) and turning right onto Settlers Road.
    - Travel along Settlers Road (1.2km) and turn left onto Shepherds Gully Road.
    - Travel along Shepherds Road (2.3km) and turn left onto the Great Northern Road
    - Travel along the Great Northern Road (31.7km) and turn left onto Sullivans Arm Trail.
    - Travel along Sullivans Arm Trail (4.3km) and turn left onto Wrights Creek Trail.
    - Travel along Wrights Creek Trail (14.2km) and turn left onto Blue Hill Track.
    - Travel along Blue Hill Track (2.0km) and turn right onto Wrights Creek Road.
    - Travel along Wrights Creek Road (4.3km) and turn right onto Settlers Road.
    - Travel along Settlers Road (6.8km) into Bulga Street (0.35km) and turn left onto Wharf Street return to the end point.
  - Convict 68 kilometre Course
    - Commence at Wharf Street (0.05km) and enter the course by turning right onto Wollombi Road and travel along Wollombi Road (4km) and turn left into the Road Reserve just past No. 529 Wollombi Road and onto Joes Crossing (0.55km).

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**

**Meeting Date:** 23 February 2021

- Cross the Macdonald River at the first River Crossing Point and onto the Road Reserve adjacent to No. 476 Upper Macdonald Road and then turn left onto Upper Macdonald Road and travel along Upper Macdonald Road (3.3klm) and turn right onto Jacks Track
  - Travel along Jacks Track (7.4klm) and turn left onto Womerah Range Trail.
  - Travel along Womerah Range Trail (11.8klm) and turn left onto Webbs Creek Mountain Road.
  - Travel along Webbs Creek Mountain Road (0.45klm) and turn left onto St Albans Road.
  - Travel along St Albans Road (4.6klm) and turn right into No. 934 St Albans Road and travel through this property (0.5klm) crossing the Macdonald River at the Second River Crossing and entering and traveling through No. 916 Settlers Road (0.15klm) and turning right onto Settlers Road.
  - Travel along Settlers Road (1.2klm) and turn left onto Shepherds Gully Road.
  - Travel along Shepherds Gully Road (2.3klm) and turn left onto the Great Northern Road
  - Travel along the Great Northern Road (9.6klm) and turn left onto Eight Mile Trail.
  - Travel along Eight Mile Trail (9.4klm) which links to Blue Hill Trail (1.0klm) and turn left onto Wrights Creek Road.
  - Travel along Wrights Creek Road (4.5klm) and turn right onto Settlers Road.
  - Travel along Settlers Road (6.8klm) into Bulga Street (0.35klm) and turn left onto Wharf Street return to the end
- Convict 44 kilometre Course
- Commence at Wharf Street (0.05klm) and enter the course by turning right onto Wollombi Road and travel along Wollombi Road (4klm) and turn left into the Road Reserve just past No. 529 Wollombi Road and onto Joes Crossing (0.55klm).
  - Cross the Macdonald River at the first River Crossing Point and onto the Road Reserve adjacent to No. 476 Upper Macdonald Road and then turn left onto Upper Macdonald Road and travel along Upper Macdonald Road (3.3klm) and turn right onto Jacks Track.
  - Travel along Jacks Track (7.4klm) and turn left onto Womerah Range Trail.
  - Travel along Womerah Range Trail (11.8klm) and turn left onto Webbs Creek Mountain Road.
  - Travel along Webbs Creek Mountain Road (0.45klm) and turn left onto St Albans Road.
  - Travel along St Albans Road (4.6klm) and turn right into No. 934 St Albans Road and travel through this property (0.5klm) crossing the Macdonald River at the Second River Crossing and entering and traveling through No. 916 Settlers Road (0.15klm) and turning left onto Settlers Road.
  - Travel along Settlers Road (10.8klm) into Bulga Street (0.35klm) and turn left onto Wharf Street return to the end.
- The event will impact on residents of Wharf Street between Wollombi Road and Bulga Street accessing their properties.
  - Consultation is currently in progress with the adjoining property owners, who have previously provided support in writing, relating to the proposed road closure. Arrangements will be made with these residents to allow access when requested.
  - Participants will compete on a two-leaf clover route format, covering approximately 100 kilometres of fire trail, single track and dirt roads through the National Parks, private properties and public roads.
  - The course will be clearly marked for riders to follow.
  - Marshalls with high visibility vests and radios will be positioned at junctions, warning cyclists of on-coming traffic and the track ahead.
  - Signs will be positioned throughout the course to warn other users of the event.
  - The event route will cross the Macdonald River at the two points shown on the Event Route Plan contained in Attachment 1. Crossing of the Macdonald River will be undertaken either by walking

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

across if the water level is ankle deep and safe to do so or alternatively utilising a 'pontoon bridge' configuration at each location.

- The property owners located at No. 934 St Albans Road and No.916 Settlers Road, which are the properties on either side of the river at the second river crossing point, are currently being consulted and have previously provided consent to access their properties.
- Spectators and participants can park in the day parking area on private land along Settlers Road as indicated in Attachment 3.

**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 (formerly RTA/RMS) as the event may impact minor traffic and transport systems, which includes the proposed road closure along the specified route, and there may be a low scale disruption to the non-event community.

The endurance mountain biking event is predominantly on tracks within the Parr State Conservation Area, Dharug and Yengo National Parks, private properties and on the following public roads;

- Bulga Street – Sealed Road.
- Settlers Road – Sealed and Unsealed Road.
- Shepherds Gully Road – Unformed Road.
- St Albans Road – Sealed Road.
- Upper Macdonald Road – Unsealed Road.
- Webbs Creek Mountain Road - Unsealed Road
- Wharf Street – Sealed Road.
- Wollombi Road – Sealed and Unsealed Road.
- Wrights Creek Road - Unsealed Road.
- Macdonald River – Two river crossing points

The event is also traversing along the Great Northern Road, which is under the care and control of the NSW National Parks and Wildlife Service (NSW Department of Planning, Industry and Environment).

The Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) is to be submitted to Transport for NSW – TfNSW (formerly TMC) for authorisation due to the proposed road closure of Wharf Street, between Bulga Street and Wollombi Road, St Albans (100 metre long sealed section).

The event organiser is to ensure that the current Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.

