



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 29 September 2020
location: by audio-visual link
time: 6:30 p.m.



mission statement

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

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Meeting Date: 29 September 2020

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ORDINARY MEETING
Procedural Matters
Meeting Date: 29 September 2020

PROCEDURAL MATTERS

Welcome

The Mayor, Councillor Barry Calvert 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.

Apologies and Leave of Absence

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

Declaration of Interest

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

Acknowledgement of Official Visitors to the Council

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

ORDINARY MEETING

Procedural Matters

Meeting Date: 29 September 2020

ordinary

section 1

confirmation of minutes

ORDINARY MEETING

SECTION 1 - Confirmation of Minutes

Meeting Date: 29 September 2020

SECTION 1 - Confirmation of Minutes



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 22 September 2020

location: council chambers and
by audio visual link

time: 6:30 p.m.

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ORDINARY MEETING

Minutes: 22 September 2020

Minutes of the Ordinary Meeting held at the Council Chambers and by audio-visual link, Windsor, on 22 September 2020, commencing at 6:31pm.

Welcome

The Mayor, Councillor Barry Calvert acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

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

ATTENDANCE

PRESENT:

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

By audio-visual link: Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Emma-Jane Garrow, Paul Rasmussen, Peter Reynolds, John Ross, Tiffany Tree and Danielle Wheeler.

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Manager Communications, Events and Visitor Services - Suzanne Stuart, Manager Corporate Services and Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE

No apologies for absence were received from Councillors.

Councillor Garrow arrived at the meeting at 6:32pm.

DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

Acknowledgement of Official Visitors to the Council

There were no official visitors to the Council.

SECTION 1 - Confirmation of Minutes

225 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett and seconded by Councillor Garrow that the Minutes of the Ordinary Meeting held on the 8 September 2020, be confirmed.

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Minutes: 22 September 2020

SECTION 3 – Reports for Determination

GENERAL MANAGER

Item: 177 **GM - Election of Mayor - (79351, 95496)**

Directorate: General Manager

MOTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Garrow.

Refer to RESOLUTION

226 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Garrow.

That an election for the position of Mayor of Hawkesbury City Council for the 2020 to 2021 Mayoral Term be carried out.

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

Against the Motion: Nil.

Absent: Nil.

The Mayor, Councillor Barry Calvert vacated the Chair and handed the meeting over to the General Manager, Peter Conroy.

The General Manager, Mr Peter Conroy, in accordance with provisions of Clause 1 of Schedule 7 of the Local Government (General) Regulation 2005, acted as Returning Officer for the election of Mayor.

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

Councillor Patrick Conolly	Nominated by Councillor John Ross Seconded by Councillor Nathan Zamprogno
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Councillor Mary Lyons-Buckett	Nominated by Councillor Peter Reynolds Seconded by Councillor Emma-Jane Garrow
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The Returning Officer advised that it would be necessary for Council to determine the method of voting for the position of Mayor, and given that some Councillors are attending by audio-visual link Council's legal advice indicates that the only available method of voting was by open voting (by show of hands).

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Minutes: 22 September 2020

MOTION:

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

Refer to RESOLUTION

227 RESOLUTION:

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

That the election for the position of Mayor of Hawkesbury City Council for the 2020 to 2021 Mayoral Term be carried out by open voting.

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

Against the Motion: Nil.

Absent: Nil.

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

Councillor Patrick Conolly	7 Votes
Councillor Mary Lyons-Buckett	5 Votes

The Returning Officer declared Councillor Patrick Conolly as Mayor of Hawkesbury City Council for the 2020 to 2021 Mayoral Term.

Councillor Patrick Conolly assumed the Chair as Mayor.

ORDINARY MEETING

Minutes: 22 September 2020

Item: 178 **GM - Election of Deputy Mayor - (79351, 95496)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

228 RESOLUTION:

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

That an election for the position of Deputy Mayor of Hawkesbury City Council for the 2020 to 2021 Mayoral Term be carried out.

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

Against the Motion: Nil.

Absent: Nil.

The Mayor, Councillor Patrick Conolly vacated the Chair and handed the meeting over to the General Manager, Peter Conroy.

The General Manager, Mr Peter Conroy, in accordance with provisions of Clause 1 of Schedule 7 of the Local Government (General) Regulation 2005, acted as Returning Officer for the election of Deputy Mayor.

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

Councillor Barry Calvert	Nominated by Councillor Barry Calvert Seconded by Councillor Amanda Kotlash
Councillor Mary Lyons-Buckett	Nominated by Councillor Peter Reynolds Seconded by Councillor Emma-Jane Garrow
Councillor Peter Reynolds	Nominated by Councillor Emma-Jane Garrow Seconded by Councillor Mary Lyons-Buckett

Councillor Peter Reynolds withdrew his nomination for the position of Deputy Mayor.

