



ORDINARY MEETING

Date of meeting: 21 November 2023
Location: Council Chambers
Time: 6:30 PM

BUSINESS PAPER

ORDINARY MEETING

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ORDINARY MEETING

1. PROCEDURAL MATTERS

Meeting Date: 21 November 2023

1. PROCEDURAL MATTERS

Welcome

The Mayor, Councillor Sarah McMahon will acknowledge the Indigenous Heritage.

The General Manager will address the Council meeting, mentioning:

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

Attendance

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

Statement of Ethical Obligations

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

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

Apologies and Leave of Absence

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

Declaration of Interest

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

Acknowledgement of Official Visitors to the Council

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

ORDINARY MEETING

2. CONFIRMATION OF MINUTES

Meeting Date: 21 November 2023

2. CONFIRMATION OF MINUTES



ORDINARY MEETING

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

MINUTES

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ORDINARY MEETING

1. PROCEDURAL MATTERS

Meeting Date: 10 October 2023

1. PROCEDURAL MATTERS

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 10 October 2023, commencing at 6:30pm.

Welcome

The Mayor, Councillor Sarah McMahon acknowledged the Indigenous Heritage.

The General Manager addressed the Council Meeting, mentioning:

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

ATTENDANCE

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

ALSO PRESENT: General Manager - Elizabeth Richardson, Director City Planning - Meagan Ang, Director Infrastructure Services - Will Barton, Director Corporate Services - Laurie Mifsud, Chief Financial Officer - Vanessa Browning, Manager Corporate Communications and Events - Suzanne Stuart, Manager Strategic Planning - Andrew Kearns, Manager Governance - Charles McElroy and Council Committee Officer – Amy Birks.

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

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

Councillor Wheeler arrived at the meeting at 6:33pm.

DECLARATIONS OF INTEREST

Councillor Conolly declared an interest on Item 4.3.2.

Councillor McMahon declared interests on Items 4.3.1 and 4.3.2.

Councillor Sheather declared interests on Items 4.3.1 and 5.1.1.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

ORDINARY MEETING

2. CONFIRMATION OF MINUTES

Meeting Date: 10 October 2023

2. CONFIRMATION OF MINUTES

163 RESOLUTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Veigel that the minutes of the Ordinary Meeting held on 12 September 2023, be confirmed.

ADJOURMENT OF MEETING

The Mayor, Councillor McMahon adjourned the meeting at 9:01pm for a short break. The meeting resumed at 9:10pm.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

4. REPORTS FOR DETERMINATION

4.1. PLANNING DECISIONS

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

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

164 RESOLUTION:

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

That Council:

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

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

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

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

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

Directorate: City Planning

Mr Christian Pollock addressed Council, speaking for the recommendation in the business paper.

MOTION:

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

Refer to RESOLUTION

165 RESOLUTION:

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

That Council:

1. Notes the outcome of public agency consultation and public exhibition of Planning Proposal LEP002/22, 4 Hall Street, Pitt Town.
2. Supports the making of the Local Environmental Plan (LEP002/22) to:
 - a) Rezone 4 Hall Street, Pitt Town to R5 Large Lot Residential
 - b) Introduce a minimum lot size control of 4,000m²
 - c) Introduce a height of building control of 10 metres.
3. Notes that the Planning Proposal and supporting information will be forwarded to the Department of Planning and Environment for a final determination.

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, Djuric, Dogramaci, McMahon, Reardon, Sheather and Veigel.

Against the Motion: Councillors Calvert, Kotlash, Lyons-Buckett, Wheeler and Zamprogno

Absent: Nil.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

4.2. GENERAL MANAGER

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

Previous Item: 4.2.1, Ordinary (18 April 2023)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

166 RESOLUTION:

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

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

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

Against the Motion: Nil.

Absent: Councillor Conolly.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

4.3. CITY PLANNING

4.3.1. CP - South Windsor Shop Fronts and Facades Report - (95498, 147666)

Directorate: City Planning

Councillor McMahon declared a pecuniary interest in this matter as this report discusses potential funding from Windsor RSL, of which she is a current paid Director. She left the Chamber and did not take part in voting or discussion on the matter.

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

In the absence of the Mayor, Councillor McMahon, the Deputy Mayor, Councillor Calvert in accordance of Section 369 (1) of the Local Government Act 1933, acted as Chairperson.

MOTION:

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

Refer to RESOLUTION

167 RESOLUTION:

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

That Council:

1. Endorse the Draft Shop Fronts and Facades Improvement Guidelines attached as Attachment 1 to this report.
2. Nominate Option 2 – Expand Windsor Mall Scheme from Thompson Square to South Windsor - as its preferred option to pilot a small grants program to encourage improvements to Shop Fronts and Facades in Windsor and South Windsor.

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

Against the Motion: Councillor Dogramaci.

Absent: Councillors McMahon and Sheather.

The Mayor, Councillor McMahon, resumed the Chair.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

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

Directorate: City Planning

Councillor McMahon declared a significant non-pecuniary conflict of interest in this matter as a relative of her partner is a proposed recipient of funding. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor Conolly declared a significant non-pecuniary conflict of interest in this matter as one of his clients is an applicant for an application being considered. He left the Chamber and did not take part in voting or discussion on the matter.

In the absence of the Mayor, Councillor McMahon, the Deputy Mayor, Councillor Calvert in accordance of Section 369 (1) of the Local Government Act 1933, acted as Chairperson.

MOTION:

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

Refer to RESOLUTION

168 RESOLUTION:

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

That Council:

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

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

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

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

2. Approve execution of an Agreement which includes the provisions for acceptance of the offer of funding and any special conditions relating to each project, including recognition of the grant funding program and the funding contributors.
3. Approve that the grant amount as detailed in this report will be forwarded to each applicant following an inspection by authorised officers that confirms that work has been carried out in accordance with the Agreement.
4. Look to significantly increase the amount of funding for the Local Heritage Assistance Fund in the 2024/2025 Operational Plan and from State Government funding.

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

Against the Motion: Nil.

Absent: Councillors McMahon and Conolly.

The Mayor, Councillor McMahon, resumed the Chair.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

4.4. CORPORATE SERVICES

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

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

169 RESOLUTION:

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

That the Monthly Investment Report for August 2023 be received and noted.

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

Against the Motion: Nil.

Absent: Councillor Conolly.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

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

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

170 RESOLUTION:

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

That:

1. Council note the following Statement in respect of Section 413(2)(c) of the Local Government Act 1993 as to its Annual Financial Statements:
 - a) Council's Annual Financial Statements for 2022/2023 have been drawn up in accordance with:
 - (i) The Local Government Act 1993 (NSW) (as amended) and the Regulations made thereunder;
 - (ii) The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board; and
 - (iii) The Local Government Code of Accounting Practice and Financial Reporting.
 - b) The Statements present fairly the Council's financial position and operating result for the year.
 - c) The Statements are in accordance with the Council's accounting and other records.
 - d) The signatories do not know of anything that would make these Statements false or misleading in any way.
2. Council sign the "Statements by Councillors and Management". The Statements are to be signed by the Mayor, Deputy Mayor, General Manager, and the Responsible Accounting Officer.
3. Council note the endorsement made by the Audit and Risk Improvement Committee to submit the Financial Statements to Council.
4. Council seek a presentation from the NSW Audit Office, or its representative, at a Council Meeting following the completion of the audit.

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

Against the Motion: Nil.

Absent: Councillor Conolly.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

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

Previous Item: 232, Ordinary (12 December 2017)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

171 RESOLUTION:

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

That:

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

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

Against the Motion: Nil.

Absent: Councillor Conolly.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

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

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

172 RESOLUTION:

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

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

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

Against the Motion: Nil.

Absent: Councillor Conolly.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

4.5. INFRASTRUCTURE SERVICES

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

Previous Item: 3.1.1, Ordinary (11 July 2023)

Directorate: Infrastructure Service

Dr Anne Marks addressed Council, speaking for the recommendation in the business paper.

MOTION:

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

That Council:

1. Install Kangaroo warning signage along The Driftway.
2. Progress painted road markings on the road surface to the Local Traffic Committee for The Driftway.
3. Staff liaise with WIRES and TfNSW on the prospect of a targeted approach to reducing kangaroo mortality on The Driftway, Londonderry Road and Castlereagh Road.

Councillor Connolly withdrew his motion.

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

Refer to RESOLUTION

173 RESOLUTION:

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

That Council:

1. Install Kangaroo warning signage along The Driftway.
 2. Progress painted road markings on the road surface to the Local Traffic Committee for The Driftway.
 3. Staff liaise with WIRES and TfNSW on the prospect of a targeted approach to reducing kangaroo mortality on The Driftway, Londonderry Road and Castlereagh Road, including to request an investigation into the reduction of speed limits from 80km/h to 60km/h and grant funding for electronic signage.
 4. Work with WIRES to publicly distribute information about the prevention and treating of wildlife accidents on roads.
 5. Seek funding for electronic signage through Council's internal Quarterly Budget Review process.
-

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 10 October 2023

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

Against the Motion: Councillor Conolly.

Absent: Nil.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 10 October 2023

5. REPORTS OF COMMITTEES

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

Councillor Sheather declared a significant non-pecuniary conflict of interest in this matter as he is on the Bridge to Bridge Committee and the finish organiser. He left the Chamber and did not take part in voting or discussion on the matter.

Ms Jennifer Hogan, Ms Jacqueline Leal and Ms Louise Ross addressed Council, speaking against the recommendation in the business paper.

MOTION:

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

Refer to RESOLUTION

174 RESOLUTION:

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

That:

1. Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Local Traffic Committee meeting held on 11 September 2023 other than for Item 4.1.2.
2. Item 4.1.2 regarding Proposed Traffic Calming Road Safety Treatments along Francis Street, Richmond be referred to a Councillor Briefing Session and then reported back to a Council Meeting.

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

Against the Motion: Councillor Dogramaci.

Absent: Councillor Sheather.

ORDINARY MEETING

7. QUESTIONS FOR NEXT MEETING

Meeting Date: 10 October 2023

7. QUESTIONS FOR NEXT MEETING

**7.1.1 Responses to Councillor Questions Taken on Notice at the Council Meeting -
12 September 2023**

Comments were provided to answers to Questions Taken on Notice at the Council Meeting on 12 September 2023.

ORDINARY MEETING

8. CONFIDENTIAL REPORTS

Meeting Date: 10 October 2023

8. CONFIDENTIAL REPORTS

175 RESOLUTION:

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

That:

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

Item: 8.1.1 MM – Staff Matter – (125610)

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

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.

176 RESOLUTION:

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

ORDINARY MEETING
8. CONFIDENTIAL REPORTS
Meeting Date: 10 October 2023

8.1 MAYORAL MINUTE

8.1.1 MM – Staff Matter – (125610)

MOTION:

The Mayor, Councillor McMahon advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Reardon .

Refer to RESOLUTION

177 RESOLUTION:

The Mayor, Councillor McMahon advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Conolly , seconded by Councillor Reardon.

That the Mayoral Minute regarding the General Manager's Performance Review for 2022/2023 by the General Manager's Performance Review Panel be received and noted.

NOTE:

The General Manager's Performance Review Panel agreed and recommended as follows:

1. In accordance with Clause 8.3 of the Standard Contract of Employment, General Managers of Local Government in NSW and the Guidelines for the Appointment and Oversight of General Managers, a discretionary increase of 5% be awarded to the General Manager's total remuneration package in recognition of:
 - a) Their performance and the results achieved for the period
 - b) Market remuneration rates in like sized councils, and
 - c) The absence of there being a CPI adjustment awarded this year by the Statutory and Other Officers Remuneration Tribunal (SOORT)
2. The discretionary increase is to take effect from the General Managers most recent anniversary date, being the 1st June 2023.
3. The Panel, General Manager and Facilitator are to develop a draft performance agreement for the coming year, for review and adoption by all Councillors.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING
8. CONFIDENTIAL REPORTS
Meeting Date: 10 October 2023

Meeting terminated at 10:06pm.

Submitted to and confirmed at the Ordinary meeting on 21 November 2023.

.....

Mayor



Ordinary Meeting

End of Minutes

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.

ORDINARY MEETING

3. MAYORAL MINUTES

Meeting Date: 21 November 2023

3. MAYORAL MINUTES

There were no Mayoral Minutes at the time of preparing this Business Paper.

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

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

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

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

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

4. REPORTS FOR DETERMINATION

4.1. PLANNING DECISIONS

4.1.1. CP - Planning Proposal - LEP005/22 - 6/21 Vincents Road, Kurrajong - Community Title Subdivision - (95498, 124414)

Previous Item: 4.1.1, Ordinary (14 February 2023)

Directorate: City Planning

PLANNING PROPOSAL INFORMATION

File Number:	LEP005/22
Property Address:	6/21 Vincents Road, Kurrajong
Applicant:	Sutherland & Associates Planning Pty Ltd
Owner:	P D Bennett
Date Received:	2/12/2022
Current Minimum Lot Size:	10Ha
Proposed Minimum Lot Size:	No Change to the Minimum Lot Size
Current Zone:	RU1 Primary Production
Site Area:	5.389Ha
Key Issues:	Land and Environment Court Judgment
	Community Title Subdivision

PURPOSE OF THE REPORT

The purpose of this report is to advise Council of the outcome of community and public agency consultation on a Planning Proposal for land described as Lot 6, DP 270827 at 6/21 Vincents Road Kurrajong (subject site). The report recommends that Council support the Planning Proposal, and forward the Planning Proposal to the Department of Planning and Environment for a final determination.

EXECUTIVE SUMMARY

Council received a Planning Proposal from Sutherland & Associates Planning Pty Ltd for land described as Lot 6 DP 270827 at 6/21 Vincents Road Kurrajong. The Planning Proposal seeks an amendment to the Hawkesbury Local Environmental Plan (LEP) 2012 to enable a 19-lot community title subdivision of the Land and Environment Court approved Seniors Housing Development and extension of a private cemetery which has been approved by the Land and Environment Court on 15 November 2022.

After receiving support from the Hawkesbury Local Planning Panel, the Planning Proposal was considered by Council at its Ordinary Meeting on 14 February 2023, where the following was resolved:

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

"That:

1. *Based on assessment of the Planning Proposal for 6/21 Vincents Road, Kurrajong, and the advice of the Hawkesbury Local Planning Panel, Council supports this Planning Proposal with the addition of Clause 6.13 (3)(d):*
 - *enables amalgamation of the remainder of the land with Lot 1 DP 270827 to create an association property for the entire Seniors' Living development within the meaning of the Community Land Development Act 2021.*
2. *Council forward the Planning Proposal to the Department of Planning and Environment for a Gateway Determination."*

A Notice of Motion was lodged to rescind the above resolution at the next Council Ordinary Meeting on 14 March 2023 and was lost. As a result, the Planning Proposal and supporting documentation was forwarded to the Department of Planning and Environment for a Gateway Determination on 20 March 2023.

On 4 June 2023, Council received a Gateway Determination from the Department of Planning and Environment advising to proceed with the Planning Proposal. In order to satisfy the Gateway requirements, the Planning Proposal was updated prior to the public exhibition as follows:

- a) Include a new subclause enabling amalgamation of the remainder of the subject site with Lot 1 DP 270827, which is the current association property of the Tallowood Seniors Living development to create an association property for the entire seniors living development comprising of the Tallowood Seniors Living development and the proposed Seniors Housing Development on the subject site.
- b) Include a new subclause requiring that any community title subdivision or expansion of the private cemetery protects and enhances the biodiversity values of the subject site, and in particular any Critically Endangered Ecological Communities;
- c) Demonstrate that the Planning Proposal is consistent with the following:
 - Objective 27 of the Greater Sydney Region Plan
 - Priority W14 of the Western City District Plan
 - Direction 3.1 Conservation Zones
 - Direction 4.3 Planning for Bushfire Protection
 - Direction 4.4 Remediation of Contaminated Land
 - Relevant provisions of State Environmental Planning Policy (Biodiversity and Conservation) 2021
 - Relevant provisions of State Environmental Planning Policy (Resilience and Hazards) 2021

Additionally, the Gateway Determination required the inclusion of a biodiversity assessment report, and a preliminary site investigation report prepared in accordance with Attachment C of the Local Environmental Plan Making Guidelines 2023 in support of the updated Planning Proposal.

The Planning Proposal was updated by the applicant on 9 August 2023 to address the above Gateway requirements prior to the public exhibition.

The Planning Proposal was placed on public exhibition from Wednesday, 23 August 2023 to Wednesday, 20 September 2023, the outcomes of which are included in this report.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

As the Planning Proposal is consistent with relevant State and Local Planning frameworks it is recommended that Council support the making of the Local Environmental Plan as outlined in this report, and that the post-exhibition Planning Proposal and supporting documentation be forwarded to the Department of Planning and Environment for a final determination.

RECOMMENDATION

That Council:

1. Note the outcome of the public exhibition of the Planning Proposal LEP005/22 - 6/21 Vincents Road, Kurrajong.
2. Support the making of the Local Environmental Plan (LEP005/22) to allow a community title subdivision of the Land and Environment Court approved Seniors Housing Development, and an extension of a private cemetery at 6/21 Vincents Road, Kurrajong.
3. Forward the post-exhibition Planning Proposal and supporting documentation to the Department of Planning and Environment for a final determination.

BACKGROUND

On 2 December 2022, Council received a Planning Proposal from Sutherland & Associates Planning Pty Ltd (the applicant) seeking an amendment to the Hawkesbury Local Environmental Plan 2012 in order to allow a proposed community title subdivision of land described as Lot 6, DP 270827 at 6/21 Vincents Road Kurrajong (subject site) that houses a Land and Environment Court approved Seniors Housing Development and private cemetery.

The Planning Proposal aims to achieve this objective by inserting the following additional local provision after the current local provision 6.15 into Part 6 of the Hawkesbury LEP 2012:

“6.16 Development of land at 6/21 Vincents Road, Kurrajong

1. *This clause applies to Lot 6 in DP 270827, 6/21 Vincents Road, Kurrajong*
2. *Despite any other provision of this Plan, consent may be granted under this clause to a community title subdivision of Lot 6 in DP 270827 subject to subclause (3).*
3. *Development consent must not be granted for the purposes of a community title subdivision on land to which this clause applies, unless the community title subdivision:*
 - a. is for the subdivision of development for the purposes of seniors housing development and extension of private cemetery following the completion of the seniors housing development; and*
 - b. the number of residential lots created by the subdivision does not exceed 19, and*
 - c. each lot created has a lot size of 360m² or greater.”*

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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At its meeting on 19 January 2023 the Hawkesbury Local Planning Panel supported the Planning Proposal. The Planning Proposal was considered by Council, at the Ordinary Meeting on 14 February 2023, where Council resolved to support the Planning Proposal with addition of Clause 6.13 (3)(d), and to forward the Planning Proposal to the Department of Planning and Environment for a Gateway Determination.

As a result, the Planning Proposal and supporting documentation was forwarded to the Department of Planning and Environment for a Gateway Determination on 20 March 2023.

On 4 June 2023, a Gateway Determination advising Council to proceed with the Planning Proposal subject to it being updated before public exhibition. The requirements of the Gateway Determination are discussed further in this report.

DISCUSSION

Updated Planning Proposal

In order to satisfy the Gateway requirements, the Planning Proposal was updated prior to the community consultation as follows:

(a) Inclusion of a new subclause (subclause 3d) in the proposed local clause (Clause 6.16 - Development of land at 6/21 Vincents Road, Kurrajong) to enable amalgamation of the remainder of the subject site with Lot 1 DP 270827 which is the current association property of the Tallowood Seniors Living development. This is to create an association property for the entire seniors living development comprising of the Tallowood Seniors Living development, and the proposed Seniors Housing Development on the subject site.

The reason for the Gateway requirement to include the above subclause is outlined below:

A Planning Proposal containing or referring to drawings that show details of the proposed development is inconsistent with the section 9.1 Ministerial Directions. As such, it is required to include a subclause enabling amalgamation of the remainder of the subject site with the existing Lot 1 DP 270827 to serve as the Association Property of the entire seniors' development comprising of the existing Tallowood Seniors Living development and the proposed Seniors Housing Development on the subject site. Further the inclusion of this additional subclause is justified given the fact that the Land and Environment Court recognised the proposed Seniors Housing development on the subject site as an extension to the existing Tallowood Seniors Development. This proposed additional subclause was supported by the Hawkesbury Local Planning Panel, and the Gateway Determination endorsed its inclusion in the proposed local clause (Clause 6.16) regarding development of land at 6/21 Vincents Road, Kurrajong.

(b) Inclusion of a new subclause (subclause 6.1 requiring that any community title subdivision or expansion of the private cemetery protects and enhances the biodiversity values of the subject site, and in particular any Critically Endangered Ecological Communities.

The reason for the Gateway requirement to include the above subclause is outlined below:

The subject site contains 'Shale Sandstone Transition Forest and Connectivity between Remnant Vegetation' as identified on the Terrestrial Biodiversity Map of the Hawkesbury Local Environmental Plan 2012. Council's vegetation mapping depicts the concentration of Shale Sandstone Transition Forest, which is a Critically Endangered Ecological Community under the Biodiversity Conservation Act 2016 mainly along the North-Western boundary. In order to protect and enhance the existing biodiversity values of the subject site, the Gateway Determination requires the inclusion of this additional subclause.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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(c) Updating the Planning Proposal to demonstrate that it is consistent with the following:

- Objective 27 of the Greater Sydney Region Plan
- Priority W14 of the Western City District Plan
- Direction 3.1 Conservation Zones
- Direction 4.3 Planning for Bushfire Protection
- Direction 4.4 Remediation of Contaminated Land
- Relevant provisions of State Environmental Planning Policy (Biodiversity and Conservation) 2021
- Relevant provisions of State Environmental Planning Policy (Resilience and Hazards) 2021

The reason for the Gateway requirement to include the above subclause is outlined below:

The Department of Planning and Environment undertake a strategic merit assessment of the Planning Proposal against any relevant state legislation including district plan, regional plan, section 9.1 Directions and State Environmental Planning Policies. Based on the findings of this assessment, the Gateway Determination required an update of the Planning Proposal to demonstrate that it is consistent with the above state legislative provisions.

Amended Proposed Clause 6.16

The exhibited Planning Proposal includes the following amended proposed local clause consistent with the Gateway requirements to enable a community title subdivision of the Land and Environment Court approved Seniors Housing Development, and extension of private cemetery on the subject site:

"Clause 6.16 Development of land at 6/21 Vincents Road, Kurrajong

1. *This clause applies to Lot 6 in DP 270827, 6/21 Vincents Road, Kurrajong*
2. *Despite any other provision of this Plan, consent may be granted under this clause to a community title subdivision of Lot 6 in DP 270827 subject to subclause (3).*
3. *Development consent must not be granted for the purposes of a community title subdivision on land to which this clause applies, unless the community title subdivision:*
 - a. *is for the subdivision of development for the purposes of seniors housing development and extension of private cemetery following the completion of the senior housing development; and*
 - b. *the number of residential lots created by the subdivision does not exceed 19, and*
 - c. *each lot created has a lot size of 360m² or greater, and*
 - d. *enables amalgamation of the remainder of the land with Lot1 DP 270827 to create an association property for the entire Seniors' Living development within the meaning of the Community Land Development Act 2021.*
4. *The community title subdivision or expansion of the existing private cemetery protects and enhances the biodiversity values of the site, and in particular any Critically Engaged Ecological Communities".*

A response was received from the applicant during the public exhibition period that proposed the following amendments to the exhibited Planning Proposal.

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Review and amend the proposed subclause 6.16(3)(a)

The applicant requested a review and amendment of the proposed subclause 6.16(3)(a) prior to finalisation of the Planning Proposal. This is to address concerns relating to the timing of the issuing of the development consent, and to enable the staged construction and subdivision of the development. The submission states that it understands that the purpose of clause 6.16(3)(a) is to ensure that the community title subdivision facilitated by clause 6.16 relates to the approved seniors housing development, rather than allowing the subdivision of any form of residential accommodation on the site. However, there is a concern that the current wording of clause 6.13(3)(a) may prevent development consent for the subdivision from being issued until the entire development has been completed. This would result in unreasonable delays between the completion of the dwellings, the issuing of the development consent and subsequent registration of the subdivision. A clause that simply requires the subdivision to relate to an approved seniors housing development would achieve the same outcome with less uncertainty and complexity.

The applicant also raised concerns regarding the current wording of clause 6.16(3)(a) which states that development consent can only be issued following the completion of the seniors housing development and could be taken to mean that the entire seniors housing development must be completed prior to the subdivision of the site. The applicant noted that the intention is to subdivide the site in stages, to align with the staged construction of the dwellings, as proposed in the development application for a staged community title subdivision of the Land and Environment Court approved Seniors Housing Development (DA0338/23) which is currently with Council for determination. The applicant noted that the Statement of Environmental Effects and Subdivision Plans that was submitted in support of DA0338/23 details the intended staged subdivision of the development and therefore suggested that an amendment to the wording of this clause to refer to the completion of the seniors housing dwellings, rather than the development, would be more appropriate.

Council Officers note that the proposed subclause 6.16(3)(a) states that development consent must not be granted for the purposes of a community title subdivision on land to which this clause applies, unless the community title subdivision is for the subdivision of development for the purposes of seniors housing development and extension of private cemetery following the completion of the senior housing development. Further to this, Council Officers note no issues or concerns in relation to staged community title subdivision and therefore support a minor post-exhibition amendment to this subclause to enable a staged community title subdivision consistent with the current DA0338/23 as follows:

"Development consent must not be granted for the purposes of a community title subdivision on land to which this clause applies, unless the community title subdivision is for the purpose of seniors housing development and extension of private cemetery following the completion of the senior housing development in stages."

As Council is not the Plan-making Authority, the minor post-exhibition amendment to this subclause would need to be considered by the Department of Planning and Environment at the finalisation of the Planning Proposal.

Amend or remove the proposed subclause 6.16(4)

The applicant's response also proposed to amend or remove the proposed subclause 6.16(4). The submission provides the following justification to amend or remove the proposed subclause:

"Clause 6.16(4) is unnecessary as the biodiversity values of the subject site are adequately protected by the current regulatory framework for the assessment and approval of development and clearing activities that impact on biodiversity including:

- *Environmental Planning and Assessment Act 1979*

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- *Environmental Planning and Assessment Regulation 2021*
- *Biodiversity Conservation Act 2016*
- *Biodiversity Conservation Regulation 2017*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *Hawkesbury Local Environmental Plan 2012*

Any future development application will be assessed against in accordance with the relevant legislative framework".

Further, a letter from Ecological Consultants Australia Pty Ltd that accompanied a development application (DA0338/23) for the staged community title subdivision of the Land and Environment Court approved Seniors Housing Development and extension of the private cemetery on the subject site was attached to the applicant's response provides the following justification for the applicant's suggestion to amend and remove the proposed subclause 6.16(4):

"We have reviewed the Gateway determination report – PP-2022-4174 and understand that the subclause (4) has been suggested by the DPE to ensure the Sydney Turpentine-Ironbark Forest in the Sydney Basin Bioregion Critically Endangered Ecological Community (CEEC) and biodiversity values of the site are protected and enhanced.

The proposed subdivision of the site does not involve any physical works that would impact the biodiversity values of the site, including the Sydney Turpentine-Ironbark Forest Critically Endangered Ecological Community (CEEC). The implementation of the management tasks and recommendations of the BDAR and Fire Vegetation Management Plans approved under DA0055/21 and the retirement of ecosystem credits will adequately protect and enhance the biodiversity values of the site.

On this basis, in our opinion the proposed wording of clause 6.16(4) should be amended prior to the finalisation of the Planning Proposal to remove the requirement for the community title subdivision or expansion of the existing private cemetery to protect and enhance the biodiversity values of the site as:

- *Proposed clause 6.16(3)(a) requires the subdivision to relate to a completed seniors housing development. Any seniors housing development will be assessed against the current legislation (including the Biodiversity Conservation Act 2016, Commonwealth Environmental Protection and Biodiversity Conservation Act 1999, State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the Hawkesbury Local Environmental Plan 2012). An assessment of an application against the relevant legislation will ensure the biodiversity values of the site will be protected and enhanced.*
- *This subdivision DA relates to a seniors housing development (and extension of the private cemetery) approved under DA0055/21. The relevant legislation was considered in the assessment of DA0055/21 and in the preparation of the BDAR and Fire and Vegetation Management Plan. As such, the biodiversity values of the site will be adequately protected and enhanced through the implementation of the recommendations of the of the BDAR and Fire Vegetation Management Plans approved under DA0055/21.*
- *It is not reasonable or necessary to propose additional enhancement measures for a development application that does not propose any physical works and where a previous DA has already achieved the required protection and enhancement".*

Given the implementation of the management tasks and recommendations of the Biodiversity Development Assessment Report and Fire Vegetation Management Plans approved under DA0055/21 by the Land and Environment Court and the retirement of ecosystem credits along with Council's assessment of the staged community title subdivision, applications against the relevant State legislation will ensure adequate protection and enhancement of the biodiversity values of the subject site. However, the current inclusion of the proposed subclause 6.14(4) is a Gateway

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requirement, and therefore this is a matter for the Department of Planning and Environment as the Plan-making Authority to consider at the finalisation of the Planning Proposal.

The Gateway Determination does not authorise Council to be the Plan-making Authority for this Planning Proposal. As such, Council is not the final determining authority of this Planning Proposal but is required to consider all submissions received from the community, relevant government agencies and the applicant during the consultation period, address the issues or objections raised in the submissions and report the outcome of consultation to Council for its consideration.

Council can make a decision to support or not to support the making of the Local Environmental Plan (LEP005/22) to give effect to the post-exhibition Planning Proposal. Following Council's resolution, the post-exhibition Planning Proposal, supporting documentation including copies of submissions will be forwarded to the Department of Planning and Environment for a final determination. The Department of Planning and Environment as the Plan-making Authority for this Planning Proposal will consider Council's resolution, and all other relevant matters into consideration when making a final determination on the Planning Proposal.

Figure 4 outlines the Planning Proposal finalisation process following a Council resolution to either support or not support the Proposal.

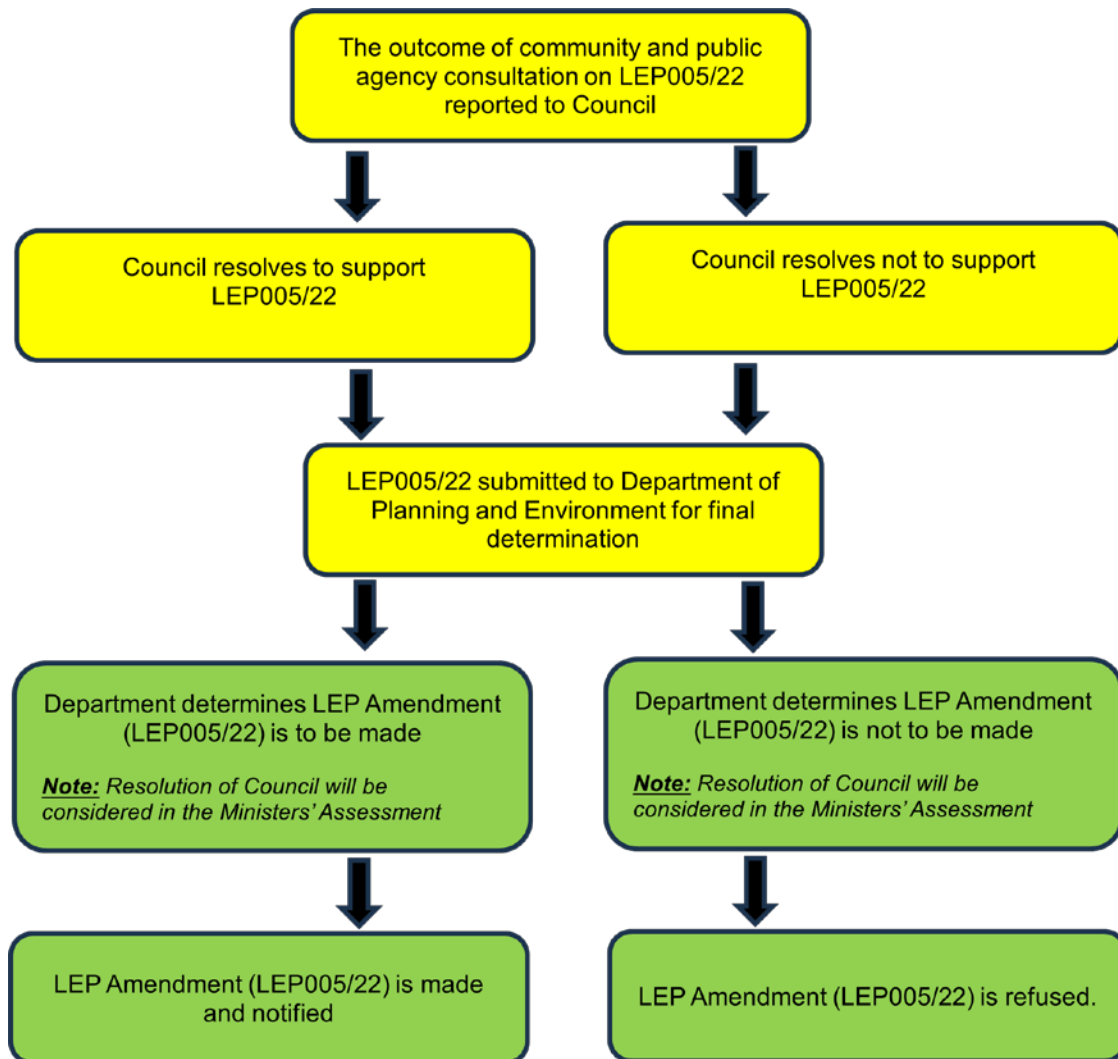


Figure 4 - Process for Finalisation of Planning Proposal

ORDINARY MEETING

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COMMUNITY ENGAGEMENT

The updated Planning Proposal satisfying all the Gateway conditions and other supporting documentation was publicly exhibited as per clause 3.34 (2)(c) and clause 4 of Schedule 1 of the Environmental Planning and Assessment Act 1979, Gateway Determination and Local Environmental Plan Making Guidelines August 2023 for the period Wednesday 23 August 2023 to Wednesday 20 September 2023. Throughout the exhibition period, the Planning Proposal and other supporting documentation was made available to view on Council's online community engagement site www.yourhawkesbury-yoursay.com.au, and between 9am to 4pm Monday to Friday at Council's Administration Office. In addition, letters inviting comments on the Planning Proposal were sent to adjoining and surrounding property owners (128 in total).

A copy of the exhibited Planning Proposal is attached to this report as Attachment 1.

As a result, Council received a total of seven submissions from the community and a response from the applicant. Of these eight submissions, four submissions are against the proposal, one in support and three suggesting improvements to existing infrastructure including upgrades to the existing road network and public footpaths along Vincents Road. The issues raised in these public submissions and subsequent Council Officer comments are outlined in Attachment 2 to this report. As discussed previously in this report, a response suggesting changes to the proposed wording of clauses 6.16 (3) and 6.16(4) contained in the exhibited Planning Proposal was received from the applicant. The issues raised in the applicant's response and subsequent Council Officer comments are outlined in Attachment 3 to this report.

Government Agency Consultation

In accordance with clause 3.34 (2)(d) of the Environmental Planning and Assessment Act 1979, and the Gateway Determination, consultation was undertaken with the NSW Rural Fire Service and the Biodiversity and Conservation Division of the Environment Heritage Group. Each agency was provided with a copy of the Planning Proposal and supporting documentation. Responses were received from both agencies which raised no objections to the making of the Plan to give effect to the Planning Proposal.

The submission from the NSW Rural Fire Service stated that there are no objections to the proposed amendment to the Hawkesbury Local Environmental Plan 2012 subject to compliance of any future development on the subject site with relevant sections of Planning for Bushfire Protection 2019. The submission from the Biodiversity and Conservation Division of the Environment Heritage Group stated that it has no specific comments on the proposed amendment to the Hawkesbury Local Environmental Plan 2012 noting the biodiversity impacts of the Development Application (DA0055/21) for the proposed Seniors Housing Development on the subject site were considered by the Land and Environment Court which relied on the Biodiversity Development Assessment Report (BDAR) prepared by Ecological Consultants Australia Pty Ltd. The submission also noted that the Land & Environment Court approval is conditioned to require the retirement of certain ecosystem and species credits detailed in the Biodiversity Development Assessment Report to offset the biodiversity impacts of the development.

None of the submissions other than the applicant's response warrants abandonment of the Planning Proposal or any amendments to the exhibited Planning Proposal. As outlined above, the applicant's response has resulted in an amendment to the proposed clause 6.16(3)(a) to enable Council to grant approval for a staged community title subdivision of the Land and Environment Court approved Seniors Housing Development, and expansion of the private cemetery on the subject site.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

1.5 Provide the right places and spaces to serve our community.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

Planning Decision

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

ATTACHMENTS

AT - 1 Exhibited Planning Proposal - (*Distributed under separate cover*).

AT - 2 Public Submissions and Council Officer Comments - (*Distributed under separate cover*).

AT - 3 Applicant's Response and Council Officer Comments - (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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4.2. GENERAL MANAGER

4.2.1. GM - 2022/2023 Annual Report and Audited Financial Statements for year ended 30 June 2023 - (79351, 95496)

Previous Item: 201, Ordinary (22 November 2022)
4.4.2, Ordinary (10 October 2023)

Directorate: General Manager

PURPOSE OF THE REPORT

The purpose of this report is to present Council's 2022/2023 Annual Report attached as Attachment 1 to this report and accompanying Audited Financial Statements for the year ended 30 June 2023, attached as Attachment 2 to this report.

EXECUTIVE SUMMARY

The 2022/2023 Annual Report and accompanying Audited Financial Statements for the year ended 30 June 2023 have been prepared in accordance with the requirements of the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2021.

Council's 2022/2023 Financial Statements have been completed, audited, and advertised in accordance with the Act. The Report on the Conduct of the Audit expressing an unmodified audit opinion has been received from The NSW Audit Office and is contained with the 2022/2023 Financial Statements, which are available for inspection by Councillors and the community.

A representative from Grant Thornton (the NSW Audit Office's contracted auditor) will attend the Council Meeting, to make a presentation in respect of Council's Audited 2022/2023 Financial Statements.

For the financial year ending 30 June 2023, Council's net operating result before capital grants and contributions was a surplus of \$15.6 million. The main contributing factor is the receipt of a range of operating grants and contributions relating to natural disasters where either the expenditure was capital in nature, was incurred in prior years, or will be incurred in future financial years.

As outlined in the report to Council on 10 October 2023, the unaudited 2022/2023 Financial Statements did not include the revaluation of Council's investment properties, which have since been assessed and included, with an increase in value of \$0.5 million.

RECOMMENDATION

That Council:

1. Adopt the 2022/2023 Annual Report attached as Attachment 1 to this report and forward a copy to the Office of Local Government and place on Council's website by 30 November 2023.
 2. Note the completion of the Audited Financial Statements for the period ended 30 June 2023, attached as Attachment 2 to this report.
 3. Thank the representative from Grant Thornton for their presentation in respect of Council's 2022/2023 Financial Statements.
-

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4. REPORTS FOR DETERMINATION

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BACKGROUND

Under the Integrated Planning & Reporting Framework (IP&R), the Local Government Act 1993 requires that each Council must prepare an Annual Report by 30 November 2023. The main purpose of the Annual Report is for Council to report on its achievements in implementing its four year Delivery Program. To do this, a report on the achievement of the actions identified in Council's Operational Plan for the relevant financial year is used to inform the Annual Report. The Local Government Act also requires that audited Financial Statements accompany the Annual Report.

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

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

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

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

This Annual Report reports on the 2022/2023 Operational Plan, based on the Community Outcomes described in the Hawkesbury Community Strategic Plan: Hawkesbury 2042. The Annual Report provides a summary of progress in delivering the actions from the adopted Delivery Program 2022-2026, Operational Plan 2022/2023 and Council's achievements and challenges in 2022/2023.

Council's 2022/2023 Financial Statements have been completed, audited and advertised in accordance with the provisions of the Act. The Report on the Conduct of the Audit expressing an unmodified audit opinion has been received from The NSW Audit Office and is contained with the 2022/2023 Financial Statements, which are available for inspection by Councillors and the community.

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

Council's Annual Report 2022/2023 and accompanying audited 2022/2023 Financial Statement have been prepared to meet all requirement under the Local Government Act and Regulation, as well as the Office of Local Government (OLG) Annual Reporting Guidelines and Checklist.

Relevant Legislation

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

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4. REPORTS FOR DETERMINATION

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DISCUSSION

On an annual basis, Council is presented with an Operational Plan and Budget. Since 2019, Council has had to continue to deliver services while responding to the major natural disasters of the 2019/2020 bushfire, 2020, 2021 and 2022 flood events and the COVID-19 Pandemic. These unprecedented times have had a significant impact both on our community and Council operations and directed many of the initiatives described within the Annual Report for 2022/2023.

Council is requested to consider and note the attached 2022/2023 Annual Report and accompanying audited Financial Statements attached as Attachments 1 and 2 to this report.

Financial Statements for the year ended 30 June 2023

At its Meeting on 10 October 2023, Council considered a report regarding the unaudited Financial Statements for the year ended 30 June 2023. At that meeting, Council referred the 2022/2023 Financial Statements to audit.

As outlined in the report to Council on 10 October 2023, the unaudited 2022/2023 Financial Statements did not include the investment of Council's Investment Property Portfolio, which have since been assessed and included, with an increase in value of \$0.5 million. The impact of this increase is reflected in the both the Statement of Financial Position and improves Council's operating result.

An adjustment to the recognition of the impairment of assets arising from the July 2022 flood of \$923K was also made, impacting upon the Statement of Financial Position.

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

Accounting for the revaluation of Investment Properties and the change for flood impairment has resulted in changes to amounts included in the report submitted to council on 10 October 2023. A summary of the impact of all adjustments is provided in the updated key financial information provided below.

Operating Performance

The Income Statement discloses the income and expenditure of Council. The table below displays Council's reported Income Statement as at 30 June 2023. There were changes to the Income Statement since the last report to Council, as a result of the finalisation of the revaluation of Investment Properties.

Table 1 - Income Statement

Income Statement	As reported 10 Oct 2023 '000s	As per the Audited Financial Statements '000s	Increase / (Decrease) '000s
Income from continuing operations	173,082	173,607	525
Expenses from continuing operations	126,517	126,517	0
Net Operating Result for the year	46,565	47,090	525
Capital Grants and contributions	31,504	31,504	0

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Income Statement	As reported 10 Oct 2023 '000s	As per the Audited Financial Statements '000s	Increase / (Decrease) '000s
Net Operating result before capital grants and contributions	15,061	15,586	525

Financial Position

The Statement of Financial Position discloses the assets, liabilities, and equity of Council. The table below displays Council's reported Balance Sheet as at 30 June 2023. There were changes to the Statement of Financial Position, as a result of the finalisation of the revaluation of Investment Properties and the adjustment in relation to flood impairments.

Table 2 - Statement of Financial Position

Statement of Financial Position	As reported 10 Oct 2023 '000s	As per the Audited Financial Statements '000s	Increase / (Decrease) '000s
Current Assets	140,312	140,312	0
Non Current Assets	1,667,686	1,667,288	398
Total Assets	1,807,998	1,807,600	398
Current Liabilities	47,019	47,019	0
Non Current Liabilities	71,587	71,587	0
Total Liabilities	118,606	118,606	0
Net Assets	1,689,392	1,688,994	398
Total Equity	1,689,392	1,688,994	398

Performance Indicators

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

Table 3 - Key Performance Indicators

Financial Performance Indicator	Benchmark	June 2023	June 2022
Operating Performance Ratio	>=0%	14.06%	10.52%
Own Source Operating Revenue Ratio	>60%	52.03%	60.92%
Unrestricted Current Ratio	>1.5x	3.01x	2.12x
Debt Service Ratio	>2x	7.87x	15.12x
Rates, Annual Charges, Interest and Extra Charges Outstanding Ratio	<5%	11.17%	8.81%
Cash Expense Cover Ratio	>3mths	10.91mths	12.00mths
Buildings and Infrastructure Renewals Ratio	>=100%	111.88%	62.49%

Interpretation of Financial Results

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Council's operating result improved from a surplus of \$42.1 million in 2021/2022 to a surplus of \$47.1 million in 2022/2023. The net operating result before capital grants and contributions was a surplus of \$15.6 million in 2022/2023, compared to a \$21.5 million surplus in 2021/2022, mainly due to improvements in the disposal of assets that have been renewed and replaced.