The event organiser has submitted the following items in relation to the event: Attachment 5 (ECM Document Set ID No. 7372809):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Transport for NSW – TfNSW),
4. Event Information including Traffic Control Plans (TCPs) and an Emergency Management Plan,
5. Event Route Plans,
6. Road Closure/Detour Plan.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**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 Convict 100 Endurance Mountain Biking Event 2021 - St Albans, event planned for Saturday, 01 May 2021 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 and the event organiser is to ensure that the current Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted – which includes the road closure of a section of Wharf Street between Bulga Street and Wollombi Road, St Albans, commencing from 8am, Friday 30 April 2021, through to 6pm, Saturday 01 May 2021; 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 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. The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed.
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

- 4d. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) as a road closure is proposed for a section of Wharf Street between Bulga Street and Wollombi Road, St Albans commencing from 8am, Friday 30 April 2021, through to 6pm, Saturday 01 May 2021; 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 the submitted Traffic Control Plans (TCPs) to Council for acknowledgement and Transport for NSW – TfNSW (formerly TMC and RTA/RMS) for concurrence;
- 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 involves the closure of a public road and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the road;
- 4h. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4i. the event organiser is to obtain the relevant approval to cross the Macdonald River from Transport for NSW – TfNSW (formerly RTA/RMS and NSW Maritime); a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain the relevant approval from the NSW Department of Planning, Industry and Environment (formerly Office of Environment and Heritage) to access and cross the Macdonald River; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the NSW National Parks and Wildlife Service (NSW Department of Planning, Industry and Environment) for the use of the Parr State Conservation Area, Dharug and Yengo National Parks and the Great Northern Road; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4m. the event organiser is to obtain approval from the NSW Department of Planning, Industry and Environment (formerly NSW Department of Industries - Lands) for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4n. the event organiser is to obtain approval from the respective Landowners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4o. 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 closure, detour route 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);
- 4p. 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;

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

- 4q. 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 closure, detour route 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;
- 4r. 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 closure, detour route 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;
- 4s. 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:**

- 4t. access is to be maintained for businesses, residents and their visitors;
- 4u. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4v. 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);
- 4w. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4x. in accordance with the submitted TMP and associated TCPs, appropriate advisory signs and traffic control devices are to be placed along the route, including the road closure points, during the event, under the direction of a traffic controller holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4y. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4z. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4aa. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

**APPENDICES:**

- AT - 1** Event Route Plan – 44, 68 & 100 Kilometre Route - Convict 100 Mountain Biking Event 2021 - St Albans.
- AT - 2** Event Route Plan with TCP Control Points – 44, 68 & 100 Kilometre Route - Convict 100 Mountain Biking Event 2021 - St Albans
- AT - 3** Event Centre Map - Convict 100 Mountain Biking Event 2021 - St Albans.
- AT - 4** Wharf Street Road Closure Plan - Convict 100 Mountain Biking Event 2021 - St Albans

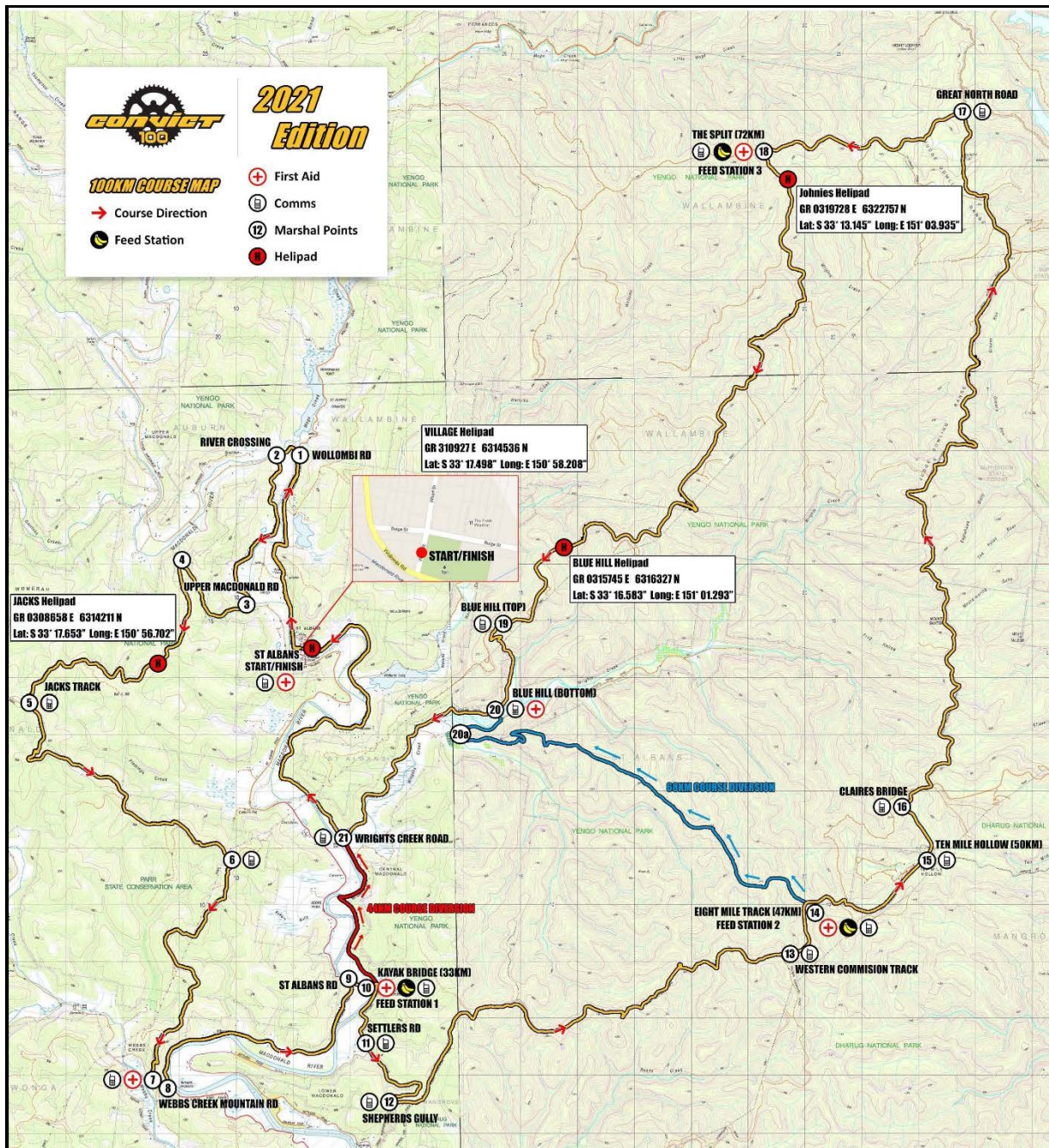
**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date:** 23 February 2021

