



Hawkesbury City Council

ordinary  
meeting  
business  
paper

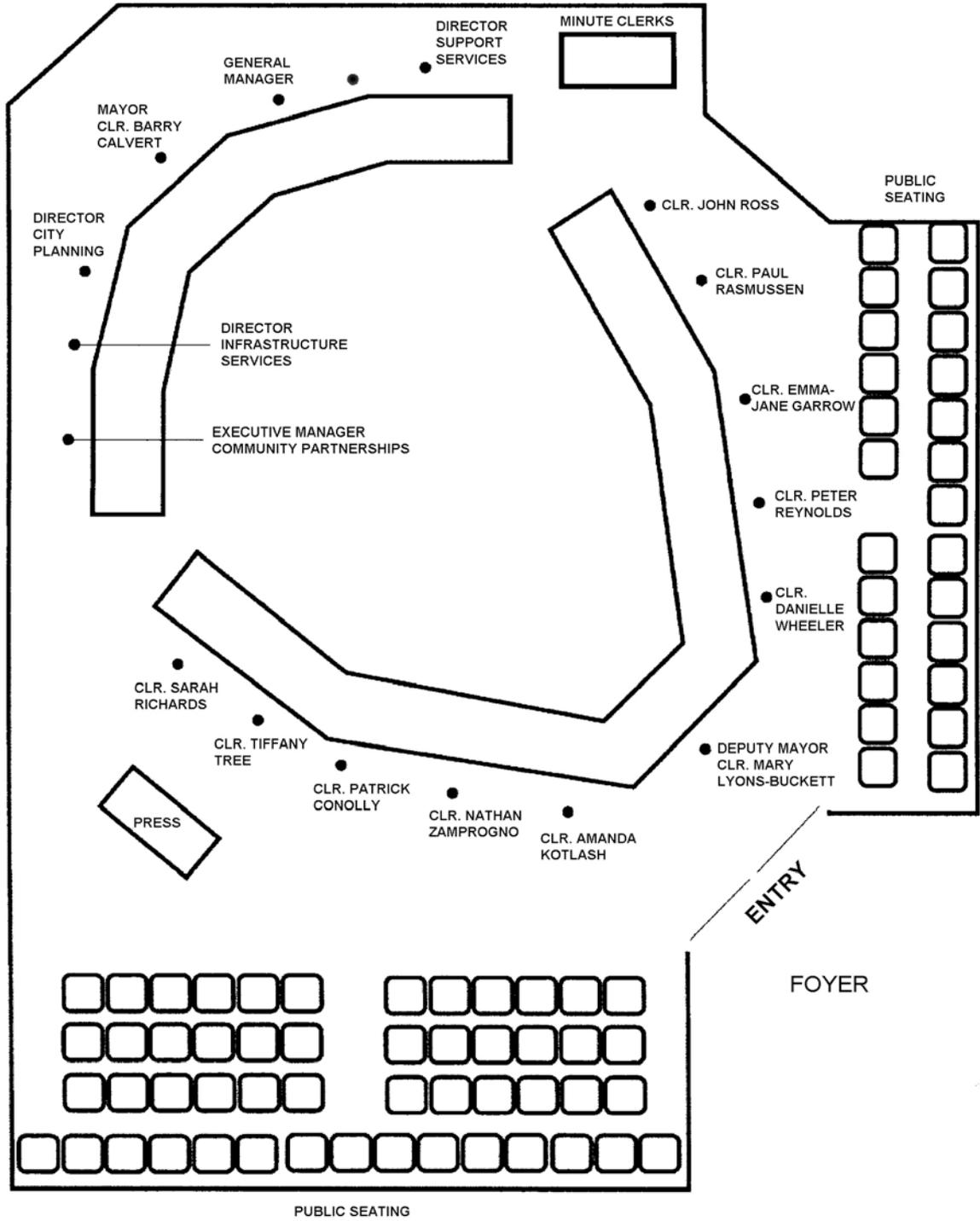
date of meeting: 09 October 2018  
location: council chambers  
time: 6:30 p.m.



# mission statement

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

# Hawkesbury City Council





**ORDINARY MEETING**

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**Meeting Date:** 09 October 2018

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**ORDINARY MEETING**  
**Procedural Matters**  
**Meeting Date: 09 October 2018**

**PROCEDURAL MATTERS**

**Welcome**

The General Manager will address the Council meeting, mentioning:

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

**Attendance**

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

**Apologies and Leave of Absence**

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

**Declaration of Interest**

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

**Acknowledgement of Official Visitors to the Council**

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

ORDINARY MEETING

SECTION 1 - Confirmation of Minutes

Meeting Date: 09 October 2018

ordinary

section 1

confirmation of minutes

**ORDINARY MEETING**

**SECTION 1 - Confirmation of Minutes**

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**SECTION 1 - Confirmation of Minutes**

ordinary

section 2

mayoral minutes

**ORDINARY MEETING**

**SECTION 2 – Mayoral Minute**

**Meeting Date:** 09 October 2018

**SECTION 2 – Mayoral Minutes**

No Mayoral Minutes.