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

Council's Unrestricted Current Ratio at 30 June 2023 is 3.01 and remained significantly above the accepted industry benchmark of 1.5. The Debt Service Ratio was 7.87 and remains better than the accepted industry benchmark of 2.

The Own Source Operating Revenue Ratio declined due to the receipt of grant funding mainly associated with bushfire and flood recovery, and developer contributions being 52.03% as against 60.92% for 2021/2022. This result is less than the 60% benchmark.

The Rates Outstanding Ratio increased to 11.17% of collectables. Council's Debt Recovery Policy allows for ratepayers to enter a payment arrangement with Council and has special provisions limiting debt recovery action taken regarding amounts outstanding by Pensioners. These Policy provisions restrict debt recovery action to some extent and result in a higher ratio than would otherwise be the case. Additionally, Council aided those impacted by floods. The exclusion of amounts on payment arrangements, and amounts owed by Pensioners, results in this ratio being 7.8%.

COMMUNITY ENGAGEMENT

In relation to the Annual Report, the issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy, although the Annual Report relates to the 2022/2023 Operational Plan, which Council did engage the community on.

In relation to the Financial Statements, public notice of the Council Meeting on 21 November 2023 has been provided on Council's website and hard copies of the statements are available at Council's Administration Building.

In accordance with Section 420(1) of the Act, any person may make a submission to Council regarding the Financial Statements or with respect to the Auditor's reports. All submissions must be in writing and will be referred to The NSW Audit Office, and Council can take such action as it considers appropriate. The closing date for submissions is Tuesday, 29 November 2023.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Reliable Council

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

ORDINARY MEETING

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4.7 Encourage informed planning, balanced growth and community engagement.

FINANCIAL IMPACT

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

ATTACHMENTS

AT - 1 2022/2023 Annual Report - (*Distributed under separate cover*).

AT - 2 Audited Financial Statements for the period ending 30 June 2023 - (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

4.2.2. GM - Ordinary Council Meetings 2024 - (79351)

Directorate: General Manager

PURPOSE OF THE REPORT

The purpose of this report is to provide information to assist Council in resolving to set the frequency, time, date and place of its Ordinary Meetings for 2024.

EXECUTIVE SUMMARY

The Local Government Act 1993 (the Act) requires all councils to meet at least ten times each year, each time in a different month.

Council is required to schedule its Ordinary Meetings in accordance with Council's Code of Meeting Practice, adopted at its Ordinary Meeting on 29 March 2022.

At its meeting on 15 November 2022 Council adopted a schedule of meetings for all meetings in 2023, based on meetings being held on the second Tuesday of each month. It is recommended that a similar schedule be adopted for 2024, taking into account the caretaker period prior to the Local Government Elections in September 2024, financial reporting deadlines and the potential need for flexibility regarding the timing of the Local Government Conferences.

It may also be necessary to hold an Ordinary Meeting on 26 November 2023, to consider the Financial Statements for the year ending 30 June 2024.

RECOMMENDATION

That:

1. Council set dates for the holding of Ordinary Meetings of Council for 2024, as contained in Attachment 1 to this report.
 2. Council set Ordinary Meetings for 2024 to commence at 6:30pm and take place in the Council Chambers, or by audio-visual link in accordance with Council's Code of Meeting Practice.
-

BACKGROUND

Code of Meeting Practice

Council's Code of Meeting Practice contains the rules for the conduct of meetings of Council and Council Committees the members of which are all Councillors. It is based on the Model Code of Meeting Practice (Model Code) prescribed under the Local Government (General) Regulation 2021 to provide a uniform set of rules to help ensure accessible, orderly, effective and efficient meetings.

At its meeting on 29 March 2022, Council resolved to adopt the most recent version of the Code of Meeting Practice.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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Timing of Ordinary Council Meetings

Council's Code of Meeting Practice provides as follows in regard to the timing of ordinary council meetings:

- "3.1 The Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.*
- 3.2 In addition to the meeting cycle adopted, the Council may resolve to hold additional meetings as considered necessary.*
- 3.3 Additional meetings of the Council convened by resolution of the Council are subject to the three (3) days' notice rule and must also be advertised in accordance with clause 3.9.*
- 3.4 Generally, the Council will recess during the school holiday periods.*
- 3.5 Council meetings will generally commence at 6:30pm, but this commencement time may vary for particular meetings if the Council so resolves.*
- 3.6 Public notice will be given as to the time of the meeting. However, the meeting schedule may be amended by the Mayor, General Manager, or resolution of Council if circumstances necessitate. Such circumstances would include public holidays, the Local Government Conference, or decisions to revise meeting times, etc. Public notification must be given prior to altering the meeting schedule, time or venue."*

The adopted schedule of Ordinary Council meetings for 2023 is based on meetings being held on the second Tuesday of each month, with some flexibility during school holiday periods and to avoid conflict with the Local Government NSW Annual Conference. It is recommended that the same schedule be adopted for 2024, with some additional flexibility to allow Council to comply with the provisions of the Local Government Act and Local Government (General) Regulation pertaining to the Local Government Elections in September 2024.

Relevant Legislation

Local Government Act 1993
Local Government (General) Regulation 2021

DISCUSSION

The suggested meeting dates correspond with Council's previous resolution to hold Ordinary Meetings of Council on the second Tuesday of every month, with the following suggested amendments:

- The first Tuesday, 9 January 2024 is within the school holidays and holiday period, and therefore, it is suggested that the meeting be held on Tuesday, 30 January 2024.
- The first Tuesday, 10 September 2024 is within the caretaker period before the Local Government Elections, and therefore, it is suggested that the meeting be held on Tuesday, 24 September 2024, for the purpose of electing the Mayor and Deputy Mayor after the declaration of the Local Government Election for all Councillors. Depending when the election is declared, the meeting may be rescheduled.
- An Ordinary Meeting has been scheduled for 26 November 2023, as this may be required to consider the Financial Statements for the Year ending 30 June 2023. Based on the timing of the completion of Council's external audit in 2023, the Financial Statements are unlikely to be available for reporting to the Council Meeting on 12 November 2024. Under Council's Code of

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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Meeting Practice, the meeting schedule may be amended by the Mayor, General Manager or resolution of Council if circumstances necessitate.

Accordingly, it is recommended that Council hold its Ordinary Meetings for 2024 on the following dates:

Monthly Ordinary Meetings – 2nd Tuesday

30 January 2024

13 February 2024

12 March 2024

9 April 2024

14 May 2024

11 June 2024

9 July 2024 (falls within school holidays)

13 August 2024

24 September 2024 (Election of the Mayor and Deputy Mayor following the Local Government Elections. Depending on the declaration of the poll, this meeting may need to be rescheduled).

8 October 2024 (falls within school holidays)

12 November 2024

26 November 2024 (if required for Financial Statements for the year ended 30 June 2024)

10 December 2024.

This proposed schedule of Ordinary Council Meetings for 2024 is contained in Attachment 1 to this report.

It is noted that the meeting schedule may be amended throughout the year by the Mayor, General Manager, or resolution of Council if circumstances necessitate, in accordance with Clause 3.6 of the Code of Meeting Practice.

Caretaker period

In accordance with Section 393B of the *Local Government (General) Regulation 2021*:

393B Exercise of council functions during caretaker period

- (1) *The following functions of a council must not be exercised by the council, or the general manager or any other delegate of the council (other than a Joint Regional Planning Panel, the Central Sydney Planning Committee or a local planning panel), during a caretaker period—*
- (2) *Despite subsection (1), such a function may be exercised in a particular case with the consent of the Minister.*

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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- (3) *In this section—**caretaker period** means the period of 4 weeks preceding the date of an ordinary election.*

controversial development application means a development application for designated development for which at least 25 persons have made a submission during community consultation.

designated development means designated development within the meaning of the [Environmental Planning and Assessment Act 1979](#), section 4.10.

local planning panel has the same meaning as in the [Environmental Planning and Assessment Act 1979](#).

The caretaker period for the Local Government Elections on 14 September 2024 will commence on Friday, 16 August 2024. For that reason, no meeting has been proposed for Tuesday, 10 September 2024.

Election of Mayor and Deputy Mayor

In accordance with Section 290 of the *Local Government Act 1993*:

290 When is an election of a mayor by the councillors to be held?

- (1) *The election of the mayor by the councillors is to be held--*
- (2) *If the councillors fail to elect a mayor as required by this section, the Governor may appoint one of the councillors as the mayor.*
- (3) *For the purposes of this section, an election of councillors does not conclude until the declaration of election of all the councillors of the council concerned.*

Following the Local Government Elections on 14 September 2024, a meeting for the Election of Mayor and Deputy Mayor is proposed on the last Tuesday, 24 September 2024, to allow sufficient time for the election to be declared. Depending when election is declared, the meeting may be rescheduled.

Conferences

No dates have yet been announced for the Australian Local Government Association National General Assembly (generally held in June). Following the announcement of dates, the schedule of Council meetings for 2024 may be amended to facilitate Councillors to attending this conference. The Local Government NSW Annual Conference 2024 will be held from 17 to 19 November 2024. The November Council meeting is scheduled to be held on 12 November 2024.

Financial Statements

For each financial year Council is required to prepare financial statements and refer them to audit. Prior to the financial statements being referred to audit, they are reported to the Audit, Risk and Improvement Committee and to a Council Meeting. The statements are usually reported to Council in November, allowing sufficient time for preparation of the statements and advertising of the reporting of the financial statements. For these reasons it is expected that the financial statements for the financial year 2023/2024 will need to be reported to a Council meeting in the third week of November 2024

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

rather than the second week. On this basis the meeting schedule for 2024 includes an Ordinary Meeting on 26 November 2023, if required.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Reliable Council

- 4.1 Provide representative, responsive and accountable governance.
- 4.2 Encourage an informed community.
- 4.4 Build strong relationships and shared responsibilities.
- 4.5 Encourage a shared responsibility for effective compliance.
- 4.7 Encourage informed planning, balanced growth and community engagement.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ATTACHMENTS

AT - 1 Schedule of Ordinary Council Meetings, January to December 2024.

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4. REPORTS FOR DETERMINATION
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AT - 1 Schedule of Council Meetings, January to December 2024

JANUARY				
Tuesday	30	Ordinary		
FEBRUARY				
Tuesday	13	Ordinary		
MARCH				
Tuesday	12	Ordinary		
APRIL				
Tuesday	9	Ordinary	(Draft Operational Plan – Exhibition)	
MAY				
Tuesday	14	Ordinary		
JUNE				
Tuesday	11	Ordinary	(Draft Operational Plan – Adoption)	
JULY				
Tuesday	9	Ordinary		
AUGUST				
Tuesday	13	Ordinary		
SEPTEMBER				
Tuesday	24	Ordinary	(Election of Mayor and Deputy Mayor – Subject to Declaration of Poll)	
OCTOBER				
Tuesday	8	Ordinary		
NOVEMBER				
Tuesday	12	Ordinary		
Tuesday	26	Ordinary	(If required for Financial Statements for the year ended 30 June 2024)	
DECEMBER				
Tuesday	10	Ordinary		

oooO END OF REPORT Oooo

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

4.2.3. GM - Event Sponsorship Round 1 2023/2024 - (79351, 15988)

Previous Item: 000, Ordinary (1 January 2022)

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of applications received for financial and in-kind assistance under Round 1 of the Events Sponsorship Program for 2023/2024.

The report assesses the applications against the adopted assessment criteria and recommends financial and in-kind assistance.

EXECUTIVE SUMMARY:

The Events Sponsorship Program is a key outcome of the Events Strategy. The Program provides the opportunity for volunteer organisations, community groups, individuals and commercial businesses to seek financial and in-kind assistance from Council. The Events Strategy was adopted by Council on 28 August 2018.

The Events Sponsorship Program comprises of two rounds of event sponsorship per annum. The Program also establishes a transparent framework for Council to determine funding and other assistance for events, based on a clear set of objectives and criteria. Two assessment criteria have been created to assess the event applications, one for community events and one for commercial events. All events are now categorised as either a community event or commercial event and assessed against the relevant criteria.

Round 1 of the 2023/2024 Event Sponsorship Program was open from 11 September 2023 to 8 October 2023 for events generally proposed to be held between late 2023 and early 2024. This report lists the 23 applications received. Twenty applications received met the assessment criteria and were successful in their assessment and three applications did not meet the assessment criteria.

The proposed allocation for Round 1 of the Event Sponsorship Program is \$49,000.

RECOMMENDATION:

That Council:

1. Under Round 1 of the 2023/2024 Event Sponsorship Program, agree to support the following organisations for events at the following level:

No	Event Name	Name of Organisation	Recommended amount (\$ and Inclusions (ExGST))
	Community Applications		
1	St Albans Folk Festival	St Albans Folk Festival	\$4,000
2	Hanna Park Carols	Hawkesbury Valley Baptist Church	\$4,000
3	RuffTREK	RuffTRACK	\$3,500

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No	Event Name	Name of Organisation	Recommended amount (\$ and Inclusions (ExGST))
4	Hawkesbury Show	Hawkesbury District Agricultural Association	\$3,500
5	Heats Jazz Jam	Hawkesbury Entertainers & Artists Regional Theatre Society	\$2,500
6	Kurrajong Community Carols by Candlelight and Family Christmas Fun	Kurrajong Baptist Church	\$2,500
7	Christmas Cheer Alley	Windsor Business Group	\$2,500
8	FIRST Robotics Competition	Faculty of Science and Engineering – Affiliated to Macquarie University	\$2,000
9	Fantasia Showstoppers presents jungle book kids	Fantasia Showstoppers Incorporated	\$2,000
10	Christmas Carols	Richmond Rotary	\$2,000
11	Light up Windsor Street Fair	Windsor Uniting Church	\$1,500
12	North Richmond Cricket Club Gala Day	North Richmond Cricket Club	\$1,500
13	Pics In The Park Outdoor Christmas Cinema	Lions Club of Richmond	\$1,500
14	2024 Bad Boat National Championship	Upper Hawkesbury Power Boat Club	\$1,500
15	Windsor Experience Gas Lamp Festival	The Windsor Experience Action Group Inc	\$5,000
16	The Secret Dyarubbin River Ride	MPN-Mate Research Foundation	\$2,000
17	Macdonald Valley Association Events	Macdonald Valley Association	\$1,500
	Commercial Applications		
20	Convict 100	Max Adventure Pty Ltd	\$2,000
21	St Albans Village Markets	St Albans Village Markets and Events	\$2,500
22	Richmond Good Food Markets	Richmond Good Food Market	\$1,500

2. Approve the execution of Council's standard Sponsorship Agreement for the applications numbered 1-17 (Community) and 20-22 (Commercial) as identified in Table 1 and Attachment 1 of this report.
3. Advise the applicant Merana Aboriginal Community Association for the Hawkesbury Inc numbered 18 and The Jeremiah Project Inc numbered 19 as identified in Table 1 and Attachment 1 of this report that their application was not successful in accordance with the event sponsorship assessment criteria and to apply for funding under the Community Sponsorship Program.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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4. Advise the applicant Lynwood Golf Club numbered 23 as identified in Table 2 and Attachment 1 of this report that their application was not successful in accordance with the event sponsorship assessment criteria matrix.

BACKGROUND:

On 28 August 2018, Council adopted the Events Strategy which formalised and consolidated the Event Sponsorship Program. The Strategy identifies how Council will attract, partner, access, fund, produce, promote and approve events in the Hawkesbury. The Events Sponsorship Program incorporates two rounds of funding opportunities per annum. The timing of the Program has been adjusted over the past two years since its initial adoption, to better align with the annual budget cycle.

The Events Strategy delivers a transparent framework for Council to determine funding and other assistance for events, based on a clear set of objectives and criteria. As part of the Events Strategy Council has developed the following documents to guide and inform for the assessment of event applications:

- Eligibility Criteria – Council will only support event sponsorship applications that meet the criteria in the Eligibility Criteria.
- Assessment Criteria Matrix – Council will assess each event application against the Community and Commercial Assessment Criteria Matrix to provide objectivity and a guide to applicants about the criteria Council will be using when making a decision about whether to support the event. The event 'score' is a good guide as to whether Council will be working to support the event. It is anticipated that a community event which 'scores' 40 or above would receive sponsorship and that a commercial event which 'scores' 50 or above would receive sponsorship.
- Event Evaluation Framework – After an event Council will evaluate the event against the Event Evaluation Framework to identify opportunities for continuous improvement.

The Event Sponsorship Program provides the opportunity for community groups, individuals and commercial businesses to seek financial assistance from Council for events in the Hawkesbury.

DISCUSSION:

The Events Strategy was adopted by Council on 28 August 2018.

The objectives of the Events Strategy are to build:

- Community involvement and participation
- Community capacity, the ability to self-organise and develop resilience in the community
- Community connections and social cohesion, across communities and with local businesses
- Visitor attraction opportunities for the Hawkesbury.

Council has allocated \$65,000 in its 2023/2024 Operational Plan for the Event Sponsorship Program.

There are two rounds of Event Sponsorship during the year with half of the funding generally allocated across the two rounds. In Round 1, it is proposed that more than half of the funding be allocated due to the number of applications Council received.

ORDINARY MEETING**4. REPORTS FOR DETERMINATION****Meeting Date:** 21 November 2023

Twenty three applications were originally submitted under Round 1 of the 2023/2024 Event Sponsorship Program. The details of the 23 applications are summarised as follows in Table 1:

Table 1 - 2023/2024 Round 1 Event Sponsorship Applications Community Events

No	Applicant Name/Organisation/ Business	Event Name	Event Date/s at time of application	Submission of an application for event sponsorship 2023/2024	Comment/ Recommendation
1	St Albans Folk Festival	St Albans Folk Festival	26-29 April 2024	Yes	Consider application in Event Sponsorship Round 1 2023/2024
2	Hawkesbury Valley Baptist Church	Hanna Park Carols	23 December 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024
3	RuffTRACK	RuffTREK	28-29 September 2024	Yes	Consider application in Event Sponsorship Round 1 2023/2024
4	Hawkesbury District Agricultural Association	Hawkesbury Show	19-21 April 2024	Yes	Consider application in Event Sponsorship Round 1 2023/2024
5	Hawkesbury Entertainers and Artists Regional Theatre Society	Heats Jazz Jam	Every last Wednesday of the month	Yes	Consider application in Event Sponsorship Round 1 2023/2024
6	Kurrajong Baptist Church	Kurrajong Community Carols by Candlelight and family Christmas	9 December 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024
7	Windsor Business Group	Christmas Cheer Alley	2 December 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024
8	Faculty of Science and Engineering – Affiliated to Macquarie University	FIRST Robotics Competition	14-17 March 2024	Yes	Consider application in Event Sponsorship Round 1 2023/2024

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No	Applicant Name/Organisation/ Business	Event Name	Event Date/s at time of application	Submission of an application for event sponsorship 2023/2024	Comment/ Recommendation
9	Fantasia Showstoppers Incorporated	Fantasia Showstoppers presents jungle book kids	15-16 December 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024
10	Richmond Rotary	Christmas Carols	17 December 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024
11	Windsor Uniting Church	Light up Windsor Street Fair	2 December 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024
12	North Richmond Cricket Club	North Richmond Cricket Club Gala Day	25 February 2024	Yes	Consider application in Event Sponsorship Round 1 2023/2024
13	Lions Club of Richmond	Park Outdoor Christmas Cinema	16 December 2024	Yes	Consider application in Event Sponsorship Round 1 2023/2024
14	Upper Hawkesbury Power Boat Club	2024 Bad Boat National Championship	19-21 January 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024
15	The Windsor Experience Action Group Inc	The Windsor Gas Lamp Festival	7-10 June 2024	Yes	Consider application in Event Sponsorship Round 1 2023/2024
16	MPN-Mate Research Foundation	The Secret Dyarubbin River Ride	3 December 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024
17	Macdonald Valley Association	Macdonald Valley Association Events	Various evenings in 2024	Yes	Consider application in Event Sponsorship Round 1 2023/2024

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4. REPORTS FOR DETERMINATION

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No	Applicant Name/Organisation/ Business	Event Name	Event Date/s at time of application	Submission of an application for event sponsorship 2023/2024	Comment/ Recommendation
18	Merana Aboriginal Community Association for the Hawkesbury Inc	Hawkesbury Aboriginal and Torres Strait Islander Seniors Lunch	26 October 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024
19	The Jeremiah Project Inc	Christmas Party	15 December 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024

Table 2 - 2023/2024 Round 1 Event Sponsorship Applications Commercial Events

No	Applicant Name/Organisation/ Business	Event Name	Event Date/s at time of application	Submission of an application for event sponsorship 2023/2024	Comment/ Recommendation
20	Convict 100	Max Adventure Pty Ltd	4 May 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024
21	St Albans Village Markets	St Albans Village Markets and Events	TBC 2024	Yes	Consider application in Event Sponsorship Round 1 2023/2024
22	Richmond Good Food Markets	Richmond Good Food Markets	Every Saturday 2024	Yes	Consider application in Event Sponsorship Round 1 2023/2024
23	Lynwood Country and Golf Club	Lynwood Christmas Spectacular	16 December 2023	Yes	Consider application in Event Sponsorship Round 1 2023/2024

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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Attached as Attachment 1 to this report is a detailed summary of the applications received and the proposed level of financial assistance requested. A copy of the analysis of each application against the Assessment Criteria Matrix is provided in Attachment 2 to this report.

There are sufficient funds to cover the total recommended amount of \$49,000 for Round 1 of the 2023/2024 Event Sponsorship Program.

After a review of the Assessment Criteria Matrix, the Round 1 Applications received can be described as:

- Diverse in nature, ranging from markets, musical theatre, adventure races, boating, Christmas and agricultural events.
- Community and commercial based events, supported by volunteers in relation to activities such as markets, music, sporting, food, craft and Christmas events.
- Consistent with Council's stated objectives of providing financial assistance to volunteer groups, community organisations and individuals for works and projects that will build community capacity, the ability to self-organise and develop resilience.

Event Strategy Review

Council is committed to continuing to review and refine the Events Sponsorship Program to incorporate the ongoing findings from the implementation of the Events Strategy. Since the adoption of the Events Strategy and the Event Sponsorship Program in August 2018 there have been ten rounds of event sponsorship determined by Council in addition to this current sponsorship (Round 1 2023/2024).

The Program has given Council the opportunity to sponsor a diverse range of events which is consistent with Council's stated objectives of providing financial assistance to volunteer groups, community organisations, local businesses and individuals for works and projects that will: -

- Encourage community involvement and participation
- Build community capacity and the ability to self-organise and develop resilience in the community
- Establish and reinforce community connections and social cohesion, across communities and with local businesses
- Bring visitors to the region.

Council has been undertaking an ongoing review of the success of the Event Sponsorship Program as part of the review the Draft Event Sponsorship Policy which is being considered by Council at its 21 November 2023 meeting.

COMMUNITY ENGAGEMENT

Whilst the issues raised in this report concern matters that do not require community consultation under Council's Community Engagement Policy, information about Round 1 of the Event Sponsorship Program was:

- Available on Council's website from 11 September 2023 until 8 October 2023 with the Event Strategy and Event Sponsorship Application form

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- Promoted on Hawkesbury Events Facebook page on 11 September, 26 September and 4 October 2023.
- Promoted on the Hawkesbury City Council Facebook page on 11 September, 26 September and 4 October 2023.
- Promoted on Hawkesbury Events Instagram page on 11 September and 26 September 2023.
- Emailed to groups and individuals who had previously held events in the Hawkesbury or had had previous discussions with Council about events they would like to hold. An Email sent on 11 September and 27 September 2023.
- Hawkesbury City Council sent out a media release on 11 September 2023.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

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

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. Council has allocated \$65,000 in its 2023/2024 Operational Plan for the Event Sponsorship Program. There are sufficient funds to cover the total recommended amount of \$49,000 for Round 1 of the 2023/2024 Event Sponsorship Program. The remaining funds of \$16,000 will be allocated in Round 2 of the 2023/2024 Event Sponsorship Program.

ATTACHMENTS:

- AT - 1** Detailed summary of the application received and the proposed level of financial assistance - (*Distributed under separate cover*).
- AT - 2** Community and Commercial Events Assessment Criteria Matrix for the Event Sponsorship Application under Round 1 Event Sponsorship Program 2023/2024 - (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

4.2.4. GM - Draft Event Sponsorship Policy - (79351, 15988)

Directorate: General Manager

PURPOSE OF THE REPORT

The purpose of this report is to:

- Outline the process for review of Council's Draft Event Sponsorship Policy.
- Seek Council's endorsement to place the Draft Event Sponsorship Policy on public exhibition.

EXECUTIVE SUMMARY

Council adopted its current Sponsorship Policy in 2007 to help guide sponsorship of Council activities and programs. The Sponsorship Policy has been reviewed, updated and renamed the Event Sponsorship Policy and is attached as Attachment 1 to this report. The purpose of the Event Sponsorship Policy is to outline the principles of event sponsorship and create a transparent approach to the way Council sources and manages sponsorship.

The Policy outlines the principles of sponsorship provided by Council to community groups, not-for-profit organisations and private organisations. It establishes a transparent framework for the provision of monetary and in-kind sponsorship by Council for external programs in accordance with the Event Sponsorship Program. It also establishes a transparent approach to the way Council sources and manages sponsorship of Council programs and events to provide a greater benefit to the local community based on a clear set of objectives and criteria in the Commercial Assessment Criteria Matrix and the Community Assessment Criteria Matrix.

Since adoption the criteria matrixes have been regularly amended and updated to reflect the issues identified during the sponsorship process including feedback from the two recent Councillor Briefing Sessions held on 4 July 2023 and 3 October 2023. Recent examples of previous amendments to the criteria matrixes have included the inclusion of additional criteria for First Nations involvement, accessibility, sport and sustainability. To allow further minor changes to the Commercial Assessment Criteria Matrix and the Community Assessment Criteria Matrix, which maybe required from time to time, it is suggested that delegated authority be given to the General Manager to make minor amendments the criteria matrixes.

Council has been seeking sponsorship of events from local businesses and organisations for some time through a partnership proposal for individual Council run events and most recently has sought both in-kind and financial support for community events including Light Up Windsor, Hawkesbury Fest and Savour the Flavour. These sponsorship opportunities have enhanced the Council events to provide a greater benefit to the local community and they have also provided opportunities for organisations to showcase their businesses and activities.

RECOMMENDATION

That:

1. The Draft Event Sponsorship Policy, attached as Attachment 1 to this report, be placed on public exhibition for at least 28 days.
2. At the expiration of the public notification period outlined in Part 1 above, the following action be taken:

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4. REPORTS FOR DETERMINATION

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- a) Should any submissions be received regarding the Draft Event Sponsorship Policy, a further report be submitted to Council, or
- b) Should no submissions be received:
 - (i) Council adopt the Event Sponsorship Policy attached in Attachment 1 to this report.
 - (ii) The General Manager be given delegated authority to make minor amendments to the Community Event Matrix Criteria and the Commercial Event Matrix Criteria, that are part of the Event Sponsorship Policy, as required.

BACKGROUND

Council has developed an Event Strategy to guide the strategic approach to how events are supported by Council and identifies how Council will attract, partner, access, fund, produce, promote and approve events in the Hawkesbury.

An Events Sponsorship Program was created in 2018 to assist events which benefit the community and local economy and attract visitors to the region. The Program delivers a transparent framework for Council to determine funding and other assistance, based on a clear set of criteria and funding.

The current Sponsorship Policy, as adopted in 2007, has been updated and renamed to the Event Sponsorship Policy. The Draft Event Sponsorship Policy reflects the current event sponsorship practices and is attached as Attachment 1 to the report.

DISCUSSION

Event Sponsorship

Council provides support to events in the Hawkesbury run by community groups, not-for profit organisations and private organisations. The purpose of event sponsorship is to assist events which benefit the community and local economy and attract visitors to the region.

The Event Sponsorship Program was formally created in 2018 and has given Council the opportunity to sponsor a diverse range of events which is consistent with Council's stated objectives of providing financial assistance to volunteer groups, community organisations, local businesses and individuals for works and projects that will:

- Encourage community involvement and participation
- Build community capacity and the ability to self-organise and develop resilience in the community
- Establish and reinforce community connections and social cohesion, across communities and with local businesses
- Bring visitors to the region.

Each year Council has allocated \$65,000 in its Operational Plan for two rounds of sponsorship for community and commercial events which are defined in the Events Sponsorship Policy as:

- Community events - events eligible for sponsorship in this category must be run by community groups or not for profit organisations.

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- Commercial events - events eligible for sponsorship in this category must be run by a registered business. Applicants can apply for a maximum of \$3,000 per year of seed funding which must contribute to the establishment of the event for up to three years.

Council has sponsored more than 50 events since 2018, ranging from sponsorship of Ski Races, ANZAC Day celebrations, folk festivals and music events. The Program has created many opportunities for local community groups and businesses, particularly in local towns and villages, to activate spaces and bring communities together.

The Program has a transparent framework that Council can use to determine sponsorship funding and other assistance for events, based on a clear set of objectives and criteria in the Commercial Assessment Criteria Matrix and the Community Assessment Criteria Matrix. Since adoption the criteria matrixes have been regularly amended and updated to reflect the issues identified during the sponsorship process including feedback from the two recent Councillor Briefing sessions held on 4 July 2023 and 3 October 2023. Recent examples of amendments to the criteria matrixes have included the inclusion of additional criteria for First Nations involvement, accessibility, sport and sustainability. To allow further minor changes to the Commercial Assessment Criteria Matrix and the Community Assessment Criteria Matrix, which maybe required from time to time, it is suggested that delegated authority be given to the General Manager to make minor amendments the criteria matrixes.

Council has also created a Special Event Criteria for events which are either regionally significant, have made a long-term contribution to social, cultural or economic factors or can demonstrate support to the local economy.

Event Partnerships

Council has been seeking sponsorship of events from local businesses and organisations for some time through a partnership proposal for individual Council run events and most recently has sought both in-kind and financial support for community events including Light Up Windsor, Hawkesbury Fest and Savour the Flavour. These sponsorship opportunities have enhanced the Council events to provide a greater benefit to the local community and they have also provided opportunities for organisations to showcase their businesses and activities.

Council have updated the Event Sponsorship Policy to formalise the process of both Council sponsoring events and Council seeking sponsorship of external programs and events to ensure a transparent approach to the way Council sources and manages monetary and in-kind sponsorship and that sponsorship is dealt with in a fair and equitable manner.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.1 Enable a shared responsibility for community resilience, community safety and disaster management.

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

FINANCIAL IMPACT

Financial implications arising from the Event Sponsorship Program as identified in the Draft Event Sponsorship Policy are provide for in the 2023/2024 Adopted Operational Plan.

ATTACHMENTS

AT - 1 Draft Event Sponsorship Policy - *(Distributed under separate cover).*

oooO END OF REPORT Oooo

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4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

4.3. CITY PLANNING

4.3.1. CP - 2023/2024 Community Sponsorship Program - Round 1 - (95498, 96328)

Previous Item: 4.3.2, Ordinary (20 June 2023)

Directorate: City Planning

PURPOSE OF THE REPORT

The purpose of this report is to advise Council of applications received for financial assistance under Round 1 of the 2023/2024 Community Sponsorship Program. The applications received under Round 1 of the Program have been scored against the assessment criteria in the Community Sponsorship Strategy.

The report provides Council with the outcome of the assessment of applications and makes a recommendation based on this assessment as to what applications meet the funding criteria and therefore should receive funding under the Community Sponsorship Program.

EXECUTIVE SUMMARY

Council received 22 applications for sponsorship under Round 1 of the 2023/2024 Community Sponsorship Program.

The applications received under Round 1 of the Program have been assessed in accordance with the assessment criteria in the Community Sponsorship Strategy. This report provides details of each application and the assessment of each application against the criteria within the Community Sponsorship Strategy. It is recommended that 20 of the 22 applications received for sponsorship meet the funding criteria and therefore are recommended for funding under Round 1 of the 2023/2024 Community Sponsorship Program.

RECOMMENDATION

That Council:

1. Approve payments for Section 356 Financial Assistance to the individuals and organisations listed in this report and at the level of funding recommended in this report.
 2. Approve the execution of Council's standard Sponsorship Agreement for those applications where the approved level of funding is over \$500.
 3. Advise the two applicants, Hawkesbury Racing Club and Hawkesbury Scouts, that their applications were not successful as listed in this report.
-

BACKGROUND

The Community Sponsorship Program provides the opportunity for community groups and individuals to seek financial assistance from Council. The Program provides for three categories for financial assistance:

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- a) Participation: funding to enable the participation of residents who have been selected to represent their community in regional, national or international sporting and cultural events (\$150 per individual or \$750 for a team of five or more).
- b) Access: funding to subsidise half (50%) of the cost of hiring a Council or community facility (to a maximum Council contribution of \$750).
- c) Building a Connected, Healthy, Inclusive and Resilient Hawkesbury: funding to the cost of an activity or project which will assist the community to come together to plan and deliver activities that support a connected, healthy, and resilient Hawkesbury (up to \$3,000).

In accordance with the schedule for funding rounds within the 2023/2024 Community Sponsorship Program, Round 1 of the Program closed on 31 October 2023. The Community Sponsorship Program was promoted by the following methods:-

- Online on Council's website, Facebook page, and Hawkesbury e-News;
- At network and interagency meetings including Hawkesbury Connect, Hawkesbury Youth Interagency, and;
- Face to face and online updates provided by Council's Community Planning and Partnerships team.

DISCUSSION

Assessment of Applications

In total, 22 applications are presented for Council's consideration under Round 1 of the 2023/2024 Community Sponsorship Program. Of these applications, 12 relate to financial assistance under the Participation category, four applications relate to financial assistance under the Access to Facilities category and six applications relate to financial assistance under the Building a Connected, Healthy, Inclusive and Resilient Hawkesbury category.

The following three tables summarise the applications received and the proposed level of financial assistance to be granted.

Participation Category.

This category provides for Council to contribute \$150 per individual or \$750 per team of five or more who have been selected to represent their community in regional, state, national or international sporting competition or cultural event.

Applicant	Proposal	Recommended Amount
1	World Masters Canoe Marathon Championships, Denmark	\$150
2	Rugby Union State Championships (U16s), NSW	\$150
3	NSW PSSA State Basketball Team, NSW	\$100
4	2023 UCI BMX World Championships, Scotland	\$150
5	2023 UCI BMX World Championships, Scotland	\$150
6	Australian Tae Kwon Do National Championships, Perth	\$150
7	2023 Indoor Netball Australia Junior Nationals, QLD	\$150
8	2023 Indoor Netball Australia Junior Nationals, QLD	\$150
9	Trampoline Gymnastics World Age Championships, England	\$150

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Applicant	Proposal	Recommended Amount
10	National Clubs Gymnastics Competition, QLD	\$150
11	Trampoline Gymnastics World Age Championships, England	\$150
12	2023 National Gymnastics Clubs Carnival, QLD	\$150

Access Category

The Community Sponsorship Strategy provides for Council to subsidise half (50%) of the cost of hiring a Council or community facility, with a maximum Council contribution of \$750.

Applicant	Proposal	Recommended Amount
Vision Impaired Community Group	Use of Hawkesbury Leisure and Learning for monthly meetings	\$750
Hawkesbury Valley Baptist Church	Use of Hanna Park for Hanna Park Carols	\$61
Hope 4 U	Use of Ham Common for Hope 4 U Foundation Hope Walk	\$63
Fantasia Showstoppers	Use of Richmond Community Services Weekly for Term 3 and 4, 2023 (20 weeks)	\$200

Building a Connected, Healthy, Inclusive and Resilient Hawkesbury Category.

The Community Sponsorship Strategy provides for Council to fund the cost of an activity or project which will assist the community to come together to plan and deliver activities that support a connected, healthy, and resilient Hawkesbury (up to \$3,000).

Applicant	Proposal	Score on Matrix	Recommended Amount
Hawkesbury Riding Club	Funding to build a child safety fencing around the junior's arena at Hawkesbury Riding Club. The arena will provide a safe area for children, teens and beginners to learn riding basics and allow for equestrian advancement of younger people in the Hawkesbury. The project will benefit the Hawkesbury community by providing access to a year round, enclosed arena thereby fostering education, training, masterclasses and competition by children, teens and beginners.	22	Applicant did not score above the minimum threshold for funding.

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Applicant	Proposal	Score on Matrix	Recommended Amount
The Women's Cottage	Funding for Reclaim the Night. Reclaim the Night is a national initiative to raise awareness of women's experiences of gendered and sexual violence. The project will benefit the Hawkesbury community by raising awareness and creating a safer and more resilient community by connecting the residents with community services, volunteer groups and police. Community members are encouraged to raise awareness through creative outlets such as poems, speeches and entertainment, developing connections with other people around a shared experience.	42	\$1,500
Colo Heights Progress Association	Funding for Yoga classes. The classes will be open to all residents of Colo Heights and surrounds. The objective is to bring the community together by providing a low impact activity that improves mental health, physical health and social interactions in a local environment. The project will benefit the community as Yoga and meeting together creates and builds community partnerships, supports and expands active community involvement and brings residents together and builds community resilience.	37	\$2,970
Strong Nations Community Services	Funding for re-opening Food Care and launching Market Stalls, creating a vibrant community hub. After the 2022 floods, Food Care ceased operating. Food Care is a weekly pop-up grocery store that provides quality food and products at discounted rates for vulnerable residents. Market Stalls will partner with small local businesses to create a lively marketplace where the community can gather and purchase niche local products. The project will benefit the community by supporting a connected, inclusive and resilient community.	37	\$2,100

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Applicant	Proposal	Score on Matrix	Recommended Amount
Hawkesbury Scouts	Funding for Scouts to promote Scouting in the Hawkesbury by participating in the Carols event as a sponsorship partner. As a sponsorship partner, Scouts will provide youth activities and two large amusement rides, with leaders and scouts present to promote Scouting. Scouting develops youth to achieve their full potential to become responsible citizens participating in community, culture and civic duties. The project will benefit the community by supporting an inclusive organisation that provides a wide variety of activities indoor and outdoors utilising Hawkesbury's natural features and bushland.	29	Applicant did not score above the minimum threshold for funding.
Merana Aboriginal Community Association for the Hawkesbury Inc	Funding to host a Hawkesbury Aboriginal and Torres Strait Islander Senior's Lunch in 2023. The funds will assist to ensure the event is a success and that Aboriginal and Torres Strait Islander Senior's and Elders across the Hawkesbury are able to attend a function designed just for them and to celebrate their place in community and culture. The event will benefit the Hawkesbury through providing a time for Senior's and Elders to gather and connect with each other and to share their experiences and knowledge with support staff and volunteers in attendance to ensure the day is a success.	39	\$3,000

The maximum score possible under the Matrix for each application is 52. As noted in the Community Sponsorship Strategy an applicant is deemed eligible for consideration by Council for sponsorship if the applicant received score of 30 or more. The analysis of each application under this Category against the Assessment Criteria Matrix is attached as Attachment 1 to this report.

Hawkesbury Riding Club and Hawkesbury Scouts were assessed as not eligible for sponsorship due to not receiving a score of 30 or more in the assessment matrix.

Council staff will work with applicants that were unsuccessful in Round 1 of the 2023/2024 Community Sponsorship Program to provide assistance that may support future grant opportunities, including grants writing training and referral to alternate grant programs where available.

Category	Amount
Participation	\$ 1,750
Access	\$ 1,074
Building a Connected, Healthy, Inclusive and Resilient	\$ 9,570
TOTAL RECOMMENDED UNDER ROUND 1	\$ 12,394

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Policy considerations

The primary reference document relevant to Council's decision in relation to Round 1 of the 2023/2024 Community Sponsorship Program is the Community Sponsorship Strategy, considered by Council at its Ordinary meeting 30 April 2019 and adopted following the public exhibition period. The process to assess applications and the commendations contained in this report are consistent with the adopted Community Sponsorship Strategy.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.2 Encourage and enable our community to participate in a healthy lifestyle.
- 1.3 Increase the range of local partnerships and plan for the future.
- 1.6 Build on a sense of community and wellbeing.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The expenditure applicable is provided for in the Adopted 2023/2024 Operational Plan.

The 2023/2024 Operational Plan made provision for a budget for the Community Sponsorship Program of \$51,575. Should Council resolve to fund the Round 1 of the Community Sponsorship Program 2023/2024 applications as recommended in this report, to the total of \$12,394, a budget of \$39,181 will be available to eligible applicants in Rounds 2 and 3 of the Program in 2023/2024.

ATTACHMENTS

- AT - 1** Assessment Matrix - Resilient Hawkesbury Community Sponsorship Applications – *(Distributed under separate cover).*

oooO END OF REPORT Oooo

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

4.3.2. CP – Draft Surveillance Devices Policy - (95498, 96330)

Directorate: City Planning

PURPOSE OF THE REPORT

The purpose of this report is to present to Council a Draft Surveillance Devices Policy and to seek Council's endorsement to place the Draft Surveillance Devices Policy on public exhibition.

EXECUTIVE SUMMARY

The purpose of this report is to present to Council the Draft Surveillance Devices Policy. The surveillance devices considered by the Draft Surveillance Devices Policy are static motion activated cameras that will be used to detect illegal dumping offenders and other environmental crime.

The Draft Policy also considers the use of body worn cameras utilised by Council's Community Enforcement Officers. These cameras are primarily used to support work health and safety initiatives, although they can at times be used to collect evidence should Council officers conduct short interviews in the field with witnesses or suspects.

It is recommended that Council consider the Draft Policy as provided as attachment 1 to this report to enable the Draft Policy to be placed on public exhibition.

RECOMMENDATION

That:

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

BACKGROUND

The use of devices to record still and video images and audio in New South Wales (NSW) is highly regulated. The following two primary pieces of legislation relate to local government organisations engaging in such practices.

The Privacy and Personal Information Protection Act 1998 relates to the management of personal information (including still and video images of people) by local government organisations. The Surveillance Devices Act 2007 provides the legal framework for recording conversations between two or more people in NSW. Clause 9 of the Privacy and Personal Information Protection Act 1998 provides an exemption to local government organisations permitting the use of cameras or other video recording equipment.

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Section 7 (1) of the Surveillance Devices Act 2007 prohibits the recording of private conversations, unless all parties to the conversation have given their consent for the recording to take place; this would be the normal circumstances in which Council officers would record a private conversation. Before commencing any audio recording, Council officers will be required to notify all persons present that a recording of the conversation is proposed and will seek a verbal agreement from all parties before any recording commences.

There is an exception to this position which permits the recording of a conversation without the permission of all parties; this is conferred by Section 3(b) of the Surveillance Devices Act which states that a conversation can be recorded without consent of all parties if:

'A principle party to the conversation consents to the listening device (such as a body worn camera) being so used and the recording of the conversation is reasonably necessary for the protection of the lawful interests of that principal party.'

Council Officers may rely upon this exception should they be subject to threatening and or abusive behaviour.

Relevant Legislation

The Surveillance Devices Act 2007
The Privacy and Personal Information Protection Act 1998

DISCUSSION

While there is a provision for Council Officers to record a conversation without the consent of all parties, this is the exception rather than the rule. The primary purpose of this Draft Policy (in concert with the Surveillance Devices Act 2007 and the Privacy and Personal Information Protection Act 1998) is to:

- Provide Council with a comprehensive framework for the use of surveillance devices in criminal investigations, and;
- Enable Council to covertly gather evidence for the purposes of criminal prosecutions.

The subject of the investigations in question from Council's perspective is primarily environmental crime, such as including illegal dumping, illegal land clearing and/or development. Due to the large land mass and extended river network across the Hawkesbury, gathering evidence of illegal activity by traditional means can be challenging and the deployment of static covert cameras will assist officers in the detection of such illegal activities.

Body worn cameras will also be utilised by Council officers to conduct interviews of witnesses and suspects in relation to other investigations such as alleged dog attacks. The recording of such interactions is in accordance with recognised best practice both nationally and internationally and will assist Council in demonstrating that procedural fairness principles are adhered to by officers and that witnesses and suspects are treated fairly and with respect.