**AT – 5** Special Event Application - (ECM Document Set ID No. 7372809) - *see attached.*



**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

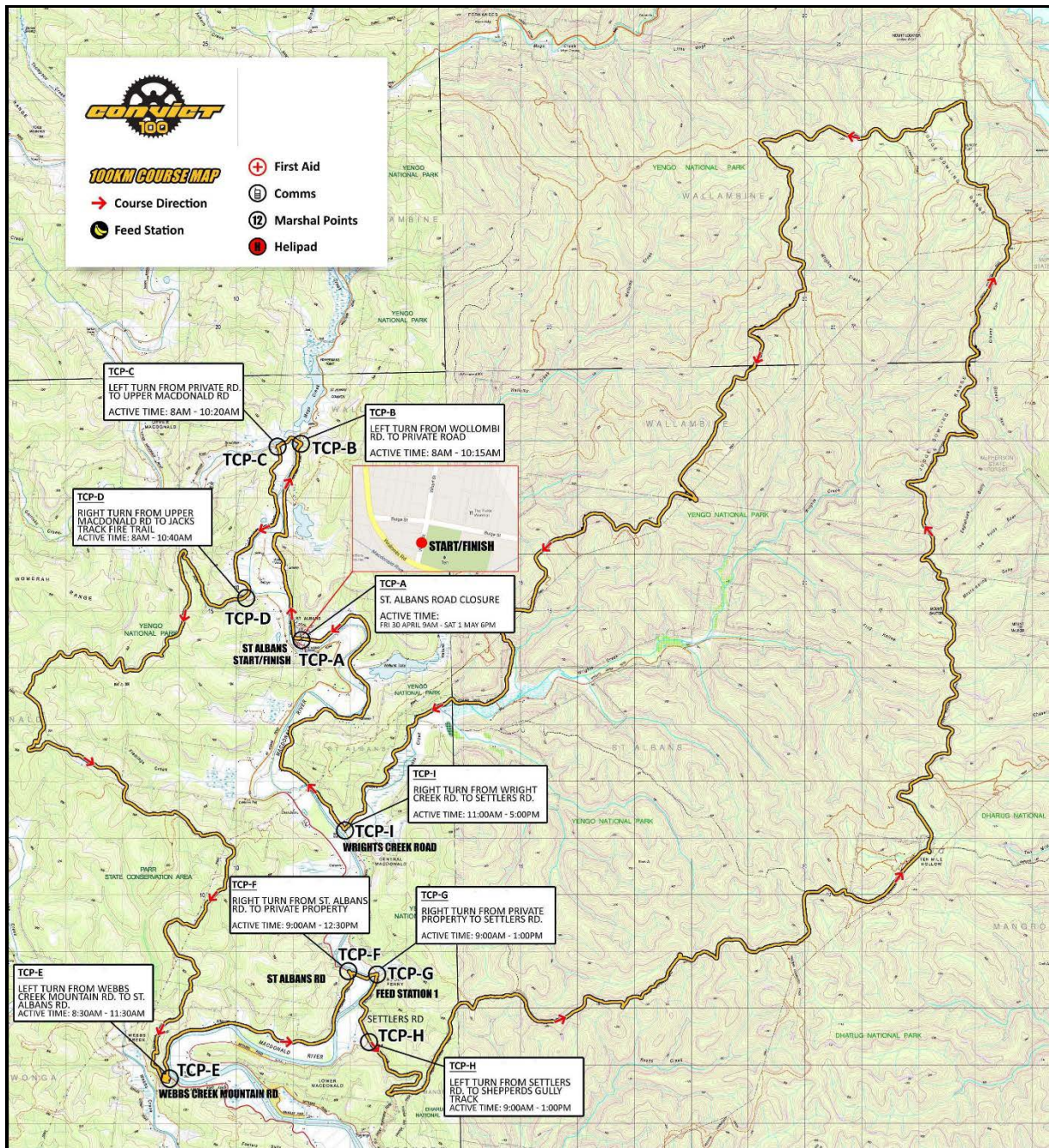
**AT – 1 Event Route Plan – 44, 68 & 100 Kilometre Route - Convict 100 Mountain Biking Event**  
**2021 - St Albans**





**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**AT – 2 Event Route Plan with TCP Control Points – 44, 68 & 100 Kilometre Route - Convict 100 Mountain Biking Event 2021 - St Albans**





**Meeting Date:** 23 February 2021

**St Albans**  
**Event Centre Map**

**CONVIC 100**

**Legend:**

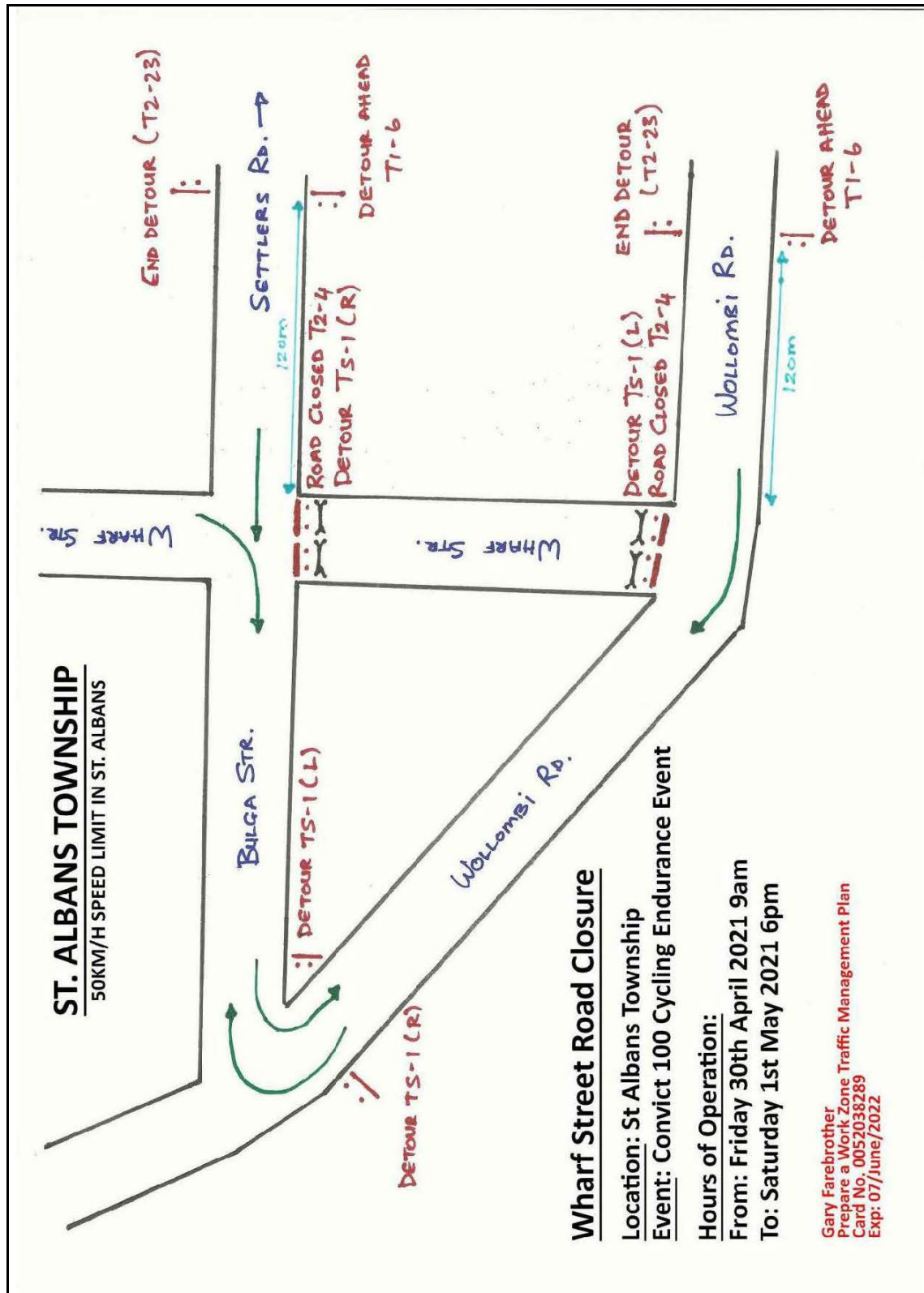
- PC** Premium Camping (\$7BC)
- SC** Standard Camping (\$10)
- P** Day Parking Area (\$10)
- Toilets**
- Food/Drinks**
- Coffee Van**
- Registration**
- Direction to Day Parking**