ORDINARY MEETING

SECTION 3 – Reports for Determination

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ordinary

section 3

reports  
for determination

**ORDINARY MEETING**

**SECTION 3 – Reports for Determination**

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**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
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**SECTION 3 – Reports for Determination**

**GENERAL MANAGER**

**Item: 243**                      **GM - Australian Smart Communities Workshop - Commercialising Smart City Data (79351)**

**Directorate:**                General Manager

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**PURPOSE OF THE REPORT:**

The purpose of this report is to consider the nomination and attendance of Councillors and appropriate staff at the Australian Smart Communities Workshop - Commercialising Smart City Data to be held in Sydney on 31 October 2018.

**EXECUTIVE SUMMARY:**

Due to the Workshop topics and its relevance to Council's business, Council may wish to consider representation at the Workshop.

**RECOMMENDATION SUMMARY:**

Consideration be given to the attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Australian Smart Communities Workshop - Commercialising Smart City Data.

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**REPORT:**

**Context and Background**

Consideration is required regarding attendance at the Australian Smart Communities Workshop - Commercialising Smart City Data to be held in Sydney on 31 October 2018.

**Detailed History, including previous Council decisions**

The Australian Smart Communities Workshop - Commercialising Smart City Data is considered useful for local government authorities embarking on a smart city journey, who seek to drive further outcomes from their data and create their own city data exchange.

Cost of attendance at the Australian Smart Communities Workshop - Commercialising Smart City Data will be approximately \$130 plus travel expenses per delegate.

Budget for Delegate Expenses - Payments made:

Total Budget for Financial Year 2018/2019	\$45,000
Expenditure to date	\$Nil
Outstanding Commitments	\$15,200
Budget balance as at 27 September 2018 (approx. including outstanding commitments)	\$29,800

## ORDINARY MEETING

### SECTION 3 – Reports for Determination

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It should be noted that the outstanding commitments referred to above are in relation to Councillor attendance at the following conferences, previously authorised by Council.

- 2018 Local Government NSW Annual Conference to be held in October 2018
- Sydney Planning Summit to be held in November 2018.

#### **Policy considerations**

The Policy regarding Payment of Expenses and Provision of Facilities to Councillors should be considered as part of this report.

#### **Consultation**

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

#### **Conformance to the Hawkesbury Community Strategic Plan 2017-2036**

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

#### Our Leadership

1.2 Communication and engagement - Encourage an informed community and enable meaningful engagement.

1.2.1 Provide open and clear lines of communication with the community that use the most current forms of digital technology.

1.2.2 Council's communication will be enhanced to ensure community awareness and understanding of the role Council plays in everyday life in the Hawkesbury.

#### **Discussion**

Consideration needs to be given in regard to the relevance of Workshop to Council's business and the available budget to cover costs of attendance.

Where relevant, after returning from the Workshop, delegates are requested to provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Workshop relevant to Council business and/or the local community.

#### **Financial Implications**

The matters raised in this report have direct financial implications. The expenditure applicable is provided for in the 2018/2019 Adopted Operational Plan. Consideration needs to be given to the relevance of the Summit to Council's business and the available budget to cover costs of attendance.

#### **Fit For The Future Strategy Considerations**

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

#### **Conclusion**

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Australian Smart Communities Workshop - Commercialising Smart City Data at an approximate cost of \$130 plus travel expenses, (per delegate) be considered.

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**SECTION 3 – Reports for Determination**

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**RECOMMENDATION:**

That:

1. Attendance of nominated Councillors and staff, as considered appropriate by the General Manager, at the Australian Smart Communities Workshop - Commercialising Smart City Data at an approximate cost of \$130 plus travel expenses, (per delegate) be approved.
2. After returning from the Workshop, delegates provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Workshop relevant to Council business and/or the local community.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 09 October 2018**

**Item: 244**                      **GM - Cities Power Partnership Summit 2018 (79351)**

**Directorate:**                General Manager

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**PURPOSE OF THE REPORT:**

The purpose of this report is to consider the nomination and attendance of Councillors and appropriate staff at the Cities Power Partnership Summit to be held in Kiama from 18 to 19 October 2018.

**EXECUTIVE SUMMARY:**

Due to the Summit topics and its relevance to Council's business, Council may wish to consider representation at the Summit.

**RECOMMENDATION SUMMARY:**

Consideration be given to the attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Cities Power Partnership Summit 2018.

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**REPORT:**

**Context and Background**

Consideration is required regarding attendance at the Cities Power Partnership Summit which will be held in Kiama from 18 to 19 October 2018.

**Detailed History, including previous Council decisions**

The Cities Power Partnership Summit is a leading local government climate change forum and is an opportunity to connect with Cities Power Partnership councils, community energy groups, climate experts and industry leaders from across Australia.

Cost of attendance at the Cities Power Partnership Summit will be approximately \$1,400 plus travel expenses per delegate.

Budget for Delegate Expenses - Payments made:

Total Budget for Financial Year 2018/2019	\$45,000
Expenditure to date	\$Nil
Outstanding Commitments	\$15,200
Budget balance as at 27 September 2018 (approx. including outstanding commitments)	\$29,800

It should be noted that the outstanding commitments referred to above are in relation to Councillor attendance at the following conferences, previously authorised by Council:-

- 2018 Local Government NSW Annual Conference to be held in October 2018
- Sydney Planning Summit to be held in November 2018.

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#### **Policy considerations**

The Policy regarding Payment of Expenses and Provision of Facilities to Councillors should be considered as part of this report.