Storage of recorded information

Only evidentially relevant footage will be stored by Council. This footage will be stored on a secure drive on Council's network with access limited to authorised officers. Aside from the General Manager and the Director City Planning, only nominated officers within the Regulatory Services Branch and Information Services Branch will have access.

The footage can only be released by Council Officers in the following circumstances:

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- To NSW Police or other enforcement agency, where communication is permitted under the legislative framework;
- To Council's external legal counsel for consideration as part of a brief of evidence or other legal proceedings;
- To a court in support of a prosecution or other legal proceedings, and;
- To a third party under a Government Information (Public Access) Act 2009 application, where it is legally permissible to do so, with any such application to be determined by Council's Manager Governance.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. It is proposed that Council place the Draft Surveillance Devices Policy on public exhibition for 28 days.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

Protected Environment and Valued History

- 2.2 Value, protect and enhance our natural land-based environment with an emphasis on using local resources and key partnerships.
- 2.5 Value, protect and enhance our waterways and wetlands with an emphasis on using local resources and key partnerships.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The expenditure applicable is provided for in the Adopted 2023/2024 Operational Plan.

ATTACHMENTS

AT - 1 Draft Surveillance Devices Policy - (*Distributed under separate cover*).

oooO END OF REPORT Oooo

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4.4. CORPORATE SERVICES

4.4.1. CS - September 2023 Quarterly Budget Review Statement - (95496, 96332)

Previous Item: 4.2.2, Ordinary (20 June 2023)

Directorate: Corporate Services

PURPOSE OF THE REPORT

The purpose of this report is to inform Council of its financial position as at 30 September 2023 and to seek adoption of proposed changes required to the Budget within the Adopted 2023/2024 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 2023/2024 financial year and recommends revising estimates in line with Council's financial performance as at the end of September 2023, 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 first quarter of the 2023/2024 financial year; and
- The resulting financial position including the Budget variations proposed.

The Quarterly Budget Review Statement – September 2023 (the Statement) recommends budget adjustments that result in an overall balanced adjustment for the quarter.

RECOMMENDATION

That Council receive the information contained in this report regarding the September 2023 Quarterly Budget Review, and that the Budget adjustments, as summarised in the report and detailed in Attachment 1 to the report, be adopted.

BACKGROUND

Clause 203 of the Local Government (General) Regulation 2021 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

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Budget and the last revised budget along with recommended changes and reasons for major variances.

The Quarterly Budget Review Statement is the mechanism stipulated by the Local Government (General) Regulation 2021 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 of Council's control are proposed to be adjusted to reflect the anticipated performance up to the 30 June 2024. Unfavourable trends relating to expenditure outside of Council's control are also proposed to be adjusted for the same period.

The Statement recommends budget adjustments that result in an overall balanced adjustment for the Quarter.

Variations proposed are necessary to ensure appropriate budget allocations are available to deliver Council's Adopted 2023/2024 Operational Plan attached as Attachment 1 to this report.

Relevant Legislation

Local Government Act, 1993

Local Government (General) Regulation, 2021

DISCUSSION

1. Favourable Adjustments:

- *Reduction in interest allocations to reserves (\$703K)* – Due to changes in the timing of projects funded by reserves, projected closing reserve balances are lower than when developing the Original Budget. A reduction in the interest to be allocated to restricted reserves has been lowered, in line with projected cash flows in relation to programs and projects to be funded by Reserves.
- *Increase in Financial Assistance Grant Allocation (\$444K)* –The allocation of the Financial Assistance Grant for 2023/2024 is \$444K higher than projected. Further adjustments may be required in future Quarterly Reviews, depending upon the timing of any announcement regarding any prepayment of the 2024/2025 allocation in 2023/2024.
- *Increase in General Rates (\$292K)* –The rate of development has increased above the expected rates when developing the Original Budget. The increased rate has resulted in additional general rates income than projected.
- *Unbudgeted Insurance Claim (\$135K)* – Council received an unbudgeted insurance claim during the reporting period for damage incurred at Richmond Presbyterian Cemetery in 2020.

2. Unfavourable Adjustments:

- *Establishment of a Land Acquisition and Capital Contingency Reserve (\$1.1M)* – As seen in recent land acquisitions associated with the Vineyard Precinct development, the cost of acquisition has been greater than the rate permitted within the Contributions Plan. It is recommended that a Reserve be established to fund future shortfalls in the Plan that may arise after the current review process has been completed.

The size and timing of the projects within the WestInvest Program could lead to changes in costs associated with the delivery. It is recommended that a Reserve be established to fund any future

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shortfalls that may arise, and to provide an opportunity for enhanced outcomes or operational efficiencies, should opportunities arise.

- *Reduced Income from Development Engineering Inspections (\$221K)* – In line with current trends observed, this income has been reduced by the shortfall between the Budget and Actuals as at the end of September. A review of this income is being undertaken and it is anticipated that this income will recover.
- *Old Stock Route Road, Oakville Road Restoration (\$153K)* – As a result of unavoidable delays in the delivery of this project, funding that was available during 2022/2023 lapsed and an allocation is required, in line with the costs of completing this work.
- *Net Increase in Ranger Services Costs (\$152K)* – Income from carparking and companion animal infringements was \$95K lower than projected as at the end of September. Additional costs of \$57K above the YTD Budget was also incurred in Ranger Services, with the objective to recover income levels. As Council does not receive the income from NSW Revenue until payment is made by the party fined, there is a lagging trend between additional resources and increased income.
- *Information Technology Hardware and Connectivity Upgrades (\$109K)* – In order to complement the Administration Building Refurbishment and provide enhanced resilience, connectivity and service provision, an additional \$109K of Information Technology Hardware and Connectivity Upgrades is required.

3. Adjustments with No Bottom Line Impact

- *Remediation of McGraths Hill Road Reserve Open Space (\$100K)* – In line with Council's resolution when adopting the Original Budget on 20 June 2023, an allocation of \$100K has been made from the Parks Program to clear swamp land on the road reserve bordering Pitt Town Road, McGraths Hill.
- *Design of Boundary Road, Vineyard (\$457K)* – To support the developing communities bordering Boundary Road, Vineyard, an agreement between The Hills Council and Hawkesbury Council was reached. As part of this agreement, Council is allocating 30% of the design costs, being \$1.7M. An amount of \$1.2M can be funded by the Vineyard Section 7.11 Contributions Plan, with the remaining \$457K funded by deferral of the following:
 - Bligh Park Cycleway \$170K
 - Crack Sealing (road surface renewal) \$60K
 - Road Pavement Rejuvenation \$60K
 - Mill and Fill Program (road surface renewal) \$167K

4. Grants – Additional Works and Programs - \$107M

Several 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. Please note that the amount quoted above is the total grant allocation, which in some instances are across financial years.

Also included in this Quarterly Budget Review Statement is a total of \$10.4M of grant funding that was approved in previous financial years where activities and works are continuing.

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

- *Local Roads and Community Infrastructure Program (\$1.7M)* – Phase 4 of the Stimulus Funding from the Department of Infrastructure, Transport, Regional Development,

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Communications and the Arts will be expended on the rehabilitation of failed sections at the following locations:

- George Street, Windsor from Tebbutt Street to Hawkesbury Valley Way (\$520K)
 - Valder Avenue, Hobartville from Cornwall Avenue to Holborrow Avenue (\$200K)
 - Lindsay Place, Glossodia from failed section between Golden Valley Drive to Golden Valley Drive (\$100K)
 - Grose Wold Road, Grose Wold from failed sections between Grose Vale Road and Avoca Road (\$650K)
 - Charles Street, North Richmond from Monti Place to Number 7 Charles Street (\$245K)
- *WestInvest Community Grants Program (\$16.8M)* – Four of the ten deeds have been executed including:
 - *Fernadell Park Community Precinct (\$4.6M)* - The aim and focus of this WestInvest project is to undertake the implementation of the Fernadell Park Master Plan, providing both active sporting and passive recreation facilities for the Pitt Town and the surrounding community.
 - *Wayfinding Signage (\$2.3M)* - Council's Wayfinding Strategy will be implemented using WestInvest funds, to create a better connected community, support critical business and tourism industry, show case our villages and address safety and legibility. This WestInvest project will enable Council to construct and install clear, legible and contemporary signage across the LGA.
 - *Kurrajong to Kurmond Cycleway (\$4.5M)* - This WestInvest project, funded by the NSW Government, will construct a 1.75km shared path between Kurmond and Kurrajong alongside Bells Line of Road. This includes undertaking requisite site works such as retaining walls, drive adjustments and vegetation clearing.
 - *Woodbury Reserve (\$5.4M)* - WestInvest funding will be used to implement the Woodbury Reserve Master Plan, including a new playground, multi-purpose courts, improved parking and community and recreational facilities.
 - *Essential Community Sports Assets Program – Deerubbin Park Amenities (\$1.0M)* - Funding received from the NSW Office of Sport will be used to construct a flood resilient amenities building at Deerubbin Park. The building will consist of change rooms, public unisex toilets and accessible toilet facilities.
 - *Community Local Infrastructure Renewal Program (CLIRP) (\$6.9M)* – as part of the ongoing flood recovery, the Department of Regional NSW has granted Council funding to undertake the following two projects:
 - *Yarramundi Reserve Repair (\$1.4M)* - This project is funded under the Community Local Infrastructure Renewal Program, upgrading damaged assets at Yarramundi Reserve, a popular recreational destination, ensuring it is more resilient to future flood events.
 - *Riverbank Restoration Repair (\$5.5M)* - Funding will assist in stabilising and restoring riverbanks and associated infrastructure at Argyle Memorial Reserve, Howe Park and Churchill Wharf Reserve. These works will reopen areas currently closed or restricted after the 2021 storm and floods.
 - *Central Coast Council remediation of landslip caused by flood (\$3.0M)* – A contribution will be received from Central Coast Council towards the remediation costs based on a DFRA EPAR claim.
 - *Disaster Recovery Funding Arrangements – Flood Recovery (\$70.9M)* – Funding letters have been received from Transport for New South Wales in relation to the restoration of essential public assets for the damage incurred during the March 2021, March 2022 and July 2022 flood events.

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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:

S.7.11 Reserves

- Vineyard - reduce Reserve to contribute to Boundary Road design \$1.2M
- Vineyard - reduce Reserve to match Accelerated Infrastructure Fund grant works \$5.5M
- Vineyard – reduce Reserve, as interest reduced for projected closing balances \$818K
- Pitt Town – reduce Reserve to fund 130 Hall Street acquisition \$714K
- Pitt Town – increase Reserve, as interest increased for projected closing balances \$213K

Vineyard Low Cost Loan Initiative

- Decrease Reserve – acquisition of 284A Commercial Road, Vineyard \$1.1M

Voluntary Planning Agreement Reserve

- Increase Reserve – contributions received for Kurmond and Kurrajong VPA \$194K

Section 64 Sewer Reserve

- Increase Reserve – based on headworks charges for Waste Management Facility leachate \$370K
- Increase Reserve – interest to be allocated increased due balance and rates \$106K

Stormwater Management Reserve

- Decrease Reserve – increase in Gross Pollutant Trap maintenance \$184K

Multi-Year Reserve

- Decrease Reserve – adjust for Mayne Street, Wilberforce – works committed \$130K
- Increase Reserve – adjust for 22 Price Lane, Agnes Bank \$800K

Domestic Waste Management Reserve (total adjustments increase reserve by \$499K)

- Increase Reserve – reduction in Domestic Waste Disposal expenses \$660K

Waste Management Facility Reserve (total adjustments decrease reserve by \$1.2M)

- Decreased Reserve - Section 64 contribution for leachate line \$370K
- Decrease Reserve – Domestic Waste Disposal income reduced \$660K
- Decrease Reserve – purchase of 'L' Bins to reduce risk to customers near landfill \$100K

Sewer Reserve (total adjustments decrease reserve by \$224K)

- Decrease Reserve – adjust interest allocation in line with projected closing \$155K

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6. Staff Establishment

As reported to Council at its Ordinary Meeting 9 May 2023, Council's staffing numbers in terms of Full Time Equivalents (FTE) as at the 31 March 2023 was 355.8. There has been an increase of 2.8 to 358.6 as at the 30 September 2023.

The following positions have been added:

- 1.0 FTE Cyber Security Specialist
- 0.6 FTE Events Officer
- 0.6 FTE Regulatory Support Officer
- 1.0 FTE Resource Recovery Civil Engineer Intern – reserve funded, temporary
- 1.0 FTE Floodplain Management Officer – grant funded, temporary

The following positions have been removed:

- 0.4 FTE Companion Animal Kennel Assistant
- 1.0 FTE Administration Officer – Regional & Local Roads Repair Program

It is to be noted that throughout the year, reviews are undertaken to ensure the optimal resource mix between staff and contractors and that sufficient resourcing is available to delivery Council's services and works programs.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Reliable Council

4.3 Build strong financial sustainability for now and future generations.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. If adopted, the budget proposed will be added to the current 2023/2024 Budget.

Performance against Financial Sustainability Benchmarks

Table 1 provides an update of Council's performance against the Financial Sustainability Benchmarks.

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Table 1: Council’s performance against the Financial Sustainability Benchmarks

Financial Sustainability Ratio	Benchmark	Original Budget 23/24	Amended Budget 23/24 After Carry Overs	Amended Budget 23/24 After Sep QBRS
Operating Performance	>= 0	0.05	-0.06	0.39
Own Source Revenue	> 60%	62.9%	62.9%	33.3%
Asset Renewal	> 100%	132.6%	182.5%	671.7%
Infrastructure Backlog	< 2%	2.1%	2.1%	7.6%
Asset Maintenance	> 100%	102.1%	137.6%	151.4%
Debt Service	0%-20%	4.3%	4.3%	2.4%

As shown above, the Own Source Revenue Ratio was projected to be 62.9% when developing the Original Budget. The ratio has declined and no longer meets the benchmark, due to the level of grant funding received, mostly relating to flood restoration works. This is a temporal issue and will resolve once the flood restoration works have been completed and acquitted.

The Infrastructure Backlog Ratio was projected to be 2.1% when developing the Original Budget. The ratio has declined because of delays in renewals undertaken in 2022/2023, but predominantly due to the recent completion of comprehensive review of road asset conditions and associated renewal costs.

ATTACHMENTS

AT - 1 The Quarterly Budget Review Statement – September 2023 - *(Distributed under separate cover).*

oooO END OF REPORT Oooo

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4.4.2. CS - Investment Report - September 2023 - (95496, 96332)

Previous Item: 4.4.2, Ordinary (20 June 2023)

Directorate: Corporate Services

PURPOSE OF THE REPORT

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

EXECUTIVE SUMMARY

This report indicates that Council held \$89.8 million in investments as at 30 September 2023 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

RECOMMENDATION

That the Monthly Investment Report for September 2023 be received and noted.

BACKGROUND

Council held \$89.8 million in investments as at 30 September 2023. Details on the composition of the Investment Portfolio, and its compliance with Council's Investment Policy are provided below. Details include the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, the percentage of the total portfolio, exposure to credit ratings bands and the spread of maturities.

1. Composition of Investment portfolio

Tables 1 to 4 below provide details regarding the \$89.8 million in investments as at 30 September 2023.

Table 1: Summary of Council's Investment Portfolio as at 30 September 2023.

Product Type	Face Value	% of Total
Term Deposits - Fixed Rate	\$77,000,000	86%
Floating Rate Notes	\$800,000	1%
NSW TCorp Long Term Growth Fund	\$968,215	1%
At Call Deposits	\$11,000,000	12%
Grand Total	\$89,768,215	100%

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

Long Term Credit Rating	Face Value	% of Total
AA-	\$73,000,000	81%
A+	\$6,800,000	8%
BBB+	\$9,000,000	10%
NSW TCorp Managed Funds	\$968,215	1%
Grand Total	\$89,768,215	100%

Table 3 – Fixed Term Deposits

Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
Bank of Queensland	BBB+	25-Oct-23	4.80%	\$2,000,000
		6-Dec-23	4.80%	\$3,000,000
		6-Dec-23	4.90%	\$1,000,000
		4-Mar-24	1.70%	\$2,000,000
		30-Mar-28	4.80%	\$1,000,000
Commonwealth Bank	AA-	20-Nov-23	0.65%	\$1,000,000
		13-Dec-23	4.96%	\$5,000,000
		25-Jan-24	5.46%	\$2,000,000
		31-Jan-24	5.47%	\$4,000,000
		12-Feb-24	4.95%	\$2,000,000
		6-Mar-24	5.42%	\$3,000,000
		6-Mar-24	4.99%	\$2,000,000
		10-Apr-24	3.01%	\$2,000,000
		21-Feb-24	4.99%	\$2,000,000
National Australia Bank	AA-	11-Oct-23	4.65%	\$4,000,000
		25-Oct-23	4.45%	\$1,000,000
		25-Oct-23	4.55%	\$2,000,000
		10-Nov-23	4.50%	\$3,000,000
		10-Nov-23	4.77%	\$1,000,000
		20-Nov-23	4.70%	\$2,000,000
		6-Dec-23	4.85%	\$2,000,000
		6-Mar-24	4.95%	\$2,000,000
		6-Mar-24	5.05%	\$1,000,000
		10-Apr-24	5.10%	\$3,000,000
		19-Aug-24	0.75%	\$3,000,000
		10-Sep-24	0.80%	\$1,000,000
		10-Sep-24	5.20%	\$1,000,000
		10-Sep-24	5.20%	\$2,000,000
19-Nov-24	0.75%	\$1,000,000		

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Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
		15-Jan-25	0.80%	\$500,000
		5-Mar-25	1.05%	\$1,500,000
		3-Nov-25	0.95%	\$500,000
		19-Nov-25	0.90%	\$500,000
		13-Jan-26	1.00%	\$500,000
		4-Mar-26	1.30%	\$1,500,000
Suncorp	A+	10-Jan-24	5.35%	\$2,500,000
		10-Jan-24	5.45%	\$3,500,000
Westpac	AA-	10-Nov-23	1.11%	\$1,000,000
		25-Jan-24	4.36%	\$2,000,000
		20-Feb-25	4.97%	\$2,000,000
Grand Total				\$ 77,000,000

Table 4: Floating Rate Notes

Institution	Maturity	Yield	Face Value
Macquarie Bank	14-Sep-26	4.97%	\$800,000
Grand Total			\$800,000

2. Environmental, Social and Governance (ESG) Investments

Tables 5 and 6 below provide the details on Environment, Social and Governance (ESG) investments and the proportion compared to the total Investment Portfolio.

Table 5: ESG Investments

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

Table 6: Summary of Council's Investment Portfolio in Terms of ESG

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

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3. Compliance to Investment Policy

Tables 7 to 8 below summarise Council's exposure limits to the credit ratings bands, term to maturity parameters and compliance with Council's Investment Policy.

Table 7: Exposure Limits to credit ratings bands

Long-Term Credit Rating	% of Portfolio	Policy Maximum	Compliant with Policy
AA	79%	100%	Yes
A	9%	60%	Yes
BBB	11%	50%	Yes
NSW TCorp Funds	1%	20%	Yes

Table 8: Term to Maturity

Term to Maturity	% of Portfolio	Policy Range	Compliant with Policy
Between 0 and 1 years	88%	40% - 100%	Yes
Between 1 and 5 years	12%	0% - 60%	Yes

4. Portfolio Return

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

Table 8 – Portfolio Return

30 September 2023	Monthly Return (Annualised)	Financial Year to Date (Annualised)
Hawkesbury City Council – Investment Portfolio	3.79%	4.01%
Benchmark – Bloomberg Ausbond Bank Bill Index	4.18%	4.35%
Performance Relative to Benchmark	-0.39%	-0.34%

Relevant Legislation

According to Clause 212 of the Local Government (General) Regulation 2021, the Responsible Accounting Officer must provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must include a certificate as to whether investments have been made in accordance with the Act, the Regulation, and the Council's Investment Policy.

Investment Certification

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

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DISCUSSION

Council's investments and returns achieved are driven and impacted by economic and market conditions. Council's Investment Advisor, Prudential Investment Services Corp has reviewed Council's investments as at 30 September 2023 and has advised of the following:

"Council's investment portfolio, excluding the transactional cash account, returned 3.79%pa for the month on a marked-to-market basis versus the bank bill index benchmark's 4.18%pa return. Over the past 12 months, the investment portfolio has returned 3.29% versus the bank bill index benchmark's 3.56%.

The poor results in the bond and share markets, triggered by ongoing recession fears and sluggish economic growth, filtered through to the NSW TCorpIM Long Term Fund with a return of -2.31% (actual) for the month. The fund's result brought Council's overall return below benchmark for the month on a marked-to-market basis.

Without marked-to-market influences, Council's investment portfolio yielded 4.19%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities and growth fund.

During September, Council had \$9m in 6 to 24 month TDs mature which had an average rate of 3.20%pa. Council took advantage of the NAB's and CBA's competitive rates investing the \$9m proceeds across five TDs with terms of 6 and 12 months paying an average of 5.10%pa.

Council also took advantage of a newly issued senior ranked floating rate bond from Macquarie Bank for its long term portfolio. Council invested \$800,000 in the Bank's 3yr FRN paying 3mo BBSW +0.85%pa. The security's first rate set is 4.97%pa.

Speculation of another interest rate hike, or not, fluctuates on a monthly basis swinging market rates back and forth, particularly longer dated rates. In September, the hint of maybe one more rate hike during this cycle caused longer dated rates to jump higher and valuations on long dated bonds subsequently fell. Fortunately, floating rate notes have less volatility than fixed rate bonds so Council's newly added Macquarie Bank FRN recorded a modest gain despite the rise in rates.

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

- If cashflow requirements allow, look for term deposit specials in the 12 month area and rates either flatten out or drop off beyond 12 months.*
- Suncorp, in the non-fossil fuel space, and Bank of Queensland, a fossil fuel lending bank, are both offering rates in the 5.20% area for 12 months. Among the majors, NAB continues to look for funds and is more competitive than many banks with lower credit ratings.*
- Continue to review any new 3-5yr bond offerings to add to Council's long dated portfolio. Now that Council has established a safe custody account with CBA, adding to the portfolio will be a simple process.*

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

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Restriction of Funds

Council's total investment portfolio as at 30 September 2023 included funds that are restricted as to what they can be expended on.

Table 9 – Restriction of Funds

Restriction Type	Amount	%
External Restrictions - S7.11 and S7.12 Developer Contributions	\$22,651,711	25.23%
External Restrictions - Western Parkland City Liveability Program	\$544,187	0.61%
External Restrictions - Bushfire and Flood Grants	\$10,193,677	11.36%
External Restrictions - Local & Regional Roads Repair Program	\$1,792,605	2.00%
External Restrictions - Other (e.g. domestic waste, sewerage, loans)	\$10,388,708	11.57%
Internal Restrictions (e.g. election, workers compensation, Employee Leave Entitlements)	\$33,550,083	37.37%
Unrestricted	\$10,647,244	11.86%
Total	\$89,768,215	100.00%

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

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

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

COMMUNITY ENGAGEMENT

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

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CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Reliable Council

4.3 Build strong financial sustainability for now and future generations.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The income applicable is provided for in the Adopted 2023/2024 Operational Plan.

ATTACHMENTS

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

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4.4.3. CS - Code of Conduct Complaints Statistics Report - 1 September 2022 to 31 August 2023 - (95496)

Directorate: Corporate Services

PURPOSE OF THE REPORT

The purpose of this report is to provide Council with Code of Conduct complaint statistics for the period from 1 September 2022 to 31 August 2023.

EXECUTIVE SUMMARY

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

This report outlines the required Code of Conduct complaints statistics for the period from 1 September 2022 to 31 August 2023 in accordance with the adopted Procedures for the Administration of the Code of Conduct.

RECOMMENDATION

That the report provided under Clause 11.1 of the Council's Procedures for the Administration of the Code of Conduct, in respect of the Code of Conduct complaints statistics for the period from 1 September 2022 to 31 August 2023, be noted.

BACKGROUND

Council, at its Ordinary meeting on 11 July 2023, gave consideration to a report regarding Council's Code of Conduct and associated procedures.

At that meeting, Council adopted the Code of Conduct and also adopted the Procedures for the Administration of the Code of Conduct (the Procedures) based on the NSW Office of Local Government's Model Procedures.

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

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

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

a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)

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b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period

c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints

d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period

e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period

f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and

g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.

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

DISCUSSION

A report is required to be submitted to Council on a range of Code of Conduct complaints statistics each year. This report contains the Code of Conduct complaint statistics for the period from 1 September 2022 to 31 August 2023.

In accordance with Clause 11.1 of the Procedures, the following complaints statistics are provided to Council in respect of the period from 1 September 2022 to 31 August 2023:

Information Required	Reported Details
a) The total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period).	23 complaints.
b) The number of code of conduct complaints referred to a conduct reviewer during the reporting period.	12 complaints.
c) The number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints.	9 complaints - The outcomes were: <ul style="list-style-type: none">• 7 complaints resolved by alternate and appropriate strategies.• 3 complaints were to take no action.
d) The number of code of conduct complaints investigated by a conduct reviewer during the reporting period.	4 complaints.
e) Without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period.	The outcomes of the 1 investigation completed was: <ul style="list-style-type: none">• Council formally censured Councillor for breaching Sections

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Information Required	Reported Details
	<p>3.1(a), 3.1(c), 8.17 and 8.18 of the Code.</p> <ul style="list-style-type: none">• Council referred the matter to the Office of Local Government for further action under the misconduct provisions of the Local Government Act. <p>Note: 3 complaints are being investigated as at 31 August 2023.</p>
f) The number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews.	<p>1 complaint reviewed by the Office of Local Government. The outcome was:</p> <ul style="list-style-type: none">• No further action to be taken. <p>Note: 1 complaint is pending with the Office of Local Government as at 31 August 2023.</p>
g) The total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.	<p>Total Cost (including staff costs)</p> <p>= Approximately \$96,500 (excl. GST where relevant).</p> <p>Note: 6 complaints ongoing as at 31 August 2023.</p>

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

Relevant Legislation

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

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Reliable Council

4.1 Provide representative, responsive and accountable governance.

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FINANCIAL IMPACT

The costs associated with dealing with the Code of Conduct complaints have been provided for in the 2022/2023 and 2023/2024 Operational Plans.

ATTACHMENTS

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

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

Previous Item: 4.4.4. Ordinary (10 October 2023)

Directorate: Corporate Services

PURPOSE OF THE REPORT

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

EXECUTIVE SUMMARY

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

RECOMMENDATION

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

BACKGROUND

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

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

(a) becoming a councillor or designated person, and

(b) 30 June of each year, and

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

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

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

Whilst the majority of Returns were tabled at the previous Council Meeting on 10 October 2023, a small number of Returns were yet to be received due to staff absences. The purpose of this report is

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4. REPORTS FOR DETERMINATION
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to table those remaining Returns under Section 4.21(b), and three Returns submitted by new designated persons under Section 4.21(a) of the Code.

DISCUSSION

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

Position	Return Period	Date lodged
Manager People and Development	30 June 2022 - 30 June 2023	6 November 2023
Sewage Management Facility Program Co-Ordinator	30 June 2022 - 30 June 2023	6 October 2023
Building Surveyor	30 June 2022 – 30 June 2023	9 November 2023
Senior Subdivision and Development Engineer	30 June 2022 - 30 June 2023	9 October 2023
Community Enforcement Officer - Parking	30 June 2022 - 30 June 2023	7 November 2023

There are no further returns under Section 4.21(b) for the period 30 June 2022 - 30 June 2023 to be lodged.

The following Returns have been lodged under Section 4.21(a) of the Code:

Position	Return Date	Date lodged
Sewage Management Facility Inspections Officer	24 July 2023	19 October 2023
Development Compliance Officer	24 July 2023	24 October 2023
Project Engineer Capital Works	7 August 2023	2 November 2023

The above details are now tabled in accordance with Section 4.25 of the Code, and the Returns are available for inspection upon request, subject to any overriding public interest considerations against the disclosure of certain information within the returns.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

Reliable Council

4.1 Provide representative, responsive and accountable governance.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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ATTACHMENTS

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

4.4.5. CS - Proposed Road Closure Part of Irrigator Drive, North Richmond - (95496, 112106, 145771)

Directorate: Corporate Services

PURPOSE OF THE REPORT

The purpose of this report is to obtain Council's endorsement to close a section of Council owned unformed public road within the Redbank Development Area, being part of Irrigator Drive, North Richmond.

EXECUTIVE SUMMARY

From 1 July 2018, changes to the Roads Act, 1993 (the Act) mean that councils now have the power to close council public roads. In September 2023, Redbank Communities requested Council close a section of road being part of Irrigator Drive, North Richmond due to a re-alignment of the road and footpath.

The re-alignment of the road reserve and footpath occurred due to works required for Grose Vale Road which then required the footpath along Irrigator Drive to be relocated from the northern to southern side of Irrigator Drive. This shifted the road reserve south by one metre, leaving a residual piece of road reserve one metre wide which is no longer required for road purposes.

This report considers the road closure request and recommends that Council publicly exhibit the proposed road closure.

RECOMMENDATION

That:

1. Council publicly exhibit and notify adjoining owners of the proposed road closure of an area of approximately 23.07m² of Irrigator Drive, North Richmond as shown in the location plan attached as Attachment 1, to this report.
2. At the expiration of the public exhibition period outlined in Part 1, the following action be taken:
 - a) Should any submissions be received regarding the proposed road closure a further report be submitted to Council, or
 - b) Should no submissions be received:
 - i. Council approve the road closure as shown in Attachment 1 to this report, being part of Irrigator Drive, North Richmond.
 - ii. Authority be given for the Road Closure Plan, and any documentation in association with the matter to be executed under the Seal of Council.

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4. REPORTS FOR DETERMINATION

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BACKGROUND

On 24 September 2020, Development Application 0498/18 for a 254 residential lot subdivision, four open space lots, one residue lot and associated works at 382 Grose Vale Road, North Richmond was approved. Part of this development was to create Irrigator Drive, North Richmond. The approval required construction of a footpath alongside Grose Vale Road, North Richmond. After an appeal in the Land and Environment Court the location of the footpath was revised and moved to inside the Redbank Development. This then required the footpath along Irrigator Drive to be relocated from the north to south side of Irrigator Drive, resulting in a shift in the road reserve by one metre and part of Irrigator Drive to be reconstructed in 2021. The shift of one metre left a residual piece of road reserve one metre wide which is no longer required for road purposes. Attached as Attachment 1 to this report is a Location Plan showing the residual piece of road reserve proposed to be closed.

Redbank Communities prepared a Road Closure Plan, Deposited Plan 1290601, which was registered on 31 March 2023. A copy of the Deposited Plan is attached as Attachment 2 to this Report. The area highlighted in yellow is the portion of the road reserve proposed to be closed.

In April 2023, Deposited Plan 1266754 was registered, creating part of Irrigator Drive and 16 residential lots. A copy of the Deposited Plan is attached as Attachment 3 to this Report. The area highlighted in yellow is the portion of the road reserve proposed to be closed.

The residential lot adjoining the proposed road closure area was approved as part of Development Application 0498/18 on 24 September 2020. The relevant Deposited Plan (DP1290690) was registered on 13 April 2023. The Plan indicates the road closure Deposited Plan 1290601 is incorporated into Lot 1951. A copy of Deposited Plan 1290690 is attached to this report as Attachment 4, with the road closure area shown in yellow.

In September 2023, Redbank Communities requested Council close a section of road being part of Irrigator Drive, North Richmond due to a re-alignment of the road and footpath.

It is proposed that the Council proceed with the road closure process and not seek compensation for the land as the new road alignment has been dedicated to Council as part of Deposited Plan 1266754. The approximate area dedicated to Council as part of the new road allowance is 43m². The new road reserve dedicated to Council is larger than the area of the road reserve proposed to be closed, being 23m². Redbank Communities will bear the costs of the road closure process. On 19 October 2023, the applicant paid the fees associated with the commencement of the proposed road closure and acquisition process. Internal referrals were forwarded to the Development Services Manager, Design and Mapping Manager and the Construction and Maintenance Manager for their comments. Council staff have supported to the closure of the unformed section of road reserve.

Road Closure Process

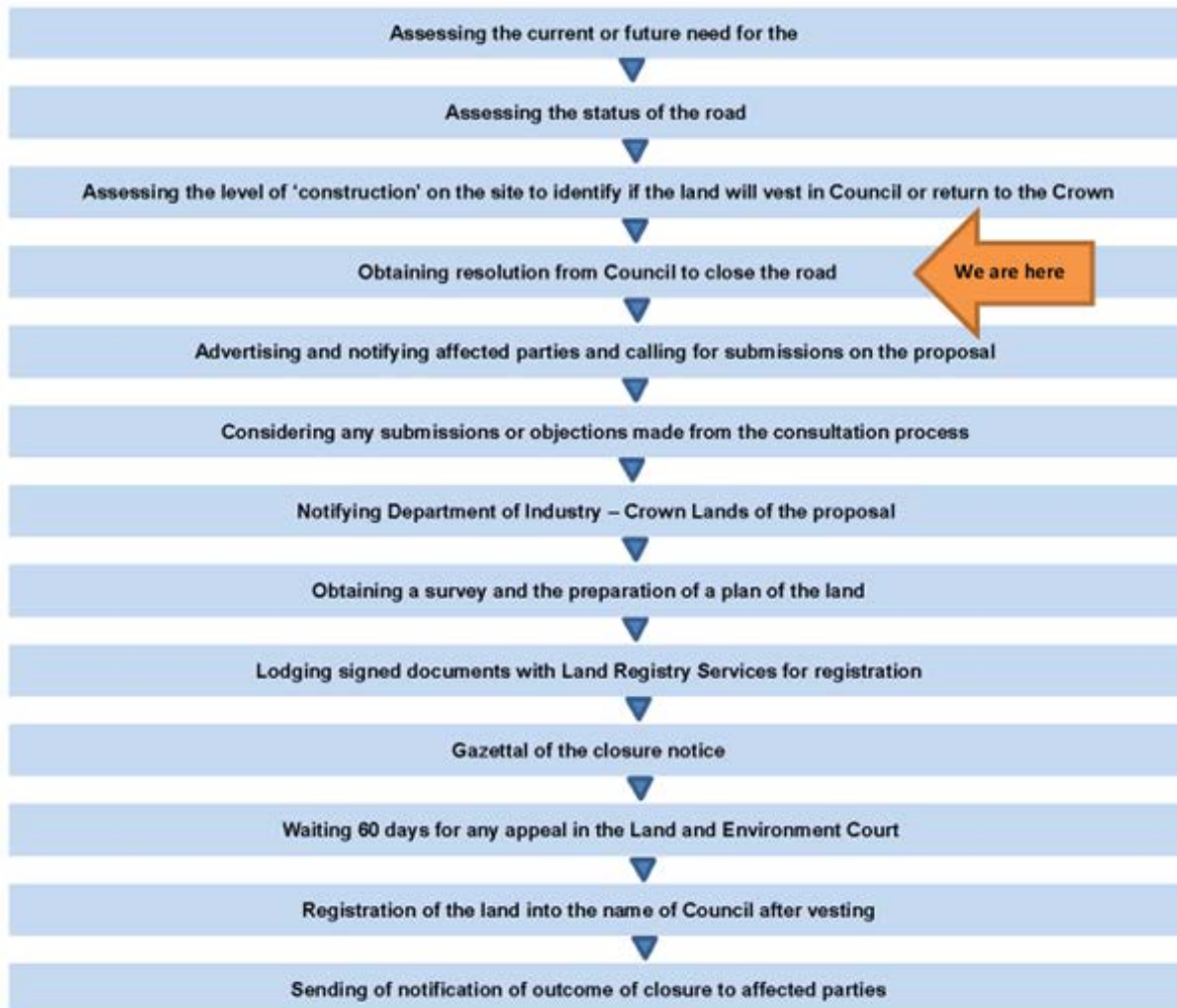
From 1 July 2018, changes to Part 4, Division 3 of the Roads Act 1993 mean that councils now have the power to close council public roads.

Section 38A of the Act provides that a council may propose the closure of a council public road for which it is the roads authority if:

1. The road is not reasonably required as a road for public use (whether for present or future needs), and
2. The road is not required to provide continuity for an existing road network, and
3. If the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.

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The procedure for the closing of a road now involves:



Road Status and Construction Declaration

There are two areas which require examination with regard to road status, dedication and construction.

Dedication

A Road Status Check has been completed which found the road reserve was declared as a Public Road under Council's control.

Accordingly, the road status outcome is that the subject road is a public road vested in Council.

Construction

Only constructed Council public roads remain owned by Council after closure. Unconstructed Council public roads become owned by the Crown upon closure (Section 38E(2) of the Act).

The dictionary of the Act does not define 'construction' in terms of Section 38E(2) of the Act. The Acts definition for 'road work' includes any kind of work on or in the vicinity to facilitate use of the road as a

ORDINARY MEETING

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road. The term construction is also used in the Act in reference to construction of conduits on public roads for utility services.

The subject portion of public road does not contain any utility services. The road has not been used as a public road and Council has not undertaken maintenance and repairs. However, due to the construction works undertaken by Redbank Communities in the road reserve area, these works satisfies the definition of 'construction'. Accordingly, the road will be vested in the Council after closure pursuant to Section 38E(2)(a) of the Act.

After the road closure plan is registered, given the matter is a land swap the usual process is for Council to close the road in exchange for the new road reserve which will also vest in Council. To progress the matter further, a resolution of Council is required to proceed with the road closure.

Once Council endorses the road closure, consultation will be carried out in accordance with the Act which includes inviting submissions from neighbouring owners, the public and prescribed authorities. If submissions are received the matter will be reported back to Council to consider any submissions received. If no submissions are received, Council staff would carry out the road closure process, then the matter would be reported back to Council to consider the transfer of the land to the applicant, as part of a land swap for the road reserve that has already been dedicated to Council.

DISCUSSION

Clause 126 of Development Consent 0498/18 required the Applicant to dedicate splay corners at all intersections to Council and Clause 138 required the Applicant to dedicate any roads or road widening to Council. This leaves the ownership of the road reserve with Council. If Council were not to proceed with the road closure process, the land would remain as road reserve noting the road closure plan (DP1290601), as the road closure process has not been completed. The road reserve would remain in Council's ownership for ongoing maintenance with the adjoining road reserve.

If Council does agree to the proposed road closure, the road reserve the misalignment resulting from the relocation of the footpath, would be rectified.

COMMUNITY ENGAGEMENT

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

Section 38B of the Act requires consultation to be carried out in order for Council to close a council public road. The consultation must notify the public of the proposal and call for submissions. In accordance with the Act, the following will be contacted:

- Newspaper advertisement
- Direct mailing to adjoining land owners
- Notification to prescribed authorities
- Notification to Department of Crown Lands

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CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.
- 1.5 Provide the right places and spaces to serve our community.

FINANCIAL IMPACT

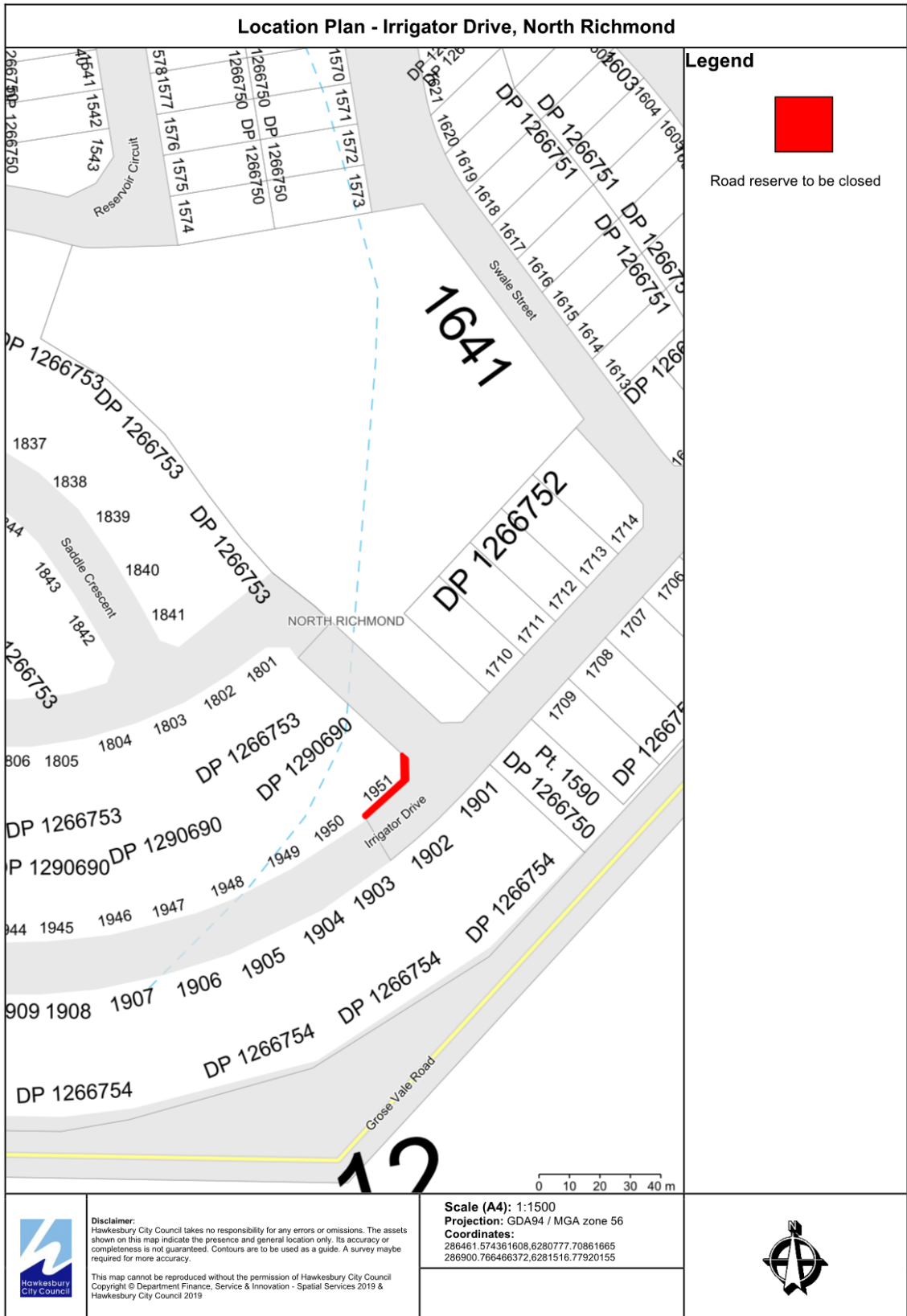
The matters raised in this report do not have direct financial implications. The expenditure applicable in regard to this matter will be borne by the Applicant.

ATTACHMENTS

- AT - 1** Attachment 1 - Location Plan Irrigator Drive, North Richmond.
- AT - 2** Attachment 2 - Road Closure Plan - Irrigator Drive, North Richmond.
- AT - 3** Attachment 3 - Deposited Plan 1266754.
- AT - 4** Attachment 4 - Deposited Plan 1290690.