The Returning Officer advised that it would be necessary for Council to determine the method of voting for the position of Deputy Mayor, and given that some Councillors are attending by audio-visual link Council's legal advice indicates that the only available method of voting was by open voting (by show of hands).

ORDINARY MEETING

Minutes: 22 September 2020

MOTION:

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

Refer to RESOLUTION

229 RESOLUTION:

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

That an election for the position of Deputy Mayor of Hawkesbury City Council for the 2020 to 2021 Mayoral Term be carried out by open voting.

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

Against the Motion: Nil.

Absent: Nil.

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

Councillor Barry Calvert	6 Votes
Councillor Mary Lyons-Buckett	6 Votes

As the vote was tied, the Returning Officer advised the meeting that the position of Deputy Mayor would be drawn by lot in accordance with Clause 12 of Schedule 7 of the Local Government (General) Regulation 2005.

Councillor Mary Lyons-Buckett's name was drawn by the Returning Officer.

The Returning Officer declared Councillor Mary Lyons-Buckett as Deputy Mayor of Hawkesbury City Council for the 2020 to 2021 Mayoral Term.

Councillor Patrick Conolly assumed the Chair as Mayor.

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Minutes: 22 September 2020

Item: 179 **GM - Appointment of Committees, Delegates and Representatives - (79351, 95496)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

230 RESOLUTION:

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

That:

1. The current Councillor representation on Committees continue for the period from September 2020 to September 2021.
2. The current community representation on Committees continue for the period from September 2020 to September 2021.

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

Against the Motion: Nil.

Absent: Nil.

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Minutes: 22 September 2020

Item: 180 **GM - Committees and Working Groups - Annual Reports - (79351)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

231 RESOLUTION:

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

That the contents of the report and the annual reports of the various Council Committees and Working Groups for the period September 2019 to September 2020 as attached to the report, be received.

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

Against the Motion: Nil.

Absent: Nil.

The meeting terminated at 6:52pm.

Submitted to and confirmed at the Ordinary meeting held on 29 September 2020.

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Mayor

ordinary

section 2

mayoral minutes

ORDINARY MEETING
SECTION 2 – Mayoral Minute
Meeting Date: 29 September 2020

SECTION 2 – Mayoral Minutes

There was no Mayoral Minute at the time of preparing this Business Paper.

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

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

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

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

ordinary

section 3

reports
for determination

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 29 September 2020

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SECTION 3 – Reports for Determination
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SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 181 **CP - Draft Vineyard Precinct S7.11 Developer Contributions Plan - (95498, 124414)**

Previous Item: 099, Ordinary (8 May 2018)
 192, Ordinary (14 August 2018)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to:

- Advise Council that a direction has been provided by the Minister's Delegate with respect to the Draft Vineyard Precinct Section 7.11 Contributions Plan following the Department of Planning, Industry and Environment's consideration of IPART's Final Recommendations Report that was issued in November 2019
- Outline the amendments made to the Draft Vineyard Precinct Section 7.11 Contributions Plan based on the direction provided by the Minister's Delegate
- Seek Council's endorsement to place the amended Draft Vineyard Precinct Section 7.11 Contributions Plan on public exhibition.

EXECUTIVE SUMMARY:

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

The Vineyard Precinct Stage 1 was rezoned by the Department of Planning and Environment in December 2017, without a Contributions Plan or Development Control Plan in place. Key elements of the State Government led rezoning process included:

- Provision for 2,500 dwellings, with an expected population of 7,500 people
- A village centre of approximately 1.4 hectares to include shops, services and community facilities.
- Infrastructure provision - funding for local infrastructure such as roads, sporting fields, parks, and drainage will be collected through a Contributions Plan.
- Choice of homes - a range of housing options is planned for Vineyard Stage 1, providing more choice.
- Parks and sports fields - the rezoning has provided 27 hectares of open space that will include parks and ovals along the Killarney Chain of Ponds.
- Maintaining urban stormwater runoff rates to pre development levels via a system of onsite detention systems, retarding basins and water treatment facilities.

The Hawkesbury City Council Growth Centre Precincts Development Control Plan commenced in January 2018.

Commencing in January 2018, using a document commissioned by the Department of Planning and Environment, the Draft Vineyard Precinct Section 7.11 Contributions Plan was subsequently prepared by

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Council. The Draft Contributions Plan was exhibited between May-June 2018 and considered by Council in August 2018.