#### **Consultation**

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

#### **Conformance to the Hawkesbury Community Strategic Plan 2017-2036**

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

#### Our Environment

3.2 To live sustainably and reduce our ecological footprint - Identify and make best use of our local resources and awareness of contribution to the environment

3.2.1 Our community is informed and acts to reduce our ecological footprint.

3.2.2 Alternative forms of energy are embraced throughout the Hawkesbury.

3.2.3 Become a carbon neutral Local Government Area.

#### **Discussion**

Consideration needs to be given in regard to the relevance of Summit to Council's business and the available budget to cover costs of attendance.

Where relevant, after returning from the Summit, delegates are requested to provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Summit relevant to Council business and/or the local community.

#### **Financial Implications**

The matters raised in this report have direct financial implications. The expenditure applicable is provided for in the 2018/2019 Adopted Operational Plan. Consideration needs to be given to the relevance of the Summit to Council's business and the available budget to cover costs of attendance.

#### **Fit For The Future Strategy Considerations**

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

#### **Conclusion**

That attendance of nominated Councillors and staff, as considered appropriate by the General Manager, at the Cities Power Partnership Summit, at an approximate cost of \$1,400 plus travel expenses (per delegate), be considered.

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**RECOMMENDATION:**

That:

1. Attendance of nominated Councillors and staff, as considered appropriate by the General Manager, at the Cities Power Partnership Summit, at an approximate cost of \$1,400 plus travel expenses (per delegate), be approved.
2. After returning from the Summit, delegates provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Summit relevant to Council business and/or the local community.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

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**SUPPORT SERVICES**

**Item: 245**                    **SS - Local Government NSW - Request for Financial Assistance with Legal Costs - City of Sydney Council, North Sydney Council, and Bayside City Council - (112608, 82212, 81485, 88967, 95496)**

**Division:**                    Support Services

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**PURPOSE OF THE REPORT:**

The purpose of this report is to seek Council's endorsement of a contribution of \$3,540.59 towards the legal costs incurred by City of Sydney, North Sydney, and Bayside City Councils in respect of an appeal of the Land and Environment Court's decision in *Karimbla Properties v Council of the City of Sydney; Bayside City Council and North Sydney Council* [2017 NSWLEC 75].

**EXECUTIVE SUMMARY:**

Local Government NSW (LGNSW) has a policy in which NSW councils are able to apply to seek contributions from all councils to assist with legal costs, in cases where the legal matter in question involves a local government principle that is of concern to local councils in general.

In accordance with its Legal Assistance Policy and Guidelines, LGNSW has approved the applications of the City of Sydney, North Sydney and Bayside City Councils to seek financial assistance to cover payment of legal costs arising from the decision of *Karimbla Properties v Council of the City of Sydney; Bayside City Council and North Sydney Council* [2017 NSWLEC 75], in relation to the criteria for categorisation of rateable land as "residential", as it considers that the case is of importance to local government throughout NSW.

**RECOMMENDATION SUMMARY:**

It is recommended that Council contribute the amount of \$3,540.59 towards the legal costs incurred by City of Sydney Council, North Sydney Council, and Bayside City Council.

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**REPORT:**

**Context and Background**

On 26 June 2017, the NSW Land and Environment Court (LEC) decided the case of *Karimbla Properties v Council of the City of Sydney; Bayside City Council and North Sydney Council* [2017 NSWLEC 75]. The case concerns the interpretation of Section 516(1)(a) of the Local Government Act, 1993, in relation to the criteria for categorisation of rateable land as "residential".

In particular, the central dispute of the case was whether the land in question, which was classified as business land, ought to have been classified as residential whilst it was in the process of being developed for residential purposes, as was asserted by the applicant (Karimbla Properties), or whether it was not appropriate to classify the land as residential until at least one occupation certificate for a completed residential building has been issued, which was the position of the councils.

The judgement found that the applicant was successful in its argument that the parcels of land in question ought to have been classified as residential rather than business, and that the applicant was entitled to receive a refund of the excess rates paid under the business classification, and the parties were required

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to reach an agreement regarding payment of the refund, interest, and legal costs, in accordance with the Court's findings.

The three councils appealed the Land and Environment Court's decision. The Court of Appeal heard the matter in late July and has reserved its decision. Judgement is expected later in the year.

Accordingly, the three councils applied to LGNSW for financial assistance to cover the legal costs of the case. On 7 September 2018, LGNSW supplied Council with an invoice in the amount of \$3,540.59 as a non-compulsory contribution to the costs.

#### **Detailed History, including previous Council decisions**

Council has contributed to the legal costs of other councils under the LGNSW policy on a consistent basis over several years. Through this program, councils support one another, and the awareness of legal precedent is available for the benefit of all councils.

#### **Policy considerations**

The LGNSW Legal Assistance Policy and Guidelines, which is available to be viewed on the LGNSW website, states that NSW councils may apply for the support of the LGNSW Association in seeking contributions from all councils to assist with legal costs. LGNSW decides the application for each case based on its own criteria, including the relevance of the case to councils in general and the amount of costs incurred.

The contribution amount requested from each council is calculated based on the LGNSW subscription fee for each council, and the amount of costs required to be paid by the applicant council.

LGNSW has decided that this particular case meets the criteria to request financial assistance from other councils. The matter of reclassification of rateable land under development from business to residential is one that is of interest to all councils, particularly those in the metropolitan area.