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AT - 1 Location Plan Irrigator Drive, North Richmond



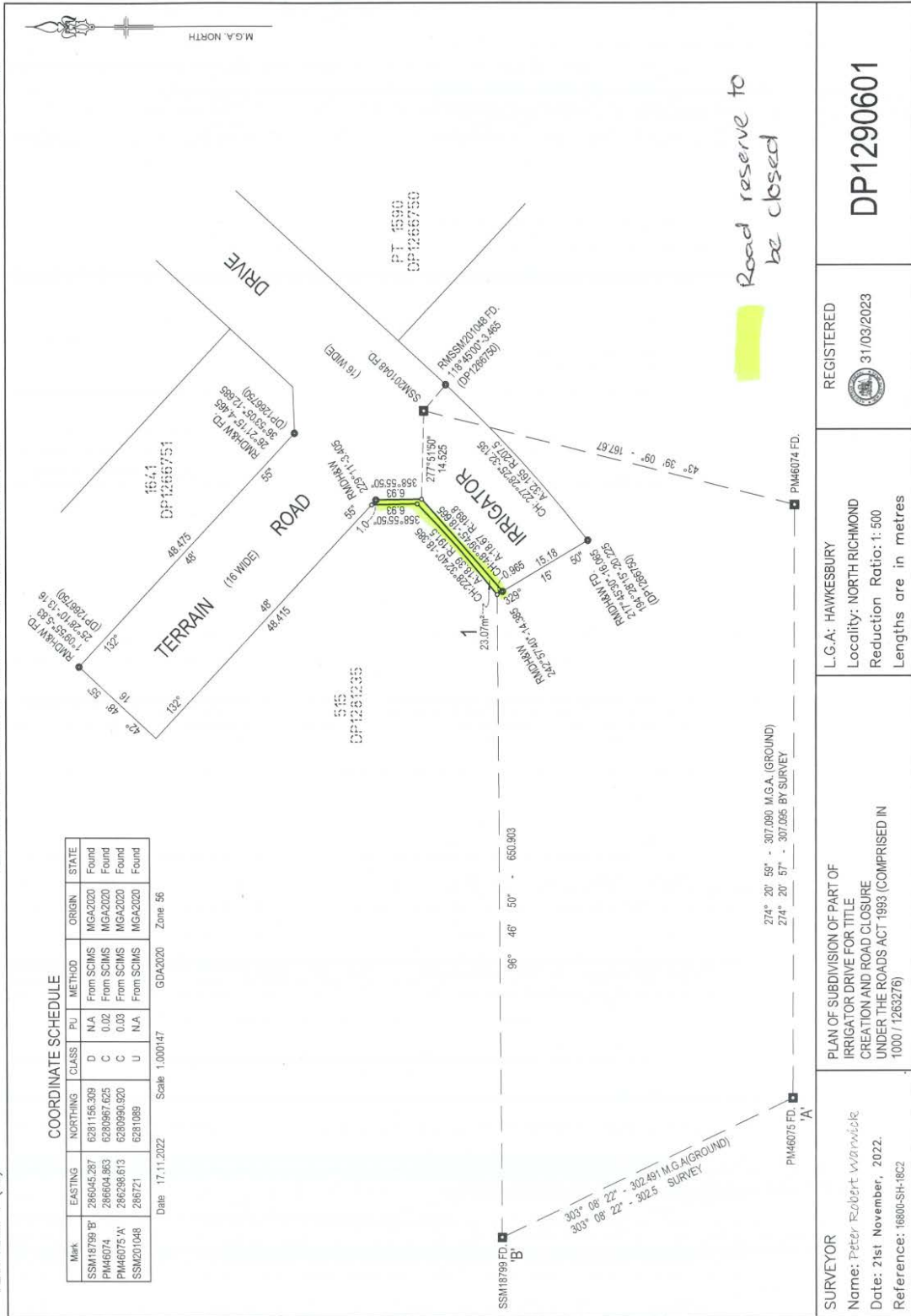
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AT - 2 Road Closure Plan - Irrigator Drive, North Richmond

Sheet 1 of 1 sheets

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PLAN FORM 1 (A3)



Road reserve to be closed

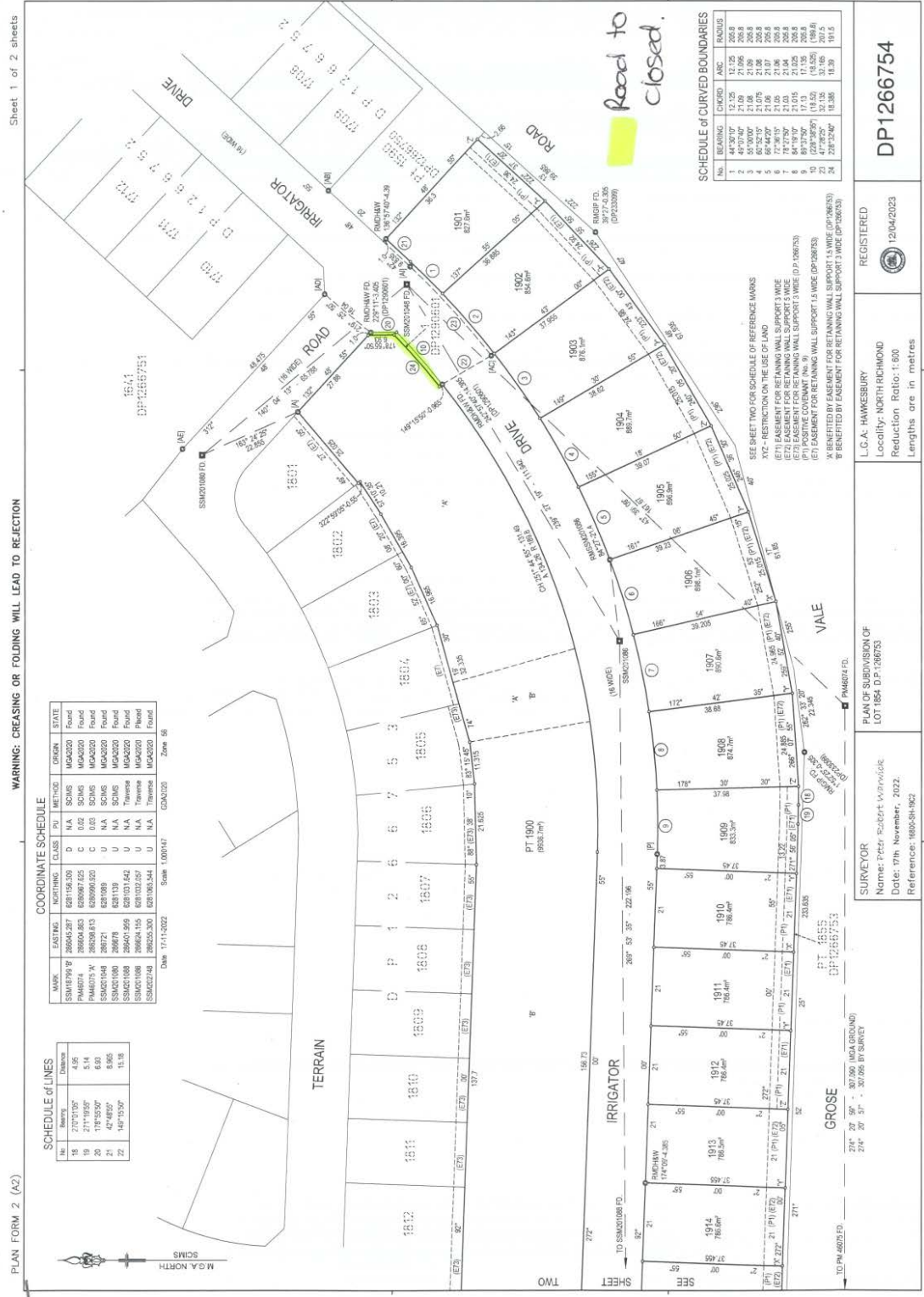
<p>SURVEYOR Name: Peter Robert Warrville Date: 21st November, 2022. Reference: 16800-SH-1822</p>	<p>PLAN OF SUBDIVISION OF PART OF IRRIGATOR DRIVE FOR TITLE CREATION AND ROAD CLOSURE UNDER THE ROADS ACT 1993 (COMPRISED IN 1000 / 1263276)</p>	<p>L.G.A.: HAWKESBURY Locality: NORTH RICHMOND Reduction Ratio: 1: 500 Lengths are in metres</p>	<p>REGISTERED 31/03/2023</p>
			DP1290601

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4. REPORTS FOR DETERMINATION

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AT - 3 Deposited Plan 1266754



Sheet 1 of 2 sheets

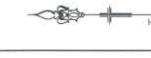
WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PLAN FORM 2 (A2)

MARK	EASTING	NORTHING	CLASS	TO	CLASS	STATE
SM401703	29044.297	628287.825	D	0.03	SCIMS	Found
PAM60154	28604.863	628287.825	C	0.03	SCIMS	Found
PAM60154	28604.813	628287.825	C	0.03	SCIMS	Found
SSM402100	28604.813	628287.825	U	N/A	SCIMS	Found
SSM402100	28604.813	628287.825	U	N/A	SCIMS	Found
SSM402100	28604.813	628287.825	U	N/A	Transverse	Found
SSM402100	28604.813	628287.825	U	N/A	Transverse	Found
SSM402100	28604.813	628287.825	U	N/A	Transverse	Found
SSM402100	28604.813	628287.825	U	N/A	Transverse	Found

Date: 1/11/2022 Scale: 1:50000

IN	Bearing	Distance
18	273°10'00"	4.56
19	271°19'50"	5.14
20	178°55'50"	4.60
21	87°00'00"	15.95
22	145°59'50"	15.95



No.	Bearing	Chords	ARC	RADIUS
1	44°30'00"	12.25	12.25	205.8
2	44°30'00"	21.06	21.06	205.8
3	55°00'00"	21.06	21.06	205.8
4	69°30'00"	21.06	21.06	205.8
5	77°30'00"	21.06	21.06	205.8
6	89°30'00"	21.06	21.06	205.8
7	90°00'00"	21.06	21.06	205.8
8	89°30'00"	21.06	21.06	205.8
9	89°30'00"	21.06	21.06	205.8
10	77°30'00"	21.06	21.06	205.8
11	69°30'00"	21.06	21.06	205.8
12	55°00'00"	21.06	21.06	205.8
13	44°30'00"	12.25	12.25	205.8

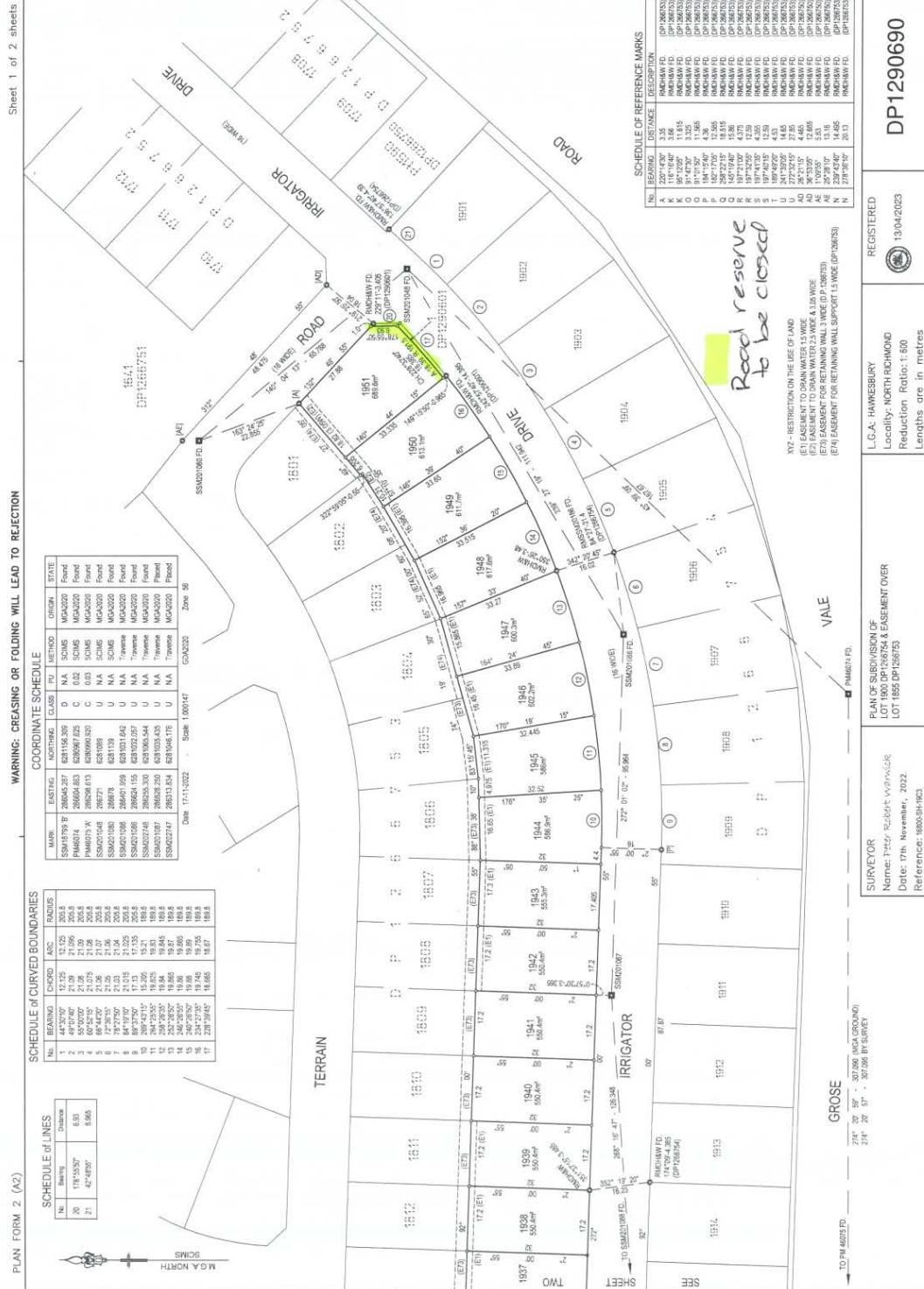
SEE SHEET TWO FOR SCHEDULE OF REFERENCE MARKS
 XY2 - RESTRICTION ON THE USE OF LAND
 (E7) EASEMENT FOR RETAINING WALL SUPPORT'S WIDE
 (E7) EASEMENT FOR RETAINING WALL SUPPORT'S WIDE
 (E7) POSITIVE COVENANT (No. 9)
 (E7) EASEMENT FOR RETAINING WALL SUPPORT'S WIDE (DP1266753)
 (E7) EASEMENT FOR RETAINING WALL SUPPORT'S WIDE (DP1266753)
 (E7) EASEMENT FOR RETAINING WALL SUPPORT'S WIDE (DP1266753)
 (E7) EASEMENT FOR RETAINING WALL SUPPORT'S WIDE (DP1266753)
 (E7) EASEMENT FOR RETAINING WALL SUPPORT'S WIDE (DP1266753)

SURVEYOR Name: Peter Robert Wipflinger Date: 17th November, 2022. Reference: 18005-SH-902	PLAN OF SUBDIVISION OF LOT 1854 DP1266753		REGISTERED 20/04/2023
			L.C.A.: HAKESBURY Locality: NORTH RICHMOND Reduction Ratio: 1:500 Lengths are in metres

REGISTRATION/DOCP1266754 2/ REV111-RPT-2023/NSW LRS (P11-13-REV-2021) 01105 / 06111 of 9
 A portion of the Registered-Document / Certificate / Registration for Total Instrument (No. Only)

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AT - 4 Deposited Plan 1290690



Sheet 1 of 2 sheets

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SCHEDULE OF CURVED BOUNDARIES

NO.	BEARING	RADIUS	ARC	START	END
1	188°00'00"	200.00	117.00	15030	15031
2	48°10'00"	200.00	117.00	15031	15032
3	85°00'00"	200.00	117.00	15032	15033
4	85°00'00"	200.00	117.00	15033	15034
5	85°00'00"	200.00	117.00	15034	15035
6	85°00'00"	200.00	117.00	15035	15036
7	85°00'00"	200.00	117.00	15036	15037
8	85°00'00"	200.00	117.00	15037	15038
9	85°00'00"	200.00	117.00	15038	15039
10	85°00'00"	200.00	117.00	15039	15040
11	85°00'00"	200.00	117.00	15040	15041
12	85°00'00"	200.00	117.00	15041	15042
13	85°00'00"	200.00	117.00	15042	15043
14	85°00'00"	200.00	117.00	15043	15044
15	85°00'00"	200.00	117.00	15044	15045
16	85°00'00"	200.00	117.00	15045	15046
17	85°00'00"	200.00	117.00	15046	15047
18	85°00'00"	200.00	117.00	15047	15048
19	85°00'00"	200.00	117.00	15048	15049
20	85°00'00"	200.00	117.00	15049	15050
21	85°00'00"	200.00	117.00	15050	15051
22	85°00'00"	200.00	117.00	15051	15052
23	85°00'00"	200.00	117.00	15052	15053
24	85°00'00"	200.00	117.00	15053	15054
25	85°00'00"	200.00	117.00	15054	15055
26	85°00'00"	200.00	117.00	15055	15056
27	85°00'00"	200.00	117.00	15056	15057
28	85°00'00"	200.00	117.00	15057	15058
29	85°00'00"	200.00	117.00	15058	15059
30	85°00'00"	200.00	117.00	15059	15060
31	85°00'00"	200.00	117.00	15060	15061
32	85°00'00"	200.00	117.00	15061	15062
33	85°00'00"	200.00	117.00	15062	15063
34	85°00'00"	200.00	117.00	15063	15064
35	85°00'00"	200.00	117.00	15064	15065
36	85°00'00"	200.00	117.00	15065	15066
37	85°00'00"	200.00	117.00	15066	15067
38	85°00'00"	200.00	117.00	15067	15068
39	85°00'00"	200.00	117.00	15068	15069
40	85°00'00"	200.00	117.00	15069	15070

SCHEDULE OF LINES

NO.	BEARING	DISTANCE
1	85°00'00"	117.00
2	85°00'00"	117.00
3	85°00'00"	117.00
4	85°00'00"	117.00
5	85°00'00"	117.00
6	85°00'00"	117.00
7	85°00'00"	117.00
8	85°00'00"	117.00
9	85°00'00"	117.00
10	85°00'00"	117.00
11	85°00'00"	117.00
12	85°00'00"	117.00
13	85°00'00"	117.00
14	85°00'00"	117.00
15	85°00'00"	117.00
16	85°00'00"	117.00
17	85°00'00"	117.00
18	85°00'00"	117.00
19	85°00'00"	117.00
20	85°00'00"	117.00
21	85°00'00"	117.00
22	85°00'00"	117.00
23	85°00'00"	117.00
24	85°00'00"	117.00
25	85°00'00"	117.00
26	85°00'00"	117.00
27	85°00'00"	117.00
28	85°00'00"	117.00
29	85°00'00"	117.00
30	85°00'00"	117.00

SCHEDULE OF REFERENCE MARKS

NO.	BEARING	DISTANCE	DESCRIPTION
1	85°00'00"	117.00	IRREGULAR
2	85°00'00"	117.00	IRREGULAR
3	85°00'00"	117.00	IRREGULAR
4	85°00'00"	117.00	IRREGULAR
5	85°00'00"	117.00	IRREGULAR
6	85°00'00"	117.00	IRREGULAR
7	85°00'00"	117.00	IRREGULAR
8	85°00'00"	117.00	IRREGULAR
9	85°00'00"	117.00	IRREGULAR
10	85°00'00"	117.00	IRREGULAR
11	85°00'00"	117.00	IRREGULAR
12	85°00'00"	117.00	IRREGULAR
13	85°00'00"	117.00	IRREGULAR
14	85°00'00"	117.00	IRREGULAR
15	85°00'00"	117.00	IRREGULAR
16	85°00'00"	117.00	IRREGULAR
17	85°00'00"	117.00	IRREGULAR
18	85°00'00"	117.00	IRREGULAR
19	85°00'00"	117.00	IRREGULAR
20	85°00'00"	117.00	IRREGULAR

PLAN FORM 2 (A2)

03/11/2023

<p>REGISTERED 13/04/2023</p> <p>L.G.A.: HAMMERSBURY Locality: NORTH RICHMOND Reduction Ratio: 1:500 Lengths are in metres</p>	<p>DP1290690</p> <p>PLAN OF SUBDIVISION OF LOT 1500 DP1290690 & EASEMENT OVER LOT 1505 DP1290690</p> <p>SURVEYOR Name: Tracy Robert Waples Date: 17th November, 2022 Reference: 1880-58-923</p>
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ooo END OF REPORT ooo

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 21 November 2023

4.4.6. CS - Proposed Sale of Part of 7 Fernadell Drive, Pitt Town (112106, 95496)

Previous Item: 251, Ordinary (30 October 2018)

Directorate: Corporate Services

PURPOSE OF THE REPORT

The purpose of this report is to seek Council's endorsement to sell part of Fernadell Park, 7 Fernadell Drive, Pitt Town, being Lot 1 in Deposited Plan 1291976 created from a subdivision of Lot 6028 in Deposited Plan 1169449, via public auction.

EXECUTIVE SUMMARY

Council at its meeting on 30 October 2018 resolved to prepare a Planning Proposal to rezone and reclassify part of Fernadell Park with the intention to sell the smaller parcel of Fernadell Park where the community centre was to be located. The Planning Proposal was approved with the LEP amendment gazetted on 15 December 2021. Subsequently, Council engaged a consultant to prepare the subdivision application, which is at subdivision certificate application stage. This report seeks Council's endorsement to proceed with the sale of the smaller parcel of Fernadell Park.

RECOMMENDATION

That:

1. Following the subdivision of Fernadell Park, 7 Fernadell Drive, Pitt Town the surplus land known as Lot 1 in Deposited Plan 1291976 be sold at Public Auction.
 2. The reserve price be set in accordance with current market valuation prepared by one of Council's Panel Valuers.
 3. The Seal of Council be affixed to the Contract for Sale and any other relevant documentation.
-

BACKGROUND

Council owns land known as Fernadell Park, located at 7 Fernadell Drive, Pitt Town (Lot 6028 in Deposited Plan 1169449). Fernadell Park consists of two parcels of land, bisected by Fernadell Drive; the larger parcel is 9.525 hectares and the smaller parcel is 4,299m². A location plan is attached as Attachment 1 to this report. When acquiring the land it was intended that the larger parcel of land shown in green on Attachment 1 ("Fernadell Park") be used for sporting purposes and the smaller parcel of land shown in orange on Attachment 1 ("Surplus Land") be used for a community centre. Since then Council considered consolidating the sporting amenities with the community building on the larger parcel of land shown in green on the location plan. This would allow for the smaller parcel to be sold and the sale proceeds used as a contingency for any additional expenditure required on the works to be carried out at Fernadell Park.

The surplus land was classified as 'community' land under the Local Government Act 1993. The disposal of such land is prohibited under Section 45 of the Local Government Act 1993. A reclassification of the surplus land to 'operational' land would be required for any sale to occur. Further, the land was zoned RU2 - Rural Landscape and the Fernadell Park parcel should have been zoned RE1 Public Recreation to align with its future use. To achieve these changes a Planning

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Proposal was required. Subsequently Council at its meeting on 30 October 2018 considered a report regarding the preparation of a Planning Proposal to reclassify and rezone part of Fernadell Park. At that meeting, Council resolved as follows:

"That Council:

1. *Approve the preparation of a planning proposal to:
 - a) *Rezone Fernadell Park - the proposed Pitt Town Community Precinct site (Lot 6028 DP 1169449) from RU2 – Rural Landscape to RE1 – Public Recreation to enable the construction of a multi-function community, recreational and sporting facility.*
 - b) *Reclassify the 4,299m2 Community Centre Site on Fernadell Drive from Community Land to Operational Land under the Local Government Act, 1993, and amend the minimum lot size map to accommodate a lot this size*
 - c) *Maintain the current RU2 – Rural Landscape zone for the Community Centre Site.**
2. *Include within the proposed update of the Section 94 Contributions Plan 2015, a provision to delete the requirement for Council to retain the 4,299m2 Community Centre Site on the corner of Fernadell Drive for a public amenity purpose.*
3. *Commence the preparation of a Master Plan and Plan of Management for the Pitt Town Community Precinct on Fernadell Park fronting Stables Street.*
4. *Further consult with the Pitt Town Progress Association to develop and implement a community engagement strategy to inform residents and seek their views on the development of the Pitt Town Community Precinct on Fernadell Park fronting Stables Street.*
5. *Note the \$4M grant application under the NSW Greater Sydney Sports Facility Fund seeking additional external investment for the Pitt Town Community Centre.*
6. *Specifically consult with residents opposite and adjacent to the proposed Pitt Town Community Precinct site.*
7. *Consult with the entire Pitt Town community to ascertain the best use of the 4,299m2 Community Centre site on Fernadell Drive."*

The Planning Proposal was lodged with Council on 29 April 2019 and reported to the Hawkesbury Local Planning Panel on 21 November 2019. On 5 August 2020, the Department of Planning gave approval for the Planning Proposal to be publicly exhibited. The public exhibition occurred between 28 May and 25 June 2021 and a public hearing was held on 25 June 2021. The Planning Proposal was reported to the Council Meeting on 14 September 2021 to seek endorsement to submit the Planning Proposal to the Department of Planning. Council resolved to note the outcome of the community consultation and submit the Planning Proposal to through to Gateway. The Planning Proposal was approved with the LEP amendment gazetted on 15 December 2021.

Council staff then sought quotations to engage a consultant to prepare and lodge a subdivision application. Attachment 2 to this report is a copy of the Plan of Subdivision, showing in yellow the land proposed to be sold. McKinlay Morgan and Associates were successful and lodged the subdivision application on 30 May 2022. The development application was reported to the Hawkesbury Local Planning Panel on 17 November 2022 with the development application approved on 17 November

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2022. McKinlay Morgan and Associates received the subdivision certificate on 16 October 2023 and will attend to the registration of the Subdivision Plan.

In regard to Part 2 of the above resolution, the review of the Pitt Town Section 7.11 Contributions Plan has commenced and is anticipated to be presented to Council mid to late next year.

In regard to Parts 3, 4, 6 and 7 of the above resolution, Council staff undertook community consultation of the best use of the community centre during the two public exhibition periods of the Fernadell Park Masterplan. The public consultation took place in August 2021 and with amended plans between 2 May 2022 and 12 June 2022. The outcomes of the community consultation were reported to Council at its meeting on 11 October 2022, where Council resolved to:

1. Categorise Fernadell Park as Sportsground, Park and General Community Use; and
2. Adopt the Draft Fernadell Park Masterplan and Plan of Management with minor amendments.

In regard to Part 5 of the above resolution, Council has been successful in being granted \$4.8 million in funding from WestInvest for works identified in the Fernadell Park Masterplan. This is in addition to the \$3.3 million from the NSW Greater Sydney Sports Facility Fund.

DISCUSSION

After the subdivision has been completed, it is proposed to sell Lot 1 in Deposited Plan 1291976 created from the subdivision of Lot 6028 in Deposited Plan 1169449, via public auction, in accordance with Council's Property Management Policy. A copy of the Council Report from 30 October 2018 is attached as Attachment 3 to this report. Confidential Attachment 4 provides Councillors with property market details for the potential sale.

Council has also been successful in receiving a grant from the WestInvest Fund to carry out works identified in the Masterplan for Fernadell Park. The sale proceeds from the sale of the land will be held in the internally restricted Property Reserve and used as contingency monies for any over expenditure of the Fernadell Park Masterplan works. Any surplus funds after all works are completed in Fernadell Park could then be used for future property investment.

If the sale is approved by Council, staff will seek quotations from Real Estate Agents to sell the property, in accordance with Council's procurement guidelines. The Agent would carry out an appropriate marketing campaign and engage a Licensed Auctioneer to perform the auction. The reserve price would be established in accordance with Council's Property Management Policy.

Should Council not proceed with the sale, the future use of the site would need to be reconsidered in accordance with Council's Property Strategy during an annual property review.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.5 Provide the right places and spaces to serve our community.

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Reliable Council

4.3 Build strong financial sustainability for now and future generations.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The income applicable is not provided for in the Adopted 2023/2024 Operational Plan and will need to be addressed as part of a future Quarterly Budget Review. The proceeds of sale will be held in the internally restricted Property Reserve and used as contingency monies for any over expenditure of the Fernadell Park Masterplan works. Any surplus funds after all works are completed in Fernadell Park could then be used for future property investment.

ATTACHMENTS

AT - 1 Location Plan - Fernadell Park.

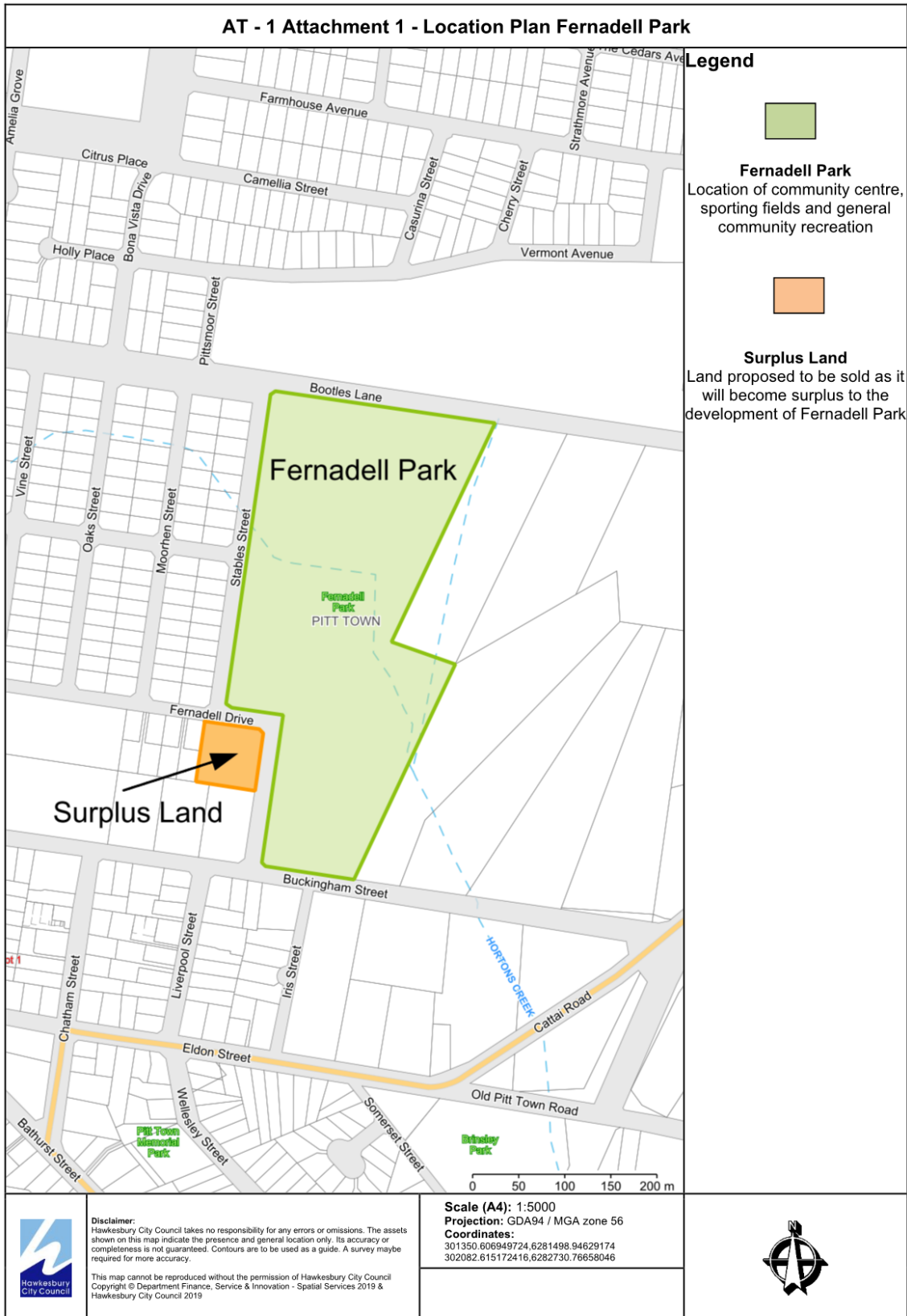
AT - 2 Plan of Subdivision at Fernadell Park.

AT - 3 Council Report of 30 October 2018.

AT - 4 Comparable sales information – Confidential - *(Distributed under separate cover - Councillors Only)*.

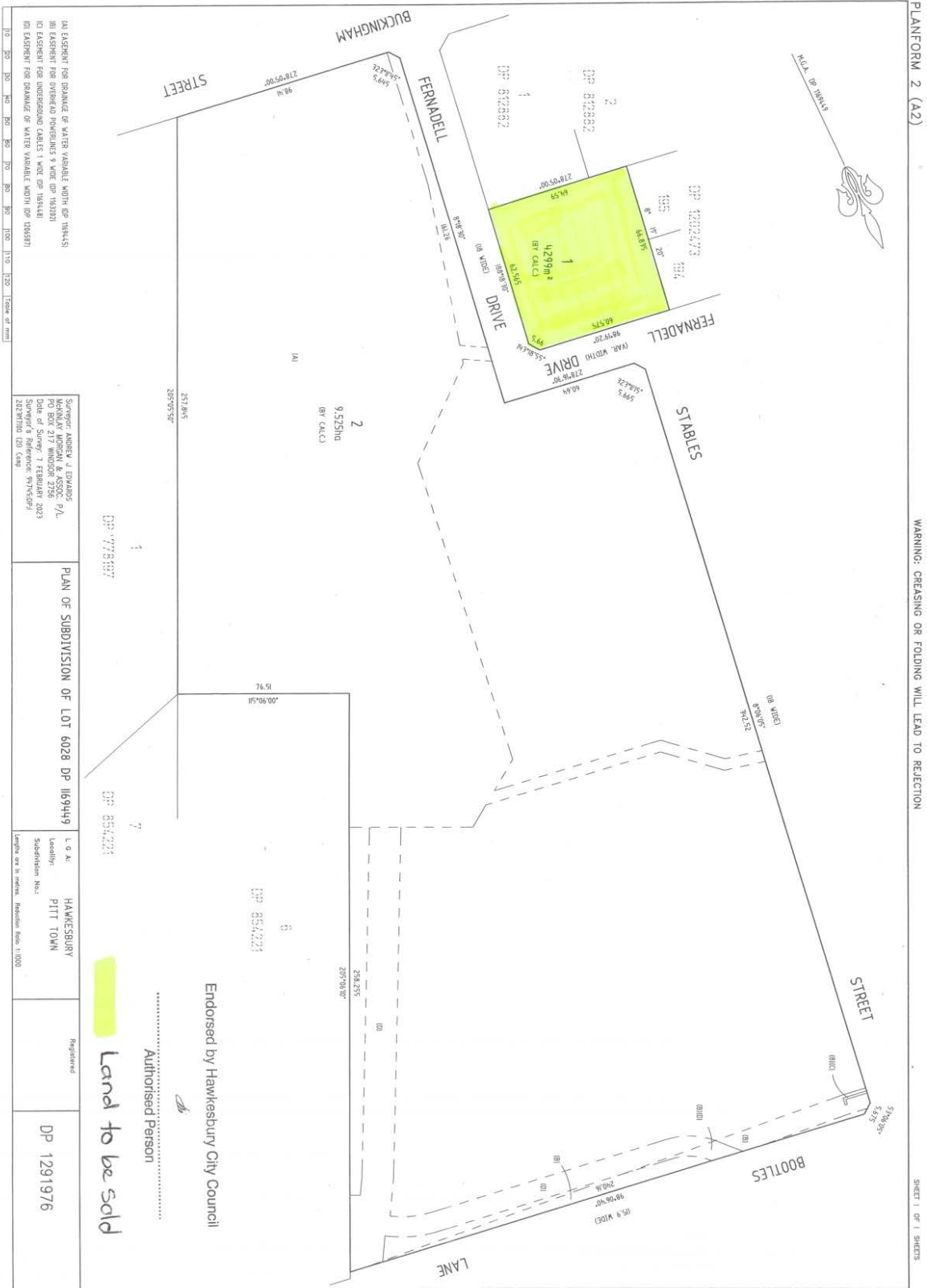
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AT - 1 Location Plan Fernadell Park



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AT - 2 Plan of Subdivision at Fernadell Park



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AT - 3 Council Report of 30 October 2018

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PLANNING DECISIONS

Item: 251 CP - Pitt Town Community Precinct - (95498, 96328)

Division: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to inform Council of preliminary consultations for the Pitt Town Community Precinct, and to seek Council approval for the preparation of a planning proposal to facilitate the development of the Community Precinct.

EXECUTIVE SUMMARY:

The Hawkesbury Section 94 (now known as Section 7.11) Contributions Plan 2015 includes provision for the construction of community facilities, recreational buildings and park improvements within the Pitt Town Release Area.

Council has acquired 9.95 hectares of land on Fernadell Drive for this purpose and this site is referred to in this report as the Pitt Town Community Precinct. The Precinct is made up of two sections of land divided by Fernadell Drive refer to (Figure 1). A 4,299m² section of land to the west of Fernadell Drive has been identified as the site for a proposed community centre, with the balance of 9.5 hectares to the east and north of Fernadell Drive, identified as the site for a recreation and sporting facilities and referred to as Fernadell Park.

Council has commenced consultation with residents of Pitt Town on the development of concept plans for the Precinct. During these preliminary discussions, the option of constructing a single multi-function community, recreation and sporting facility was canvassed and provisionally endorsed. Under this option, the 4,299m² community centre site would no longer be required for public amenity purposes and could potentially be sold with sale proceeds reinvested in additional community facilities for the Pitt Town community. This report outlines the process that would be required to be implemented should Council resolve to proceed down this path.

The report also identifies a need for Council to prepare a planning proposal to rezone the Pitt Town Community Precinct from its current RU2 – Rural Landscape zone to a RE1 – Public Recreation zone. The rezoning is required as the current RU2 zone does not permit the construction of a community or recreation facility. The report outlines the zoning history of the site.

The report notes that the requirement for the rezoning is not anticipated to be an impediment to progressing the planning and proposed development of the Pitt Town Community Precinct to advance the timely delivery of community facilities for residents of Pitt Town. To this end, the report also proposes that Council commence the preparation of a comprehensive Master Plan, and details Plan of Management, for the Precinct to be informed by extensive community consultation.

RECOMMENDATION SUMMARY:

The report recommends:

- That Council commence the preparation of a planning proposal to rezone land for the Pitt Town Community Precinct to enable the construction of the community facilities.

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- The reclassification of the previously proposed community centre site from Community Land to Operational Land under the Local Government Act, 1993, to facilitate its future sale for the purpose of raising revenue for the Pitt Town community.
- That Council commence the preparation of a comprehensive Master Plan and Plan of Management for the Precinct.

REPORT:

The Hawkesbury Section 94 Contributions Plan 2015

The Hawkesbury Section 94 Contributions Plan 2015 includes provision for land acquisition for community facilities, recreational buildings and park improvements within the Pitt Town Release Area.

The schedule of land acquisition for the Pitt Town Release Area includes a 9.95 hectare parcel of land (Lot 6028 DP 1169449) set aside for Fernadell Park and the proposed Pitt Town Community Centre.

The land parcel is divided by Fernadell Drive with the 4,299m² community centre site lying to the west of Fernadell Drive as shown in Figure 1. This land parcel is currently zoned RU2 – Rural Landscape and is classified as Community Land under the Local Government Act, 1993. In 2015, Council acquired the lot that makes up the proposed community centre site and Fernadell Park at a cost of \$5.78M.

The Hawkesbury Section 94 Contributions Plan 2015 also includes an allocation of \$3.1M for the construction of a community centre and \$4.4M for the development of Fernadell Park. The total contribution to be collected for these community facilities is \$7.5M. As at 30 June 2018, Council has collected \$3.95M of this total contribution and these funds are held within the Section 94 Reserve.

Council is currently in the process of reviewing and updating The Hawkesbury Section 94 Contributions Plan 2015 for a report to Council to seek approval for the public exhibition of the updated Plan.



Figure 1 : Location of land parcels acquired for recreational and community facilities Pitt Town Release Area (Pitt Town Community Precinct)

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Planning for the Pitt Town Community Precinct

In June 2018, as part of its 'Connecting with our Community' town meetings, Council gave an undertaking to consult with the residents of Pitt Town on the development of concept plans for the Pitt Town Community Centre and Fernadell Park (the Pitt Town Community Precinct). Council has allocated \$100,000 in the 2018/2019 Operational Plan to facilitate this process.

In September 2018, Council staff met with representatives of the Pitt Town Progress Association to commence the community engagement process. The Association provided Council with a summary of design suggestions and expectations collected from residents for community facilities in Pitt Town (Attachment 1). At this meeting, Council tabled a preliminary concept design for Fernadell Park noting that the plan was intended to provide a starting point for the development of a more detailed Master Plan for Fernadell Park, which would be subject to community consultation. The draft concept plan was based on Council's *Regional Open Space Planning and Design Guidelines* for a district level parkland and sporting facility.

During these discussions, the option of combining the Section 94 funds available for community facilities, recreational facilities and park improvements was canvassed with the intention of constructing a single multi-function centre to be located on Fernadell Park. Council was advised that this option was one that had been previously canvassed by the Pitt Town Progress Association.

As part of this option, the 4,299m² community centre site would no longer be required for public amenity purposes and could potentially be sold in the future with the sale proceeds reinvested in community facilities within the Pitt Town Release Area. Council has obtained legal advice indicating that this course of action would be possible subject to Council meeting the relevant provisions of the Environmental Planning and Assessment Act, 1979 and the Local Government Act, 1993, as covered later in this report.

The Pitt Town Progress Association supported this proposal but requested that if possible consideration should be given to using the community centre site for a senior's housing development.

The Association also expressed a strong preference for the timely delivery of the planned community facilities for Pitt Town. It was agreed that a further meeting with the Association would be held following Council's determination regarding the proposal for an integrated, multi-functional community precinct model to enable Council staff and the Association to develop a community engagement plan to inform residents and seek their views on the development of the Pitt Town Community Precinct.

The Association also endorsed Council's proposed application under the NSW Greater Sydney Sports Facility Fund for a \$4M additional funding contribution towards the Pitt Town Community Precinct which, if successful, would expand the proposed scope of works for the Precinct.

Requirement for Rezoning

As shown in [Figure 2](#), Fernadell Park incorporating the adjoining community centre site is currently zoned RU2 – Rural Landscape. The RU2 zoning was established in 2012 following the conversion of the 1989 Hawkesbury Local Environment Plan (HLEP) into the current 2012 HLEP.

Under the HLEP 1989, the land was zoned EPA - Environmental Protection – Agricultural Protection (Scenic). This EPA zoning was one of only 3 of the 21 zones in the HLEP 1989 where a community or recreational facility was not permissible. The conversion of the 1989 EPA zone into the 2012 RU2 zone retained this prohibition.

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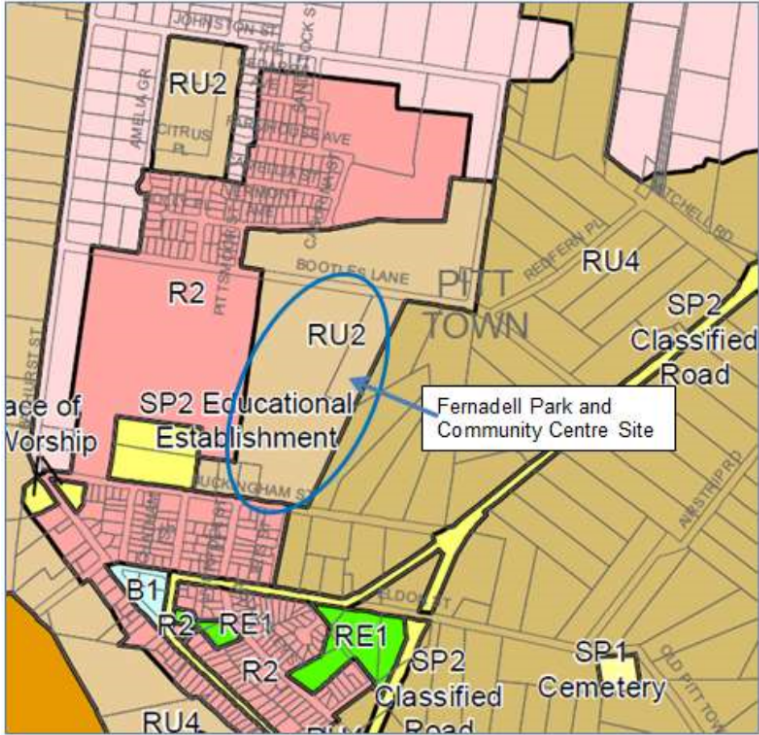


Figure 2: Map - Land Zonings Pitt Town

<p>Land Use Table: RU2 Zone</p> <p><u>Permitted without consent</u></p> <p>Bed and breakfast accommodation; Environmental protection works; Extensive agriculture; Home occupations</p> <p><u>Permitted with consent</u></p> <p>Agriculture; Animal boarding or training establishments; Boat sheds; Building identification signs; Business identification signs; Cemeteries; Charter and tourism boating facilities; Crematoria; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Funeral homes; Helipads; Home-based child care; Home industries; Jetties; Landscaping material supplies; Moorings; Places of public worship; Plant nurseries; Recreation areas; Restaurants or cafes; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Water recreation structures; Water storage facilities</p> <p><u>Prohibited</u></p> <p>Any development not specified above.</p>

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The particulars of permitted developments under the RU2 Rural Landscape zones are summarised below.