**Map Labels:**

- Macdonald River
- Wollombi Rd
- Bulga St
- Wharf St
- Settlers Arms Inn
- The Old Barn
- Start / Finish
- St Albans Fire Shed
- Upper Macdonald Rd
- Day Parking and Overflow Camping

ORDINARY MEETING  
SECTION 4 – Reports of Committees  
Meeting Date: 23 February 2021

AT - 4 Wharf Street Road Closure Plan - Convict 100 Mountain Biking Event 2021 - St Albans



**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr David Osborne, seconded by Councillor Peter Reynolds.

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 Convict 100 Endurance Mountain Biking Event 2021 - St Albans, event planned for Saturday, 01 May 2021 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 and the event organiser is to ensure that the current Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted – which includes the road closure of a section of Wharf Street between Bulga Street and Wollombi Road, St Albans, commencing from 8am, Friday 30 April 2021, through to 6pm, Saturday 01 May 2021; 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 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. The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

- 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 a road closure is proposed for a section of Wharf Street between Bulga Street and Wollombi Road, St Albans commencing from 8am, Friday 30 April 2021, through to 6pm, Saturday 01 May 2021; 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 the submitted Traffic Control Plans (TCPs) to Council for acknowledgement and Transport for NSW – TfNSW (formerly TMC and RTA/RMS) for concurrence;
- 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 involves the closure of a public road and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the road;
- 4h. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4i. the event organiser is to obtain the relevant approval to cross the Macdonald River from Transport for NSW – TfNSW (formerly RTA/RMS and NSW Maritime); a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain the relevant approval from the NSW Department of Planning, Industry and Environment (formerly Office of Environment and Heritage) to access and cross the Macdonald River; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the NSW National Parks and Wildlife Service (NSW Department of Planning, Industry and Environment) for the use of the Parr State Conservation Area, Dharug and Yengo National Parks and the Great Northern Road; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4m. the event organiser is to obtain approval from the NSW Department of Planning, Industry and Environment (formerly NSW Department of Industries - Lands) for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4n. the event organiser is to obtain approval from the respective Landowners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4o. 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 closure, detour route 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);
- 4p. 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;

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

- 4q. 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 closure, detour route 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;
- 4r. 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 closure, detour route 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;
- 4s. 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:**

- 4t. access is to be maintained for businesses, residents and their visitors;
- 4u. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4v. 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);
- 4w. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4x. in accordance with the submitted TMP and associated TCPs, appropriate advisory signs and traffic control devices are to be placed along the route, including the road closure points, during the event, under the direction of a traffic controller holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4y. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4z. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4aa. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**Item: 2.2      LTC - Ironman 70.3 Western Sydney 2021 - Richmond/Agnes Banks (Hawkesbury) - (80245, 73621, 123265, 128733, 140545)**

---

**REPORT:**

An application has been received seeking approval (in traffic management terms) to conduct the Ironman 70.3 Western Sydney 2021 event, on Sunday, 26 September 2021.

The event organiser is proceeding with the event based on the current Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020 under the Public Health Act 2010 (NSW)

The event organiser has advised;

- The Ironman 70.3 Western Sydney event is based at the Sydney International Regatta Centre, Penrith.
- The event is being held predominantly within the Penrith Council LGA, with a small section of the Cycling route contained within the Hawkesbury Council LGA.
- This is the seventh year the event is being run. The 2021 course follows the course from the 2019 event which has been in place since 2015. The event in 2020 was cancelled due to COVID-19.
- The event will be conducted between 6:15am and 3:30pm. The set up and pack down times are between 4:00am and 3:30pm.
- Approximately 1,700 participants are expected for the event.
- Approximately 5,000 spectators are expected.
- The Ironman event is a race and involves participants swimming, cycling and running:
  - Swimming: 1.9 kilometres clockwise lap of the Sydney International Regatta Centre competition lake.
  - Cycling: 90 kilometres (2 laps of 45 kilometres) incorporating the major arterial roads of both Penrith City Council and Hawkesbury City Council from the Sydney International Regatta Centre to McCarthys Lane to Castlereagh Road, Brooks Lane, Wilshire Road, Jockbett Road, The Driftway (Hawkesbury) and returning via Jockbett Road, Wilshire Road, Brooks Lane, Castlereagh Road and McCarthys Lane. The course consists of two laps in a clockwise direction with a number of road closures.
  - Running: 21.2 kilometres incorporating paths within and out of the Sydney International Regatta Centre. The run course heads out of the Sydney International Regatta Centre along Old Castlereagh Road, turning off Leland Street, Lugard Street, Borec Road and heading to the Great River Walk via Cassola Place before heading back to the Sydney International Regatta Centre and completing 1.5 laps around the competition lake.
- To facilitate the event build and competition, a comprehensive schedule of Road Closures has been designed. The majority of road closures are within the Penrith LGA. The only road closure required within the Hawkesbury LGA is The Driftway between Londonderry Road and Castlereagh Road.
- The safety of the event will be improved with the removal of through traffic along the course.
- Authorised Traffic Controllers will be used at all road closure points along the course, with motorists directed around the site.



**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

- Full road closures are implemented restricting access to and from homes which is managed by NSW Police and Who Dares Traffic Management. Emergency Services have priority over the Race and NSW ambulance will be within the Event Operations Command, liaising with Emergency Services.
- Road Closures will be valid during the cycling and running components of the event. In exceptional circumstances, should a resident or emergency service require access to a closed section of road, arrangements will be made to ensure access of the authorised vehicle under escort.
- Residents directly impacted by the road closures will be advised of the traffic conditions. Special arrangements will be in place should a resident require to exit their property under exceptional circumstances.
- The detours will be advertised in advance by Variable Message Boards (VMS). The VMS will be in place in advance to advertise the road closures and applicable detours.
- Parking will be facilitated by the existing parking facilities of the Regatta Centre (southern side) with allowance for overflow parking at the grass field of the Centre (east from the main parking areas – sealed). There is capacity for approximately 1,600 vehicles and parking will be free on a first come-first served basis.
- Special Event Clearways are not required for this event. Existing kerbside parking conditions will be adequate.
- The residents along Hawkesbury roads: The Driftway, Bonner Road and Markwell Place are currently being consulted and as with previous events, the residents have responded in a positive manner and are supportive of the event in a similar manner to the previous events undertaken between 2015 and 2019 and the cancelled event from 2020.

Details of the Event Route and Road Closure Plan and Road Closure Schedule are contained in Attachments 1 and 2.

**Discussion:**

The event is a cross regional event as it will traverse across two Local Government Areas and cross/traverse classified roads. The majority of the event is being undertaken within the Penrith Local Government Area.