#### **Consultation**

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

#### **Conformance to the Hawkesbury Community Strategic Plan 2017-2036**

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

#### Our Leadership

1.4 Reinforcing and establishing effective strategic partnerships - Build strong relationships and shared responsibilities.

1.4.1 Foster positive relationships with all tiers of government and peak bodies to ensure a thorough understanding of the challenges and local requirements of the Hawkesbury.

1.4.2 Achieve higher strategic capacity through strategic alliances and partnerships.

#### **Financial Implications**

The matters raised in this report have direct financial implications. The expenditure applicable is provided for in the Legal Services Component of the 2018/2019 Adopted Operational Plan.

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**Fit For The Future Strategy Considerations**

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

**Conclusion**

The judgement regarding the classification of rateable land under development as residential rather than business land is one that may be of interest to Council in the future. In accordance with Council's usual practice, it is considered that Council should support the City of Sydney Council, North Sydney Council, and Bayside City Council, by making a contribution to the legal costs through the LGNSW program.

**RECOMMENDATION:**

That Council contribute the amount of \$3,540.59, as outlined in the correspondence dated 7 September 2018 from Local Government NSW, towards the legal costs incurred by City of Sydney Council, North Sydney Council, and Bayside City Council, in relation to the Land and Environment Court case *Karimbla Properties v Council of the City of Sydney; Bayside City Council and North Sydney Council* [2017 NSWLEC 75].

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Ooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 09 October 2018**

**Item: 246**                    **SS - Pecuniary Interest Returns - Councillors and Designated Persons - (95496, 96333)**

**Division:**                    Support Services

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**PURPOSE OF THE REPORT:**

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

**EXECUTIVE SUMMARY:**

The Local Government Act, 1993 details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Returns by Councillors and Designated Persons. This report provides information regarding Returns recently lodged with the General Manager by Councillors and Designated Persons.

**RECOMMENDATION SUMMARY:**

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

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**REPORT:**

**Context and Background**

Section 450A of the Local Government Act, 1993 (the Act) relates to the register of Pecuniary Interest Returns and the tabling of these Returns, which have been lodged by Councillors and Designated Persons. Section 450A of the Act is as follows:

- "1.    *The General Manager must keep a register of returns required to be lodged with the General Manager under section 449.*
  
2.    *Returns required to be lodged with the General Manager under section 449 must be tabled at a meeting of the council, being:*
  - (a)    *In the case of a return lodged in accordance with section 449 (1)—the first meeting held after the last day for lodgement under that subsection, or*
  
  - (b)    *In the case of a return lodged in accordance with section 449 (3)—the first meeting held after the last day for lodgement under that subsection, or*
  
  - (c)    *In the case of a return otherwise lodged with the general manager—the first meeting after lodgement."*

With regard to Section 450A(1), a register of all Returns lodged by Councillors and Designated Persons, in accordance with Section 449 of the Act, is currently kept by Council as required by this part of the Act.

With regard to Section 450A(2), all Returns lodged by Councillors and Designated Persons, under Section 449 of the Act, must be tabled at a Council Meeting as outlined in subsections (a), (b) and (c).

With regard to Section 450(2)(b), the following Section 449(3) Returns have been lodged:

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**SECTION 3 – Reports for Determination**  
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<b>Councillor</b>	<b>Return Period</b>	<b>Date Lodged</b>
Councillor Barry Calvert	1 July 2017 – 30 June 2018	10 July 2018
Councillor Patrick Connolly	1 July 2017 – 30 June 2018	10 July 2018
Councillor Emma-Jane Garrow	1 July 2017 – 30 June 2018	10 July 2018
Councillor Amanda Kotlash	1 July 2017 – 30 June 2018	10 July 2018
Councillor Mary Lyons-Buckett	1 July 2016 – 30 June 2017	24 July 2018
Councillor Paul Rasmussen	1 July 2017 – 30 June 2018	25 September 2018
Councillor Peter Reynolds	1 July 2017 – 30 June 2018	31 July 2018
Councillor Sarah Richards	1 July 2017 – 30 June 2018	25 September 2018
Councillor John Ross	1 July 2017 – 30 June 2018	16 July 2018
Councillor Tiffany Tree	1 July 2017 – 30 June 2018	25 September 2018
Councillor Danielle Wheeler	1 July 2017 – 30 June 2018	21 September 2018
Councillor Nathan Zamprogno	1 July 2017 – 30 June 2018	10 July 2018

<b>Position</b>	<b>Return Period</b>	<b>Date Lodged</b>
General Manager	1 July 2017 – 30 June 2018	17 August 2018
Human Resources Manager	1 July 2017 – 30 June 2018	6 September 2018
Human Resources Coordinator	1 July 2017 – 30 June 2018	21 September 2018
Manager Corporate Communications	1 July 2017 – 30 June 2018	9 August 2018
Manager Development Services	1 July 2017 – 30 June 2018	2 August 2018
Manager Strategic Planning	1 July 2017 – 30 June 2018	16 August 2018
Town Planning Consultant	13 March 2018 – 30 June 2018	25 September 2018
Placemaking Coordinator	22 May 2018 – 30 June 2018	25 September 2018
Senior Strategic Land Use Coordinator	17 April 2018 – 30 June 2018	26 September 2018
Senior Strategic Land Use Planner	1 July 2017 – 30 June 2018	8 August 2018
Senior Strategic Planner	1 July 2017 – 30 June 2018	27 August 2018
Subdivision and Development Engineer	1 July 2017 – 30 June 2018	10 August 2018
Senior Subdivision Engineer	1 July 2017 – 30 June 2018	7 September 2018
Town Planning Coordinator	1 July 2017 – 30 June 2018	30 July 2018
Development Services Support Officer	1 July 2017 – 30 June 2018	30 August 2018