Despite the clear intent of the Section 94 Plan, the land has retained the elements of its previous pre-2012 zoning under which a community or recreational facility is a prohibited development. This anomaly was not picked up during the conversion of the 1989 HLEP into the 2012 HLEP.

Advice from the Manager Strategic Planning indicates that under the current RU2 zoning, it will not be possible for Council to construct a community or recreational facility on the land that Council has acquired for this purpose. Therefore, a planning proposal to rezone the land from RU2 – Rural Landscape to RE1 - Public Recreation will need to be prepared to facilitate the timely development of the Pitt Town Community Precinct.

The planning proposal would be reported to the Hawkesbury Local Planning Panel for advice prior to being reported to Council in order to seek approval to submit the planning proposal to the Department of Planning and Environment for a Gateway determination.

Reclassification and Development of Community Centre Site

Should Council determine to proceed with the proposal for an integrated, multi-functional community precinct model, then, as outlined above, the community centre site would no longer be required for a public amenity purpose and could be sold with sale proceeds reinvested in community facilities for Pitt Town. Based on legal advice this would require:

1. the preparation of an amended Section 94 (now Section 7.11) Development Contribution Plan as provided for under Clause 32 of the Environment and Planning Assessment Regulation 2000, which would effectively delete the requirement for Council to retain the community centre site for a public amenity purpose. The amended Plan would be reported to Council and placed on public exhibition. Council is currently in the process of updating the Section 94 Contributions Plan 2015, and the amendment to the Plan, as outlined above, could be dealt with as part of that process;
2. the inclusion within the proposed rezoning planning proposal of a provision to reclassify the 4,299m² community centre site from Community Land to Operational Land and amend the minimum lot size map to accommodate a lot of this size;
3. a public hearing into the proposed reclassification of the community centre site as required under Sections 29 and 47G of the Local Government Act, 1993;
4. a rezoning to facilitate the future development of the community centre site. Based on advice from the Manager Strategic Planning it is proposed that the community centre should retain its current RU2 zoning. Due to unresolved flood evacuation issues, it is unlikely that approval would be granted to amend the RU2 zone to a residential or other zone to permit the intensification of development outcomes for the site beyond a single residential dwelling (assuming that a low-impact, residential type development would be community's and Council's preferred permissible development outcome).

Progressing Planning for the Pitt Town Community Precinct

The requirement for the rezoning will not necessarily be an impediment to progressing the planning and proposed development of the Pitt Town Community Precinct to advance the timely delivery of community facilities for residents of Pitt Town as advocated by the Pitt Town Progress Association.

Council has set aside \$100,000 in the 2018/2019 Operational Plan to prepare initial concept plans for the Pitt Town Community Precinct. It is proposed that these funds be supplemented through a quarterly review budget adjustment to draw down additional available funds from the Pitt Town Section 94 Reserve to facilitate the preparation of a more comprehensive Master Plan and detailed Plan of Management for the Precinct informed by extensive community consultation.

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These documents would be required to be prepared prior to the construction of any proposed facility. Their preparation will provide the opportunity for residents to meaningfully participate in the planning and design of their community precinct.

While a community or recreational facility cannot be commenced before the proposed rezoning, the RU2 Zone does permit the development of a 'recreation area' which is defined as:

"a place used for outdoor recreation that is normally open to the public, and includes:

- (a) a children's playground, or*
- (b) an area used for community sporting activities, or*
- (c) a public park, reserve or garden or the like, and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor)."*

Council could therefore reasonably commence the staged implementation of the Master Plan should the Plan be complete before the rezoning planning proposal is finalised. The current RU2 zone would permit the landscaping, sporting fields, park amenities, and playground elements of the Master Plan to be delivered.

In addition, the preparation and lodgment of a Development Application for the multi- function community/recreational facility component of the Master Plan could be commenced once Council has approved a rezoning planning proposal for submission to the Department of Planning and Environment for a Gateway determination.

Policy considerations

Council should have regard to the relevant provisions of the Environmental Planning and Assessment Act, 1979 and the Local Government Act, 1993, in determining its position in relation to the proposals outlined in this report. The report recommendations are consistent with the legal advice Council has received about its obligations in relation to these matters.

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. The report outlines a number of statutory processes which carry with them a requirement for community notification, consultation and public hearings as well as broader community consultation requirements for the preparation of plans for the design of community facilities.

Preliminary consultation has been undertaken with the Pitt Town Progress Association and it is proposed that following Council's determination of the matters in this report, that further meetings be held with the Association to develop and implement a community engagement strategy to inform residents and seek their views on the development of the Pitt Town Community Precinct.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Community

2.3 Community partnerships continue to evolve

- 2.3.1 Encourage and facilitate community partnerships.
- 2.3.2 Support and expand active volunteering.
- 2.3.3 Advocate and facilitate constructive and productive partnerships with residents, community groups and institutions.

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- 2.3.4 Develop opportunities for active involvement of residents in the management of parks and public spaces in the Hawkesbury.
- 2.4 Community wellbeing and local services
 - 2.4.1 Work in partnership with government and community organisations to improve services and facilities for disadvantaged and vulnerable groups, and to build stronger and more cohesive communities.
 - 2.4.2 Provide flexible services that can adapt to changing community needs and service demands.
- 2.5. Cultural Development and Heritage
 - 2.5.1 Encourage and support all residents to participate in all aspects of community, cultural and civic life.
 - 2.5.2 Provide community and cultural services through a range of affordable and accessible facilities.
 - 2.5.3 Recognise, conserve and promote the area's history and heritage for current and future generations.

Discussion

The allocation of funding for the construction of the Pitt Town Community Precinct provides an opportunity for Council to work with residents and community agencies to design and plan for facilities to increase the provision of services and facilities for the community.

Council has commenced consultation with representatives from the Pitt Town community who have expressed a desire to work closely with Council to bring about the timely delivery of contemporary and quality community facilities to meet the current and projected needs of the community. The proposals outlined in this report speak to that aim. They reflect the documented ideas and expectations of residents as provided to Council, and are consistent with legal advice that Council has received.

Financial Implications

The matters raised in this report have direct financial implications. The report recommends the preparation of a planning proposal to rezone the land, and a comprehensive Master Plan for the Pitt Town Community Precinct including a related Plan of Management. Funding of \$100,000 has been allocated in the 2018/2019 Operational Plan to progress planning for the Precinct. It is likely that these funds will be insufficient to cover the additional requirements outlined in this report and the increased expenditure will need to be addressed as part of a Quarterly Budget Review. However, the additional funding required can be drawn down from the relevant Pitt Town Section 94 Reserve and will not materially impact on Council's 2018/2019 budgetary position.

The report also notes that Council is seeking additional external investment for the Pitt Town Community Precinct by way of a \$4M grant application under the NSW Greater Sydney Sports Facility Fund which will augment the available Section 94 funds for this project.

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 benchmarks. The proposal has no resourcing implications outside of Council's adopted Long Term Financial Plan and will enable Council to sustainably manage community assets in accordance with the scheduled program of works in the Long Term Financial Plan.

The proposal to construct a single, multi-function centre in Fernadell Park, rather than two buildings in close proximity to each other has the capacity to generate operational and asset maintenance efficiencies over the long term. The proposed sale of the community centre site will also generate additional one-off revenue for reinvestment in community facilities for the benefit of the residents of Pitt Town. These outcomes are consistent with Council's Fit for the Future Strategy.

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Planning Decision

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

Conclusion

The report highlights a number of planning issues that will need to be resolved to progress the planning for the Pitt Town Community Precinct and the timely delivery of community facilities. The proposal to commence a comprehensive Master-planning process will also support the active participation of the residents of Pitt Town in this process. The report also canvasses options which would deliver additional community facilities for the benefit of residents. These outcomes are consistent with a number of strategies within the Hawkesbury Community Strategic Plan 2017-2036.

RECOMMENDATION:

That Council:

1. Approve the preparation of a planning proposal to rezone the Pitt Town Community Precinct site (Lot 6028 DP 1169449) from RU2 – Rural Landscape to RE1 – Public Recreation to enable the construction of a multi-function community, recreational and sporting facility.
2. Include within the planning proposal the provision to reclassify the 4,299m² community centre site on Fernadell Drive from Community Land to Operational Land under the Local Government Act, 1993, and amend the minimum lot size map to accommodate a lot this size.
3. Include within the planning proposal the provision to retain the current RU2 – Rural Landscape zone for the community centre site.
4. Include within the proposed update of the Section 94 Contributions Plan 2015, a provision to delete the requirement for Council to retain the 4,299m² community centre site on Fernadell Drive for a public amenity purpose.
5. Commence the preparation of a Master Plan and Plan of Management for the Pitt Town Community Precinct.
6. Further consult with the Pitt Town Progress Association to develop and implement a community engagement strategy to inform residents and seek their views on the development of the Pitt Town Community Precinct.
7. Note the \$4M grant application under the NSW Greater Sydney Sports Facility Fund seeking additional external investment for the Pitt Town Community Centre.

ATTACHMENTS:

- AT - 1** Pitt Town Community Centre proposed design elements and facilities - Pitt Town Progress Association Inc. 25 August 2018.

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AT - 1 Pitt Town Community Centre Proposed Design Elements and Facilities - Pitt Town Progress Association Inc. 25 August 2018.

Pitt Town Progress Association Inc.
Pitt Town Community Centre

Updated 25/8/2018

Background

A community centre at Pitt Town was included as part of the original development plans around 2005. Since then approximately 1,000 new families have moved to the area with an equivalent number of land purchasers contributing to facilities and infrastructure via various levies and developer contributions. Residents have waited far too long for delivery of infrastructure and community facilities. They have a reasonable expectation for the speedy delivery of a quality community centre that meets the current and projected needs and wants of the community.

The following details come from the Hawkesbury City Council Section 94 Contributions Plan 2015:

3.1.7 Community facilities

Future development in the Pitt Town Catchment will generate the need for a new local community facility.

A 4,299m² site to the north of the Pitt Town Public School will accommodate the facility. The location of the proposed facility is shown in Figure 7.

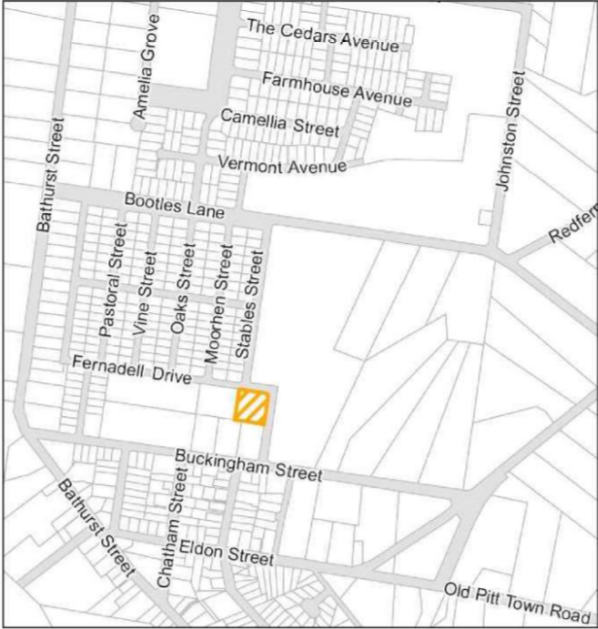


Figure 7 Location of proposed local community facility

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Since the Pitt Town Catchment contributions scheme first commenced in 2005, Council has applied a standard of 0.3 square metres per resident in order to provide for the baseline community facility needs of the future population of the area.

Hence, based on an assumed additional 2,864 persons, the community facility will have an area of not less than 859m². The likely design of this new community facility will be a multi-purpose building that will enable use by different age groups at different times for different purposes.

The anticipated cost of this facility was assessed in the initial contributions scheme in November 2005 as \$1,685,250. However, that assessment was carried out when the anticipated future net additional population for Pitt Town Catchment was 2,020 persons (i.e. a 606m² centre). For the population of Pitt Town Catchment now envisaged (i.e. 2,864 persons) a larger centre is proposed.

A breakdown of the adjusted costs for this facility is shown in Table 6.

Table 6 Community facility costs

Item (for a 606m ² facility)	Estimated Value of Works (Nov 2005)
Construction costs	\$1,200,000
Carpark (50 spaces and lighting)	\$80,000
Landscaping	\$80,000
Application fees and administration costs	\$87,000
Architectural services	\$15,000
Site safety and building security	\$28,000
Utilities	\$45,000
Fit-out	\$70,000
Contingencies (5%)	\$80,250
TOTAL	\$1,685,250
TOTAL (CPI updated for March 2008)	\$1,811,644
ADJUSTED TOTAL FOR A 859m² FACILITY	\$2,567,990
TOTAL (CPI updated for December 2014)	\$3,037,224

The contribution formula for local community facilities in Pitt Town Catchment can be expressed as:

$$\text{Contribution per lot} = (\text{CCf} / \text{T}) + \text{A}$$

Where CCf = the cost of community facilities, in dollars T = the number of additional lots (i.e. 895)

A = Administration cost (\$40 per lot as at November 2005 and adjusted using Sydney CPI)

The contribution rate per lot at January 2015 is shown in the table in Appendix A.

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The following ideas, suggestions and expectations have come from Pitt Town residents:

General guidelines for design and construction

- Initial site preparation should include retaining walls on the eastern and northern boundaries to provide the largest, level, usable area possible. Council should have required the developer to do this before handing over the land to council.
- The building design should be in keeping with the style and quality of homes in the area, i.e. high quality, modern and attractive.
- Construction should be functional, sturdy, quality materials and aesthetically pleasing.
- Design could reflect the historic aspects of Pitt Town and the future direction of the community.
- Design and building materials should be "low maintenance" and avoid external surfaces that attract birds or other vermin.
- Large capacity rainwater collection & use in landscaping watering
- Large capacity solar electrical system
- Separate air conditioning (heating and cooling) systems for different areas

Range of uses the community foresee

- Community meetings, social events, entertainment functions, private functions, dinners, dances, parties, presentations, play groups, children's activities, dance classes, exercise groups, talent quests etc.
- The community centre could be a business hub and cater for business meetings, conferences / gatherings, small offices where people can work. It could cater for people who are working from home who may need somewhere to meet clients or work in peace and quiet for a day here and there.
- It should be a place where people can network and gather.
- Emergency accommodation during major flood event.

Facilities to be included

- Main function room (with stage area?), sound, lighting etc. accommodate at least 100 seated
- Smaller function room to accommodate 40 seated
- Meeting room to accommodate 12
- Storage for tables & chairs suitably stored and convenient to area of use
- Casual meeting areas / lounge areas would be important.
- Include an entry area with the facility to display items, such as the honour rolls, the history of our community up until present time, etc.
- Should include a covered alfresco area including BBQ facilities on the eastern side outside the main hall that takes advantage of the views over Fernadell Park (which should be suitably landscaped as part of its development).
- Possible inclusion of a café as in Glenwood Community Hub
- Suitable furniture – tables & chairs, that are practical, sturdy, light and functional
- Kitchen facilities – commercial grade

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SECTION 3 – Reports for Determination

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- Toilets, including disabled and baby changing facilities (mothers' room). Include shower facilities for emergency use during a major flood event.
- NBN connectivity is important for conference and general office facilities.
- Pin pad for entry and exit - specific code given to each user on application that can then be linked to an invoicing system based on number of hours of use?
- Online booking system for use of facilities, details of which are posted on website and suitable social media page.
- Business "Smart Hub" with small single or shared office space.
- Secure storage room for valuable equipment
- Secure, children's play area
- Good quality AV system
- Internet (NBN) and Wi-Fi facilities
- Off-street parking for at least 50 vehicles
- Landscaping
- Security system including CCTV
- Quality design and construction
- Purpose designed space for play groups including an outdoor area
- Administration office
- Cleaners' cupboard for storage

Information about other community centres within the Hawkesbury can be found by following this link: <http://www.hawkesbury.nsw.gov.au/search/HCC-Search-Results?q=community%20centre>

Management and Organisation

- A management committee made up of community members under the authority of HCC, such as a "section 355 committee".
- Constitution or Statute document clearly stating rules and guidelines for ongoing use, management, maintenance and future development
- Financial management and budget for ongoing expenses, repairs & maintenance and security.
- Possibly a paid caretaker and or office person for administration.

oooO END OF REPORT Ooo

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**AT - 4 Comparable sales information – Confidential - (Distributed under separate cover -
Councillors Only)**

REASON FOR CONFIDENTIALITY

This attachment 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 disposal of property 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 Council is conducting (or purposes to conduct) business card, 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.

oooO END OF REPORT Oooo

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4.5. INFRASTRUCTURE SERVICES

4.5.1. IS - Francis and West Market Street Traffic Calming Project - (95495, 82045)

Previous Item: 4.1.2, Ordinary (10 October 2023)

Directorate: Infrastructure Services

PURPOSE OF THE REPORT

The purpose of this report is to respond to the resolution from Council's Ordinary Meeting of 10 October 2023, as follows:

Item 4.1.2 regarding Proposed Traffic Calming Road Safety Treatments along Francis Street, Richmond be referred to a Councillor Briefing Session and then reported back to a Council Meeting

This report provides background information to Council on various matters relating to the Francis and West Market Streets Blackspot Project, identified at Council's Ordinary Meeting of 10 October 2023. The matters raised relate to:

1. How the project was identified and by which organisation
2. The consultation process that was followed
3. Absence of formal response to written correspondence from residents
4. The painting of the western splitter island for the roundabout on Francis and West Market Streets
5. Lighting and the impacts new lighting would be expected to have on residents, and
6. Access/egress to 111 Francis Street haven't been addressed.

The project has been fully funded out of the Australian Government's Blackspot funding program, provided by the NSW/Australian Government.

EXECUTIVE SUMMARY

Francis Street, Richmond was identified by Council Officers as one of a number of blackspot cluster locations within the Hawkesbury Local Government Area, utilising available crash history from the preceding five years. Council Officers regularly review crash history data to identify new or emerging blackspots, as part of the overall management of the local and regional road network.

Based on the existing funding criteria, this location, the length of Francis Street between Bosworth Street and East Market Street, qualified as an eligible Blackspot for a funding application.

Following Council's design and consultation process, the project was tendered for construction and a contract for the works was awarded and entered into. The project was put to the Local Traffic Committee (LTC) meeting of 11 September 2023 and the LTC endorsed the technical merits of the project, including swept path analysis for both traffic travelling along the network and access/egress for private properties within the footprint of the roundabout project.

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RECOMMENDATION

That the provision of traffic safety and traffic calming treatments which include Speed Humps (Watts Profiles), Speed Cushions, Pedestrian Refuges and a Single Lane Roundabout, with associated linemarking, signage and lighting, to improve the safety and functionality along Francis Street, Richmond between Onus Lane and Toxana Street, Richmond be undertaken, as endorsed by the Hawkesbury Local Traffic Committee at its meeting of 11 September 2023.

BACKGROUND

The Blackspot Program funding process requires demonstration of optimum treatment options to address those historical crashes by either reducing the potential severity of future crashes, or substantially reducing the risk of crashes altogether. In this particular case, the treatment options had to address the cluster of crashes along the length of Francis Street.

Details of various treatment options were covered in the LTC Report (Attachment 1) with the most effective and appropriate option a combination of speed cushions/speed humps and for the intersection of Francis St & West Market St, a roundabout. The effectiveness of the proposed treatment is demonstrated and confirmed with the 2.92 achieved Benefit Cost Ratio (BCR) for the overall treatments as shown in table 1 below.

Table 1 – Safer Roads Program Management System

	Meets Program Reactive Project Criteria	Benefit Cost Ratio (BCR)	Total Discounted Benefits (\$)	Total Discounted Cost(\$)	Net Present Value (\$)	Road Safety Impact Index (Fatalities and Serious Injuries prevented for the project life)	Sensitivity Index (50% BCR + 50% RSII)	Safety Performance Index (Fatalities and Serious Injuries prevented per 100M spent)
Australian Government Black Spot	Yes	2.92	\$1,855,260	\$636,435	\$1,218,825	5.37	4.14	35.77
State Black Spot	Yes	2.92	\$1,855,260	\$636,435	\$1,218,825	5.37	4.14	35.77
Safer Local Government Roads	Yes	2.92	\$1,855,260	\$636,435	\$1,218,825	5.37	4.14	35.77
High Risk Curves	No	0.00	\$0	\$636,435	-\$636,435	0.00	0.00	0.00
Fatigue	Yes	2.14	\$1,364,388	\$636,435	\$727,953	3.75	2.95	25.01
Intersections	No	1.52	\$964,818	\$636,435	\$328,382	2.67	2.10	17.83
High Pedestrian Activity Area (HPAA)	No	0.00	\$0	\$636,435	-\$636,435	0.00	0.00	0.00
Motorcyclists	No	0.00	\$0	\$636,435	-\$636,435	0.00	0.00	0.00
Cyclists	No	0.00	\$0	\$636,435	-\$636,435	0.00	0.00	0.00
Fatal and Serious Injury Crash Response	Yes	2.92	\$1,855,260	\$636,435	\$1,218,825	5.37	4.14	35.77
Vehicle Activated Signs (VAS)	No	0.00	\$0	\$636,435	-\$636,435	0.00	0.00	0.00
Route Safety Reviews	No	0.00	\$0	\$636,435	-\$636,435	0.00	0.00	0.00
Aboriginal Communities	No	0.00	\$0	\$636,435	-\$636,435	0.00	0.00	0.00
Targeted Road Safety	No	0.00	\$0	\$636,435	-\$636,435	0.00	0.00	0.00
School Zone Infrastructure	No	0.00	\$0	\$636,435	-\$636,435	0.00	0.00	0.00
Federal Stimulus	Yes	2.92	\$1,855,260	\$636,435	\$1,218,825	5.37	4.14	35.77

Projects qualifying for this funding program are assessed against the Federal criteria by a NSW Panel comprising of professionals from various stakeholders including Transport for New South Wales.

On this occasion, the proposed treatments for Francis Street including associated intersections of Bosworth Street, West Market Street and East Market Street qualified for funding, as detailed in the LTC Report. Accordingly, the project was listed to be carried out and included in Council's Capital Works Program. Council has no control on the timing of the Government Funding programs and can only commence engaging with stakeholders on receipt of a written confirmation of successful grant

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funding. Receipt of the funding confirmation does not always coincide with the development of the Operational Plan and must often be added to the Capital Works Program and hence the Operational Plan following its adoption.

During the assessment, it was determined that the location was eligible to be funded from the following programs:

- Australian Government Black Spot Program
- State Black Spot
- Safer Local Government Road

On this occasion, it was funded under the Australian Government Black Spot Program.

As a fully funded project under the Australian Government Black Spot Program, the community will benefit from preventing fatal and/or serious injury crashes occurring along Francis Street as evidenced by the "Road Safety Impact Index" in Table 1.

DISCUSSION

Splitter Island

A question regarding the painting of the western splitter island for the roundabout on Francis and West Market Streets was raised at the Council Meeting on 10 October 2023.

There was no commitment from staff to paint the western splitter island on Francis Street. To do so would undermine one of the key ways a roundabout operates to slow traffic: deflection. A painted splitter island would allow vehicles to travel through the roundabout without having to deflect and thus without having to slow down.

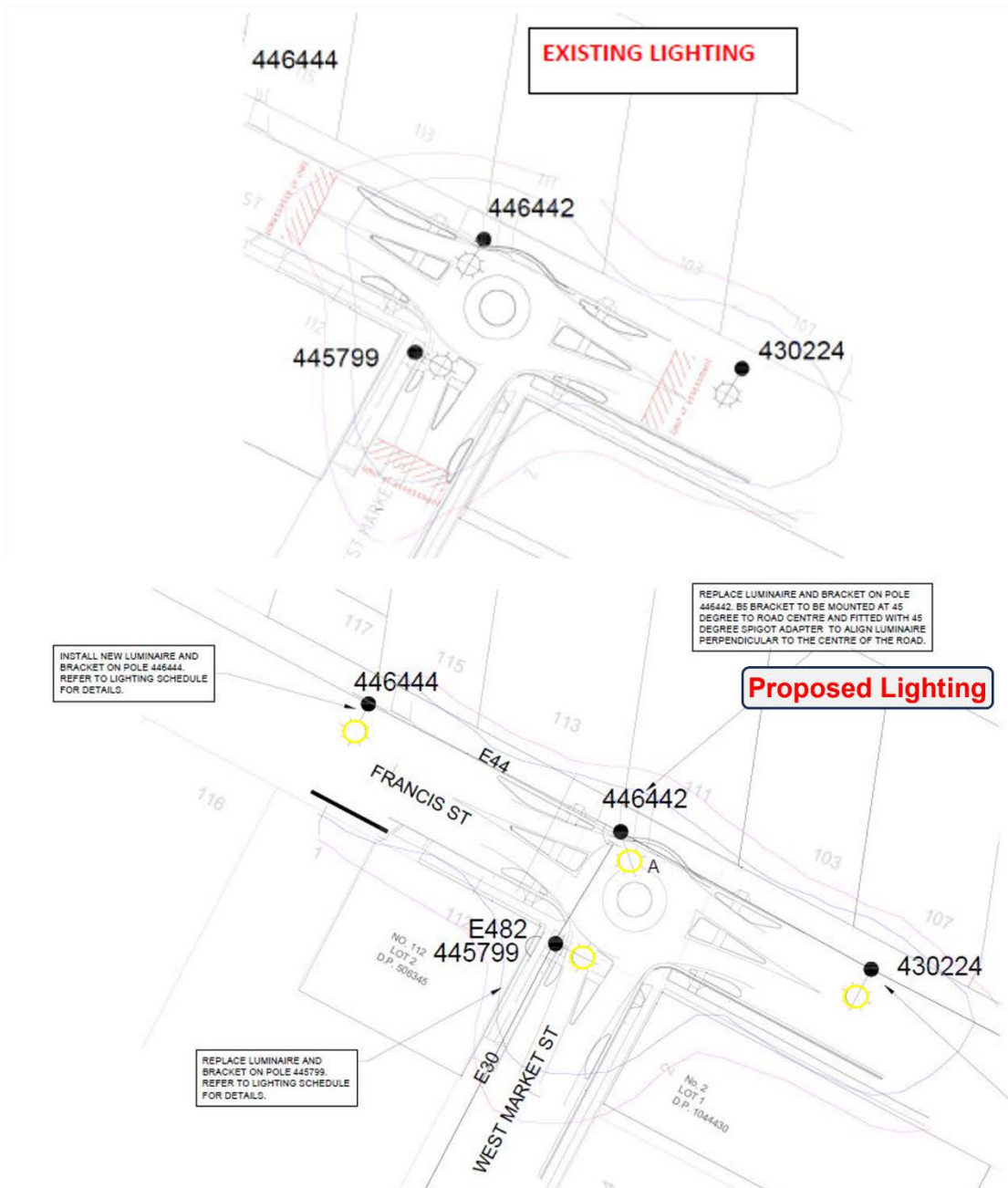
It is possible that there may have been some misunderstanding in relation to which traffic island was to be painted. Council's Officers clarified that the replacement of part of the kerb blister island with white painted island would occur, but not the splitter traffic island in the western approach.

The Design Team engaged the services of an Independent Road Safety Auditor to review the design and make some practical recommendations if required. Details of the recommendations made by the Road Safety Auditor were incorporated into the final design.

Lighting Design

The extent of illumination is as shown in Figure 1 below in the lighting design plan and ranges from 4.6m to 6m from the property boundary. The spill lighting has improved slightly with the proposed installation of LED lighting. No changes to poles are proposed; the new design involves updated lanterns with new brackets and will achieve a better outcome with the desired lux for the new traffic facilities.

Figure 1 – Lighting Design Plan



Access and Egress

As detailed in the LTC Report the access related concerns raised by the property owners of No. 111 and No. 113 Francis Street have been addressed as follows:

- The driveways are to be widened to further enhance and improve access and egress to these properties.
- Raised blister island (near the kerb) is being changed to painted type to further enhance access and egress.

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- All swept path to both No. 111 and No. 113 checked and confirm to be satisfactory.
- The swept path for a heavy vehicle (19m articulated) along Francis Street, checked and confirmed to be satisfactory in both directions.

Council's Officers have used the vehicle turning path simulation software and presented it to the LTC for their review and recommendation. Project staff also met with property owner to discuss the matter further once the LTC Report had been passed. A drawing with access/egress turning paths was presented at this meeting.

COMMUNITY ENGAGEMENT

The process of consultation undertaken on this project by the design team commenced in November 2022. Prior to undertaking field work for the detail topographical survey, a consultation letter was delivered to residents in Francis Street and West Market Street respectively.

Following the completion of detailed design, consultation was undertaken with Council's Heritage Officer and the Deerubbin Council as stipulated in the Review of Environmental Factors (REF) document.

Face to face site meetings were carried out by the project team with adjacent property owners in the first half of 2023, where detailed design plans were discussed. Subsequently, a site meeting was arranged with property owners for further clarification on the impact of some traffic facilities forming part of the project.

The roundabout proposal was audited by an external Road Safety Auditor and some aspects of the design were amended to comply with comments expressed in the road safety audit report. All relevant concerns raised by residents were covered in the scope of engagement of the Road Safety Auditor, with reviewed comments incorporated into the subsequent final design.

There is a limited opportunity available to promote any typical Black Spot Project due to a tight timeline available to deliver the project from when a written notification is received from the Grant Authority to when the project is expected to be completed. Council is not able to contact residents about any potential projects until we are advised of being successful in securing a grant to carry out the project.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.

Strong Economy

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

Reliable Council

- 4.1 Provide representative, responsive and accountable governance.
- 4.3 Build strong financial sustainability for now and future generations.
- 4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

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FINANCIAL IMPACT

The project is fully funded by the Australian Government through the Black Spot Program.

Council successfully tendered the works and a contract is in place. There may be undesirable financial impacts if the project is further delayed or abandoned. It is not possible to quantify the quantum of this at this time.

ATTACHMENTS

AT - 1 Local Traffic Committee Report - (*Distributed under separate cover*).

oooO END OF REPORT Oooo

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4. REPORTS FOR DETERMINATION

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4.5.2. IS – Quarterly Capital Projects Update Report - (95495)

Previous Item: 4.5.1., Ordinary (18 April 2023)

Directorate: Infrastructure Service

PURPOSE OF THE REPORT

The purpose of this report is to respond to Council's resolution at its Ordinary Meeting of 18 April 2023 to provide a quarterly status update on Council Capital Projects. This report is intended to increase the level of transparency and accountability in delivery of Council's Capital Works Program.

Capital projects included in this report for the 2023/2024 Financial Year period are managed through the Infrastructure Recovery (Flood Recovery Team), Project Delivery and WestInvest teams and have been limited to at risk, complex projects as defined by Council's Project Management Framework.

The report outlines overall project status, considers risks for Grant Funded projects, authorities' approvals and planning approvals that may hinder or alter the commencement of any given project.

EXECUTIVE SUMMARY

This report details matters of scope, progress, time and budget for major capital projects, defined as "Complex" projects within Council's Project Management Framework. Additionally, this report includes the minutes of the WestInvest Executive Steering Committee meetings that occurred within the reporting period.

By introducing this more frequent reporting, Council seeks to increase the level of accountability to its community and the level of transparency over the progress of its more significant capital projects.

RECOMMENDATION

That the Quarter 1 2023/2024 Financial Year Capital Projects Report be received and noted.

BACKGROUND

At the Council meeting on 18 April 2023, Council resolved;

“Receive a major capital project update report, on a quarterly frequency, outlining the key elements of scope, progress, time and budget.”

This is the first Capital Projects Report compiled for the purpose of reporting to Council on the progress of major Capital projects.

Council has historically relied upon the Annual Report to communicate progress on and achievement of major capital projects. The annual report is a key element of the Integrated Planning and Report Framework and an important document to communicate to the community the achievements of Council over the previous reporting period. However, being annual and generally released some months after the reporting date, it doesn't meet the need to provide frequent and timely updates on how Council is progressing with major capital projects, particularly those which have a high interest and high impact on our community.

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Historically, Council has undertaken approximately \$20 million to \$25 million worth of capital projects annually and these have, in turn, generally been focused on projects which are renewal in nature - the reconstruction of a road, or refurbishment of a Council community building for example, or where they are for new projects, they have been minor in nature, such as a new footpath.

In recent years, and particularly with the increased level of grant funding, this value has increased substantially, however the majority of our projects, by number, remain relatively small, lack the complexity and impact of those larger projects funded by WestInvest and similar programs and accordingly are of relatively low interest to the broader community. This lower level of interest to the broader community has to be balanced against the increased demand on resourcing that providing additional reporting has, considering that project specific communication is also distributed to communities within the immediate vicinity of a particular project and general project updates occur throughout the year via Council's usual communication channels.

DISCUSSION

The purpose of this report is to increase the level of transparency and accountability in delivery of Council's Capital Works Program. This must be balanced with respect to the competing demands that increased reporting places on the organisation. It is not intended that every capital project be included in reports; an appropriate level of discrimination must be applied to ensure that a focus is maintained on those projects which are of both a high interest and a high impact to the broader community and that the costs of increased reporting do not outweigh the benefits that lesser projects seek to deliver to the community.

Whilst it is clear with the WestInvest portfolio of projects that each project would be incorporated into the major capital project report, it is less so with the more routine projects that Council ordinarily delivers. To achieve this balance, the 14 highest ranked projects, by complexity and/or risk, have been included in this report, and commentary has been provided at an Asset Program level for the remainder of the Capital Works Program.

PROJECT DELIVERY

Capital Works Program Status Summary

Projects in Council's Capital Works Program are progressing through various project stages as outlined in the tables below: Table 1 – *FY23/24 Capital Projects Budget For Assets Category* outlines the overall budget for all project categories and Table 2 – *Project Stage & Status* provides an overview of the current status of all capital projects and associated costs.

Buildings

2023/2024 Building Budget is approximately \$7.6M from the reporting period Quarter 1 which consists of minor and major project upgrades. Recently completed projects include:

- Stage 1 Administration Building Upgrade – Refurbishment and services upgrade,
- Hawkesbury Leisure and Learning Centre Car Park upgrade,
- Freemans Reach Amenities,
- Wilberforce Shopping Centre Outdoor Seating Upgrade.

Currently in design is \$1.7M of building projects planned for upcoming delivery, subject to planning approvals.

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Projects in construction:

- St Albans School of Arts,
- Johnson Wing Compliance Upgrade and
- Other miscellaneous building upgrades.

Hawkesbury Fire Control Centre

Council, in partnership with the NSW Government, is in the process of developing the new Hawkesbury Fire Control Centre, to replace the Macquarie Road, Wilberforce Centre.

Due to the serious and irreversible impacts of the proposed development on critically endangered species, the Ironbark Drive site was determined to no longer be a feasible site for the new Hawkesbury Fire Control Centre.

Further investigations are underway to assess the feasibility of an alternative site.

Wilberforce Rural Fire Brigade Station

Planning work for the relocation of the Wilberforce Brigade Station to the Council's Wilberforce Depot site has continued. The location, within the site, for the Station has been adjusted to minimise construction costs for which Council was responsible for funding, with the new location being at the western end of the site, adjacent to Putty Road. This has resulted in delays to the project of approximately 6 months.

Initial site investigations including ecology, bushfire impact analysis and site survey have been completed, with work underway to finalise the detailed design.

Upper Hawkesbury Power Boat Club

The detailed design for the Club house is at 95% and anticipated to be finalised in the upcoming quarter. Upon the completion of the detailed design, a pre-tender estimate by a qualified quantity surveyor will be completed prior to procurement being undertaken, to confirm budget.

The riverbank repair works (included in the Community and Local Infrastructure Repair Program, below) must be completed prior to construction commencing the rebuild of the Club house.

Open Space

2023/2024 Open Space Budget is approximately \$10.5M.

Recently completed projects include:

- Church Street Irrigation Upgrade,
- Ivy Park Stages 1 and 2.

Notable projects in design include:

- Macquarie Park Upgrade,
- Freemans Reach Playground,

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- Peel Park, North Richmond and Colonial Reserve, Bligh Park Pump tracks, (only design in 2023/2024)
- Yarramundi Reserve Upgrade, and
- Minor Furniture Upgrade Program.

Community and Local Infrastructure Repair Program (CLIRP)

The deeds for the CLIRP funding were received from the NSW Government and duly executed in September 2023. With the confirmation of funding through the executed deeds, finalisation of the embankment projects is now being undertaken for:

- Argyle Bailey Memorial Reserve,
- Howe Park Bank Stabilisation (2),
- Rickaby's Creek Pedestrian Bridge Repairs,
- Churchills Wharf Reserve, and
- Governor Phillip Park (2) Embankment Stabilisation.

The design of the embankments is expected to be completed by March 2023 and in construction before 2024/2025 financial year.

The procurement process has commenced for Rickaby's Creek Bridge Repair project and construction is expected to commence early 2023.

Roads

2023/2024 Roads (Footpath, Drainage, K&G and miscellaneous civil works) Budget is approximately \$36.2M, projects completed in reporting period Q1 totalling \$3M with \$9.2M in construction projected to be completed in Quarter 2. Currently \$14.8M worth of capital projects are in design for 2023/2024 and 2024/2025 future projects, in addition there is currently a reseal program and projects in procurement.

Recently completed projects include:

- Install intersection island-Oakville Rd, Oakville
- Roundabout-George and Brabyn St, Windsor
- East Kurrajong Road, East Kurrajong
- James Meehan Street, Windsor
- St Albans Rd-Flex Barrier and Variable Message Signs (VMS), St Albans
- Various Locations Kerb and Gutter across LGA
- Macquarie and Day Streets Intersection, Windsor
- Rehabilitate Old Stock Road, Oakville

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- Slopes Road, North Richmond

Projects in Construction:

- Crooked Lane, North Richmond
- Kurmond Road, Kurmond
- Grose Vale Road, Kurrajong
- Spinks Road, Easterly from Boomerang Drive, Glossodia
- Dickson Lane, South Windsor
- Scheyville Road, Maraylya
- Grose Vale Road, North Richmond
- Ian Street, Glossodia - Upgrade drainage system
- Maddens Road, North Richmond
- Windsor Street, Windsor
- Peel Parade, Kurrajong
- Comleroy Road, Kurrajong
- Railway Road South, Mulgrave
- Grose Vale Road, Kurrajong
- Mitchell Street, Glossodia
- Hereford Street Drainage, Hobartville
- Blaxlands Ridge Road, Kurrajong
- Mayne Street, Wilberforce

Hawkesbury Waste Management Facility and Sewage Scheme

Cell 6 Waste Facility Separable Portion 1, the construction of Cell 6, has been completed and Separable portion 2, design and construct leachate and recycling water pipelines has commenced.

Recently completed projects include:

- Cell 6 – Construction of Waste Facility Separable Portion 1 - construction of new landfill cell

In Construction:

- Cell 6, Separable Portion 2 – Design and Construction of Leachate line

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Procurement

- Nutrient Offset – South Windsor Ultrafiltration Upgrade

Stormwater

Sections of drainage have been identified for future upgrade and are being reviewed for design completion.

Projects in design:

- Airstrip Road, Pitt Town Drainage
- Avondale Road, Pitt Town Drainage
- Reedy Road, Cattai Drainage
- Coromandel Road, Ebenezer Drainage

Table 1 – FY23/24 Capital Projects Budget For Assets Category

Asset Category	2023/2024 Capital Budget (incl. Carryovers)
Buildings	\$7,654,767
Open Space	\$11,736,296
Roads	\$36,802,974
Sewer	\$12,947,301
Stormwater	\$947,324
Grand Total	\$70,088,663

Table 2 – Project Stage and Status

Project Stage	2023/2024 Capital Budget (incl. Carryovers)
Authorisation	\$7,454,567
Design	\$35,521,207
Procurement	\$8,326,679
Construction	\$15,454,470
Complete	\$3,331,740
Grand Total	\$70,088,663

WESTINVEST

The Council resolution made at the 18 April 2023 meeting also requires the minutes of the Executive Steering Committee to be attached to this report, as the formal feedback loop to Councillors on the program governance and assurance process.

The minutes from the:

- 28 June 2023

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- 26 July 2023, and
- 25 October 2023

Executive Steering Committee meetings are attached to this report.

Program Status Summary

The WestInvest Program for Hawkesbury City Council comprises ten projects, all of which have received approval from the WestInvest Program Office (WIPO). The grant application process has been successfully finalised for eight out of the ten projects. As for the remaining two projects, the North Richmond Community Precinct and Richmond Pool, WIPO anticipate the finalisation of funding deeds in November 2023.

The project team has been assembled, and they are currently in the planning phase, which includes establishing the Program Management Approach, Consultation Plans, and Governance structure. The project team is now initiating their interaction with the principal consultants for investigation and design.

Table 3 - WestInvest Financial Summary

Project	Total Project Value
Fernadell Park and Community Facility, Pitt Town	\$9,870,793.78
Woodbury Reserve Upgrade	\$9,316,136.40
Kurrajong to Kurmond Cycleway	\$5,219,367.00
Wayfinding	\$2,445,400.00
Tamplin Field Redevelopment	\$9,795,000.00
Oasis Aquatic and Fitness Centre	\$6,716,000.00
Richmond Swimming Centre	\$30,319,853.00
North Richmond Library	\$26,770,000.00
Rickabys Creek Cycleway	\$4,695,810.00
Turnbull Oval	\$8,545,000.00
Total	\$ 113,693,360.18

Project Status Summary

North Richmond Community Precinct

Council has received and signed the Funding Deed, and it is now pending execution by the WestInvest Program Office (WIPO). Once the executed deed is received from WIPO, the project team will be able to initiate the procurement process for Design Architects and Consultants.

A Project Control Group, consisting of representatives from each Branch of Council which has an interest in the project, has been established for the purpose of providing input into the design process and monitoring the project delivery.

Oasis Aquatic and Fitness Centre

The executed funding deeds have been received from WIPO, and the detailed design is currently in progress. The procurement process for the pool engineering works is ongoing, and it is expected to be ready for tender in November 2023.

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A Project Control Group, consisting of representatives from each Branch of Council which has an interest in the project, has been established, for the purpose of providing input into the design process and monitoring the project delivery. A technical working group has also been established to examine technical matters common to both aquatics projects.

Richmond Swimming Pool Redevelopment

Council has received and signed the Funding Deed, and it is now pending execution by the WestInvest Program Office (WIPO).

Upon receiving the executed deed from WIPO, we will initiate the procurement process for Design Architects and Consultants.

A Project Control Group, consisting of representatives from each Branch of Council which has an interest in the project, has been established, for the purpose of providing input into the design process and monitoring the project delivery. A technical working group has also been established to examine technical matters common to both aquatics projects.

Fernadell Park and Community Centre, Pitt Town

The executed funding deeds have been received from WIPO.

The landscape designer is currently at the 50% design stage, while the Community Centre project has recently commenced its design phase.

Consultation has commenced on the Community Centre and final review and consultation for the draft Concept plan commences this month.

Early works has commenced on the stormwater design and investigation clearing which will be incorporated into the final design.

Tamplin Field Redevelopment

The executed funding deeds have been received from WIPO.

With the deeds recently received, the Consultation plan has commenced development and consultation will follow upon its completion.

Preliminary activities are underway including a site survey and procurement of lead architect and consultants.

This project has been incorporated into the Recreation Project Control Group, established for the purpose of providing input into the design process and monitoring the project delivery.

Turnbull Oval

The deeds have been received and are fully executed by WIPO.

Preliminary activities are underway including a site survey and procurement of lead architect and consultants.

Consultation is planned to commence in December with the Sports Council and key stakeholders for the requirements of the grandstand and amenities.

This project has been incorporated into the Recreation Project Control Group, established for the purpose of providing input into the design process and monitoring the project delivery.

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Woodbury Reserve Upgrade

The deeds have been received and are fully executed by WIPO.

Procurement of the BMX Pump Track and Mountain Bike Trails has been completed. The BMX Pump Track project has been awarded, with construction anticipated to commence in late January 2024. The Mountain Bike Trails will be reviewed following completion of the Review of Environmental Factors (REF), and the final scope will be determined.

The concept plan for the precinct works, utilising the recently adopted Masterplan, is in development, and the RFQ for the skate park will be initiated within this next quarterly reporting period.