The 2021 course follows the same route as the previous events undertaken from 2015 to 2019, noting that the 2020 event was cancelled due to COVID-19. The 2015 event was originally approved by Penrith Council which inadvertently included The Driftway (Hawkesbury), as this is a bordering road. Penrith Council classified the event as a Class 2 and this classification has carried through since the 2015 event.

Advice received from Penrith Council is that the 2021 event will be classified as a Class 2 event. To be consistent, the event within the Hawkesbury LGA should also be classified as a Class 2 event, even though there is the proposal to undertake Road Closures and Speed Zone reductions along a State Road within the Penrith Council LGA.

On this basis 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 (formerly RTA/RMS) as the event may disrupt traffic and transport systems along the specified route, which includes the proposed road closures, and there may be disruptions to the non-event community.

The following details in relation to the proposed road closure, within the Hawkesbury LGA, are listed below;

- Road Closure along The Driftway is proposed for Sunday, 26 September 2021, between 4:00am and 1pm. The overall road closures for the event within the Penrith Council area is until 3pm.
- Road Closure along The Driftway, Richmond/Agnes Banks, is between Castlereagh Road and Londonderry Road; which includes its intersections with Bonner Road, Jockbett Road and Markwell

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

Place, with access provided for residents in Markwell Place from the Castlereagh Road end of The Driftway.

- The length of the road closure along The Driftway is approximately 2,750 metres.
- The speed limit along The Driftway is 80kph, with a road seal width ranging from 10.3 to 11.0 metres.
- Traffic volume recorded in 2020 indicates an ADT=1,687.
- There are approximately 65 properties along the proposed route within the Hawkesbury LGA affected by the Road Closure of The Driftway. These properties are in the vicinity of The Driftway, Bonner Road and Markwell Place. The properties are a mix of residential and rural properties.
- The consultation process is in progress. Based on previous years, the majority of adjoining property owners are supportive of the event and the traffic management measures proposed, in a similar manner to the previous 2015 to 2019 events and the cancelled 2020 event. Further to this, the residents have been advised that this is a reoccurring event each year.

Castlereagh Road (State Road) within the Penrith LGA is to be closed at its northern point in the vicinity of Springwood Road and Brooks Lane. Traffic within the Hawkesbury LGA will be detoured via Southee Road and Londonderry Road. The event organiser is to ensure that all major traffic routes leading to the road closures are adequately signposted to warn motorists of the road closures and advise them of the available traffic detour routes.

The event organiser is to ensure that the current Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.

The event organiser has submitted the following items in relation to the event: Attachment 3 (ECM Document Set ID No: 7393051):

- 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)
- Transport Management Plan – referred to as Traffic Management Plan which needs to be updated for the 2021 event,
- Event Route and Road Closure Plan,
- Copy of Resident Consultation extent for the proposed road closures.

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

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

2. The Ironman 70.3 Western Sydney 2021 event, which is a cross regional event and will traverse across two Local Government Areas, with the Hawkesbury LGA component being within the Richmond/Agnes Banks area, planned for Sunday, 26 September 2021 between 4am and 3:30pm 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 and the event organiser is to ensure that the current Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
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 road closures and traffic control measures;
  - Road Closure; The Driftway, Richmond/Agnes Banks, between Castlereagh Road and Londonderry Road; which includes its intersections with Bonner Road, Jockbett Road and Markwell Place, with access provided for residents in Markwell Place from the Castlereagh Road end of The Driftway.
  - Road Closure only permitted for Sunday, 26 September 2021, between 4:00am and 1pm.
  - No other road closures are permitted.
  - Due to the Road Closure of Castlereagh Road (State Road) within the Penrith LGA, Detour Routes and relevant Signage are to be provided within the Hawkesbury LGA and surrounding area to ensure alternate traffic routes are available and signposted.
  - The event organiser is to ensure that all major traffic routes leading to the road closures are adequately signposted to warn motorists of the road closures and advise them of the available traffic detour routes.

and the following conditions:

**Prior to the event:**

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

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

- 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. The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed;
- 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 road closures are proposed; 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) which need to include details such as the specific position of barriers, signs etc, required for the proposed road closures and traffic diversions to Council for acknowledgement and Transport for NSW – TfNSW (formerly TMC and RTA/RMS) for concurrence. The TCPs 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 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 involves the closure and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the road;
- 4h. the event organiser is to obtain approval from Penrith Council for the use of their roads and obtain any other necessary approvals from Penrith Council; a copy of this approval to be submitted to Council;
- 4i. 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 closures, detour routes 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);
- 4j. 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;
- 4k. 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, road closures, detour routes 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;
- 4l. 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 closures, detour routes 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;

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

- 4m. 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:**

- 4n. access is to be maintained for businesses, residents and their visitors;
- 4o. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4p. 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);
- 4q. the participants are to be made aware of and are to follow all the general road user rules whilst participating on public roads;
- 4r. in accordance with the submitted TMP and associated TCPs, appropriate advisory signs and traffic control devices are to be placed along the event and detour route (including the road closure points and detour routes), 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 competitors and 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.

**APPENDICES:**

**AT – 1** Ironman 70.3 Western Sydney 2021 - Event Route and Road Closure Plan

**AT – 2** Ironman 70.3 Western Sydney 2021 - Road Closure Schedule.

**AT – 3** Special Event Application - (ECM Document Set ID No: 7393051) - *see attached*

**Meeting Date:** 23 February 2021

**VENUE PARKING AND ENTRY**

Western Bridge  
SYDNEY INTERNATIONAL REGATTA CENTRE  
Eastern Bridge  
Old Clontarf Rd  
Main Entry Gate  
Det Gates

**LEGEND**

- DETOUR ROUTE
- ROAD CLOSED
- ATHLETE ACCESS (ROAD CONTROLLED)
- TRAFFIC MANAGEMENT POINT

Castlereagh Rd  
Rokewood Rd  
Devlin Rd  
Hoxman Rd  
Shamelin Rd  
Church St  
Shannon Rd  
The Northern Rd  
Londonderry Rd  
Reynolds Rd  
The Driveway  
Goringwood Rd  
Brooke Ln  
Vilshire Rd  
Londonderry Rd  
Spencer Rd  
Nutt Rd  
Boscobel Rd  
Carmichael Rd  
Mills Rd  
Sutherland Rd  
The Northern Rd  
Cranbrook  
Penrit Lakes  
SYDNEY INTERNATIONAL REGATTA CENTRE  
Old Clontarf Rd  
Andrews Rd  
Danden St  
Ligert St  
Casella  
WATER RESERVE

CASTLEREAGH  
LONDONDERRY  
CRANBROOK

LOCAL ACCESS ONLY

Penrit Lakes  
SYDNEY INTERNATIONAL REGATTA CENTRE

Old Clontarf Rd  
Andrews Rd  
Danden St  
Ligert St  
Casella  
WATER RESERVE

This map is not to scale

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**AT – 2 Ironman 70.3 Western Sydney 2021 – Road Closure Schedule**