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<b>Position</b>	<b>Return Period</b>	<b>Date Lodged</b>
Senior Town Planner	1 July 2017 – 30 June 2018	9 August 2018
Senior Town Planner	1 July 2017 – 30 June 2018	30 July 2018
Town Planner	1 July 2017 – 30 June 2018	13 August 2018
Town Planner	1 July 2017 – 30 June 2018	31 July 2018
Town Planner	1 July 2017 – 30 June 2018	1 August 2018
Town Planner	18 January 2018 – 30 June 2018	25 September 2018
Duty Officer	1 July 2017 – 30 June 2018	31 July 2018
Building Coordinator	1 July 2017 – 30 June 2018	9 August 2018
Senior Building and Development Engineer	1 July 2017 – 30 June 2018	28 August 2018
Senior Building and Development Engineer	1 July 2017 – 30 June 2018	29 August 2018
Engineering Technical Officer	1 May 2018 – 30 June 2018	25 September 2018
Building and Development Officer	9 April 2018 – 30 June 2018	25 September 2018
Executive Manager Community Partnerships	1 July 2017 – 30 June 2018	28 August 2018
Customer Service Manager	1 July 2017 – 30 June 2018	25 August 2018
Customer Services Team Leader	1 July 2017 – 30 June 2018	7 September 2018
Community Program Coordinator	1 July 2017 – 30 June 2018	7 September 2018
Manager Environment and Regulatory Services	1 July 2017 – 30 June 2018	7 September 2018
Environmental Health Coordinator	1 July 2017 – 30 June 2018	29 August 2018
Environmental Health Officer	1 July 2017 – 30 June 2018	31 August 2018
Environmental Health Officer	1 July 2017 – 30 June 2018	29 August 2018
Environmental Health Officer	1 July 2017 – 30 June 2018	29 August 2018
Environmental Health Officer	14 May 2018 – 30 June 2018	25 September 2018
Sewerage Management Facility Coordinator	1 July 2017 – 30 June 2018	28 August 2018
Technical Officer SMF	1 July 2017 – 30 June 2018	15 August 2018
Technical Officer SMF	1 July 2017 – 30 June 2018	20 August 2018
Companion Animals Controller	1 July 2017 – 30 June 2018	23 August 2018
Companion Animals Controller	1 July 2017 – 30 June 2018	22 August 2018
Administration Officer	1 July 2017 – 30 June 2018	28 August 2018
Compliance Enforcement Coordinator	1 July 2017 – 30 June 2018	15 August 2018
Compliance Enforcement Officer	1 July 2017 – 30 June 2018	28 August 2018
Compliance Enforcement Officer	1 July 2017 – 30 June 2018	17 August 2018

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<b>Position</b>	<b>Return Period</b>	<b>Date Lodged</b>
Compliance Enforcement Officer	27 November 2017 – 30 June 2018	20 August 2018
Parking Patrol Officer	1 July 2017 – 30 June 2018	28 August 2018
Parking Patrol Officer	1 July 2017 – 30 June 2018	28 August 2018
Director Infrastructure Services	1 July 2017 – 30 June 2018	28 August 2018
Manager Building and Associated Services	1 July 2017 – 30 June 2018	7 September 2018
Building Services Coordinator	1 July 2017 – 30 June 2018	28 August 2018
Building Services Officer	3 October 2017 – 30 June 2018	7 September 2018
Building Services Officer	1 July 2017 – 30 June 2018	22 August 2018
Building Services Controls Officer	7 November 2017 – 30 June 2018	28 August 2018
Manager Construction and Maintenance	1 July 2017 – 30 June 2018	31 August 2018
Construction and Maintenance Engineer	1 July 2017 – 30 June 2018	27 August 2018
Asset Management Systems Engineer	1 July 2017 – 30 June 2018	14 August 2018
Manager Parks and Recreation	1 July 2017 – 30 June 2018	10 August 2018
Land Management Officer	1 July 2017 – 30 June 2018	3 September 2018
Parks Project Officer	1 July 2017 – 30 June 2018	2 August 2018
Parks Supervisor	1 July 2017 – 30 June 2018	29 August 2018
Richmond Swimming Pool Superintendent	1 July 2017 – 30 June 2018	13 September 2018
Manager Waste Management	1 July 2017 – 30 June 2018	2 August 2018
Project Engineer	1 July 2017 – 30 June 2018	19 August 2018
Wastewater Maintenance and Project Engineer	1 July 2017 – 30 June 2018	7 September 2018
Waste Management Coordinator	1 July 2017 – 30 June 2018	31 July 2018
Manager Design and Mapping Services	1 July 2017 – 30 June 2018	24 August 2018
Design and Investigation Coordinator	1 July 2017 – 30 June 2018	28 August 2018
Design and Investigation Engineer	4 December 2017 – 30 June 2018	4 September 2018
Spatial Information Coordinator	1 July 2017 – 30 June 2018	9 August 2018
Director Support Services	1 July 2017 – 30 June 2018	30 August 2018
Manager Corporate Services and Governance	1 July 2017 – 30 June 2018	14 August 2018
Property Services Coordinator	1 July 2017 – 30 June 2018	4 July 2018
Property Officer	1 July 2017 – 30 June 2018	6 July 2018
Publishing Manager	1 July 2017 – 30 June 2018	23 August 2018