This project has been incorporated into the Recreation Project Control Group, established for the purpose of providing input into the design process and monitoring the project delivery.

Wayfinding Signage Stage 3

The deeds have been received and are fully executed by WIPO, and the design process is currently in progress for the gateway signs and associated locations.

Construction is anticipated to commence in February 2023.

Cycleway Bridge over Rickaby's Creek

The deeds have been received and are fully executed by WIPO.

The project team are now in the process of initiating the procurement of a lead engineer and associated consultants.

This project has been incorporated into the Active Transport Project Control Group, established for the purpose of providing input into the design process and monitoring the project delivery.

Kurrajong to Kurmond Cycleway

The deeds have been received and are fully executed by WIPO.

The engineering survey has progressed with 80% completed. The procurement process for a lead architect and consultants is now commencing.

This project has been incorporated into the Active Transport Project Control Group, established for the purpose of providing input into the design process and monitoring the project delivery.

INFRASTRUCTURE RECOVERY

Program Status Summary

The Infrastructure Recovery Team is responsible for essential public asset reconstruction works that are being funded by the Disaster Recovery Funding Arrangements provided by the State and Commonwealth Governments.

To date, 37 projects with a total value of \$41M have been completed. A total \$115M of funding has been approved for sealed roads and landslip repairs with \$54M still to be submitted for final approval by Transport for NSW. With over 65% of the damage now either completed, in design/procurement or in construction, Council has a much greater degree of certainty over the total estimated damage bill, which has been revised to approximately \$180M.

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4. REPORTS FOR DETERMINATION

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Table 4 - Infrastructure Recovery Financial Summary - Essential Public Asset Restorations

Status	\$'000,000
Funding Awaiting Approval	54
Funding Approved	115
Completed	41
In Design and Procurement	39
In Construction	35
Total	169

Thomas James Bridge

Thomas James Bridge, its approaches on Settlers Road and the adjacent rock face were seriously damaged during the March 2022 flood, and again during the July 2022 flood events. The road serves as a critical link for residents of the Macdonald Valley south to the rest of Sydney. It is also the oldest in-use mainland bridge, built by convict labour circa 1830, and as such is an important heritage item that is worth preserving.

Commencing 18 September 2023, the contractor is well underway with debris clearing from the major landslip along with preparing the site behind the Thomas James Bridge for an access road and temporary bridge. The intention is to maintain resident access 24/7 for the entirety of the project.

A Community Advisory Group has been established and has met on several occasions to inform Council on decisions with respect to how to consult with the Macdonald Valley community and on site/project management considerations with respect to access and community impacts.

The project is the joint responsibility of Hawkesbury City Council and Central Coast Council due to the boundary between both councils being the centreline of Settlers Road, with HCC having taken the lead in response to it being our residents which are impacted by this reconstruction project. The project is funded under the DRFA program.

The approved Essential Public Asset Reconstruction (EPAR) funding limit is:

\$17 million – Thomas James Bridge

\$5.7 million – Settlers Road Landslip (strategic EPAR – detailed EPAR in development)

It is anticipated that the early clearing works of the landslip debris and any associated slope stabilisation works will be completed by the end of November 2023 and the reconstruction of the Bridge will be completed in September 2024. Final slope stabilisation works on the landslip site are subject to final design and will likely be undertaken following the completion of works for the Bridge reconstruction.

Cornwallis Restoration

Infrastructure NSW has advised that it has secured the State Government portion of funding for flood repairs at Cornwallis, including the repair of the flood mitigation system and the replacement of the missing section of Cornwallis Road.

The initial damage at Cornwallis was caused during the March 2021 flood. Subsequent flooding in 2022 caused further erosion and the breaching of the riverbank, resulting in a small bay forming. A 180-metre section of Cornwallis Road was also lost.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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NSW Government and Public Works are working closely with landowners on a solution for the restoration of the riverbank and reinstatement of the drain and Cornwallis Road. The site has significant hydraulic and geotechnical complexities, therefore geotechnical investigations will be undertaken onsite to determine borehole and pier locations that may be required to be constructed to support the new road. The estimated timeframe for the geotechnical work is until mid-November 2023, weather permitting.

COMMUNITY ENGAGEMENT

Consultation Engagement Process

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.1 Enable a shared responsibility for community resilience, community safety and disaster management.
- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.

Protected Environment and Valued History

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

Strong Economy

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

Reliable Council

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

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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ATTACHMENTS

AT - 1 Detailed Status Report Major Capital Projects - (*Distributed under separate cover*).

AT - 2 Minutes of Executive Steering Committee Meetings - (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

5. REPORTS OF COMMITTEES

5.1.1 ROC - Local Traffic Committee - 9 October 2023 - (95495, 80245)

Directorate: Infrastructure Service

PURPOSE OF THE REPORT

The purpose of this report is to present the Minutes of the Local Traffic Committee, held on 9 October 2023.

EXECUTIVE SUMMARY

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

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

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

RECOMMENDATION

That the Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Local Traffic Committee meeting held on 9 October 2023.

DISCUSSION

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

- General Traffic Matter - Item 4.1.1 - Proposed Signposting and Line Marking for the Pitt Town Precinct at 55 Wells Street, Pitt Town - DA0146/22 - (Hawkesbury)
- General Traffic Matter - Item 4.1.2 - Proposed No Stopping zone - Industry Road, Mulgrave - adjacent to 3 Groves Avenue, Mulgrave - DA0282/22 - (Hawkesbury)
- General Traffic Matter - Item 4.1.3 - Local Traffic Committee 2024 Calendar - (Hawkesbury)
- Special Event Matter - Item 4.2.1 - Light Up Windsor Street Fair 2023 Event - (Hawkesbury)

ATTACHMENTS

AT - 1 Minutes of the Local Traffic Committee held on 9 October 2023.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
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AT - 1 Minutes of the Local Traffic Committee held on 9 October 2023

1. AGENDA

Welcome

Minutes of the Meeting of the Local Traffic Committee held remotely on Monday, 9 October 2023 commencing at 3pm.

ATTENDANCE

Present: Councillor Sarah McMahon, Mayor Hawkesbury City Council
Ms Melissa Monroe, Transport for NSW (TfNSW)

Apologies: Ms Felicity Findlay, Office of Member for Hawkesbury
Inspector Mark Harvey, NSW Police Force

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

Apologies

RESOLVED on the motion of Councillor Sarah McMahon, seconded by Ms Melissa Monroe, that the apologies be accepted.

Declaration of Interests

There were no Declarations of Interest made.

2. CONFIRMATION OF MINUTES

The Committee resolved on the Motion of Ms Melissa Monroe, seconded by Mr Christopher Amit, that the Minutes from the previous meeting held on Monday, 11 September 2023 be confirmed.

3. BUSINESS ARISING

There was no business arising from the previous minutes

4. REPORTS FOR DETERMINATION

4.1. GENERAL TRAFFIC

4.1.1. LTC – Proposed Signposting and Line Marking for the Pitt Town Precinct at 55 Wells Street, Pitt Town - DA0146/22 - (Hawkesbury) - (80245, 73621, 123265)

INTRODUCTION:

Development Consent No. DA0146/22 has been granted to construct road and drainage works to create 11 rural residential lots within the Pitt Town Precinct. The proposed development has a location reference of No. 55 Wells Street, Pitt Town (Lot 21 DP 839413). The site is bounded by Wells Street and Wilkinson Street as outlined in Figures 1 and 2.

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Figure 1: Site Locality within the Pitt Town Precinct

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Figure 2: Site Extent and Road Layout

DISCUSSION:

The proposed road network, as outlined in Figure 3, will connect to Wells Street and Wilkinson Street. The proposed roads are listed below with their corresponding road widths between kerbs.

- Wells Street – Local Road 8m Carriageway (Partial Road Construction).
- Road 01 - Local Road 8m Carriageway (Full Road Width Construction – Full Length) .
- Wilkinson Street - Local Road 8m Carriageway with a temporary cul-de-sac radius of 8.5m (Full Road Width Construction – Full Length).

ORDINARY MEETING

5. REPORTS OF COMMITTEES

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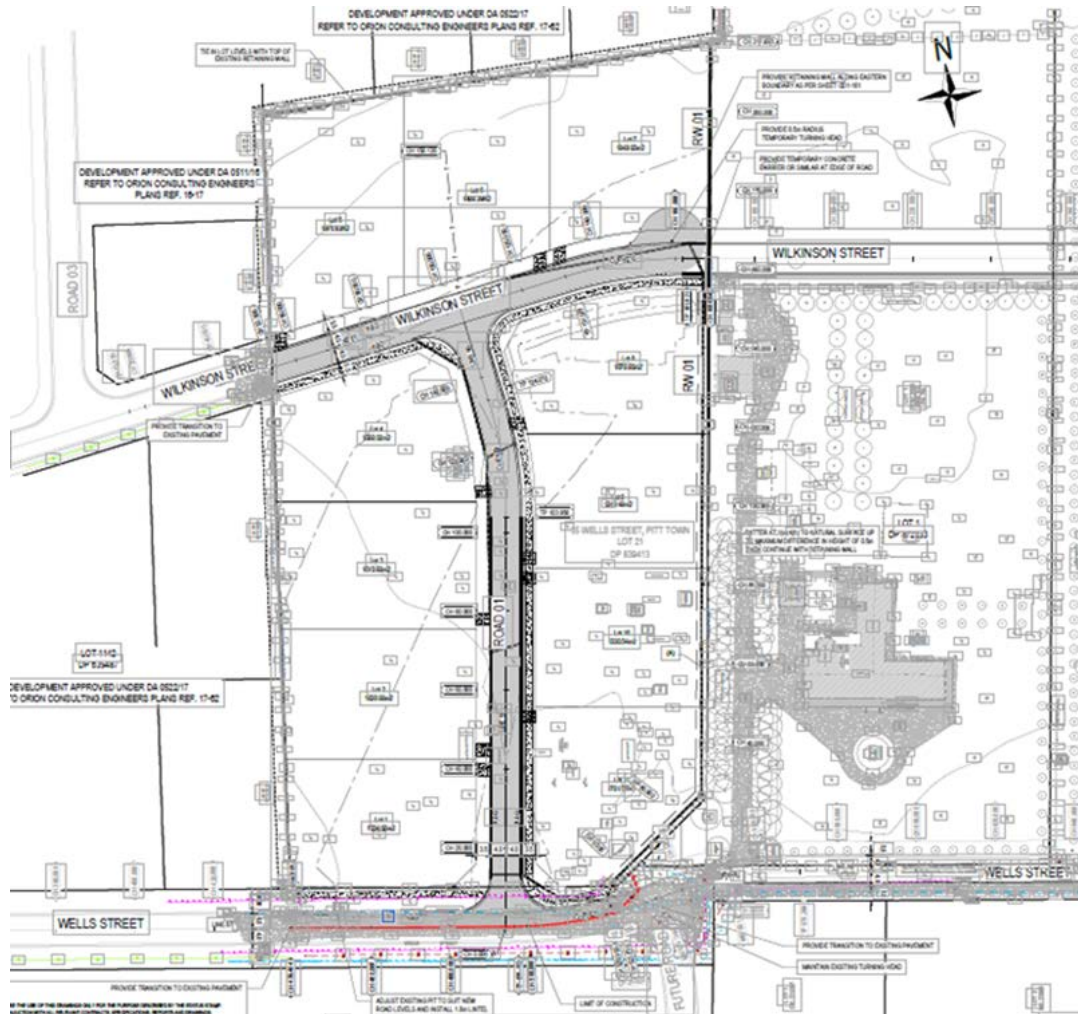


Figure 3: Road Layout and Road Numbers

A temporary turning head is proposed at the eastern end of Wilkinson Street and will remain operational until the road is extended to the east as part of future development of this area. Temporary end road chevron signage "D4-5" is to be located at the end of the cul-de-sac to delineate to traffic no access beyond this point. The turning head is to be sign posted with temporary No Parking zones. Wells Street at its eastern end has an existing cul-de-sac which is to remain, with this road to be extended in an easterly direction as part of future development in this area.

All intersections as part of this development are T-Junctions. Signposting and line marking locations are consistent across all intersections for this development in accordance with the conditions of consent.

The internal intersections of the local roads with a 8m carriageway will be line marked with a double barrier centre line (BB) of 15m to each intersection approach with Road 01 at Wilkinson Street requiring a length of 55m of BB due to the curvature in the road. The T-Junctions will have a Give Way control and Holding line (TB/TB1). The Give Way treatments are for Road 01 at its intersection with Wells Street and Wilkinson Street.

The existing temporary cul-de-sac in Wilkinson Street on the western approach to this development site will be converted to the standard kerb alignment of an 8m road width.

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All temporary zones will be reviewed when the final road layouts are developed in the future and actioned accordingly if they are to be adjusted or removed. Details of the proposed signage and line marking is outlined in the plan prepared by Sabai Consulting (Project No.2168 – DWG No. DD1-190 Sheet 22 of 22) – Attachment 1.

Swept/Turning path diagrams (Attachments 2 to 18) have been provided for the 8.8m design vehicle (Service Vehicle-MRV Truck) and the 12.5m check vehicle (SU-HRV Truck). The swept paths for the 12.5m HRV Truck has shown an encroachment over the BB line at the T-Junctions with the 8.8m MRV Truck clearing the BB line. The purpose of the check vehicle is to ensure that there are no physical barriers prohibiting the manoeuvre. On this basis, the manoeuvres are acceptable, taking into consideration the road dimensions, geometry, grades, and kerb returns are in accordance with the relevant standards.

The design plans have been prepared by Sabai Consulting (Project No.2168 – DWG No. DD1-190 - Sheet 22 of 22) and Certification provided by Hawkesbury City Council. The certification indicates compliance of the road design, and that all relevant standards and road widths can accommodate the proposed line marking treatments in accordance with the relevant standards.

The signage and line marking plan prepared by Sabai Consulting (Project No.2168 – DWG No. DD1-190 - Sheet 22 of 22) has been submitted to the Local Traffic Committee for concurrence and approval in accordance with the Development Consent conditions.

Summary:

The Signage and Line marking plan, in accordance with the details outlined in Attachment 1, as prepared by Sabai Consulting (Project No.2168 – DWG No. DD1-190 - Sheet 22 of 22), associated with the Development Application DA0146/22 be implemented.

RECOMMENDATION TO COMMITTEE:

The Signage and Line marking plan, in accordance with the details outlined in Attachment 1, as prepared by Sabai Consulting (Project No.2168 – DWG No. DD1-190 - Sheet 22 of 22), associated with the Development Application DA0146/22 be implemented.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Sarah McMahon, seconded by Ms Melissa Monroe.

Support for the recommendation: Unanimous support

The Signage and Line marking plan, in accordance with the details outlined in Attachment 1, as prepared by Sabai Consulting (Project No.2168 – DWG No. DD1-190 - Sheet 22 of 22), associated with the Development Application DA0146/22 be implemented.

4.1.2. LTC – Proposed No Stopping zone – Industry Road, Mulgrave – adjacent to 3 Groves Avenue, Mulgrave - DA0282/22 - (Hawkesbury) - (80245, 73621, 123265)

INTRODUCTION:

Development Consent No. DA0282/22 has been granted to construct a new take away food and drink premises (Hungry Jacks) at 3 Groves Avenue, Mulgrave. The property is located on the corner of Groves Avenue and Industry Road as outlined in Figure 1.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

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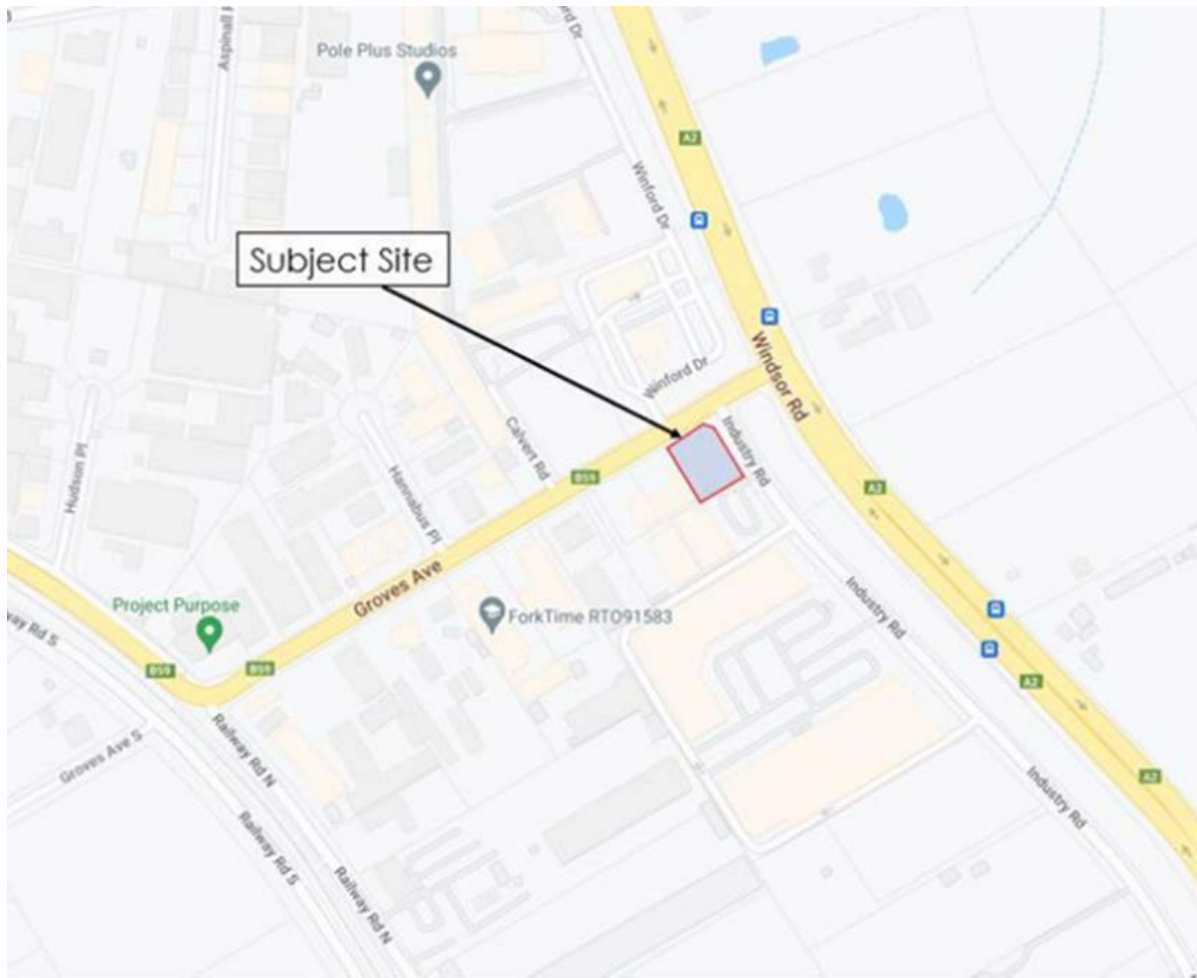


Figure 1: Site Locality Plan

DISCUSSION:

Access to the site is only permitted from Industry Road, with no access permitted from Groves Avenue (State Road). A condition of consent has required that No Stopping zones be provided on both sides of Industry Road, primarily across the property boundary adjacent to Industry Road. The proposed zone is to ensure that the movement of vehicles along Industry Road (approximate width 10m between kerbs) is not affected by vehicles turning either right or left into the Site. The No Stopping zones will formalise the parking restrictions, even though vehicles are seldom found to park along this section of road. The adjacent business sites provide for off-road parking.

Details of the proposed No Stopping zones are outlined in Attachment 1.

The signage plan for the proposed No Stopping zones in Industry Road, Mulgrave, prepared by The Transport Planning Partnership (TPPP)- (21303CAD005 Figure 1), has been submitted to the Local Traffic Committee for concurrence and approval in accordance with the Development Consent condition.

Summary:

The Signage plan for the proposed No Stopping zones in Industry Road, Mulgrave, in accordance with the details outlined in Attachment 1, as prepared by The Transport Planning Partnership (TPPP) - (21303CAD005 Figure 1) associated with the Development Application DA0282/22 be implemented.

ORDINARY MEETING

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RECOMMENDATION TO COMMITTEE:

The Signage plan for the proposed No Stopping zones in Industry Road, Mulgrave, in accordance with the details outlined in Attachment 1, as prepared by The Transport Planning Partnership (TTPP) - (21303CAD005 Figure 1) associated with the Development Application DA0282/22 be implemented.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Sarah McMahon, seconded by Ms Melissa Monroe.

Support for the recommendation: Unanimous support

The Signage plan for the proposed No Stopping zones in Industry Road, Mulgrave, in accordance with the details outlined in Attachment 1, as prepared by The Transport Planning Partnership (TTPP) - (21303CAD005 Figure 1) associated with the Development Application DA0282/22 be implemented.

4.1.3. LTC - Local Traffic Committee 2024 Calendar - (Hawkesbury) - (80245)

INTRODUCTION:

The current format for the Local Traffic Committee (LTC) meetings is to meet on the second Monday of the month, commencing at 3pm. These meetings, since 2020 have been undertaken remotely and it is proposed to continue this format. Previously, meetings were held in the Council Offices at 366 George Street, Windsor

DISCUSSION:

Proposed is a list of dates, outlined below, for 2024 in the current Monday format (second Monday of the month) with the exception of January and June which is proposed to be held on the third Monday due to Member availability close to the Christmas/New Year Holiday period and the King's Birthday public holiday which is currently set as 10 June 2024.

- 15 January 2024 (third Monday due Member availability close to the Christmas/New Year Holiday period)
- 12 February 2024
- 11 March 2024
- 08 April 2024
- 13 May 2024
- 17 June 2024 (third Monday due to the King's Birthday Holiday on 10 June 2024)
- 08 July 2024
- 12 August 2024
- 09 September 2024
- 14 October 2024

ORDINARY MEETING

5. REPORTS OF COMMITTEES

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- 11 November 2024

RECOMMENDATION TO COMMITTEE:

That the 2024 Local Traffic Committee Meetings be undertaken from January to November at 3pm on the second Monday of the month with the exception of January and June which will be undertaken on the third Monday of the month.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Sarah McMahon, seconded by Ms Melissa Monroe.

Support for the recommendation: Unanimous support

That the 2024 Local Traffic Committee Meetings be undertaken from January to November at 3pm on the second Monday of the month with the exception of January and June which will be undertaken on the third Monday of the month.

4.2. SPECIAL EVENTS

4.2.1. LTC – Light Up Windsor Street Fair 2023 Event - (Hawkesbury) - (80245, 94012)

INTRODUCTION:

An application has been received seeking approval (in traffic management terms) for Hawkesbury City Council to conduct the Light Up Windsor Street Fair 2023 Event, on Saturday, 02 December 2023.

The event organiser has advised;

- The event will be undertaken along George Street, Windsor in the vicinity of Thompson Square between Bridge Street and Baker Street, connecting with Windsor Mall between Baker Street and Fitzgerald Street.
- This is a Christmas Event in the Windsor Town Centre which includes a Christmas street fair that has market stalls, roving and live entertainment, workshops, lighting and snow installations.
- This is the fifth year Hawkesbury City Council are undertaken this event. In previous years, the Windsor Business Group Inc. have undertaken the event in the vicinity of Windsor Mall between Baker Street and Kable Street as well as the Thompson Square park area.
- Approximately 50 to 100 participants and 12,000 spectators are expected for the event.
- Event times for the event are between 5pm and 9pm with setup commencing at 11 am with packdown until 12 midnight.
- All shops within the precinct have been notified and a majority of them will be open on the evening. This includes their support in relation to the temporary road closures proposed.
- Parking areas are available within Council car parks and on-street parking, all within walking distance to the Event.
- Additional parking will be available at Governor Phillip Park. Pedestrians will be directed up to Bridge Street along George Street. The new traffic lights at this intersection will allow pedestrians to cross at this point.

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- Parking will be in the field adjacent to Governor Phillip Park, with access to the Event Parking area provided from Palmer Street.
- Traffic controllers will manage the entry into the event car parking in Palmer Street and to manage event patrons crossing the internal access road within the park.
- Vehicles can approach the access point into the Event Parking area from the direction of either George Street or Court Street
- With the completion of the new Windsor Bridge and the upgrade of the intersection of Bridge Street and George Street from a roundabout to traffic signals, access for traffic to Governor Phillip Park has changed.
- With the installation of the new traffic signals, to maintain traffic flow in Bridge Street, the right turn from Bridge Street (northbound) into George Street (eastbound) is now prohibited and all traffic is required to turn right at Court Street at the uncontrolled intersection.
- As Bridge Street is effectively one lane at Court Street, allowing event traffic to turn right at this location has the potential to increase congestion and as such it is proposed to ban the right turn into and out of Court Street at Bridge Street on the event day.
- Traffic that would normally turn right into Court Street will be detoured over the Windsor Bridge to perform a U-turn at the new roundabout at Freemans Reach Road, return back over the Bridge and then turn left into George Street.
- Traffic turning right out of Court Street will be detoured to the traffic signals at George Street and Bridge Street.
- All traffic movements in Court Street will be restricted to left in/left out at Bridge Street to manage event traffic, improve road safety and maintain traffic flow in Bridge Street/Windsor Road.
- A detour route will be signposted to direct vehicles travelling from the south to continue north along Bridge Street over the new Windsor Bridge and perform a U-turn at the roundabout on the northern side of the bridge at Freemans Reach Road to travel south along the Bridge and turn left into George Street.
- Vehicles travelling from the west along Macquarie Street will turn right at Bridge Street and then left into Court Street.
- Variable Message Signs (VMS) signs will be used to inform traffic with detour routes signposted. A VMS plan with three VMS boards located at key locations and detour plan that guides event traffic and local road network traffic has been prepared.
- Some on-street parking along George Street near its intersection with Palmer Street may be taken out to allow safe vehicular movements in this vicinity. The adjoining property owners will be advised of this proposal.
- Advance warning with VMS shall be installed 2 weeks prior to the event and will be located at;
 - Bridge Street, Windsor – northbound at Court Street,
 - Bridge Street, Windsor – northbound at George Street,
 - Bridge Street, Windsor – southbound before George Street.

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5. REPORTS OF COMMITTEES

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- The following road closures are proposed to accommodate the overall extent of the event:
 - George Street closed between Bridge Street and Baker Street. The road closure includes the intersection of Baker Street but not the intersection of Bridge Street.
 - Thompson Square road closed between George Street and The Terrace.
 - Baker Street closed between Macquarie Street and the Woolworths loading dock/carpark opposite the Hawkesbury Regional Museum.
 - Kable Street closed at The Terrace with access provided for residents and stall holders only travelling towards Baker Street as well as allowing vehicles to exit from the Woolworths Loading dock/carpark arriving from Baker Street.
 - Windsor Mall (George Street) closed between Baker Street and Fitzgerald Street.
 - The road closures are required from 11am to 12 midnight on Saturday, 02 December 2023.
 - The road closures will be implemented from 11am to ensure parked vehicles are removed from the site prior to the event commencing.
- Traffic in George Street will be detoured via Bridge Street and Macquarie Street.
- Traffic in Baker Street will only be exiting from the Woolworths loading dock/carpark into The Terrace.
- Traffic controllers will manage traffic exiting the Woolworths loading dock/carpark and exit via The Terrace. Traffic controllers will also manage the access from the Doctors Surgery in Thompson Square.
- To ensure that parked cars are not parked in the closed sections, parking patrol will close the parking lanes from 10am with traffic cones and inform motorists of the closure for the event.
- Traffic controllers will be deployed in Bridge Street at George Street to ensure pedestrian safety for patrons.
- Traffic controllers will be used to manage pedestrians at the pedestrian crossing in Kable Street at Windsor Mall (George Street) and Fitzgerald Street at Windsor Mall (George Street)
- Buses may be affected along Kable Street, Fitzgerald Street and The Terrace. The Bus operators will be advised of the proposed traffic arrangements.
- The proposed road closures will improve the overall safety at the event.
- Businesses have been advised, due to the road closures, to arrange for deliveries before 11am and to let their customers know of the access changes.
- Traffic will be monitored at all times with any build ups cleared immediately. Traffic controllers will be on site to implement any changes required.
- Emergency vehicles will be given priority at all times.

Details of the Event Traffic Control and VMS Plans are contained in Attachments 1 to 4.

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5. REPORTS OF COMMITTEES

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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 on major traffic and transport systems due to the proposed road closures and there may be a low scale disruption to the non-event community.

The event road closures are supported. The road closures will allow for the free flow of pedestrians in and around the event site. Details of the road closures include:

- George Street is to be closed between Bridge Street and Baker Street and extending across Thompson Square road. The road closure includes the intersection of Baker Street but not the intersection of Bridge Street. There may be an impact to traffic along Bridge Street wishing to turn into George Street which will require approval from Transport for NSW – TfNSW (formerly TMC). The State road traffic will need to be detoured accordingly.
- Thompson Square road closed between George Street and The Terrace.
- Baker Street closed between Macquarie Street and the Woolworths loading dock/carpark opposite the Hawkesbury Regional Museum. There may be an impact to traffic along Macquarie Street which will require approval from Transport for NSW – TfNSW (formerly TMC). The State road traffic will need to be detoured accordingly.
- Kable Street closed at The Terrace with access provided for residents and stall holders only travelling towards Baker Street as well as allowing vehicles to exit from the Woolworths loading dock/carpark arriving from Baker Street.
- Windsor Mall (George Street) closed between Baker Street and Fitzgerald Street.
- Road closures are required from 11am until 12 midnight on Saturday, 02 December 2023.
- The road closures will be implemented from 11am to ensure parked vehicles are removed from the site prior to the event commencing. There are other private car parks which will be controlled by traffic controllers after 11am until the event commences.

The regulatory speed limit in the vicinity of the event is 50kph.

With the completion of the new Windsor Bridge and the upgrade of the intersection of Bridge Street and George Street from a roundabout to traffic signals, access for traffic to Governor Phillip Park has changed. The Management measures proposed have been previously discussed between Police, TfNSW and Council to ensure that traffic movement is not compromised in particular at the intersection of Bridge Street and Court Street. A summary of these traffic management measures is listed below:

- All traffic movements in Court Street will be restricted to left in/left out at Bridge Street (State Road) to manage event traffic, improve road safety and maintain traffic flow in Bridge Street/Windsor Road.
- A traffic control vehicle will be parked in the centre of Court Street with barrier boards and traffic cones used to delineate and enforce the No Right Turn restrictions.
- A detour route will be signposted to direct vehicles travelling from the south to travel north along Bridge Street over the new Windsor Bridge and perform a U-turn at the roundabout on the northern side of the bridge at Freemans Reach Road and then travel south along Bridge Street to turn left into George Street at the new traffic signals.

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- Traffic turning right out of Court Street will be detoured to the traffic signals at George Street and Bridge Street via either Arndell Street or Palmer Street.
- Vehicles travelling from the west along Macquarie Street will turn right at Bridge Street and then left into Court Street.
- VMS signs will be used to inform traffic and all detour routes signposted.

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 closures. The road closure of George Street at Bridge Street and Baker Street at Macquarie Street is subject to approval from the TfNSW.

The event organiser has submitted the following items in relation to the event: Attachment 5 (ECM Document No: 8558353):

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. Special Event Traffic Management Plan (TMP) – requires updating for the Class of the event and other information listed in the main application,
5. Copy of Insurance Policy which is valid to 31 October 2023,
6. Proposed Road Closure Plan, Detour Plan and VMS Plan,
7. Copy of the application to the NSW Police Force.
8. Copy of correspondence to the NSW Fire and Rescue, Hawkesbury RFS, Hawkesbury Ambulance Service, Hawkesbury SES, Hawkesbury Local Area Command and Busways.

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 Light Up Windsor Street Fair 2023 Event within the Windsor Mall and Thompson Square precinct along George Street, Windsor between Bridge Street and Fitzgerald Street, planned for Saturday, 02 December 2023 between 11am and 12 midnight be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).

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3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted, the following road closures and traffic control measures;
 - Road Closure; George Street, Windsor between Bridge Street and Baker Street and extending across Thompson Square Road. The road closure includes the intersection of Baker Street but not the intersection of Bridge Street.
 - Road Closure; Thompson Square road, Windsor between George Street and The Terrace.
 - Road Closure; Baker Street, Windsor between Macquarie Street and the Woolworths loading dock/carpark opposite the Hawkesbury Regional Museum.
 - Road Closure; Kable Street, Windsor at The Terrace.
 - Road Closure; Windsor Mall (George Street, Windsor) between Baker Street and Fitzgerald Street.
 - Road Closures are only permitted for Saturday, 02 December 2023, between 11am and 12 midnight.
 - Temporary turn restrictions at the intersection of Bridge Street (State Road) and Court Street during the event on 02 December 2023. All traffic movements in Court Street will be restricted to left in/left out at Bridge Street to manage event traffic, improve road safety and maintain traffic flow in Bridge Street/Windsor Road.
 - No other road closures are permitted.

and the following conditions:

Prior to the event:

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

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prior to the event;

- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) due to the following measures required on Saturday 02 December 2023:
 - a. traffic movements and restrictions along Bridge Street, Windsor (State Road) which affects the intersections of George Street and Bridge Street as well as the proposed road closures which includes the road closure of George Street at Bridge Street and Baker Street at Macquarie Street,
 - b. traffic movements and restrictions along Bridge Street, Windsor (State Road) and its intersections with George Street and Court Street and the proposed turn restrictions at the intersection of Bridge Street and Court Street where all traffic movements in Court Street will be restricted to left in/left out at Bridge Street;
- a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire event incorporating Traffic Control Plans (TCP) which needs 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 TCP should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 noting Council and Transport for NSW – TfNSW (formerly 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 occupation 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 written approval from Council for the use of Thompson Square Park and Governor Phillip Park;
- 4i. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4j. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures, 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);

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- 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 has been 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. in accordance with the submitted TMP and associated TCP, 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);
- 4r. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4s. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Sarah McMahon, seconded by Ms Melissa Monroe.

Support for the recommendation: Unanimous support

That:

- 1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The

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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 Light Up Windsor Street Fair 2023 Event within the Windsor Mall and Thompson Square precinct along George Street, Windsor between Bridge Street and Fitzgerald Street, planned for Saturday, 02 December 2023 between 11am and 12 midnight be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted, the following road closures and traffic control measures;
 - Road Closure; George Street, Windsor between Bridge Street and Baker Street and extending across Thompson Square Road. The road closure includes the intersection of Baker Street but not the intersection of Bridge Street.
 - Road Closure; Thompson Square road, Windsor between George Street and The Terrace.
 - Road Closure; Baker Street, Windsor between Macquarie Street and the Woolworths loading dock/carpark opposite the Hawkesbury Regional Museum.
 - Road Closure; Kable Street, Windsor at The Terrace.
 - Road Closure; Windsor Mall (George Street, Windsor) between Baker Street and Fitzgerald Street.
 - Road Closures are only permitted for Saturday, 02 December 2023, between 11am and 12 midnight.
 - Temporary turn restrictions at the intersection of Bridge Street (State Road) and Court Street during the event on 02 December 2023. All traffic movements in Court Street will be restricted to left in/left out at Bridge Street to manage event traffic, improve road safety and maintain traffic flow in Bridge Street/Windsor Road.
 - No other road closures are permitted.

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

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

- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) due to the following measures required on Saturday 02 December 2023:
 - a. traffic movements and restrictions along Bridge Street, Windsor (State Road) which affects the intersections of George Street and Bridge Street as well as the proposed road closures which includes the road closure of George Street at Bridge Street and Baker Street at Macquarie Street,
 - b. traffic movements and restrictions along Bridge Street, Windsor (State Road) and its intersections with George Street and Court Street and the proposed turn restrictions at the intersection of Bridge Street and Court Street where all traffic movements in Court Street will be restricted to left in/left out at Bridge Street;

a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire event incorporating Traffic Control Plans (TCP) which needs 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 TCP should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 noting Council and Transport for NSW – TfNSW (formerly 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 occupation 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;

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- 4h. the event organiser is to obtain written approval from Council for the use of Thompson Square Park and Governor Phillip Park;
- 4i. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4j. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures, 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);
- 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 has been 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. in accordance with the submitted TMP and associated TCP, 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);
- 4r. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4s. all roads and marshalling points are to be kept clean and tidy, with all signs and devices

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to be removed immediately upon completion of the activity.

4.3. FOR INFORMATION

There were no reports for Information.

5. GENERAL BUSINESS

There was no general business.

The next Local Traffic Committee meeting is proposed to be held on Monday, 13 November 2023 at 3.00pm.

The meeting terminated at 3:10pm.

oooO END OF REPORT Oooo

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5.1.2. ROC - Audit, Risk and Improvement Committee - 29 September 2023 - (158054, 95496)

Directorate: Corporate Services

PURPOSE OF THE REPORT

The purpose of this report is to present the Minutes of the Audit, Risk and Improvement Committee, held on 29 September 2023.

EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee considered sixteen items at its meeting on 29 September 2023.

Item 15 regarding the Fraud and Corruption Prevention Policy relates in part to a Council Policy, and therefore is discussed in the report.

The remaining 15 items have no policy or financial implications for Council and therefore, they are presented for information only.

RECOMMENDATION

That Council receive and note the Minutes of the Audit, Risk and Improvement Committee Meeting held on the 29 September 2023.

DISCUSSION

The Audit, Risk and Improvement Committee met on 29 September 2023 and discussed the following items:

- Item 1 - 2022/2023 and 2023/2024 Internal Audit Programs Update
- Item 2 - Status of Internal Audit Management Actions
- Item 3 - Transport for NSW DRIVES Compliance Internal Audit Report
- Item 4 - Work Health and Safety including Workers Compensation Internal Audit Report
- Item 5 - Emergency Management including Business Continuity Plan Internal Audit Report
- Item 6 - Finance Reports
- Item 7 - Unaudited Financial Statements for the year ended 30 June 2023
- Item 8 - Six Monthly Progress Report - 2022/2023 Operational Plan
- Item 9 - Enterprise Risk Management Update

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- Item 10 - Audit, Risk and Improvement Committee Annual Assessment 2022/2023
- Item 11 - Audit, Risk and Improvement Committee 2023/2024 Annual Work Plan
- Item 12 - Audit, Risk and Improvement Committee Terms of Reference Review
- Item 13 - Cyber Security Quarterly Update - September 2023
- Item 14 - Corporate Credit Card Corporate Policy
- Item 15 - Fraud and Corruption Prevention Policy
- Item 16 - Governance

In relation to Item 15 regarding the Fraud and and Corruption Prevention Policy, the report to the Audit Risk and Improvement Committee noted that the Draft Policy had been endorsed by Council's Executive Leadership Team and Senior Leadership Team, that Councillors had been briefed on the Policy and that it was intended to be reported to the Council Meeting on 10 October 2023.

At the Council Meeting on 10 October 2023, Council endorsed the Draft Policy to be placed on Public Exhibition for 28 days.

The Minutes of the Audit, Risk and Improvement Committee meeting held on 29 September 2023 are attached as Attachment 1 to this report.

ATTACHMENTS

AT - 1 Minutes of the Audit, Risk and Improvement Committee - 29 September 2023.

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AT -1 Minutes of the Audit, Risk and Improvement Committee – 29 September 2023

1. PROCEDURAL MATTERS

Minutes of the Meeting of the Audit, Risk and Improvement Committee held in Council Committee Rooms, Windsor, on Friday, 29 September 2023, commencing at 11:04am.

ATTENDANCE

Present: Mr Michael Quirk (Chairperson)
Ms Rachel Harris (Audio-Visual Link)
Mrs Rhonda Wheatley (Audio-Visual Link)
Councillor Mary Lyons-Buckett, Hawkesbury City Council (Audio-Visual Link)

Apologies: Mr Kenneth Leung, NSW Audit Office
Ms Penelope Corkill, Centium

In Attendance: Mr James Winter, Grant Thornton - (Audio-Visual Link)
Ms Shirley Huang, Grant Thornton - (Audio-Visual Link)
Ms Susan Leahy, Centium - (Audio-Visual Link)
Ms Elizabeth Richardson, Hawkesbury City Council
Mr Laurie Mifsud, Hawkesbury City Council
Ms Meagan Ang, Hawkesbury City Council
Ms Vanessa Browning, Hawkesbury City Council
Mr Conrad Webb, Hawkesbury City Council
Ms Donna McCue, Hawkesbury City Council
Mr Miles Carter, Hawkesbury City Council
Mr Charles McElroy, Hawkesbury City Council
Ms Rachel Ridges, Hawkesbury City Council

Member	21/10/2022	14/11/2022	27/3/2023	30/6/2023	29/9/2023
Mr Michael Quirk (Chairperson)	✓	✓	✓	✓	✓
Ms Rachel Harris	✓	✓	✓	✓	✓
Mrs Rhonda Wheatley	✓	✓	✓	✓	✓
Councillor Mary Lyons-Buckett	✓	✓	✓	✓	✓

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

APOLOGIES

Apologies from Mr Kenneth Leung and Ms Penelope Corkill were noted.

DECLARATIONS OF INTEREST

There were no Declarations of Interests made.

2. CONFIRMATION OF MINUTES

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rachel Harris that the Minutes of the Audit, Risk and Improvement Committee held on 30 June 2023, be confirmed.

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3. REPORTS FOR DETERMINATION

3.1.1 ARIC - 2022/2023 and 2023/2024 Internal Audit Programs Update - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the progress on the 2022/2023 and 2023/2024 Internal Audit Programs be received and noted.

DISCUSSION:

- Mr Michael Quirk provided a summary of the 2023/2024 Internal Audit Program.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rhonda Wheatley.

That the progress on the 2022/2023 and 2023/2024 Internal Audit Programs be received and noted.

3.1.2 ARIC - Status of Internal Audit Management Actions - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the following reports:

1. Internal Audit Management Actions Summary Report as at 11 August 2023 as outlined in Attachment 1 to this report.
2. Incomplete Internal Audit Management Actions Report as at 11 August 2023 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. Approved Requests for Due-Date Extensions for Internal Audit Management Actions items, as outline in Attachment 4 to this report.

DISCUSSION:

- Mrs Rhonda Wheatley raised the five high risk overdue Internal Audit Management Actions.
- The Director Corporate Servies summarised the status of the high risk overdue Internal Audit Management Actions.
- Mr Michael Quirk noted the incomplete Child Protection Internal Audit Management Actions and the identification of critical assets.

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- Councillor Mary Lyons-Buckett enquired about the due dates regarding the Fire Safety, Sewer and Swimming Pool Inspections Internal Audit Management Actions.
- The Director City Planning provided advice on the Sewer Inspections Program.
- Councillor Mary Lyons-Buckett enquired about broken sewer pipes.
- The Chief Financial Officer confirmed that sewer pipes are part of the Asset Management Plan.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley

That the Audit, Risk and Improvement Committee receive and note the following reports:

1. Internal Audit Management Actions Summary Report as at 11 August 2023 as outlined in Attachment 1 to this report.
2. Incomplete Internal Audit Management Actions Report as at 11 August 2023 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. Approved Requests for Due-Date Extensions for Internal Audit Management Actions items, as outline in Attachment 4 to this report.

3.1.3 ARIC - Transport for NSW DRIVES Compliance Internal Audit Report - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the Transport for NSW DRIVES Compliance Internal Audit Report attached as Attachment 1 to this report.

DISCUSSION:

- Mr Michael Quirk enquired if users have the ability to remotely access DRIVES24 via a link provided by Transport for New South Wales to authorised users.
- The Director City Planning advised DRIVES24 has not been accessed remotely.
- Councillor Mary Lyons-Buckett enquired what roles are able to access DRIVES24.
- The Director City Planning advised that the roles able to access DRIVES24 are the Manager Regulatory Services, the Environmental Health Officer and the Ranger.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Rachel Harris and seconded by Mrs Rhonda Wheatley.

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That the Audit, Risk and Improvement Committee receive and note the Transport for NSW DRIVES Compliance Internal Audit Report attached as Attachment 1 to this report.

3.1.4 ARIC - Work Health and Safety including Workers Compensation Internal Audit Report - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the Work Health and Safety including Workers Compensation Internal Audit Report attached as Attachment 1 to this report.