On 25 January 2019, the NSW State Government amended the *Environmental Planning and Assessment Regulation 2000* to prevent development applications from being determined until a section 7.11 contributions plan is in effect for land that is subject to a precinct plan under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Since that time the Draft Contributions Plan has been reviewed by IPART three times, and now Council has received the direction from the Minister's Delegate having considered the Final IPART Recommendations Report. The effect of the IPART Recommendations Report at different stages had been:

- IPART First Draft Recommendations Report 31 May 2019 reduced plan by \$35.37M
- IPART Second Draft Recommendations Report 20 September 2019 reduced plan by \$16.54M
- IPART Final Recommendations Report 29 November 2019 reduced plan by \$11.32M

The direction provided by the Ministers Delegate is such that whilst some elements of the plan have been reduced, others have been increased, with the net position being that Council is able to levy the contributions it had originally proposed in August 2018 (\$165.27M) with the current indexing. A summary of the key directions provided by the Minister's Delegate includes:

- Reduce Boundary Road costs by \$1.9M
- Increase Collector Road costs by \$2.5M
- Increase costs of Roundabouts by \$1.6M
- Increase costs of cycleway crossings by \$0.54M
- Add costs of Channel Stabilisation within the Killarney Chain of Ponds \$2.1M
- Reduce contingency costs for stormwater infrastructure by \$0.4M
- Increase Open Space Embellishment costs by \$2.8M
- Use Council Valuation for Land acquisition of land and not IPART assessment – increase costs by approximately \$11M
- Amend Plan to reflect latest interest costs

The amendments required as a consequence of the direction provided by the Minister's Delegate have been made, and endorsement from Council is required to place the amended Draft Contributions Plan on public exhibition prior to adoption. Once adopted by Council, the plan is able to be implemented, and development applications within the Precinct are able to be determined.

RECOMMENDATION:

That Council:

1. Receive the update on the Draft Vineyard Precinct Section 7.11 Contributions Plan.
2. Endorse the amended Draft Vineyard Precinct Section 7.11 Contributions Plan included as Attachment 2 for the purposes of public exhibition.
3. Receive a post exhibition report to consider submissions and adoption of the final Draft Vineyard Precinct Section 7.11 Contributions Plan.

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BACKGROUND

NSW Infrastructure Contributions System

The New South Wales local infrastructure contributions system sets out how the system works through the Environmental Planning and Assessment legislation. A user pays philosophy underlies the funding of local or community infrastructure required to satisfy demand generated by development activity.

The main principles that apply in the Environmental Planning and Assessment legislation relate to that of nexus and reasonableness of the contributions. There must be nexus or need for the work arising from the development, and development is charged whatever it costs to deliver the infrastructure.

The other main principle is that the contributions must be reasonable which means that the costs for the proposed work must be reasonable in the plan and the relevant share of those costs (which is termed apportionment) is fair and reasonable for a particular development.

The cornerstone of NSW State policy in this respect has been the cap on contributions for residential development of \$30,000 per dwelling in Greenfield areas since 2011. The State Government had provided gap funding for areas where contributions exceed this level and the Council submits the plan to IPART for assessment.

On 28 July 2017, the Minister for Planning issued the Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2017 that requires Councils to submit Contribution Plans to IPART for assessment if they wish to levy contributions above the prevailing capped amount. The Government also announced that the hard cap would be removed and that the Local Infrastructure Growth Scheme (LIGS) was being phased out, such that it would increase incrementally and be \$45,000 by 2020 and end on 1 July 2020.

The remaining Local Infrastructure Growth Scheme was limited to areas already rezoned at that time which didn't include the Vineyard Precinct, but for the other areas like Vineyard, Councils can charge developers amounts more than \$30,000 following an IPART review of the Plan.

Once it is assessed by IPART, and determined to be consistent with any subsequent Ministerial direction applying to the Plan, the Draft Vineyard Precinct Section 7.11 Contributions Plan is authorised to levy development above the capped contribution rates.

The NSW Government's Practice Note for local infrastructure contributions sets out criteria that a plan must meet if it wishes to charge more than the \$30,000 amount which is what IPART assesses a plan against.

Vineyard Precinct

Historically, land uses in the Vineyard Precinct were a mix of rural residential development and agricultural uses.

The site was zoned RU4 Primary Production Small Lots, which had the following zone objectives:

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To ensure that development occurs in a way that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as waterways.

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

The Vineyard Precinct Stage 1 is located in the northern most section of the North West Priority Growth Area, and is bounded by Commercial and Menin Roads to the north, Boundary Road to the east, Windsor Road to the south and Chapman Road to the west as highlighted in Figure 1.