**APPENDIX D – ROAD CLOSURE SCHEDULE**

**Effective: Sunday, 26 September 2021**

ROAD CLOSURE	Section	Direction	Start Time	Finish Time	Length of Road (m)
McCarthy's Lane	Pipe Gate to Castlereagh Road	Inbound & Outbound	4:30am	1:00pm	1,315
Castlereagh Road	Between Andrews Road and Springwood Road	Inbound & Outbound	4:30am	1:00pm	3,278
Brooks Lane	Between Castlereagh Road and Wilshire Road	Inbound & Outbound	4:30am	1:00pm	14,919
Wilshire Road	Between Brookes Lane and Jockbett Road	Inbound & Outbound	4:30am	1:00pm	450
Jockbett Road	Between Wilshire Road and The Driftway	Inbound & Outbound	4:30am	1:00pm	1,376
The Driftway	Between Castlereagh Road and Londonderry Road	Inbound & Outbound	4:30am	1:00pm	1,193
Old Castlereagh Road	Between SIRC and Castlereagh Road	Inbound & Outbound	6:00am	3:00pm	2,749
Leland Street	Between Lugard Street and Old Castlereagh Road	Inbound & Outbound	6:00am	3:00pm	525
Lugard Street	Between Camden Street and Leland Street	Inbound & Outbound	6:00am	3:00pm	230
Borec Road	Between Cassola Place and Lugard Street	Inbound & Outbound	6:00am	3:00pm	190
Cassola Place	From Borec Road	Inbound & Outbound	6:00am	3:00pm	365

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr David Osborne, seconded by Councillor Peter Reynolds.

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 Ironman 70.3 Western Sydney 2021 event, which is a cross regional event and will traverse across two Local Government Areas, with the Hawkesbury LGA component being within the Richmond/Agnes Banks area, planned for Sunday, 26 September 2021 between 4am and 3:30pm 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 and the event organiser is to ensure that the current Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
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 road closures and traffic control measures;
  - Road Closure; The Driftway, Richmond/Agnes Banks, between Castlereagh Road and Londonderry Road; which includes its intersections with Bonner Road, Jockbett Road and Markwell Place, with access provided for residents in Markwell Place from the Castlereagh Road end of The Driftway.
  - Road Closure only permitted for Sunday, 26 September 2021, between 4:00am and 1pm.
  - No other road closures are permitted.
  - Due to the Road Closure of Castlereagh Road (State Road) within the Penrith LGA, Detour Routes and relevant Signage are to be provided within the Hawkesbury LGA and surrounding area to ensure alternate traffic routes are available and signposted.
  - The event organiser is to ensure that all major traffic routes leading to the road closures are adequately signposted to warn motorists of the road closures and advise them of the available traffic detour routes.

and the following conditions:



**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**Prior to the event:**

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event. The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed;
- 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 road closures are proposed; 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) which need to include details such as the specific position of barriers, signs etc, required for the proposed road closures and traffic diversions to Council for acknowledgement and Transport for NSW – TfNSW (formerly TMC and RTA/RMS) for concurrence. The TCPs 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 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 involves the closure and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the road;
- 4h. the event organiser is to obtain approval from Penrith Council for the use of their roads and obtain any other necessary approvals from Penrith Council; a copy of this approval to be submitted to Council;
- 4i. 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 closures, detour routes 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);

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

- 4j. 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;
- 4k. 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, road closures, detour routes 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;
- 4l. 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 closures, detour routes 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;
- 4m. 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:**

- 4n. access is to be maintained for businesses, residents and their visitors;
- 4o. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4p. 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);
- 4q. the participants are to be made aware of and are to follow all the general road user rules whilst participating on public roads;
- 4r. in accordance with the submitted TMP and associated TCPs, appropriate advisory signs and traffic control devices are to be placed along the event and detour route (including the road closure points and detour routes), 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 competitors and 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.

**SECTION 3 - Reports for Information**

There were no Reports for Information.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**SECTION 4 - General Business**

**Item: 4.1      Proposed Parking Restriction to Road Nos 44 and 401 - Sandstone Arch Redbank, North Richmond - DA0430/19 (Hawkesbury) - (80245,12358)**

---

**REPORT:**

Mr Christopher Amit, advised that the voting members of the Local Traffic Committee (LTC) considered this item remotely via email to enable the developer to lodge their plans for registration and meet a required deadline. The information was distributed on 21 January 2021 with final consideration and acceptance on 27 January 2021.

The Development is part of DA0430/19 within the Sandstone Arch Redbank site in North Richmond. Road No. 44 has a turning head at its western end contained within Road No 401. The turning head is being provide instead of a conventional culdesac. The allowance for the turning head was approved and listed as Consent Condition No.39 in DA0430/19.

Road No. 44 is 8 metres wide and Road No. 401 is 6 metres wide between kerbs. The turning head has been designed and privately certified under separate cover to cater for vehicles up to 12.5 metres in length, which includes garbage trucks and emergency vehicles. Regulatory signage is required within Road No 401 and the western portion of Road No.44 to ensure that these vehicles can turn around satisfactorily and not be impeded by parked vehicles. Details of the regulatory signs is outlined in Plan No. 11018512/CC222 – Issue 3 – prepared by J.Wyndham Price – Refer to Attachment 1

The initial plan submitted by the developer (Issue 2) outlined the provision of No Parking signs. The proposed signs were changed to No Stopping (Issue 3) at the request of NSW Police as the No Stopping zone will assist with operation matters on site and ensuring that vehicles are not parking within the turn head.

Summary:

The recommendation supported by the voting members of the LTC is: The proposed parking restrictions to Road No. 44 and Road No. 401 within the Redbank Development in North Richmond in accordance with Plan No. 11018512/CC222 – Issue 3 – prepared by J.Wyndham Price be implemented.

**COMMITTEE RECOMMENDATION:**

Resolved on the motion of Senior Constable Damien Mitchell, seconded by Mr David Osborne.