DISCUSSION:

- Ms Susan Leahy from Centium provided a summary of the key findings referred to in the Audit Report.
- Mr Michael Quirk enquired if management will follow up the Internal Audit Management Actions to ensure they have been implemented and obtain verification they have been closed out.
- Ms Rachel Harris queried Management Action due dates and whether they were realistic.
- The Director Corporate Services advised the Internal Audit Management Actions will be monitored and the progress will be reported to the Committee, and that staff workloads were taken into account when Management Action due dates were set.
- Mrs Rhonda Wheatley raised concerns about high risk Management Actions and the need to focus completing these Actions.
- Mr Michael Quirk asked about the Action concerning the staff training program and was advised this Action has been completed.
- The General Manager advised the Executive Leadership Team had oversight of the Management Actions and due dates, noting most Management Actions from this Internal Audit were low and moderate risk.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mrs Rhonda Wheatley and seconded by Ms Rachel Harris.

That the Audit, Risk and Improvement Committee receive and note the Work Health and Safety including Workers Compensation Internal Audit Report attached as Attachment 1 to this report.

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3.1.5 ARIC - Emergency Management including Business Continuity Plan Internal Audit Report - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the Emergency Management including Business Continuity Plan Internal Audit Report attached as Attachment 1 to this report.

DISCUSSION:

- Ms Susan Leahy from Centium summarised the findings of the Audit and noted the positive findings.
- Mr Michael Quirk noted that nothing serious came out of the Audit and there is a good framework that is already in place.
- Councillor Mary Lyons-Buckett raised the importance of formalising reciprocal agreements for waste disposal.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mrs Rhonda Wheatley and seconded by Ms Rachel Harris.

That the Audit, Risk and Improvement Committee receive and note the Emergency Management including Business Continuity Plan Internal Audit Report attached as Attachment 1 to this report.

3.1.6 ARIC - Finance Reports - (158054, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the report regarding the July 2023 Investment Report.

DISCUSSION:

- The Chief Financial Officer advised the Finance Report is the Investment Report for July 2023 and discussed that it is in line with the Investment Policy and the Local Government Act 1993.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the Audit, Risk and Improvement Committee receive and note the report regarding the July 2023 Investment Report.

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5. REPORTS OF COMMITTEES

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3.1.7 ARIC - Unaudited Financial Statements for the year ended 30 June 2023 - (158054, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That:

- The information concerning the Financial Statements for the year ended 30 June 2023 be received.
- The Audit, Risk and Improvement Committee endorse the Financial Statements for the year ended 30 June 2023, as attached to this report, to be submitted to Council to be referred to Audit at its meeting on 10 October 2023.

DISCUSSION:

- The Chief Financial Officer advised the External Audit is in progress and provided a summary of the Financial Statements.
- The Chief Financial Officer advised that the majority of the key performance indicators were above benchmark. The indicator needing the most improvement is the Outstanding Rates and Annual Charges Ratio. Several measures have been recently implemented to improve the result in the future.
- Mr Michael Quirk enquired about the note concerning Other Revenues - Insurance Claims Recoveries and the Chief Financial Officer advised this was the \$3.1M recovered through insurance for the March 2021 flood.
- Mrs Rhonda Wheatley suggested that the note specify that the amount excludes any recent flood activity.
- Mrs Rhonda Wheatley suggested that a disclosure be made that the insurance claim recovery amount was in relation to the March 2021 flood. The Chief Financial Officer agreed to add a disclosure to the foot of the note.
- Mr Michael Quirk enquired if all Internal Restrictions, note C 1.3 Internal Allocations, have been resolved by Council.
- The Chief Financial Officer advised they will all be reflected in the September 2023 Quarterly Review.
- Ms Rachel Harris enquired about the increase in Financial Investments and the Chief Financial Officer advised that this was largely due to loans and developer contributions.
- Mrs Rhonda Wheatley referred to the lack of detail concerning investments.
- The Chief Financial Officer advised that Council disclosed more than was required to as there is no requirement to disclose Restrictions. There is a disclosure for the Reserve Balance and the Restrictions and full details of the Reserve Balances are disclosed in Quarterly Budget Reviews.
- Mrs Rhonda Wheatley suggested additional information could be provided about expenditure on flood damage.

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- Ms Rachel Harris enquired about the asset revaluation being significant at 5% and that it is assumed depreciation will increase again next year.
- The Chief Financial Officer advised that is correct and a strategic challenges discussion was held recently with Councillors to discuss new assets and asset renewals, that the inflationary environment has increased costs and that depreciation will increase but Council is limited as to how rates can be increased.
- Ms Rachel Harris enquired about the quality assurance that is undertaken for the purpose of the External Audit. The Chief Financial Officer provided an overview of processes that is undertaken by Finance.
- Councillor Mary Lyons-Buckett enquired about Leave Entitlements in Internal Allocations. The Chief Financial Officer explained the provision for leave and that there is also a Reserve which is a contingency for events such as a large number of staff departures.
- Councillor Mary Lyons-Buckett enquired about the increase in Legal Expenditure and whether a breakdown was available.
- The Chief Financial Officer advised that a breakdown could be provided in a separate report, but that the main drivers are planning and drainage issues. The General Counsel has been successful in obtaining recoveries and there is a large legal expense that Council's insurances has advised they will cover.
- Councillor Mary Lyons-Buckett enquired about outstanding rates.
- The Chief Financial Officer advised that debt recovery for rates was on hold during the COVID-19 Pandemic, and some residents were also flood impacted. Structures are being put in place to improve debt recovery. No one is applying for hardship but there are a lot of applications for payment extensions. It is anticipated there will be a decrease by this time next year.
- Mr Michael Quirk enquired if Auditors have questions, comments or delays for the Committee to be aware of.
- Mr James Winter from Grant Thornton advised the Audit is progressing well.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mrs Rhonda Wheatley and seconded by Ms Rachel Harris.

That:

- The information concerning the Financial Statements for the year ended 30 June 2023 be received.
- The Audit, Risk and Improvement Committee endorse the Financial Statements for the year ended 30 June 2023, as attached to this report, to be submitted to Council to be referred to Audit at its meeting on 10 October 2023.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

3.1.8 ARIC - Six Monthly Progress Report - 2022/2023 Operational Plan - (79351,159586)

Directorate: General Manager

OFFICER'S RECOMMENDATION:

That the report regarding the Six Monthly Progress Report on the 2022/2023 Operational Plan be received and noted.

DISCUSSION:

- The Corporate Planning and Performance Strategist provided a summary of the reports that will be provided to Council and an update on completion of the Annual Report.
- Mr Michael Quirk enquired about finalising the Reconciliation Australia Action Plan.
- Councillor Mary Lyons-Buckett enquired why it has been delayed as it was resolved in May 2017 to complete this item.
- The Director City Planning advised the Reconciliation Australia Action Plan is with Reconciliation Australia and that Reconciliation Australia changed the template. It is anticipated this will be returned to Council later this year.
- Mr Michael Quirk enquired if the development of the Cultural Plan had commenced.
- The Director Corporate Services advised that Council was in the process of engaging a consultant to assist in developing the Cultural Plan.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Rachel Harris and seconded by Mrs Rhonda Wheatley.

That the report regarding the Six Monthly Progress Report on the 2022/2023 Operational Plan be received and noted.

3.1.9 ARIC - Enterprise Risk Management Update - (158054, 159583, 95496)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

The Audit, Risk, and Improvement Committee receive and note the Enterprise Risk Management update report.

DISCUSSION:

- The Manager Enterprise Risk Systems discussed the risks that have been added to the risk register, the processes followed and considerations taken into account.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

- The Manager Enterprise Risk Systems advised that the Risk Management Framework is on track for completion by July 2024. The last piece is the Risk Management Plan which has been drafted and is going through consultation.
- Ms Rachel Harris enquired if given the results of the Work Health and Safety Including Workers Compensation and Emergency Management including Business Continuity Plan Internal Audits, have the strategic risks been reviewed. The Manager Enterprise Risk Systems advised that this has been done but that the risk levels have not changed.
- Ms Rachel Harris enquired if controls had been reconsidered. The Manager Enterprise Risk Systems advised that controls had been reconsidered in the context of the Internal Audit Management Actions and that separate Work Health and Safety Auditing can audit controls.
- Mr Michael Quirk and Ms Rachel Harris noted that the Internal Audits both picked up existing controls that had failed or not been implemented.
- Mrs Rhonda Wheatley referred to the decision of the State Government not to raise the Warragamba Dam Wall and asked if Council had considered how this impacted on the risk.
- The General Manager advised that Council was well aware of geographic and environmental risks, and Council is working with the NSW Reconstruction Authority on mitigation measures. The NSW Government is expected to release the revised Hawkesbury-Nepean Flood Study soon.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rachel Harris.

The Audit, Risk, and Improvement Committee receive and note the Enterprise Risk Management update report.

3.1.10 ARIC - Audit, Risk and Improvement Committee Annual Assessment 2022/2023 - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee approve the proposed Draft Audit, Risk and Improvement Committee Annual Assessment 2022/2023 attached as Attachment 1 to this report.

DISCUSSION:

- Ms Rachel Harris requested that her name on page 4 of the Assessment be spelt correctly.
- Mr Michael Quirk advised in-camera discussions had been held with the Director Corporate Services in regard to the requirement of the 2023/2024 Annual Assessment report being similar to the 2022/2023 report and that an external assessment will also be required.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the Audit, Risk and Improvement Committee approve the proposed Draft Audit, Risk and Improvement Committee Annual Assessment 2022/2023 attached as Attachment 1 to this report.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

3.1.11 ARIC - Audit, Risk and Improvement Committee 2023/2024 Annual Work Plan - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee approve the proposed Audit, Risk and Improvement Committee 2023/2024 Annual Work Plan attached as Attachment 1 to this report.

DISCUSSION:

- Ms Rachel Harris enquired about the six-monthly update on the Operational Plan. The General Manager advised in March 2024 Council can provide the next six-monthly report.
- Ms Rachel Harris enquired about a report on the Long Term Financial Plan. The Chief Financial Officer advised the Long Term Financial Report is redrawn with the Draft Budget.
- Mr Michael Quirk advised there is an end of term report going to Council.
- Mr Michael Quirk referred to the proposed November 2023 ARIC meeting and questioned if the Committee needed to meet in November 2023 given the Committee had seen the unaudited Financial Statements, or just receive a report of the changes.
- Mr Michael Quirk indicated that the proposed November 2023 meeting was not needed and requested that the Committee receive a report detailing any changes made to the unaudited financial statements at its meeting in December 2023.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That:

1. The Audit, Risk and Improvement Committee approve the proposed Audit, Risk and Improvement Committee 2023/2024 Annual Work Plan attached as Attachment 1 to this report.
2. The Audit, Risk and Improvement Committee receive a report detailing any changes made to the unaudited financial statements at its meeting in December 2023.

3.1.12 ARIC - Audit, Risk and Improvement Committee Terms of Reference Review - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit Risk and Improvement Committee Terms of Reference attached as Attachment 1 to the report be adopted.

DISCUSSION:

- The Manager Governance provided a summary of the report.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

- Mr Michael Quirk enquired about the removal of the wording “to ensure that all Council activities and functions are reviewed”.
- The Manager Governance advised this reflects the amendment in the Model Terms of Reference issued by the Office of Local Government in December 2022.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rachel Harris.

That the Audit Risk and Improvement Committee Terms of Reference attached as Attachment 1 to the report be adopted.

3.1.13 **ARIC - Cyber Security Quarterly Update - September 2023 (158054, 121470, 95496, 79351, 79352)**

Previous Item: 3.1.8, ARIC, (30 June 2023)

Directorate: Corporate Services

OFFICER’S RECOMMENDATION:

That the update on Information Technology Cyber Security be received and noted.

DISCUSSION:

- The Manager Information Services provided a summary of the information concerning comparative security ratings of eight neighbouring councils graph that has been added to the report.
- The Manager Information Services provided an overview of security alerts received and action taken, staff training and other initiatives.
- The Manager Information Services advised that the recruitment of a Cyber Security Officer was unsuccessful and the position is being readvertised.
- Mr Michael Quirk enquired about Apple IOS Pegasus Spyware and if this has been verified. The Manager Information Services advised that only work devices can be verified and it can not be mandated that personal devices are updated or verified.
- Councillor Mary Lyons-Buckett enquired about the vulnerability of remote access points for people working from home and whether confidential information is accessed remotely.
- The Manager Information Services advised that confidential information is available offsite and that it should be being accessed on Council’s network. Information held as part of Council’s Technology One Suite has a high level of security.
- The General Manager advised that the migration to the cloud based system has reduced the requirement for downloading information as it is all available online now.
- Mrs Rhonda Wheatley noted that if staff have access in the office or at home they have the same ability to download information so the risk is the same.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rachel Harris.

That the update on Information Technology Cyber Security be received and noted.

3.1.14 **ARIC - Corporate Credit Card Corporate Policy (158054, 121470, 95496, 79351)**

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the Corporate Credit Card Corporate Policy.

DISCUSSION:

- The Chief Financial Officer provided a summary of the report regarding the Corporate Credit Card Corporate Policy.
- The Chief Financial Officer advised of the review of the Office of Local Government's Guideline on the Use and Management of Credit Cards, that processes that have been implemented and that Pulse is used to manage the acknowledgement by relevant staff of the issue of credit cards.
- Councillor Mary Lyons-Buckett enquired how Council can move to accounts to minimise or eliminate staff from having credit cards.
- The Chief Financial Officer advised that the transaction listing of common suppliers can be reviewed and the suppliers approached for the provision of an account.
- Mr Michael Quirk advised all credit cards provide statements for review.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rachel Harris.

That the Audit, Risk and Improvement Committee receive and note the Corporate Credit Card Corporate Policy.

3.1.15 **ARIC - Fraud and Corruption Prevention Policy - (158054, 95496)**

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the report on Council's Fraud and Corruption Prevention Policy be received and noted.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

DISCUSSION:

- Councillor Mary Lyons-Buckett advised of information she had reviewed regarding increased risk of organised crime and enquired about when development applications and planning proposals are lodged by corporate entities, does Council check who the office holders are.
- The General Manager advised that in development assessment there are a suite of checks and balances and peer review of processes throughout the life of the development application process, and that it is in the requirement for owners consent where conflicts are more likely to be picked up.
- The General Manager advised that staff are in the process of reviewing the Independent Commission Against Corruption (ICAC) report of the investigation into the former Hurstville Council and to ensure they are aware of the ICAC's recommendations.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rhonda Wheatley.

That the report on Council's Fraud and Corruption Prevention Policy be received and noted.

3.1.16 ARIC - Governance - (158054, 95496, 96333)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the information in the report concerning Council's Governance operations be received and noted.

DISCUSSION:

- The Manager Governance outlined the purpose and content of the report.
- The Manager Governance noted that the report does not deal with legislative compliance and Council is currently in the process of looking at obtaining a system to implement an electronic database for the management of the legislative compliance across Council. This also relates to a delegations review project that is currently underway.
- Mr Michael Quirk enquired about the reference to the Council Policies that existed when Council commenced a policy review.
- The Manager Governance advised that part of implementing the review involved the removal of about 20 to 30 policies from the Register which were outdated and that has been completed. Work is currently in progress on the policies that need to be updated or merged. The work is being completed in a timeframe that is in line with the capacity within the Governance Team.
- Mr Michael Quirk enquired about Protected Disclosures and if the training has started or about to start as the Ombudsman has released the training packages.
- The Manager Governance advised that work is in progress in dealing with the Protected Disclosures reforms and the training has not been developed at present.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

- Mrs Rhonda Wheatley advised that in many councils, the Chief Audit Executive is the Director Corporate Services and Corporate Services is a focus area for Internal Audit. In State Government part of the requirements are that a Director Corporate Services position cannot be the Chief Audit Executive and the Chief Audit Executive must be an independent member of the Executive Team. This is usually someone in the Legal Department. Mrs Rhonda Wheatley acknowledged that it is difficult to find an appropriate person at the right level in small organisations.
- Mr Michael Quirk advised it is difficult in small Councils to find someone at the right level.
- Mr Micheal Quirk advised in camera sessions have commenced to have blunt conversations about these issues however there is no easy solution a Council of this size.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the information in the report concerning Council's Governance operations be received and noted.

4. GENERAL BUSINESS

There was no general business discussed.

The meeting terminated at 12:53pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

5.1.3. ROC - Heritage Committee - 3 August 2023

Directorate: City Planning

PURPOSE OF THE REPORT

The purpose of this report is to present the Minutes of the Heritage Committee, held on 3 August 2023.

EXECUTIVE SUMMARY

Nine items - Items 3.1.1, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7 and Items A, B and C in General Business contained within the minutes of the Heritage Committee have policy or financial implications to Council. They therefore require specific consideration by Council, the details of which are discussed in the report below.

In relation to 3.1.2 and 3.1.8, as they have no policy or financial implications for Council, they are presented for information only.

RECOMMENDATION

That in relation to the Minutes of the Heritage Committee Meeting held on the 3 August 2023:

1. Council receive and note the Minutes of the Heritage Committee in respect to items 3.1.2 and 3.1.8.
2. Council note the advice from the Heritage Committee with respect to item 3.1.1 Mayoral Minute - McQuade Park, Windsor will be included in a report to Council responding to the Mayoral Minute of 31 January 2023.
3. Council endorse the Committee Recommendations in respect of item 3.1.3 (Windsor Bridge Artefacts Working Group Meeting), namely:
 - a) Note the update with respect to the formation of the Windsor Bridge Artefacts Working Group.
 - b) Recommends that the focus of the Working Group should be on the Old Windsor Bridge and interpretation of the Bridge.
 - c) Recommends that Council make representations to both levels of government for funding of interpretation.
4. Council endorse the Committee Recommendations in respect of item 3.1.4 (Thomas James Bridge Conservation Management Plan), namely:

That Council consider the preparation of applications for listing of the Thomas James Bridge on:

- a) Hawkesbury Councils LEP and;
- b) On the NSW State Heritage Register and;
- c) On the Old Great North Road World Heritage Listing using the information provided in the Thomas James Bridge Conservation Management Plan.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

5. Council endorse the Committee Recommendations in respect of item 3.1.5 (Discovery of a Brick Barrel Drain - Pitt Street, Windsor), namely:
 - a) That the Heritage Committee received information from Ms Jan Barkley-Jack regarding the possible location of the brewery from the original survey, and that the Committee consider further information as it becomes available.
6. Council endorse the Committee Recommendations in respect of item 3.1.6 (Local Heritage Assistance Fund 2022/2023 - Minor Maintenance/Conservation Works to Heritage Listed Properties Within the Hawkesbury LGA), namely:
 - a) Receive and note the information contained within the report, and that \$216,865.41 was the contribution from applicants to the program.
 - b) Recommends that Council increase the funding available under the Local Heritage Assistance Fund, noting the need to increase the size of the \$2,000 maximum available funding per applicant.
 - c) Notes that the NSW State Government contribution to the fund of \$5,500 has been unchanged for many years, and that with a higher number of listings compared to surrounding local government areas that representations should be made to Heritage NSW and the State Member for increased funding.
 - d) Recommend that Council consider a special rate for heritage conservation.
7. Council endorse the Committee Recommendations in respect of item 3.1.7 (State Heritage Listing of Singleton's Mill Site Kurrajong), namely:
 - a) Notes the finalisation of the State Heritage Listing of the Singleton Mill Site at 154 Mill Road, Kurrajong.
 - b) Recommends that Council formally thank everyone involved in assisting with the research that led to the finalisation of the State Heritage Listing.
8. Council note that in respect of General Business items:
 - a) A briefing of Heritage Committee members with respect to the Liveability Project was provided ahead of the 5 October 2023 Committee Meeting.
 - b) A report was provided to the 2 November 2023 Committee Meeting with updated Heritage Fact Sheets (Roofs and Rising Damp).
 - c) A report was provided to the 5 October 2023 Committee Meeting detailing the finalisation and progress of outstanding items of the Heritage Committee.

DISCUSSION

The Committee considered staff reports on a range of matters as shown in the attached minutes (Attachment 1). The following items require specific consideration by Council.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

Item 3.1.1 - Response to Mayoral Minute - McQuade Park, Windsor

The Heritage Committee provided input and advice to Council on the proposed improvement projects for McQuade Park included in the adopted Mayoral Minute from Council's Ordinary Meeting on 31 January 2023. The advice on each individual element of the Mayoral Minute (20 items) is contained in the Minutes included as Attachment 1.

This advice will be included in a subsequent report to Council responding to the Mayoral Minute, and as such the recommendation is:

That Council note the advice from the Heritage Committee with respect to item 3.1.1 Mayoral Minute - McQuade Park, Windsor will be included in a report to Council responding to the Mayoral Minute of 31 January 2023.

Item 3.1.3 - Windsor Bridge Artefacts Working Group Meeting

Following consideration of this matter at the Meeting, the Committee resolved:

That the Heritage Committee:

1. Note the update with respect to the formation of the Windsor Bridge Artefacts Working Group.
2. Recommends that the focus of the Working Group should be on the Old Windsor Bridge and interpretation of the bridge.
3. Recommends that Council make representations to both levels of government for funding of interpretation.

It is noted that subsequent to the 3 August 2023 Committee Meeting, the working group name was amended to Windsor Bridge Replacement Project Working Group.

Further consideration of the working group meetings occurred at the 5 October 2023 Committee Meeting, and final recommendations from the working group were considered at the 2 November 2023 Committee Meeting. It is recommended to endorse the recommendations of the Heritage Committee.

Item 3.1.4 - Thomas James Bridge Conservation Management Plan

Following consideration of the matter, the Committee resolved:

That the Heritage Committee recommend that Council consider the preparation of applications for listing of the Thomas James Bridge on:

1. Hawkesbury Councils LEP and;
2. On the NSW State Heritage Register and;
3. On the Old Great North Road World Heritage Listing using the information provided in the Thomas James Bridge Conservation Management Plan.

Given the identified significance of the Thomas James Bridge, it is recommended to endorse the recommendations of the Heritage Committee.

Item 3.1.5 - Discovery of a Brick Barrel Drain - Pitt Street, Windsor

Following consideration of the matter, the Committee resolved:

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

That the Heritage Committee received information from Ms Jan Barkley-Jack regarding the possible location of the brewery from the original survey, and that the Committee consider further information as it becomes available.

The matter will be considered again once further information becomes available, and such it is recommended to endorse the recommendation of the Heritage Committee.

Item 3.1.6 - Local Heritage Assistance Fund 2022/2023 - Minor Maintenance/Conservation Works to Heritage Listed Properties Within the Hawkesbury LGA

Following consideration of the matter, the Committee resolved:

That the Heritage Committee:

1. Receive and note the information contained within the report, and that \$216,865.41 was the contribution from applicants to the program.
2. Recommends that Council increase the funding available under the Local Heritage Assistance Fund, noting the need to increase the size of the \$2,000 maximum available funding per applicant.
3. Notes that the NSW State Government contribution to the fund of \$5,500 has been unchanged for many years, and that with a higher number of listings compared to surrounding local government areas that representations should be made to Heritage NSW and the State Member for increased funding.
4. Recommend that Council consider a special rate for heritage conservation.

The quantum of funding available to each individual applicant can be considered in the preparation of subsequent funding programs. Subject to Council consideration, advocacy in terms of increased state government funding for future years programs can be readily undertaken. In terms of consideration of a special rate for heritage conservation, this will require further investigation and subsequent reporting to Council. As such, it is recommended to endorse the recommendations of the Heritage Committee.

Item 3.1.7 State Heritage Listing of Singleton's Mill Site Kurrajong

Following consideration of the matter, the Committee resolved:

That the Heritage Committee:

1. Notes the finalisation of the State Heritage Listing of the Singleton Mill Site at 154 Mill Road, Kurrajong.
2. Recommends that Council formally thank everyone involved in assisting with the research that led to the finalisation of the State Heritage Listing.

The State heritage listing of this site has been completed, and as such, it is recommended to endorse the recommendations of the Heritage Committee.

General Business

A. Update on Liveability Project

A request was made for a briefing of the Heritage Committee to provide an update on the Liveability Project.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

Subsequently, a briefing of Heritage Committee members with respect to the Liveability Project was provided ahead of the 5 October 2023 Committee Meeting.

B. Update on Heritage Fact Sheets

A request was made for an update on the Heritage Fact Sheets (Roofs and Rising Damp).

Subsequently, a report was provided to the 2 November 2023 Committee Meeting with updated Heritage Fact Sheets (Roofs and Rising Damp).

C. Update on List of Outstanding Items

A request was made for an update on actions undertaken with respect to the List of Outstanding Items.

Subsequently, a report was provided to the 5 October 2023 Committee Meeting detailing the finalisation and progress of outstanding items of the Heritage Committee.

ATTACHMENTS

AT - 1 Heritage Committee Meeting Minutes - 3 August 2023.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

AT - 1 Heritage Committee Meeting Minutes - 3 August 2023

1. AGENDA

Minutes of the Meeting of the Heritage Committee held in the Council Chambers, Windsor, on 3 August 2023 commencing at 5:00pm.

ATTENDANCE

Present: Councillor Danielle Wheeler Hawkesbury City Council - (Chairperson)
Councillor Shane Djuric, Hawkesbury City Council
Councillor Mary Lyons-Buckett, Hawkesbury City Council
Councillor Jill Reardon, Hawkesbury City Council
Mr Graham Edds, Community Representative – (Deputy Chairperson)
Ms Jan Barkley-Jack, Community Representative
Ms Cheryl Ballantyne, Community Representative
Ms Gaye Wilson, Community Representative – (Audio visual link)
Ms Deborah Hallam, Community Representative
Ms Michelle Nichols, Community Representative
Mr John Moxon, Community Representative
Ms Erin Wilkins, Community Representative
Ms Cindy Laws, Community Representative
Mr Michael Edwards, Community Representative

Apologies: Nil

In Attendance: Ms Meagan Ang, Hawkesbury City Council
Mr Andrew Kearns, Hawkesbury City Council
Mr Christopher Reeves, Hawkesbury City Council
Ms Tracey Easterbrook, Hawkesbury City Council

Member	3/8/2023
Councillor Danielle Wheeler	✓
Councillor Shane Djuric	✓
Councillor Mary Lyons-Buckett	✓
Councillor Jill Reardon	✓
Ms Jan Barkley-Jack	✓
Ms Cheryl Ballantyne	✓
Ms Gaye Wilson	✓
Ms Deborah Hallam	✓
Ms Michelle Nichols	✓
Mr John Moxon	✓
Ms Erin Wilkins	✓
Ms Cindy Laws	✓
Mr Michael Edwards	✓
Mr Graham Edds	✓

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

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

APOLOGIES

There were no apologies received.

Councillor Mary Lyons-Buckett left the meeting at 6:57pm.

DECLARATION OF INTERESTS

Mr Graham Edds declared an interest on Item 3.1.2.

Councillor Danielle Wheeler declared an Interest on item 3.1.2.

Mr Michael Edwards declared an Interest on item 3.1.6.

Ms Michelle Nicols declared an Interest on item 3.1.6.

3 - Reports for Determination

3.1.1 HC - Response to Mayoral Minute - McQuade Park, Windsor - (80242)

Previous Item: MM1, Ordinary (31 January 2023)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee provide input and advice to Council on the proposed improvement projects included in the adopted Mayoral Minute from Council's Ordinary Meeting on 31 January 2023.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Graham Edds and seconded by Mr Michael Edwards

The Heritage Committee provide the following advice to Council with respect to the Mayoral Minute – McQuade Park, Windsor:

1. That with respect to the Macquarie memorial there needs to be truthtelling in terms of Macquarie through a monument located elsewhere in McQuade Park of equal value and impact. The monument is to be designed in collaboration with local Darug representatives, and is to:
 - a) Be culturally safe and respectful
 - b) Include the Darug Story and history
 - c) Include details of the Frontier War.
2. The Committee advises as follows with respect to each of the Mayoral Minute dot points:
 - a) Signage - erect signage on each corner with the words 'The Great Square' and other names used for the park over time, including McQuade Park. Also include Indigenous names and references, in consultation with the local Darug community. This is to be large and attention grabbing to promote tourism and a sense of place and be within the guidelines of the current Wayfinding and Signage plans.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

Heritage Committee Advice

The Heritage Committee referred to point 1 of the recommendation with respect to priorities for signage.

- b) Fountain - replace the current fountain in the pond with a larger one and ensure it is equipped with lighting. This lighting should be in various colours, for various occasions and displayed every night. This will require an upgraded pump, which needs to be screened so as not to be a visual distraction.

Heritage Committee Advice

The Heritage Committee questioned the need to undertake this work, including the significance of the various colours, and why the fountain should be larger or coloured.

- c) Smaller Fountain - ensure it is operation and turned on.

Heritage Committee Advice

The Heritage Committee considered that further investigation of the cost to upgrade the pump versus a new fountain should be considered.

- d) Fountain Pump - (current) screen the pump and its housing with a visually appealing feature, so that it does not detract from the park.

Heritage Committee Advice

The Heritage Committee supports the screening of the Fountain Pump, but requests further details in terms of materials that would be used for the screening.

- e) The Pond Bridge - the bridge to the island, and around the island, should have an arched white picket railing. The tree in the middle should consist of a variety that flowers all year round, encouraging bridal and other forms of photography into the locality.

Heritage Committee Advice

The Heritage Committee raised concerns with respect to this proposed fencing, and questioned the need for such fencing, noting that there had never been a fence in this location previously.

With respect to the tree, the Heritage Committee considered that if a tree is planted in this location that it should be a native tree.

Overall the Heritage Committee considered that there was a need for more information, including whether this was for safety reasons, and cautioned against providing a element within the Park that would be considered twee.

- f) RSL Cenotaph – ensure this is erected as soon as possible (once the DA process is complete and in conjunction with the Windsor RSL Sub branch), which when the fountain is lit up, will become a prominent feature of the park.

Heritage Committee Advice

The Heritage Committee questioned the proposed location and potential impact on view corridors within the Park.

The Heritage Committee considered that a Development Application for the Cenotaph should be referred to Heritage NSW for input in terms of the location.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

- g) View Corridors - Remove the necessary trees, as outlined in the Plan of Management, to construct two 'View Corridors', which as per the Plan of Management, are tree lined corridors, one from the Council Chambers to St Matthew's Anglican Church and the other from Hawkesbury Valley Way to the Church.

Heritage Committee Advice

The Heritage Committee considered that:

- A number of the trees were planted in 1994 with associated plaques
- The camphor laurel's could be pruned with selective removal
- Any trees removed or pruned the timber should be re-used for cultural purposes
- Preference not to remove trees, but just enough to provide a small sight line (not significant removal)

- h) Further trees - Plant more trees as compensation for the removal of others.

Heritage Committee Advice

The Heritage Committee considered that these should be appropriate trees, and that relocation of trees should be considered rather than removal and new plantings.

- i) Undergrowth - Ensure the undergrowth of trees in the park are pruned to a height where buildings and features of prominence can be seen, and not hidden by foliage.

Heritage Committee Advice

The Heritage Committee had no particular comments in this respect.

- j) Oleander trees - remove these poisonous trees, located near the Bowling Club.

Heritage Committee Advice

The Heritage Committee supports the removal of these trees.

- k) Fencing - The cable railing around Don't Worry field should be replaced with a period sympathetic low white post and rail type fence.

Heritage Committee Advice

The Heritage Committee considered that any fencing should not be white and queried the provision of a post and rail type fence noting the likelihood of people sitting on such fencing.

- l) Bins - replace the bins with more appealing bins, in keeping with the heritage theme of the park.

Heritage Committee Advice

The Heritage Committee considered that any new bins should be unobtrusive, and consistent with the design of the liveability project.

- m) Tables and chairs - replace all old and ruined tables and chairs with new ones, keeping with the heritage theme of the park.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

Heritage Committee Advice

The Heritage Committee considered that any new tables and chairs should be unobtrusive, and consistent with the design of the liveability project.

- n) Playground - construct a new playground to replace the existing old one, located next to the Grandstand.

Heritage Committee Advice

The Heritage Committee considered that if a new playground was installed, that it should include natural elements as opposed to coloured plastics.

- o) Events - create a calendar of potential events to be held in McQuade Park, including outdoor concerts on the island, picnics, car meets, markets etc.

Heritage Committee Advice

The Heritage Committee considered whether the location could sustain events, and that it was very much about the scale and type of events.

- p) Maintenance - create a plan of maintenance, discussing number of staff required and the cost and outline whether an MoU can be created with local Mens Sheds or Community groups, to assist with the work.

Heritage Committee Advice

The Heritage Committee considers that a maintenance plan should provide for a low level of maintenance, or have specialised requirements in terms of maintenance.

- q) The feasibility of public amenities in the vicinity of Don't Worry Oval.

Heritage Committee Advice

The Heritage Committee considers that a publicly accessible shower should be provided.

- r) The feasibility of reinstalling the Krupp Gun to the Park.

Heritage Committee Advice

That Council consult with the Windsor RSL with respect to a location to install the Krupp Gun, noting the need for the gun to be covered.

Further:

3. Council investigate the possibility of Gateway signage on the corner of Hawkesbury Valley Way and Macquarie Street, as well as at other entry sites to Windsor including Windsor Bridge on the Wilberforce side and Windsor Road McGraths Hill, stating 'Welcome to Historic Windsor', in conjunction with the guidelines of the current Wayfinding and Signage plans.

Heritage Committee Advice

The Heritage Committee is supportive of the provision of this Gateway signage.

4. Signage and fencing at and around the Catholic Burial Ground opposite the Council Chamber.

Heritage Committee Advice

The Heritage Committee is supportive of the provision of fencing around the Catholic Burial Ground.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

3.1.2 HC - Hawkesbury Timber Slab Barns Update Study 2023 - (80242)

Directorate: City Planning

Councillor Wheeler declared an interest in the item and vacated the chair.

Mr Graham Edds declared an interest in the item.

Councillor Mary Lyons-Buckett assumed the chair for this item.

OFFICER'S RECOMMENDATION:

That the Heritage Committee note the update on the Hawkesbury Timber Slab Barns Update Study, and provide further feedback when presentations are made at a future meeting.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Jill Reardon and seconded by Ms Michelle Nichols.

That the Heritage Committee note the update on the Hawkesbury Timber Slab Barns Update Study, and provide further feedback when presentations are made at a future meeting.

Councillor Wheeler resumed the chair.

3.1.3 HC - Windsor Bridge Artefacts Working Group Meeting - (80242)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee note the update with respect to the formation of the Windsor Bridge Artefacts Working Group.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Cheryl Ballantyne and seconded by Councillor Jill Reardon.

That the Heritage Committee note the update with respect to the formation of the Windsor Bridge Artefacts Working Group.

That the Heritage Committee:

- Note the update with respect to the formation of the Windsor Bridge Artefacts Working Group.
- Recommends that the focus of the Working Group should be on the Old Windsor Bridge and interpretation of the bridge
- Recommends that Council make representations to both levels of government for funding of interpretation.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

3.1.4 HC - Thomas James Bridge Conservation Management Plan - (80242)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee recommend that Council consider the preparation of applications for listing of the Thomas James Bridge on:

1. Hawkesbury Councils LEP and;
2. On the NSW State Heritage Register and;
3. On the Old Great North Road World Heritage Listing using the information provided in the Thomas James Bridge Conservation Management Plan.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Jill Reardon and seconded by Ms Erin Wilkins.

That the Heritage Committee recommend that Council consider the preparation of applications for listing of the Thomas James Bridge on:

1. Hawkesbury Councils LEP and;
2. On the NSW State Heritage Register and;
3. On the Old Great North Road World Heritage Listing using the information provided in the Thomas James Bridge Conservation Management Plan.

3.1.5 HC - Discovery of a Brick Barrel Drain - Pitt Street Windsor - (80242)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee considers this matter, and provide insight or suggestions to assist in the investigation of whether the brick barrel drain is a potential State Heritage Significant Feature.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Jill Reardon and seconded by Ms Jan Barkley-Jack.

That the Heritage Committee received information from Ms Jan Barkley-Jack regarding the possible location of the brewery from the original survey, and that the Committee consider further information as it becomes available.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

3.1.6 HC - Local Heritage Assistance Fund 2022/2023 - Minor Maintenance/Conservation Works to Heritage Listed Properties Within the Hawkesbury LGA - (80242)

Directorate: City Planning

Mr Michael Edwards declared an Interest on this Item.

Ms Michelle Nicols declared an Interest on this Item.

OFFICER'S RECOMMENDATION:

That the Heritage Committee receive and note the information contained within the report.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Edwards and seconded by Mr Graham Edds.

That the Heritage Committee:

- Receive and note the information contained within the report, and that \$216,865.41 was the contribution from applicants to the program.
- Recommends that Council increase the funding available under the Local Heritage Assistance Fund, noting the need to increase the size of the \$2,000 maximum available funding per applicant.
- Notes that the NSW State Government contribution to the fund of \$5,500 has been unchanged for many years, and that with a higher number of listings compared to surrounding local government areas that representations should be made to Heritage NSW and the State Member for increased funding.
- Recommend that Council consider a special rate for heritage conservation.

3.1.7 HC - State Heritage Listing of Singleton's Mill Site Kurrajong - (80242)

Previous Item: Item 6, Heritage Committee, (28 July 2022)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee:

1. Notes the finalisation of the State Heritage Listing of the Singleton Mill Site at 154 Mill Road, Kurrajong.
2. Recommends that Council formally thank everyone involved in assisting with the research that led to the finalisation of the State Heritage Listing.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Edwards and seconded by Councillor Shane Djuric.

That the Heritage Committee:

1. Notes the finalisation of the State Heritage Listing of the Singleton Mill Site at 154 Mill Road, Kurrajong.
2. Recommends that Council formally thank everyone involved in assisting with the research that led to the finalisation of the State Heritage Listing.

3.1.8 HC - Annual Dr Rex Stubbs OAM Symposium - (80242)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee note the update regarding the 2023 Dr Rex Stubbs OAM Symposium. A

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Erin Wilkins and seconded by Ms Cheryl Ballantyne.

That the Heritage Committee note the update regarding the 2023 Dr Rex Stubbs OAM Symposium.

4. GENERAL BUSINESS

A. Update on Liveability Project

A request was made for a briefing of the Heritage Committee to provide an update on the Liveability Project.

B. Update on Heritage Fact Sheets

A request was made for an update on the Heritage Fact Sheets (Roofs and Rising Damp).

C. Update on List of Outstanding Items

A request was made for an update on actions undertaken with respect to the List of Outstanding Items.

The next Heritage Committee meeting is proposed to be held on Thursday, 5 October 2023 at 5:00pm.

The meeting terminated at 7:39pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

5.1.4. ROC - Heritage Committee - 5 October 2023

Directorate: City Planning

PURPOSE OF THE REPORT

The purpose of this report is to present the Minutes of the Heritage Committee, held on 5 October 2023.

EXECUTIVE SUMMARY

Four Matters - Items 3.1.4, 3.1.5 and Items A and B in General Business contained within the minutes of the Heritage Committee have policy or financial implications to Council. They therefore require specific consideration by Council, the details of which are discussed in the report below.

In relation to Items 3.1.1, 3.1.2, and 3.1.3, as they have no policy or financial implications for Council, they are presented for information only.

RECOMMENDATION

That in relation to the Minutes of the Heritage Committee Meeting held on the 5 October 2023:

1. Council receive and note the Minutes of the Heritage Committee in respect to items 3.1.1, 3.1.2, and 3.1.3.
2. Council note the Committee Recommendations in respect of 3.1.4 (Windsor Bridge Artefacts Working Group September Meeting), namely:
 - i. Receive and note the update on progress of the Windsor Bridge Artefacts Working Group.
 - ii. Recommends that Council:
 - a. Takes immediate action to undertake an inventory and providence of what artefacts Council has in their possession from the Windsor Bridge Project.
 - b. Considers urgently taking measures to protect the artefacts in Council's possession by storing in shipping containers or adequate protective covering
 - c. Undertake a series of tool box talks with relevant staff to assist them with understanding what the various artefacts from the Windsor Bridge Project are, their significance, and how they should be treated.
 - d. Commission a Heritage Interpretation Strategy, including assessment of material and interpretation.
 - e. Consider consulting engineering heritage experts with respect to the artefacts.
3. Council endorse the Committee Recommendations in respect of 3.1.5, namely:
 - a) That the report on the 2023/2024 Local Heritage Assistance Fund Program be received and noted.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

- b) That Council consider resourcing studies that ensure that heritage items are listed at the right level (local versus state listing) so that owners of heritage items have the opportunity to be better supported financially.
4. Council note that in respect of General Business items:
- a) An update on the condition, protection and planned improvements to the Council owned barn near Tebbutts Observatory in Windsor will be investigated and reported back to the Heritage Committee at a subsequent Meeting.
 - b) A pre briefing of Heritage Committee members was arranged for Ms Jan Barkley-Jack to present her PhD paper on the Green Hills Village on 2 November 2023.

DISCUSSION

The Committee considered staff reports on a range of matters as shown in the attached minutes (Attachment 1). The following items require specific consideration by Council.

Item 3.1.4 - Windsor Bridge Artefacts Working Group September Meeting

The Heritage Committee received an update on the progress of the Windsor Bridge Artefacts Working Group (noting the subsequent change in name of the working group to the Windsor Bridge replacement Project Working Group).

Following consideration of the matter, the Heritage Committee resolved:

That the Heritage Committee:

1. Receive and note the update on progress of the Windsor Bridge Artefacts Working Group.
2. Recommends that Council:
 - a) Takes immediate action to undertake an inventory and providence of what artefacts Council has in their possession from the Windsor Bridge Project.
 - b) Considers urgently taking measures to protect the artefacts in Council's possession by storing in shipping containers or adequate protective covering
 - c) Undertake a series of tool box talks with relevant staff to assist them with understanding what the various artefacts from the Windsor Bridge Project are, their significance, and how they should be treated.
 - d) Commission a Heritage Interpretation Strategy, including assessment of material and interpretation.
 - e) Consider consulting engineering heritage experts with respect to the artefacts.

It is noted that subsequent to the 5 October 2023 Committee Meeting, the final recommendations of the working group were considered at the 2 November 2023 Committee Meeting.

As such, in terms of the recommendations from the 5 October 2023 Committee Meeting, it is recommended that these be noted instead of endorsed.

Item 3.1.5 - Local Heritage Assistance Fund 2023/2024

Following consideration of the matter, the Committee resolved:

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

1. That the report on the 2023/2024 Local Heritage Assistance Fund Program be received and noted.
2. That Council consider resourcing studies that ensure that heritage items are listed at the right level (local versus state listing) so that owners of heritage items have the opportunity to be better supported financially.

Council is currently undertaking projects associated with potential heritage listings, and a further project associated with slab barns. Consideration of local and state heritage listings is occurring as part of those projects.

General Business

A. Timber Barns

- i). An update was requested on the condition, protection and planned improvements to the Council owned barn near Tebbutts Observatory in Windsor.

Enquiries can be made of relevant sections within Council in respect of this slab barn in Council ownership, and reported back to the Heritage Committee at a subsequent Meeting.

- ii). Freemans Reach Barn – now considered to be pre 1800 and possibly the earliest remaining barn in Australia and as such of potential State or National significance.

This site is being considered as part of the Slab Barns Study Project that is currently underway and progressing.

B. Village Proposal (Ms Jan Barkley-Jack)

A pre briefing of Heritage Committee members to be arranged for Ms Jan Barkley-Jack to present her PhD paper on the Village.

Arrangements were subsequently made for the pre briefing to occur on 2 November 2023.

ATTACHMENTS

AT - 1 Heritage Committee Minutes - 5 October 2023.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

AT - 1 Heritage Committee Minutes - 5 October 2023

1. AGENDA

Minutes of the Meeting of the Heritage Committee held in the Council Chambers, Windsor, on 5 October 2023 commencing at 5:00pm.