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Position	Return Period	Date Lodged
Chief Financial Officer	1 July 2017 – 30 June 2018	29 August 2018
Deputy Chief Financial Officer	1 July 2017 – 30 June 2018	31 July 2018
Financial Accountant	1 July 2017 – 30 June 2018	6 August 2018
Rates Team Leader	1 July 2017 – 30 June 2018	4 September 2018
Tendering and Contracts Officer	1 July 2017 – 30 June 2018	20 August 2018
Procurement Officer	1 July 2017 – 30 June 2018	7 August 2018
Information Services Manager	1 July 2017 – 30 June 2018	16 August 2018
Corporate Systems and Database Administrator	1 July 2017 – 30 June 2018	16 August 2018
Senior Network Administrator	1 July 2017 – 30 June 2018	16 August 2018
Manager Cultural Services	1 July 2017 – 30 June 2018	21 August 2018
Library Coordinator	1 July 2017 – 30 June 2018	23 August 2018
Community History Librarian	1 July 2017 – 30 June 2018	21 August 2018
Customer Service Librarian	1 July 2017 – 30 June 2018	21 August 2018
Museum and Gallery Director	1 July 2017 – 30 June 2018	21 August 2018
Visitor Information Coordinator	1 July 2017 – 30 June 2018	23 August 2018

The above Councillors and Designated Persons have lodged their Section 449(3) Returns prior to the due date of 30 September 2018, as required by the Act for the receipt of the Returns.

The above details are now tabled in accordance with Section 450A(2)(b) of the Act, and the abovementioned Returns are available for inspection if requested.

### **Consultation**

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

### **Conformance to the Hawkesbury Community Strategic Plan 2017-2036**

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

#### Our Leadership

1.5 Regulation and Compliance - Encourage a shared responsibility for effective local compliance.

1.5.2 Best practice, sustainability principles, accountability and good governance are incorporated in all activities undertaken by Council.

### **Financial Implications**

There are no financial implications applicable to this report.

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**Fit For The Future Strategy Considerations**

There are no Fit For The Future Strategy Considerations applicable to this report.

**Conclusion**

The annual Pecuniary Interest Returns for Councillors and Designated Persons have been lodged with the General Manager and are tabled at the meeting in accordance with the Local Government Act, 1993.

**RECOMMENDATION:**

That the information be received and noted.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Ooo**

**ORDINARY MEETING**

**SECTION 3 – Reports for Determination**

**Meeting Date:** 09 October 2018

ordinary

section 4

reports  
of committees

**ORDINARY MEETING**

**SECTION 4 – Reports of Committees**

**Meeting Date:** 09 October 2018

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 09 October 2018**

**SECTION 4 – Reports of Committees**

**Item: 247**                      **ROC - Floodplain Risk Management Advisory Committee - 23 August 2018 - (86589, 124414)**

**Directorate:**                City Planning

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**PURPOSE OF THE REPORT:**

The purpose of this report is to present the Minutes of the Floodplain Risk Management Advisory Committee, held on 23 August 2018.

**RECOMMENDATION SUMMARY:**

In relation to Item 1 and other matters raised in General Business, as they have no policy or financial implications for Council, the minutes are presented for information only.

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**REPORT:**

**Discussion**

The Committee considered staff reports on a range of matters as shown in the attached minutes (Attachment 1). In relation to Item 1 and other matters raised in General Business, as they have no policy or financial implications for Council, the minutes are presented for information only.

**RECOMMENDATION:**

That the Minutes of the Floodplain Risk Management Advisory Committee Meeting held on 23 August 2018, be received and noted.

**ATTACHMENTS:**

**AT - 1**    Minutes of the Floodplain Risk Management Advisory Committee held on 23 August 2018

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**

**Meeting Date:** 09 October 2018

**AT - 1 Minutes of the Floodplain Risk Management Advisory Committee**

**held on 23 August 2018**

The meeting commenced at 4:03pm.

**Present:** Councillor Mary Lyons-Buckett, Chairperson  
Councillor Danielle Wheeler, Hawkesbury City Council  
Ms Carol Edds, Community Representative  
Mr Kevin Jones, SES  
Ms Margaret Mackisack, Community Representative  
Mr Harry Terry, Community Representative  
Mr Harry Panagopoulos, Office of Environment and Heritage  
Mr Sadeq Zaman, Office of Environment and Heritage

**Apologies:** Councillor Paul Rasmussen, Deputy Chairperson  
Councillor Amanda Kotlash, Hawkesbury City Council  
Councillor Peter Reynolds, Hawkesbury City Council  
Mr Peter Cinque (OAM), SES  
Mr Kim Ford, Community Representative  
Snr Inspector, Robert Bowman, Department Primary Industries  
Mr Maurice Smith, Community Representative  
Ms Linda Perrine, Hawkesbury City Council

**In Attendance:** Mr Andrew Kearns, Hawkesbury City Council  
Mr Chris Amit, Hawkesbury City Council  
Ms Sue Ribbons, iNSW  
Ms Robyn Kozjak - Minute Taker, Hawkesbury City Council

**REPORT:**

**RESOLVED** on the motion of Mr Terry and seconded by Councillor Wheeler that the apologies be accepted.

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Mr Terry and seconded by Councillor Wheeler that the Minutes of the Floodplain Risk Management Advisory Committee held on the 28 June 2018, be confirmed.