Support for Recommendation: Unanimous support

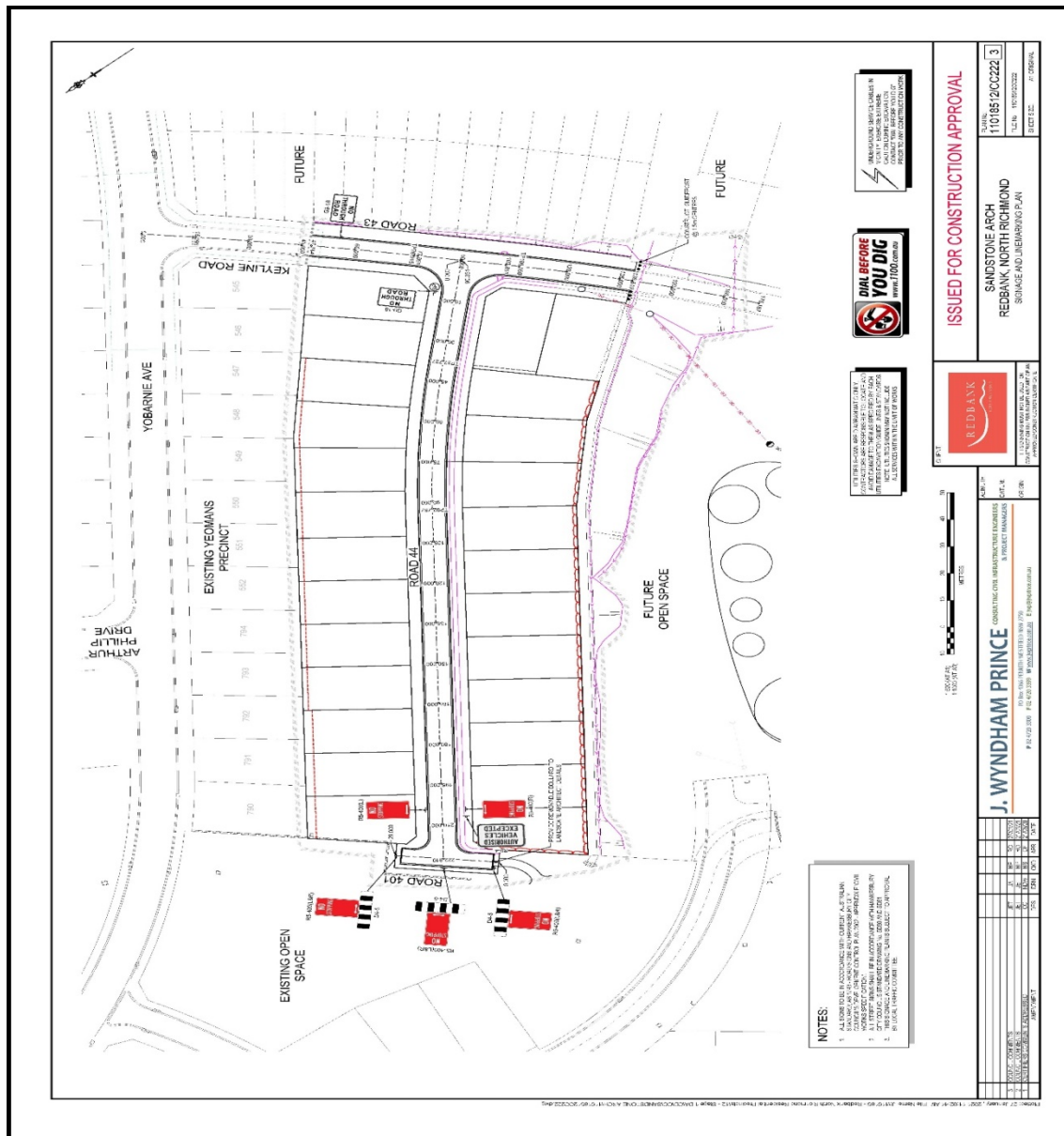
That the proposed parking restrictions to Road No. 44 and Road No. 401 within the Redbank Development in North Richmond in accordance with Plan No. 11018512/CC222 – Issue 3 – prepared by J.Wyndham Price (Attachment 1) be implemented.

**APPENDICES:**

**AT - 1** Signage and Linemarking Plan – Sandstone Arch Redbank, North Richmond

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**AT - 1 Signage and Linemarking Plan – Sandstone Arch Redbank, North Richmond**



**SECTION 5 - Next Meeting**

The next Local Traffic Committee meeting will be held on Monday, 8 March 2021 at 3pm in the Small Committee Meeting Room.

oooO END OF REPORT Oooo

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**Item: 040**                      **ROC - Innovation and Partnerships Committee - 9 February 2021 - (79351, 95496)**

**Directorate:**                General Manager

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to present the Minutes of the Innovation and Partnerships Committee, held on 9 February 2021.

**EXECUTIVE SUMMARY:**

Item 2 contained within the minutes of the Innovation and Partnerships Committee has policy or financial implications to Council. It therefore requires specific consideration by Council, the details of which are discussed in the report below.

In relation to Item 1, as it has no policy or financial implications for Council, it is presented for information only.

**RECOMMENDATION:**

That in relation to the Minutes of the Innovation and Partnerships Committee Meeting held on 9 February 2021:

1. Council receive and note Item 1 – Election of Chairperson.
2. Council endorse the Committee Recommendation in respect of Item 2 – Arrangements for meetings concerning Telecommunications Matter, namely:

*“That:*

1. *The Innovation and Partnerships Committee hold its next meeting at Bilpin District Hall, Bilpin to discuss access to adequate telecommunications. The question to the meeting should be 'How should Council lobby Telstra to provide the emergency backup infrastructure being requested by the Bilpin Community?'*
2. *The meeting will:*
  - *Be subject to a COVID-19 Safety Plan*
  - *Be open to the public*
  - *Be limited in numbers to meet the requirements of any orders then in force under the Public Health Act 2010, including but not limited to the Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 7) 2020 as amended or replaced*
  - *Require members of the public to register to attend the meeting*
  - *Not be required to be webcast (livestreamed)*
  - *Be recorded*
3. *The local community will be notified of the meeting, and arrangements made for inviting relevant representatives from Telstra and the Member for Macquarie, Susan Templeman MP.*

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

4. *The Chair of the Innovation and Partnerships Committee be given the authority to arrange for a suitable date and time for the meeting to enable the attendance of relevant representatives from Telstra.”*

---

**DISCUSSION**

The Committee considered staff reports on two matters as shown in the attached minutes (Attachment 1). In relation to Item 2 - Arrangements for meetings concerning Telecommunications Matter, Council discussed the following:

- The strong intention from the 25 January 2021 Council Meeting, that the initial meeting to discuss telecommunication infrastructure be held in Bilpin. The Bilpin residents have raised their concerns for the need of this infrastructure and Council has a role to play in coordinating this matter.
- The meeting be held in a COVID safe way, managing attendees to adhere to venue restrictions.
- The meeting be open to the public to attend, and recorded due to the internet issues in Bilpin this meeting is unable to be livestreamed. The podcast be made available on Council's website post meeting.
- Council staff to establish when relevant representatives from Telstra and the Member for Macquarie, Susan Templeman MP are available to hold the meeting in Bilpin. Council to communicate the public meeting date through necessary channels to community members and by direct engagement with Bilpin residents.

In relation to Item 2, it is recommended that Council endorse the Committee Recommendation in the Minutes attached as Attachment 1.

**ATTACHMENTS:**

**AT - 1** Minutes of the Innovation and Partnerships Committee held on 9 February 2021.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**AT - 1 Minutes of the Innovation and Partnerships Committee held on 9 February 2021**

Minutes of the Meeting of the Innovations and Partnerships Committee held by Audio-Visual link, on 9 February 2021, commencing at 4:00pm.

**ATTENDANCE**

**Present:** Councillor Patrick Conolly, Hawkesbury City Council  
Councillor Amanda Kotlash, Hawkesbury City Council  
Councillor Sarah Richards, Hawkesbury City Council  
Councillor Nathan Zamprogno, Hawkesbury City Council

**Apologies:** Nil.

**In Attendance** Mr Laurie Mifsud, Hawkesbury City Council  
**Staff and Agency** Ms Emma Galea, Hawkesbury City Council  
**Representatives** Ms Linda Perrine, Hawkesbury City Council  
Ms Suzanne Stuart, Hawkesbury City Council  
Mr Charles McElroy, Hawkesbury City Council  
Ms Tracey Easterbrook - Minute Secretary, Hawkesbury City Council

Member	9/02/2021
Councillor Patrick Conolly (Mayor)	✓
Councillor Amanda Kotlash	✓
Councillor Sarah Richards (Chairperson)	✓
Councillor Nathan Zamprogno	✓

**DECLARATIONS OF INTEREST**

There were no Declarations of Interests made.