ATTENDANCE

Present: Councillor Danielle Wheeler Hawkesbury City Council - (Chairperson)
 Councillor Shane Djuric, Hawkesbury City Council
 Councillor Mary Lyons-Buckett, Hawkesbury City Council
 Mr Graham Edds, Community Representative – (Deputy Chairperson)
 Ms Jan Barkley-Jack, Community Representative
 Ms Cheryl Ballantyne, Community Representative
 Ms Deborah Hallam, Community Representative
 Ms Michelle Nichols, Community Representative
 Mr John Moxon, Community Representative
 Mr Michael Edwards, Community Representative

Apologies: Councillor Jill Reardon, Hawkesbury City Council
 Ms Gaye Wilson, Community Representative
 Ms Erin Wilkins, Community Representative
 Ms Cindy Laws, Community Representative

In Attendance: Mr Andrew Kearns, Hawkesbury City Council
 Ms Amy Birks, Hawkesbury City Council, Minute Secretary

Member	3/8/2023	5/10/2023
Councillor Danielle Wheeler	✓	✓
Councillor Shane Djuric	✓	✓
Councillor Mary Lyons-Buckett	✓	✓
Councillor Jill Reardon	✓	A
Ms Jan Barkley-Jack	✓	✓
Ms Cheryl Ballantyne	✓	✓
Ms Gaye Wilson	✓	A
Ms Deborah Hallam	✓	✓
Ms Michelle Nichols	✓	✓
Mr John Moxon	✓	✓
Ms Erin Wilkins	✓	A
Ms Cindy Laws	✓	A
Mr Michael Edwards	✓	✓
Mr Graham Edds	✓	✓

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

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

APOLOGIES

Apologies from Councillor Jill Reardon, Ms Gaye Wilson, Ms Erin Wilkins and Ms Cindy Laws were noted.

DECLARATION OF INTERESTS

Mr Graham Edds declared an interest on Item 3.1.2.

Councillor Danielle Wheeler declared an interest on Item 3.1.2.

2. CONFIRMATION OF MINUTES

Minutes of 3 August 2023 Meeting to be included in Business Papers for 2 November 2023 Heritage Committee Meeting.

3. REPORTS FOR DETERMINATION

3.1.1 HC - Heritage Committee Outstanding Actions Update - (80242)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee consider the update on progress associated with the list of outstanding actions from the former Heritage Advisory Committee.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Jan Barkley-Jack and seconded by Mr Michael Edwards.

That the Heritage Committee consider the update on progress associated with the list of outstanding actions from the former Heritage Advisory Committee.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

As requested by the Heritage Committee Chairperson I provide the:-

Report on representatives from the International ICOMOS General Assembly visit to the Hawkesbury on Tuesday 19th September 2023.

This resulted from an impromptu request from a few international members through a colleague, Sue Jackson-Stepowski who were anticipating a visit to the Hawkesbury/Nepean region but were saddened by the cancellation of the two events through lack of registrations.

The participants identified below initially met at St Matthews Anglican Church and Precinct and were treated with the hospitality of Rev Chris Jones who opened up the church and allowed access into the bell tower to view the cultural landscape that surrounds Windsor from the tower elevation which included the vast Hawkesbury floodplain and escarpment of the lower Blue Mountains.

The whirlwind tour selected various early farming locations from the first years of Hawkesbury's early 19th C settlement including visitation to some Macquarie towns, Hobartville Stud and following Francis Street and Dight street behind the RAAF base again viewing the still remnant and vast river cultural landscape to Windsor's Peninsula historic buildings, Australia's first purpose built Court House, North Street cottages, and Tebbutt's Observatory precinct to Thompson Square before enjoying lunch at the Macquarie Arms Hotel, Australia's oldest pub on the mainland. Thereafter travelling along the floodplain towards Wilberforce observing the many significant timber slab barns on the way to the Australiana Pioneer Village which again was accommodated by the Friends of APV.

All participants were "gobsmacked" at the vastness of the cultural landscape particularly referring to their personal knowledge of cultural landscapes from elsewhere around Europe.

It was clear to me that we, the Hawkesbury community, take for granted the area in which we live and work and sometimes do not fully appreciate the beauty and extent of our early settlement and historical importance of the Hawkesbury floodplain together with its vital importance during those early years of providing food for the Colony.

It was my absolute pleasure to be able to provide a knowledgeable tour at short notice and receiving resounding acceptance for visitation from the owners to these highly regarded international visitors and to showcase even a snippet of the heritage of the Hawkesbury.

Attached is a photograph of St Matthews Anglican Church, c1817 Windsor, New South Wales, Australia with participants:

[left to right]

- Rev. Mr Chris Jones, St Matthews Anglican Church, Windsor
- Ms Mona O'ROURKE (Ireland), President of ICOMOS International Scientific Committee on Legal, Administrative and Financial Issues [ILAFI]
- Ms Grainne SHAFFREY (Ireland), ICOMOS international Board member, former President ICOMOS Ireland
- Ms Dr Fidelma MULLANE (Ireland), 2023 President of ICOMOS Ireland, ICOMOS International Scientific Committee for Vernacular Architecture. expert
- Mr Graham EDDS (Australia), ICOMOS International Scientific Committee for Vernacular Architecture. expert and Australia's voting member.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

photo by

Ms Sue Jackson-Stepowski (Australia),

ICOMOS 21st General Assembly (Sydney) Organising Committee

International Scientific Committees for

- Historic Cities, Towns and Villages – expert
- Shared Built Heritage – expert and former Vice President
- Cultural Landscape -Expert- Shared Built Heritage – expert and former Vice President
- Cultural Landscapes - expert

Prepared by Graham Edds for the Heritage Committee.

October 2023.



ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

3.1.2. HC - Update on the Hawkesbury Timber Barns Study 2023 - (80242)

Directorate: City Planning

Councillor Wheeler declared an interest in the item and vacated the chair.

Mr Graham Edds declared an interest in the item.

Councillor Mary Lyons-Buckett assumed the chair for this item.

OFFICER'S RECOMMENDATION:

That the information with respect to the update on the Hawkesbury Timber Barns Study 2023 be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Shane Djuric and seconded by Ms Cheryl Ballantyne.

That the information with respect to the update on the Hawkesbury Timber Barns Study 2023 be received and noted.

Councillor Danielle Wheeler resumed the chair.

3.1.3. HC - Potential Heritage Items Project Update - (80242)

Previous Item: 4, HC (28 July 2022)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee receive the report on the update on the potential heritage items project.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Michelle Nichols and seconded by Mr Graham Edds.

That the Heritage Committee receive the report on the update on the potential heritage items project.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

3.1.4. HC - Windsor Bridge Artefacts Working Group September Meeting - (80242)

Previous Item: 3.1.3, HC (3 August 2023)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee receive and note the update on progress of the Windsor Bridge Artefacts Working Group.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Edwards and seconded by Mr Graham Edds.

That the Heritage Committee:

1. Receive and note the update on progress of the Windsor Bridge Artefacts Working Group.
2. Recommends that Council:
 - a) Takes immediate action to undertake an inventory and providence of what artefacts Council has in their possession from the Windsor Bridge Project.
 - b) Considers urgently taking measures to protect the artefacts in Council's possession by storing in shipping containers or adequate protective covering
 - c) Undertake a series of tool box talks with relevant staff to assist them with understanding what the various artefacts from the Windsor Bridge Project are, their significance, and how they should be treated.
 - d) Commission a Heritage Interpretation Strategy, including assessment of material and interpretation.
 - e) Consider consulting engineering heritage experts with respect to the artefacts.

3.1.5. HC - Local Heritage Assistance Fund 2023/2024 - (80242)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the report on the 2023/2024 Local Heritage Assistance Fund Program be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Graham Edds and seconded by Mr John Moxon.

1. That the report on the 2023/2024 Local Heritage Assistance Fund Program be received and noted.
2. That Council consider resourcing studies that ensure that heritage items are listed at the right level (local versus state listing) so that owners of heritage items have the opportunity to be better supported financially.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

4. GENERAL BUSINESS

A. Timber Barns

An update was requested on the condition, protection and planned improvements to the Council owned barn near Tebbutts Observatory in Windsor.

Freemans Reach Barn – now considered to be pre 1800 and possibly the earliest remaining barn in Australia and as such of potential State or National significance.

B. Village Proposal (Ms Jan Barkley-Jack)

A pre briefing of Heritage Committee members to be arranged for Ms Jan Barkley-Jack to present her PhD paper on the Village. Pre Briefing to occur at 4pm on 2 November 2023.

The next Heritage Committee meeting is proposed to be held on Thursday, 2 November 2023 at 5:00pm.

The meeting terminated at 6:52pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

5.1.5. ROC - Heritage Committee - 2 November 2023

Directorate: City Planning

PURPOSE OF THE REPORT

The purpose of this report is to present the Minutes of the Heritage Committee, held on 2 November 2023.

EXECUTIVE SUMMARY

Four matters - Items 3.1.1, 3.1.2, 3.1.3 and Item A in General Business contained within the minutes of the Heritage Committee have policy or financial implications to Council. They therefore require specific consideration by Council, the details of which are discussed in the report below.

In relation to Item 3.1.4, as they have no policy or financial implications for Council, they are presented for information only.

RECOMMENDATION

That in relation to the Minutes of the Heritage Committee Meeting held on the 2 November 2023:

1. Council receive and note the Minutes of the Heritage Committee in respect to item 3.1.4.
2. Council consider the Committee Recommendations in respect of item 3.1.1 (Windsor Bridge Replacement Project Working Group October Meeting), namely:
 - a) The amended recommendations of the Windsor Bridge Replacement Project Working Group October Meeting included as Attachment 2.
3. Council endorse the Committee Recommendations in respect of item 3.1.2 (Heritage Information Sheets Update), namely:
 - a) The Guidelines for Roofs be amended for use based on the feedback from the Committee.
 - b) The Guidelines for Rising Damp be amended based on feedback from the Committee, and presented to the next Committee Meeting.
4. Council endorse the Committee Recommendations in respect of item 3.1.3, namely:
 - a) Lobby the NSW Government for increased funding for this program.
 - b) Notes that an increase in heritage listings provides further justification to seek further NSW Government funding, and increasing the size of the program.

and refers the following recommendation to Council's 2024/2025 Budget/Operational Plan process:
 - c) Increases funding of the Local Heritage Assistance Fund to \$100,000, and consider a tiered contributions, and other means to administer the program.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

5. Council not endorse the Committee Recommendation in respect of Item A in General Business (Liveability Project), namely:
 - a) That the Heritage Committee requests a roundtable discussion between Committee members, Council's Liveability Project consultants, Council's Heritage Advisor and relevant Council Officers that are involved with this project to resolve outstanding issues and avoid deterioration of building fabric as a consequence of the Liveability Project.

DISCUSSION

The Committee considered staff reports on a range of matters as shown in the attached minutes (Attachment 1). The following items require specific consideration by Council.

Item 3.1.1 - Windsor Bridge Replacement Project Working Group October Meeting

The Heritage Committee received the final recommendations of the Windsor Bridge Replacement Project Working Group. Following consideration of the matter, the Heritage Committee resolved:

That the Heritage Committee endorse the amended recommendations and refer these recommendations to Council's November Meeting.

The amended recommendations based on feedback from the Heritage Committee are included as Attachment 2.

Item 3.1.2 - Heritage Information Sheets Update

Following consideration of the matter, the Heritage Committee resolved:

That the Heritage Committee recommends to Council, that:

1. The Guidelines for Roofs be amended for use based on the feedback from the Committee.
2. The Guidelines for Rising Damp be amended based on feedback from the Committee, and presented to the next Committee Meeting.

The Guidelines considered by the Heritage Committee are included as Attachment 3 (Roofs) and Attachment 4 (Rising Damp).

Feedback from the Heritage Committee included:

Roofs Guideline

- Use examples from the Hawkesbury Local Government Area where available
- Consider a printer friendly version with no images
- Detail the hierarchy of metals and issues with mixing dissimilar materials.

Rising Damp Guideline

- Avoid oversimplification of rising damp and salt issues
- Highlight moisture is possible from air not just ground
- Provide clearer drawings and include Council generated drawings rather than drawings sourced from other resources

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

- Remove Section 3 and include Advice to property owners section
- Produce as a document to assist property owners identify issues and to seek professional assistance rather than attempt to fix issues themselves
- Focus to be on getting specialist advice, plain language summary of one page, information on approvals process, and materials that should not be used
- Highlight health impacts of rising damp including mould.

Committee Meeting dates for 2024 are yet to be set, and updated Guidelines can be presented to the next Committee Meeting for consideration.

Item 3.1.3 - Local Heritage Assistance Fund 2023/2024

Following consideration of the matter, the Heritage Committee resolved:

That the Heritage Committee recommends that Council:

1. Lobby the NSW Government for increased funding for this program.
2. Increases funding of the Local Heritage Assistance Fund to \$100,000, and consider a tiered contributions, and other means to administer the program.
3. Notes that an increase in heritage listings provides further justification to seek further NSW Government funding, and increasing the size of the program.

In respect of point 2, this would have to be referred to Council's Budget/Operational Plan process for further consideration.

General Business

A. Liveability Project

Following consideration of this matter raised in General Business, the Committee resolved:

"That the Heritage Committee requests a roundtable discussion between Committee members, Council's Liveability Project consultants, Council's Heritage Advisor and relevant Council Officers that are involved with this project to resolve outstanding issues and avoid deterioration of building fabric as a consequence of the Liveability Project."

As the scope for Stage 1 of the Liveability Project for Windsor is finalised and has proceeded to tender, it is not considered appropriate to convene a meeting with stakeholders at this time. Furthermore, it is considered that this resolution falls outside the role and authority of the committee (as outlined in its constitution) which is:

- (a) To recommend to Council policies drawn up by professional staff;
- (b) To bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Committee under Section 377.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

ATTACHMENTS

AT - 1 Heritage Committee Minutes - 2 November 2023.

AT - 2 Amended Windsor Bridge Replacement Project Working Group Recommendations -
(Distributed under separate cover).

AT - 3 Heritage Information Sheet - Roofs - *(Distributed under separate cover).*

AT - 4 Heritage Information Sheet - Rising Damp - *(Distributed under separate cover).*

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

AT - 1 Heritage Committee Minutes - 2 November 2023

1. AGENDA

Minutes of the Meeting of the Heritage Committee held in the Council Chambers, Windsor, on 2 November 2023 commencing at 5:05pm.

ATTENDANCE

Present: Councillor Danielle Wheeler Hawkesbury City Council - (Chairperson)
Councillor Shane Djuric, Hawkesbury City Council
Councillor Mary Lyons-Buckett, Hawkesbury City Council
Councillor Jill Reardon, Hawkesbury City Council
Mr Graham Edds, Community Representative – (Deputy Chairperson)
Ms Jan Barkley-Jack, Community Representative
Ms Cheryl Ballantyne, Community Representative
Ms Deborah Hallam, Community Representative
Ms Michelle Nichols, Community Representative – (Audio-visual link)
Mr John Moxon, Community Representative
Mr Michael Edwards, Community Representative
Ms Gaye Wilson, Community Representative - (Audio-visual link)
Ms Erin Wilkins, Community Representative – (Audio-visual link)

Apologies: Nil

In Attendance: Mr Andrew Kearns, Hawkesbury City Council
Mr Thomas Koruth, Hawkesbury City Council
Mr Christopher Reeves, Hawkesbury City Council
Ms Amy Birks, Hawkesbury City Council, Minute Secretary

Member	3/8/2023	5/10/2023	2/11/2023
Councillor Danielle Wheeler	✓	✓	✓
Councillor Shane Djuric	✓	✓	✓
Councillor Mary Lyons-Buckett	✓	✓	✓
Councillor Jill Reardon	✓	A	✓
Ms Jan Barkley-Jack	✓	✓	✓
Ms Cheryl Ballantyne	✓	✓	✓
Ms Gaye Wilson	✓	A	✓
Ms Deborah Hallam	✓	✓	✓
Ms Michelle Nichols	✓	✓	✓
Mr John Moxon	✓	✓	✓
Ms Erin Wilkins	✓	A	✓
Ms Cindy Laws	✓	A	X
Mr Michael Edwards	✓	✓	✓
Mr Graham Edds	✓	✓	✓

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

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

APOLOGIES

There were no apologies noted.

Ms Erin Wilkins joined the meeting at 5:34pm

DECLARATION OF INTERESTS

Mr Michael Edwards declared an interest on Item 3.1.3.

Mr Graham Edds declared an interest on Item 3.1.4.

Councillor Danielle Wheeler declared an interest on Item 3.1.4.

Ms Michelle Nichols declared an interest on Item 3.1.4.

2. CONFIRMATION OF MINUTES

The Committee resolved on the Motion of Mr Michael Edwards, seconded by Councillor Jill Reardon, that the Minutes from the previous meeting held on Thursday, 3 August 2023 be confirmed.

The Committee resolved on the Motion of Ms Cheryl Ballantyne, seconded by Ms Deborah Hallam, that the Minutes from the previous meeting held on Thursday, 5 October 2023 be confirmed.

3. REPORTS FOR DETERMINATION

3.1.1 **HC - Windsor Bridge Replacement Project Working Group October Meeting - (80242)**

Previous Item: 3.1.3, HC (3 August 2023), 3.1.4, HC (5 October 2023)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee receive and note the update on progress of the Windsor Bridge Replacement Project Working Group.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Jill Reardon and seconded by Mr Michael Edwards.

That the Heritage Committee endorse the amended recommendations and refer these recommendations to Council's November Meeting.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 21 November 2023

3.1.2 HC - Heritage Information Sheets Update - (80242)

Previous Item: 007, HC (22 July 2021)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Heritage Committee provide feedback and input on the amended Heritage Guidelines for 'Roofs' and 'Rising Damp' included as Attachments 1 and 2 respectively.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Jill Reardon and seconded by Councillor Shane Djuric.

That the Heritage Committee recommends to Council, that:

1. The Guidelines for Roofs be amended for use based on the feedback from the Committee.
2. The Guidelines for Rising Damp be amended based on feedback from the Committee, and presented to the next Committee Meeting.

3.1.3 HC - Local Heritage Assistance Fund 2023/2024 - (80242)

Directorate: City Planning

Mr Michael Edwards declared an interest on this item.

OFFICER'S RECOMMENDATION:

That the report on the 2023/2024 Local Heritage Assistance Fund Program be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Jill Reardon and seconded by Ms Jan Barkley-Jack.

That the Heritage Committee recommends that Council:

1. Lobby the NSW Government for increased funding for this program.
2. Increases funding of the Local Heritage Assistance Fund to \$100,000, and consider a tiered contributions, and other means to administer the program.
3. Notes that an increase in heritage listings provides further justification to seek further NSW Government funding, and increasing the size of the program.

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 21 November 2023

3.1.4 HC - Update on the Hawkesbury Timber Barns Study 2023 - (80242)

Previous Item: HC 3.1.2 (5 October 2023)

Directorate: City Planning

Councillor Danielle Wheeler declared an interest in the item and vacated the chair.

Ms Michelle Nichols declared an interest on this item.

Mr Graham Edds declared an interest on this item.

Councillor Mary Lyons-Buckett assumed the chair for this item and for the remainder of the meeting.

OFFICER'S RECOMMENDATION:

That the information with respect to the update on the Hawkesbury Timber Barns Study 2023 be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Shane Djuric and seconded by Councillor Jill Reardon.

That the information with respect to the update on the Hawkesbury Timber Barns Study 2023 be received and noted.

4. GENERAL BUSINESS

A. Liveability Project

RESOLVED on the motion of Mr Graham Edds and seconded by Councillor Shane Djuric.

That the Heritage Committee requests a roundtable discussion between Committee members, Council's Liveability Project consultants, Council's Heritage Advisor and relevant Council Officers that are involved with this project to resolve outstanding issues and avoid deterioration of building fabric as a consequence of the Liveability Project.

The meeting terminated at 6.31pm.

oooO END OF REPORT Oooo

ORDINARY MEETING

6. NOTICES OF MOTION

Meeting Date: 21 November 2023

6. NOTICES OF MOTION

6.1.1. NM1 – Fireworks - (125612)

Submitted by: Councillor Lyons-Buckett

NOTICE OF MOTION

That Council:

1. Compile data regarding the number of annual pyrotechnic display licences issued by SafeWork NSW for the Hawkesbury local government area.
2. Prepare a Fireworks (Pyrotechnic) Display Policy which is concerned with the process of notification to Council, which must be followed by licensed pyrotechnicians who plan on conducting fireworks displays within the Hawkesbury local government area. The Policy would require all proposed pyrotechnical displays are reviewed and assessed by Council, and that appropriate controls are imposed to limit their impact in relation to safety, noise and potential to generate pollution.

BACKGROUND

Currently Council does not have a specific Fireworks (Pyrotechnic) Display Policy. Recent community concerns from residents in rural residential areas which have been impacted by the 2019/20 bushfires illustrated Council's limitations in applying controls to reduce negative impacts on surrounding properties, businesses, livestock, and wildlife.

In July this year, Queanbeyan-Palerang Council adopted such a policy (attached) providing a good example, which could be referred to in formulating a Hawkesbury-specific policy.

In ensuring we are equipped to deliver consistency around this issue, the introduction of a Policy providing specific details for the Hawkesbury LGA, will enable Fireworks displays to proceed in line with the considerations outlined in the policy.

ATTACHMENTS

AT – 1 Fireworks (Pyrotechnic) Display Policy.

AT – 1 Fireworks (Pyrotechnic) Display Policy



Fireworks (Pyrotechnic) Display Policy

Date policy was adopted:	13 July 2023
Resolution number:	271/23
Next Policy review date:	September 2024
Reference number:	52.5.4
Strategic Pillar	Development and Environment
Responsible Branch	Environmental Health

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ORDINARY MEETING

6. NOTICES OF MOTION

Meeting Date: 21 November 2023

Fireworks (Pyrotechnic) Display Policy

1. OUTCOMES

- 1.1 Fireworks are a class of low explosive pyrotechnic devices used for aesthetic and entertainment purposes. The most common use of a fireworks is as part of a fireworks display (also called a fireworks show or pyrotechnics), a display of the effects produced by fireworks devices.
- 1.2 Fireworks take many forms to produce the four primary effects: noise, light, smoke and floating materials (confetti). They may be designed to burn with coloured flames and sparks including red, orange, yellow, green, blue, purple, and silver. Displays are common throughout the world and are the focal point of many cultural and religious celebrations.
- 1.3 This Policy will reduce the negative impact firework displays have on surrounding properties. The controls listed in this policy will help to mitigate property damage, livestock/pet impacts, residential disturbance, and improve public safety.

2. POLICY

- 2.1 This policy is concerned with the process of notification to Council, which must be followed by licenced pyrotechnicians who plan on conducting a fireworks display within the local government area. It has been developed to ensure that all proposed pyrotechnical displays taking place within the Queanbeyan-Palerang Regional Council area are reviewed and assessed by Council and that appropriate controls are imposed to limit their impact in relation to safety, noise, and potential to generate pollution.

3. SCOPE OF THE POLICY

- 3.1 The policy is relevant to any fireworks display occurring within the Queanbeyan-Palerang Regional Council area.

4. DEFINITIONS

- 4.1 **Aerials or Aerial Display Shells** – display fireworks that are designed to be projected from a mortar tube by means of a lifting charge and to burst in the air, displaying stars, comets, rings, serpents, crackers, streamers or other effects. Where a pyrotechnician's licence authorises the use of aerial shells, the licence specifies the maximum size aerial shell that can be used under the licence.
- 4.2 **Close Proximity Pyrotechnics (Theatrical Fireworks)** – pyrotechnic articles assigned to compatibility group G that are specifically designed for use at close proximity to performers, audiences and structures; typically used indoors (eg stage or studio) for theatre, concert, film and television productions; include gerbes, fountains, flash pots, fireballs, flame or smoke effects involving pyrotechnics
- 4.3 **Firework** - an article designed to produce a sound or a pyrotechnic signal or a pyrotechnic effect by the explosion or ignition of an explosive substance, including a display firework or toy firework.
- 4.4 **Ground Display Fireworks** – display fireworks that primarily function on the ground and which may project stars, novelty and other effects above the ground, eg mines, roman candles, lances, fountains, comets, multi-shot cakes and wheels.
- 4.5 **Pyrotechnician** – A person who is responsible for the safe storage, handling, and functioning of pyrotechnics and pyrotechnic devices. Additionally for the purpose of

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ORDINARY MEETING

6. NOTICES OF MOTION

Meeting Date: 21 November 2023

Fireworks (Pyrotechnic) Display Policy

this policy a pyrotechnician is the holder of a valid Pyrotechnicians or Fireworks (Single Use) Licence issued by SafeWork NSW.

- 4.6 **Salutes** – aerial shells that are designed to produce a single loud report upon bursting in the air. Their receipt and use must be specified on the licence. They are known to disturb animals, particularly dogs and horses, therefore care and consultation are required to ensure that neighbours can protect their animals. Salutes larger than 75mm are prohibited in NSW

5. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

- NSW Explosives Act 2003
 - NSW Explosives Regulations 2013
- NSW Protection of the Environment Operations Act 1997
 - NSW Protection of the Environmental Operations (General) Regulations 2021
 - NSW Protection of the Environmental Operations (Noise Control) Regulations 2017
- NSW Local Government Act 1993
- Commonwealth Civil Aviation Safety Act 1988
 - Commonwealth Civil Aviation Safety Regulations 1998

6. CONTENT

6.1 PRIOR TO COUNCIL NOTIFICATION

- 6.1.1 All individuals who wishes to conduct a fireworks display MUST have been issued by SafeWork NSW either:
- A Pyrotechnicians licence; or
 - A Fireworks (Single Use) Licence (FSUL).
- 6.1.2 All licenced individuals must have completed and submitted a 'Fireworks Notification Form' (available from the SafeWork NSW website) to SafeWork NSW, and have received a written confirmation of this Notification from SafeWork NSW.

6.2 COUNCIL NOTIFICATION PROCESS

- 6.2.1 A Pyrotechnician's or Fireworks (Single Use) Licence is issued by SafeWork NSW by way of the *Explosives Regulation 2013* (the Regulation).
- 6.2.2 The Regulation requires that as a condition of each Pyrotechnician's Licence or Fireworks (Single Use) Licence issued, the licensee must notify SafeWork NSW and the local Council of an intention to use any fireworks, distress signal or model rocket propellant device at least seven (7) working days before the fireworks, signal or device is to be used (Clauses 29 and 30).
- 6.2.3 While notice must be given to Councils of an intention to use any firework, Council has no power to approve the use of a firework. However, Council may object to or impose conditions on an applicant's use of fireworks.
- 6.2.4 After receiving notification of the intended use of fireworks, Council may decide to object to the use of the fireworks. If Council decides to object to the use of the fireworks, we are required to inform the Pyrotechnician and SafeWork NSW of that decision.

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ORDINARY MEETING

6. NOTICES OF MOTION

Meeting Date: 21 November 2023

Fireworks (Pyrotechnic) Display Policy

6.3 NOTIFICATION SUBMISSIONS TO COUNCIL

6.3.1 All notifications must be received by Council at least seven working days prior to the proposed fireworks display.

NOTE: Pyrotechnicians engaged by and for events organised by Queanbeyan-Palerang Regional Council, are NOT exempt from the requirement to notify Council of a proposed display.

6.3.2 All notifications are to be accompanied by:

- A copy of your Pyrotechnician or Fireworks (Single Use) Licence;
- A copy of your Public Liability Insurance with a value up to \$20 Million;
- A completed '*Fireworks display checklist*' as published by SafeWork NSW*;
- A site diagram showing the firing location, buffer zones, emergency equipment (including firefighting equipment and first aid equipment), and any other relevant information; and

* - The checklist can be found on the SafeWork NSW website. Checklists are to be completed by the licence holder.

6.3.3 If the above details are not provided to Council upon notification, it may result in Council objecting to the fireworks display occurring.

6.4 SUBMISSION ASSESSMENT

6.4.1 All notifications received by Council will be assessed against the '*Guidelines for Council when notification of an intention to use fireworks is received*' which was issued under s23A of the *Local Government Act 1993* by the NSW Office of Local Government (Circular No. 08-66).

6.4.2 When assessing whether or not to object to a fireworks display Council will take into consideration the following issues:

1. appropriateness of the location of the display, eg. proximity to residences, hospitals.
2. reason for the display, eg. is the display in the public interest? (Information on the public interest can be found on the NSW Ombudsman's website.).
3. types of firework that are proposed to be used, eg. aerial fireworks (in particular Salutes) are considered to have a much greater impact on surrounding areas than ground fireworks.
4. impact on any affected residents and businesses, eg. has the approval or support of local residents and businesses been sought and obtained?
5. impact on animal welfare.
6. public liability issues.
7. Noise.
8. Pollution.
9. public nuisance.
10. appropriate notification by the applicant to properties neighbouring the proposed display. Council will need to decide what it believes to be a reasonable area of notification.
11. the proposed procedure for the disposal of spent fireworks.
12. whether appropriate crowd and traffic management issues have been addressed where the display is likely to draw crowds.

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ORDINARY MEETING

6. NOTICES OF MOTION

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Fireworks (Pyrotechnic) Display Policy

13. any local conditions that the council may consider to be relevant.

6.5 DETERMINATION OF PUBLIC NOTIFICATION

- 6.5.1 A standard condition which will be applied to ALL proposed firework displays relates to the notification of all landowners within a specific radius of the proposed fireworks firing/ignition site. This mainly takes the form of a mailbox drop however, under certain circumstances additional notification requirements may be imposed at the discretion of the Council. These include but are not limited to notification in local newspapers, media release, roadside signs, and other forms of advertisement.
- 6.5.2 The following distances will be applied to all proposed displays which use fireworks with a shell diameter equal to or less than 100mm. For all displays which propose to use shells with a greater diameter, the notification distances may be increased.
- 6.5.3 Any proposed displays which are to occur within the Urban and Peri-Urban areas of Queanbeyan-Palerang Regional Council will need to notify all landowners and residents with land within (minimum) 500m radius of the fireworks firing/ignition site.
- 6.5.4 Any proposed displays which are to occur outside of the above zones, will need to notify all landowners and residents with land within a (minimum) 1.5 km radius of the fireworks firing/ignition site.

6.6 DETERMINATION AND RESPONSE

- 6.6.1 Although Council is not legally obliged to issue a response in regards to a notification (except in the instance of a 'Late Notification'), Council will always issue one of the following possible responses in relation to any Notification of a Fireworks Display that is received:
- A No Objections Letter
 - A No Objections with Conditions Letter; or
 - An Objection to the Display.
- 6.6.2 Council may impose conditions on an applicant's use of fireworks. A list of some standard conditions imposed by Council can be found in Appendix B.
- 6.6.3 Where Council issues a No Objections with Conditions letter, any conditions issued by Council which contradict operational requirements set forth by SafeWork NSW, will be void and the operational requirements of SafeWork NSW will take precedence.

6.7 DETERMINATION RESPONSIBILITY

- 6.7.1 Responsibility for determining whether or not to object to a fireworks display will be determined by the diameter of the shells to be used.

(Aerial) Shell size in mm	Responsibility
Equal to or less than 100mm	Council's Environment and Health Section
Greater than 100mm	Council Meeting (Via Staff Report)
Aerial Salutes of any size	Banned – Automatic Objection

ORDINARY MEETING

6. NOTICES OF MOTION

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Fireworks (Pyrotechnic) Display Policy

6.8 DISPLAYS DETERMINED AT A COUNCIL MEETING

- 6.8.1 Please note that any displays where it is proposed to use firework with a shell diameter greater than 100mm, will need to go before Council. Council Meetings take place on a fortnightly basis, and due to the time required to prepare for a Council Meeting, all notifications must be received at least Twenty-One (21) days prior to the last Council meeting proceeding the proposed event.
- 6.8.2 It is strongly recommended that any such notifications are received several Council meetings prior to the proposed event in case the Council decides to object, or requests modifications.
- 6.8.3 If a notification is received where there is not enough time provided to take the notification before a Council Meeting, Council's Environmental Health Section will automatically object to the proposed display.

7. REVIEW

- 7.1 This policy will be reviewed every four years or earlier as necessary if:
- legislation requires it, or
 - Council's functions, structure or activities change.

Fireworks (Pyrotechnic) Display Policy

Appendix A: 3 Nautical Mile (5.556km) Civil Aviation Safety Authority (CASA) and Air Services Australia Notification Zone



ORDINARY MEETING

6. NOTICES OF MOTION

Meeting Date: 21 November 2023

Fireworks (Pyrotechnic) Display Policy

Appendix B: No Objections Letter Standard Conditions

The following is a list of standard conditions that may be included in a "No Objections" letter. This list of conditions is not comprehensive and additional conditions may be imposed on events as deemed necessary.

- (a) Compliance with SafeWork NSW fireworks licence, general licencing conditions and operational conditions.
- (b) Fireworks must not be released during a Total Fire Ban unless a permit has been granted by either NSW Fire and Rescue, or NSW Rural Fire Service, whichever is the appropriate agency for the firing point.
- (c) Only low level aerial fireworks are permitted for use in the fireworks display with shells of less than 100 mm.
- (d) A minimum exclusion zone of at least 50m shall be placed around the fireworks firing point to prevent pedestrian and vehicular access. Barriers shall be erected by yourself or the organisers before the event and shall remain in place until the conclusion of the display.
- (e) The activity must be conducted in accordance with SafeWork NSW requirements including AS2187.4. Specific requirements of this Australian Standard include but are not limited to the following:
 - Smoking shall not be permitted within the secured area.
 - No person affected by alcohol or drugs is admitted to the display site.
 - Only authorised persons are to enter the display site.
 - The operator shall be primarily responsible for safety.
 - Should any adverse condition exist to affect safety, the display shall be postponed or cancelled.
 - The operator of the display shall be a competent person and be at least 18 years of age.
- (g) Compliance with the Operational Conditions for Pyrotechnics/Fireworks Permits published by SafeWork NSW.
- (h) The authorised permit holder is to be responsible for the safe release of the fireworks.
- (i) The fireworks display must conclude before 9.30pm and not occur for a period greater than 30mins.
- (j) The organiser must provide notice by the way of letter box drop to all residential premises within the prescribed notification zone (as determined by section 6.4 of this policy).
- (k) The event organiser must have on hand a hose or 100L of water to extinguish any fires.
- (l) The event organiser must have on hand a fire blanket to extinguish any fires.

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ORDINARY MEETING

6. NOTICES OF MOTION

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Fireworks (Pyrotechnic) Display Policy

- (m) All litter and rubbish resulting from the display is to be cleaned up and disposed of lawfully.
- (n) The event organiser must take all reasonable attempts to make the wider community (outside of the letter box drop notification area) aware of the upcoming display. This information must include the date, time and location of the display. This information must include the date, time and location of the display, as well as the contact name, phone number and email address of the event organizer.

ORDINARY MEETING

6. NOTICES OF MOTION

Meeting Date: 21 November 2023

6.1.2. NM2 – DA 0173/22 Demolition of Heritage Item Allambie Cottages – (138882)

Submitted by: Councillor Wheeler

NOTICE OF MOTION

That Councillors:

1. Strongly objects to Development Application DA 0173/22 Demolition of Heritage Item Allambie Cottages;
2. Note the numerous objections from the community, including the National Trust and Kurrajong-Comleroy Historical Society, along with concerned local community members;
3. Note that Allambie has been allowed to deteriorate to a condition where the land holder, Transport for NSW, now views demolition as the most desirable outcome, contrary to their obligations under the Heritage Act 2004 and the State Agency Heritage Guidelines;
4. Note that Allambie holds an important place in the cultural and built heritage fabric of the Hawkesbury and wider region, including its role in Legacy's support of war widows and their families, its place in the visual amenity of Kurrajong Heights and its relationship to other heritage items in the Kurrajong Heights Heritage Precinct;
5. Prepare a verbal submission to the November meeting of the Sydney Western City Planning Panel strongly recommending against the demolition.

NOTE BY MANAGEMENT

Council Officers are currently finalising the assessment report for the subject application DA0173/22 (PPSSWC-343) which will be reported for determination to the Sydney Western City Planning Panel at its meeting on 27 November 2023. It is noted that the application is identified as a 'Crown Development Application' and has been lodged on behalf of Transport for NSW.

The subject Development Application proposes the demolition of a building at No.1256 Bells Line of Road, Kurrajong Heights. The building is an item of environmental heritage known as 'Allambie' that is listed with local significance in Schedule 5 of the Hawkesbury Local Environmental Plan 2012.

The proposed development was placed on neighbour notification as per the Hawkesbury Community Participation Plan of which, a total of twenty-six unique submissions were received which objected to the proposed demolition.

The application was referred internally to Council's Heritage Advisor, Building Surveyor, Environmental Health Officer and Sewerage Management Team for comment. Council Officers also engaged the services of an independent Heritage Architect and Structural Engineer. Council's Heritage Advisor and the independent Heritage Consultants have raised objections to the proposed demolition.

The assessment report relating to the Development Application for consideration by the Sydney Western City Planning Panel will be available for viewing on the NSW Planning Portal website – Planning Panels prior to the public meeting.

ORDINARY MEETING

6. NOTICES OF MOTION

Meeting Date: 21 November 2023

6.1.3. NM3 – Rising Main C – (155346)

Submitted by: Councillor Dogramcai

NOTICE OF MOTION

That Council:

1. Engage an independent and suitably qualified probity investigator, auditor, lawyer or project manager, to investigate and prepare a report on:
 - a) The failure of Rising Main C, following the 2022 flood event; and
 - b) The procuring of the contract to repair, replace and reconstruct Rising Main C.
2. The terms of engagement for the requisite investigation, shall require, at the least, the engaged investigator to review or examine:
 - a) Council's maintenance schedule and logs specific to the care and maintenance of Rising Main C, prior to the flood events of 2020 and 2022;
 - b) All or any precautions or damage mitigation measures implemented by Council to protect Rising Main C prior to the flood events of 2020 and 2022;
 - c) The likely cause for the failure of Rising Main C;
 - d) The procurement process followed by Council when engaging the relevant contractor to repair, replace and reconstruct Rising Main C.

NOTE BY MANAGEMENT

The engagement of an investigator, auditor, lawyer or project manager to investigate this matter may cost upwards of \$30,000. The expenditure applicable is not provided in the Adopted 2023/2024 Operational Plan and would need to be addressed as part of a future Quarterly Budget Review.

ORDINARY MEETING

6. NOTICES OF MOTION

Meeting Date: 21 November 2023

6.1.4. NM4 –Valley Way Road, Glossodia – (155346)

Submitted by: Councillor Dogramcai

NOTICE OF MOTION

That Council:

1. Promptly/immediately appoint an independent investigator or, a qualified infrastructure surveyor or, an experienced project manager, and/or a qualified all-round maintenance operator or an external auditor to provide the following reports: (The full details of the repair – VALLEY WAY and report to be tabled to the 12 Councillors.)
 - a) Provide the details of the collapse of the road, investigation and repair process.
 - b) Investigate the flood history, particularly the events leading up to the flood incident involving “the collapse” of the road above examining if any precautions taken.
 - c) How did the Council know about the collapse of the road.
 - d) Examine the repair process including the precautions taken by the Council.
 - e) Determine the appointment of the traffic controlling operation and extensive delay in repair.
 - f) Investigate the initial cost estimate \$45K-50K against the delay in repair costing the Council over a million dollars.

BACKGROUND

In early 2022 while delivering pamphlets around Chestnut Drive requesting ratepayers to ring Council and demand filling pot holes, repair collapsed kerbs and other responsibilities Council has, I spoke with residents some 8-9 of them. After introducing myself and handing out council business cards for which I paid for! They complained about the collapsed VALLEY WAY, causing delays in their day-to-day responsibilities and headache to school drive, to shopping etc.

I had no idea about this road and previously never travelled through valley way. A few days later, I received a call from a well-respected concrete operator asking me to meet him there. We had a look at the debris, fallen trees and exposed telstra cables some exposed in pipes and wrangled handrails.

I was told and guaranteed the full completion of the damage to cost \$45K-50K. I was also told that TELSTRA had to fix the damage before any work he could do.

The following day, I contacted TELSTRA and about an hour after being “shoved” from one section to another and to another, I was told that some damage was reported and repair was on the way.

I spoke with Council and very briefly mentioned the matter to someone.

I think three days later, I met the private concreter early in the morning again and to our surprise we saw a traffic controller manually assisting the drivers. This a few days later became with traffic lights control. We spoke with the individual and left.

I rang the Council again and enquired about the approximate time/day of the re-sealing asphaltting/repairing of the road. I could not get an answer to satisfy both the ratepayers and myself.

ORDINARY MEETING

6. NOTICES OF MOTION

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A few days later, I went to the area again and asked the cost of the traffic controlling persons weekly charge. I was told that she'd received up to \$1,800 per week and it was 24/7 operation with penalty payments after 5.00-530pm.

The road was not repaired for almost a year perhaps more if I am correct and what I was told by the same ratepayers.

FINANCIAL IMPACT

The financial impact is significant and it seems we have no restraint on expenditure, no limit of spending ratepayers money thereby squandering ratepayers funds.

Why the repair process has taken over a year?

\$1,800app. Per week x two = \$3,600 minimum. This cost I believe has blown over a million dollars. The findings should be clearly be reported to the Office of Local Government (OLG), the Minister, and directly to the Premier's office, as well as other government offices, to alert other councils and expo and investigate irresponsible spending. This information should be presented before Parliament for scrutiny.

NOTE BY MANAGEMENT

Valley Way traverses an unnamed creek, a tributary of Howes Creek, via a box culvert which was damaged during the floods of March 2022, with damage sustained to the culvert, road, guardrail and utilities within the road reserve. Owing to the risk to motorists presented by the damaged road and reduced carriageway width, traffic was reduced to a single lane under contra-flow (alternating one way travel) conditions. Initially, portable traffic lights were deployed to manage the contraflow, however repeated acts of vandalism resulted in the decision being made to utilise a traffic controller to monitor their operation and deter further vandalism.

Council engaged a geotechnical engineering firm to undertake investigations, which identified that reconstruction of the culvert, embankment and roadway in a "like for like" fashion, as required under the Disaster Recovery Funding Arrangements, would result in ongoing embankment instability and continue to see the embankment susceptible to erosion and collapse in future storm/flood events. Among other aspects, a recommendation was made to include a retaining wall system into the reconstruction works to provide sufficient support for the embankment and protect against erosion/flood events. This report was received in June 2022.

As this proposal constituted "betterment" it was necessary to develop a business case justifying the increased expenditure. Such business cases require the development and costing of both the like-for-like reconstruction option and the betterment option. Council engaged consulting engineers to develop these two solutions and a business case was presented to Transport for NSW in early 2023.

Upon receipt of the approved claim, Council followed its usual procurement processes and awarded the contract with works commencing in July 2023. The project was progressed to a stage where two-way traffic could run through the site by September 2023, and the project achieved practical completion in late October.

The project, including the traffic control preceding the reconstruction works, was funded under the Disaster Recovery Funding Arrangements.

The engagement of an investigator, surveyor or project manager to investigate this matter may cost upwards of \$15,000. The expenditure applicable is not provided in the Adopted 2023/2024 Operational Plan and would need to be addressed as part of a future Quarterly Budget Review.

ORDINARY MEETING

8. CONFIDENTIAL REPORTS

Meeting Date: 21 November 2023

8. CONFIDENTIAL REPORTS

8.1. GENERAL MANAGER

8.1.1. GM - 2024 Hawkesbury Australia Day Awards - (79351, 15988)

Previous Item: 192, Ordinary (15 November 2022)

Directorate: General Manager

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 be dealt with pursuant to Section 10A(2)(a) of the Acct as it relates to personnel matters concerning particulars individuals (other than councillors).

In accordance with the provisions of Section 11(2) & (3) of the Local Government Act 1993, the reports, correspondence and other relevant documentation relating to this matter are to be withheld from the press and public.

ORDINARY MEETING
8. CONFIDENTIAL REPORTS
Meeting Date: 21 November 2023

8.2. CITY PLANNING

Nil Reports.

ORDINARY MEETING

8. CONFIDENTIAL REPORTS

Meeting Date: 21 November 2023

8.3. CORPORATE SERVICES

8.3.1. CS - Acquisition of Part of 331 Commercial Road, Vineyard

Directorate: Corporate 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 the purchase of property 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.

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

8. CONFIDENTIAL REPORTS

Meeting Date: 21 November 2023

8.4. INFRASTRUCTURE SERVICES

Nil Reports.

ORDINARY MEETING

8. CONFIDENTIAL REPORTS

Meeting Date: 21 November 2023

8.1 GENERAL MANAGER

8.1.2. GM – General Manager’s Performance Agreement – 2023/2024 – (125610)

REASON FOR CONFIDENTIALITY

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).

In accordance with the provisions of Section 11(2) & (3) of the Local Government Act 1993, the reports, correspondence and other relevant documents relating to this matter are to be withheld from the press and public.