**Attendance Register of Floodplain Risk Management Advisory Committee**

Member	7/12/17	15/02/18	19/04/18	28/06/18	23/08/18
Councillor Mary Lyons-Buckett	✓	✓	✓	✓	✓
Councillor Amanda Kotlash	✓	✓	✓	✓	A
Councillor Paul Rasmussen	A	✓	✓	✓	A
Councillor Danielle Wheeler	✓	✓	✓	✓	✓
Councillor Peter Reynolds	✓	✓	A	✓	A
Ms Carol Edds	✓	✓	✓	✓	✓
Mr Harry Terry	A	✓	✓	✓	✓
Ms Margaret Mackisack	✓	✓	✓	A	✓
Mr Kim Ford	✓	✓	A	A	A
Mr Maurice Smith	✓	✓	✓	✓	A
Snr Inspector Robert Bowman - (Dept. Primary Industries)	A	A	A	A	A
Mr Kevin Jones - (SES Headquarters)	A	A	✓	✓	✓
Mr Peter Cinque OAM - (SES Sydney Western Division)	A	A	✓	A	A
Mr Harry Panagopoulos - (Office of Environment & Heritage) - (stepped down from the Committee 23/8/18 - Mr Zaman to attend future FRMAC meetings)	✓	✓	A	✓	✓
Mr Sadeq Zaman - (Office of Environment & Heritage)	-	-	-	-	✓

Key: A = Formal Apology

✓ = Present

X = Absent - no apology

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 09 October 2018**

**SECTION 3 - Reports for Determination**

**ITEM: 1**                      **FRMAC - Declarations of Interest - (86589, 124414)**

**Directorate:**              City Planning

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**RECOMMENDATION SUMMARY:**

This report recommends that all members should use their discretion to ascertain if any item on this agenda requires a separate declaration of interest, and if deemed appropriate, the member should submit a formal declaration of interest, in writing, describing the nature and extent of the pecuniary interest.

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**DISCUSSION:**

- The Chair declared a general disclosure of interest as she owns property in the Hawkesbury Local Government Area which (according to the insurance industry), may be exposed to flooding due to its proximity to Little Wheeny Creek. Councillor Lyons-Buckett's name will be added to the standing Declarations of Interest report.

**RECOMMENDATION TO COMMITTEE:**

That:

1. General disclosures of interest listed in this report be received.
2. Other specific disclosures of interest be declared if deemed appropriate.

**MOTION:**

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

***Refer to COMMITTEE RECOMMENDATION***

**COMMITTEE RECOMMENDATION:**

That:

1. General disclosures of interest listed in this report be received.
2. Other specific disclosures of interest be declared if deemed appropriate.
3. Councillor Lyons-Buckett's name be added to the standing "Declarations of Interest" report

**SECTION 5 - General Business**

*4:07pm Kevin Jones arrived*

**Response to Insights from the Floodplain Conference raised at the Floodplain Risk Management Advisory Committee meeting on 28 June 2018**

- Ms Ribbons advised iNSW was working with the more vulnerable in the community, eg aged care and will follow up with Alison White in relation to flood related programs for schools.

**ORDINARY MEETING**

**SECTION 4 – Reports of Committees**

**Meeting Date:** 09 October 2018

- Educational programs are presented to schools on an ad hoc basis by the SES.
- It was suggested that Council secure from the EPA (in writing) that it operates a licensed facility and would therefore be exempt from the Waste Levy (on waste deposited resulting from a natural disaster).
- Councils are being encouraged to review criteria for funding arrangements under the Disaster Recovery Funding Arrangements 2018 to ascertain if they qualify. Ms Ribbons recommended that Council review the funding arrangements, in particular excesses which may be applicable.

The matter will be brought back to a future FRMAC meeting.

- It was confirmed the Member for Hawkesbury is included in all email invitations for FRMAC meetings.
- Officers from the OEH, SES and iNSW acknowledged that there were inconsistencies with flood markers across the LGA's. Council officers will raise the matter at the next Penrith Floodplain Risk Management Committee.
- Two Council staff members are attending the Effective Consideration of Flood Risk in Land Use Planning on 6 and 8 September 2018 and will report back to the next Committee meeting in terms of learnings.
- The Minutes from the Floodplain Management Australia will be brought to the FRMAC once available.
- It was confirmed correspondence was being prepared to the National Real Estate Institute in relation to flood related information and resistance to flood markers.
- The Insurance Council of Australia (ICA) Dataglobe resource was discussed. The program identifies flood risk for millions of addresses in Australia. Ms Ribbons advised at this stage the ICA does not have the latest flood information from the Regional Flood Study and 1997 data is used for the Hawkesbury. Once the current data is adopted by the Government, the data will become available to the ICA. This is anticipated to happen by the end of this year, and Councils will then be able to get access to the data.

It was suggested insurance companies appear to err on the side of caution when they do not have sufficient data. The more information the ICA has, the better the insurance premiums.