**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 23 February 2021**

**COMMITTEE RECOMMENDATION:**

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

That:

1. The Innovation and Partnerships Committee hold its next meeting at Bilpin District Hall, Bilpin to discuss access to adequate telecommunications. In Bilpin. The questions to the meeting should be 'How should Council lobby Telstra to provide the emergency backup by the Bilpin Community'.
2. The meeting will:
  - Be subject to a COVID-19 Safety Plan
  - Be open to the public
  - Be limited in numbers to meet the requirements of any orders then in force under the Public Health Act 2010, including but not limited to the Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 7) 2020 as amended or replaced
  - Require members of the public to register to attend the meeting
  - Not be required to be webcast (livestreamed)
  - Be recorded
3. The local community will be notified of the meeting, and arrangements made for inviting relevant representatives from Telstra and the Member for Macquarie, Susan Templeman MP.
4. The Chair of the Innovation and Partnerships Committee be given the authority to arrange for a suitable date and time for the meeting to enable the attendance of relevant representatives from Telstra.

**For the Motion:** Councillors Kotlash, Richards, Ross, Tree, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Nil.

Close the meeting at 4:15pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

**SECTION 4 – Reports of Committees**

**Meeting Date:** 23 February 2021

ordinary

section 5

notices of motion

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date:** 23 February 2021

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 23 February 2021**

**SECTION 5 – Notices of Motion**

**Item: 041**                      **NM1 - Proposed Amendments to the Code of Meeting Practice - (79351, 125612)**

---

**Submitted by:** Councillor Lyons-Buckett

**NOTICE OF MOTION:**

That:

1. The following minor amendments be made to Council's Code of Meeting Practice adopted on 18 February 2020:
  - a) Replace Clause 3.16 with the following:

*3.16 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion or question (under clause 3.19) must be in writing and must be submitted seven days before the meeting is to be held.*
  - b) Replace Clause 9.17 with the following:

*9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice. Responses to questions taken on notice will be reported to the next meeting of the council in the 'Questions With Notice' section of the agenda.*
2. Pursuant to Section 362(2) of the Local Government Act 1993, Council, being of the opinion that the amendments in Part 1 are not substantial, adopt the amended Code of Meeting Practice without public exhibition.

**BACKGROUND**

It is proposed to make the following amendments to the Code of Meeting Practice:

- a) Replace Clause 3.16 with the following:

*3.16 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion or question (under clause 3.19) must be in writing and must be submitted seven days before the meeting is to be held.*

The proposed amendment to Clause 3.16 reduces the time for submission of questions from fourteen to seven days in line with other Notices of Motion.

- b) Replace Clause 9.17 with the following:

*9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee*

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 23 February 2021**

*to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice. Responses to questions taken on notice will be reported to the next meeting of the council in the 'Questions With Notice' section of the agenda.*

The proposed amendment to Clause 9.17 is to ensure questions taken on notice during items on the agenda of a meeting are answered, and such answers are readily accessible.

**NOTE BY MANAGEMENT**

Council adopted its Code of Meeting Practice on 18 February 2020. Council's Code of Meeting Practice is based on the Office of Local Government's Model Code of Meeting Practice (the Model Code).

The Model Code contains mandatory and optional provisions. Clauses 3.16 and 9.17 are mandatory provisions. Clause 3.16 of the Model Code provides, in relation to Notices of Motion, that Council is to specify the notice period required.

For your information Clauses 3.16 and 9.17 are as follows:

*3.16 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted seven days before the meeting is to be held, or fourteen days if the notice is a question under clause 3.19.*

Clause 9.17 of the Code of Meeting Practice says:

*9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice, and report the response to the next meeting of the council*

Sections 361 and 362 of the Local Government Act 1993 NSW are set out below:

**361 Preparation, public notice and exhibition of draft code**

- (1) Before adopting a code of meeting practice, a council must prepare a draft code.*
- (2) The council must give public notice of the draft code after it is prepared.*
- (3) The period of public exhibition must not be less than 28 days.*
- (4) The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.*
- (5) The council must publicly exhibit the draft code in accordance with its notice.*

**362 Adoption of draft code**

- (1) After considering all submissions received by it concerning the draft code, the council may decide--*
  - (a) to amend those provisions of its draft mandatory code that are non-mandatory provisions, or*
  - (b) to adopt the draft code as its code of meeting practice.*
- (2) If the council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this Division or, if the council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.*

The proposed amendments to the Code of Meeting Practice concern matters of process and do not impact on more significant matters such as the provisions dealing with voting, debate and members of the public being able to address Council Meetings. The proposed amendments may be regarded as not substantial.

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 23 February 2021**

Council has identified some errors in the way clauses are cross-referenced in the Code of Meeting Practice. No errors have been identified in the substance of any clauses. It is recommended that if amendments are to be made to the Code of Meeting Practice that they include correcting cross-references. These amendments may be regarded as not substantial.

**FINANCIAL IMPACT**

There are no financial implications applicable to this report.

**ATTACHMENTS:**

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 23 February 2021**

**Item: 042**                      **NM2 - Parramatta Powerhouse Museum - (79351, 138880)**

---

**Submitted by:** Councillor Reynolds

**NOTICE OF MOTION:**

That Council write to the Minister for Planning expressing:

1.     Concern at the manner in which approval has been granted for the Parramatta Powerhouse Museum project prior to the completion of the Parliamentary Inquiry.
2.     Confirming that as a Western Sydney Council, this Council cannot support this project when significant community concerns addressing heritage and flooding have not been addressed.

**BACKGROUND**

This week the Planning Minister has granted approval to forge ahead with the Parramatta Powerhouse before the Parliamentary inquiry into this project has been completed.

This action by the State Government mirrors that which occurred as part of the destructive Windsor Bridge Replacement Project, and makes a mockery of community concerns, independent expert advice and political accountability.

**FINANCIAL IMPACT**

There are no financial implications applicable to this report.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**



**ORDINARY MEETING**  
**Confidential Reports**  
**Meeting Date: 23 February 2021**

**CONFIDENTIAL REPORTS**

**Item: 043**                      **SS - Lease to Y Ghet Cang - Shop 2, McGraths Hill Shopping Centre - (95496, 111656, 112106) CONFIDENTIAL**

**Directorate:**                Support Services

---

**REASON FOR CONFIDENTIALITY**

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

*Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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

---

**ORDINARY MEETING**  
**Confidential Reports**  
**Meeting Date: 23 February 2021**

**Item: 044**                      **SS - Tender - Provision of Legal Services - (95496) CONFIDENTIAL**

**Directorate:**                Support Services

---

**REASON FOR CONFIDENTIALITY**

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

*Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to Tenders for the provision of legal services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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

---



ordinary  
meeting

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.