Ms Ribbons has been liaising with Clare Cordingley, the Risk Project Coordinator of the ICA. Ms Cordingley had offered to attend community engagement activities to explain how insurance works and it was suggested to invite her to a future FRMAC meeting to address this Committee and the Heritage Advisory Committee in relation to flood insurance.

- The Chair advised a Mayoral Minute has been put to the next Council Ordinary Meeting (28 August 2018) recommending the preparation of an Emergency Management Guide similar to the one prepared for Wollondilly. The Guide provides advice on what steps to take to prepare for the fire season and what to do in times of flood.

Suggestions for the distribution of the Guide and dissemination of resilience information included:

- a resilience caravan
- inclusion in Council rates
- door to door (to reach people in rental properties)
- Council's Facebook page - work in with SES in relation to preparedness

**ORDINARY MEETING**

**SECTION 4 – Reports of Committees**

**Meeting Date:** 09 October 2018

- The next meeting for the North Richmond Pilot Program is Thursday 13 September 2018. The initial workshop highlighted the following:
  - Create a cohesive, connected and caring community
  - Raise awareness and provide (EM) education across the community
  - Ensure that our local emergency plan is shared and understood
  - Address the issue of services West of the River
  - Address (or lobby to address) some key gaps in the built environment
  - Address the bridge issue
  - Care for the environment
  - Improve communication systems

- The Committee considered items to be taken to the Hawkesbury Nepean Local Government Advisory Group.

Major concerns included flood insurance, flood awareness, localising the flood message, advice on who will deliver the message etc.

- It was asked if there were any grants from the Office of Environment which would allow for the recruitment of Flood Wardens.

Mr Panagopoulos advised he would follow up with the OEH.

*5:22pm - The Chair left the meeting.*

- It was asked if the mapping for the Regional Flood Study would show flood levels both with and without mitigation.

Ms Ribbons advised at this stage the mapping was without mitigation and further down the track mapping (with the Dam) would become available as part of the EIS process for the raising of the Warragamba Dam.

- Mr Panagopoulos advised he was moving on from his role at the OEH and thanked Council for their work in progressing flood related issues in the Hawkesbury.

The Committee thanked Mr Panagopoulos for his efforts and input in the Committee.

Mr Sadeq Zaman would be taking Mr Panagopoulos's role and Mr Zaman was formally welcomed to the Committee.

The meeting terminated at 5:30pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

**SECTION 4 – Reports of Committees**

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**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 09 October 2018**

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 09 October 2018**

**SECTION 5 – Notices of Motion**

**Item: 248**                      **NM1 - Pile Burning in the Hawkesbury Local Government Area - (79351, 125612)**

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**Submitted by:** Councillor Lyons-Buckett

**NOTICE OF MOTION:**

That Council:

1. Request a meeting with the RFS to specifically address the frequency of pile burning in the Hawkesbury LGA;
2. During such discussions, investigate the feasibility of introducing a limit on number of permits allowable per property per year;
3. Report on the number of pile burning notifications received by Council and the number of permits issued by the RFS on an annual basis;
4. Include specific information in Council's community newsletter to reinforce the regulations relating to pile burning.

**BACKGROUND:**

The bushfire danger period was brought forward a month this year (1 September instead of 1 October) due to the extremely dangerous conditions rendering the LGA vulnerable to bushfire.

It is apparent not all residents in the Hawkesbury understand the regulations relating to pile burning, with some households using it as a regular method of disposal of a wide range of vegetation and household waste.

Inappropriate burning both generates undesirable air pollution as well as increased risk of fire spreading to neighbouring properties. Such burning is not intended to be used in this manner, and presents an added burden on local RFS resources if they are required to check on fires or attend out of control fires.

**FINANCIAL CONSIDERATIONS:**

There are no financial implications applicable to this report.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 09 October 2018**

**ORDINARY MEETING**

**Questions for Next Meeting**

**Meeting Date:** 09 October 2018

**QUESTIONS FOR NEXT MEETING**

**Item: 249**                      **Councillor Questions and responses from Previous Meetings - 25 September 2018 - (79351)**

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**REPORT:**

Questions: 25 September 2018

#	Councillor	Question	Response
1	Garrow	Enquired as to whether Council had a representative at the opening of the Western Sydney Airport, Badgery's Creek on Monday, 24 September 2018.	The General Manager advised that Council did not have a representative at the "Groundbreaking" event. The invitation was received at 5.09pm on Thursday, 20 September for the event at 9.45am on Monday, 24 September 2018.
2	Garrow	Enquired as to whether there was an Emergency Meeting of Councillors on Friday, 21 September 2018.	The General Manager advised that he is not aware of an emergency meeting of Councillors held on Friday, 21 September 2018.

**oooO END OF REPORT Ooo**

**ORDINARY MEETING**

**Confidential Reports**

**Meeting Date:** 09 October 2018

**CONFIDENTIAL REPORTS**

**Item: 250**                    **SS - Lease to Woodlands Park Pony Club Incorporated - Park of 295 Sackville Road, Wilberforce - (74151, 95496, 112106)**

**Directorate:**                Support Services

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**Reason for Confidentiality**

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

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

*In accordance with the provisions of Section 11(2) & (3) of the Local Government Act 1993, the reports, correspondence and other relevant documentation relating to this matter are to be withheld from the press and public.*

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ordinary  
meeting

end of  
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