Figure 1: Vineyard Precinct Stage 1 (Source: Department of Planning and Environment)

The overall site is comprised of 230 hectares of previously zoned RU4 Primary Production Small Lots land under the Hawkesbury Local Environmental Plan 2012.

The development of the Vineyard Precinct Stage 1 includes a proposed primary school, approximately 27 hectares of open space focused on the Killarney Chain of Ponds and adjacent land for new playing fields, parks and cycle-ways, a village centre and approximately 2,500 new homes.

The plans for the precinct have been finalised with the rezoning of land released by the Department of Planning and Environment in December 2017 through the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP).

The Hawkesbury City Council Growth Centre Precincts Development Control Plan came into effect when released by the Department of Planning and Environment on 18 January 2018 and provides detailed design controls for development in the precinct.

Given the release of the rezoning by the Department of Planning and Environment without a Contributions Plan in place, the Draft Vineyard Precinct Stage 1 Section 7.11 Contributions Plan was subsequently prepared by Council, using a document commissioned by the Department of Planning and Environment.

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As a consequence of the release of the rezoning and commencement of the Hawkesbury City Growth Centres Development Control Plan, development applications had started to be lodged with Council along with Land and Environment Court Appeals in respect of land within the Precinct.

On 25 January 2019, the NSW State Government amended the *Environmental Planning and Assessment Regulation 2000* to prevent development applications from being determined until a section 7.11 contributions plan is in effect for land that is subject to a precinct plan under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.


Community Benefits provided through the Vineyard Precinct development include:

- Community facilities - a proposed primary school will be surrounded by low and medium density residential development. A village centre of approximately 1.4 hectares will include shops, services and community facilities.
- Infrastructure provision - funding for local infrastructure such as roads, sporting fields, parks, and drainage will be collected through a Contributions Plan.
- Choice of homes - a range of housing options is planned for Vineyard Stage 1, providing more choice. Future homes will be located close to shops, schools and transport with access to essential infrastructure and parks.
- Parks and sports fields - the rezoning has provided 27 hectares of open space that will include park and ovals along the Killarney Chain of Ponds.
- Maintaining urban stormwater runoff rates to pre development levels via a system of onsite detention systems, retarding basins and water treatment facilities.

The table below provides a chronology of background and events that has occurred till now to make the final Draft Vineyard Precinct Stage 1 Contributions Plan.

Date	Event
2005	The Vineyard Precinct Stage 1 was identified by the NSW State Government to be part of the North West Priority Growth Area (The Hills, Blacktown and Hawkesbury local government areas).
2013/2014	Precinct planning process commenced by the Department of Planning, Industry and Environment.
December 2017	Vineyard Stage 1 precinct planning finalised and the land was rezoned without a Developer Contributions Plan or Development Control Plan being finalised or adopted. GLN Planning was originally commissioned by the Department of Planning to prepare the Vineyard Contributions Plan.
18 January 2018	Vineyard Precinct Development Control Plan commenced. GLN Planning commissioned by Council to finalise the Vineyard Precinct Contributions Plan.
8 May 2018	Report to Council to present the Draft Vineyard Precinct Section 7.11 Contributions Plan, and seek endorsement to place it on public exhibition.
18 May to 18 June	Public Exhibition of Draft Vineyard Precinct Contributions Plan.
14 August 2018	Post exhibition report presented to Council recommending that Council note

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Date	Event
	the outcome of the public exhibition of the draft contributions plan, amend the plan and forward it to IPART and the Department of Planning and Environment for their respective reviews.
22 August 2018	Draft Contributions Plan submitted to IPART and Department of Planning and Environment.
25 January 2019	Amendment to the Environmental Planning and Assessment Regulation 2000 to prevent development applications from being determined until a section 7.11 contributions plan is in effect for land that is subject to a precinct plan under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP).
17 February 2019	Council provided information to IPART in response to request for further information.
25 February 2019	Meeting and site visit with IPART.
31 May to 28 June 2019	Public Exhibition of Draft IPART Report.
28 June 2019	Council lodged submission to IPART's Draft Report.
18 October 2019	IPART releases second Draft Report on Vineyard Contributions Plan.
18 October 2019	Council lodged submission to IPART's Second Draft Report.
29 November 2019	IPART release Final Recommendations Report.
22 August 2020	Minister's Delegate provides direction to Council to amend the Draft Contributions Plan following the Department of Planning, Industry and Environment's consideration of the Final IPART Recommendations Report.
29 September 2020	Report to Council seeking endorsement to place the Amended Draft Vineyard Precinct Section 7.11 Contributions Plan on public exhibition. 
Next Steps	<p>Subject to Council's consideration of the Amended Draft Vineyard Precinct Section 7.11 Contributions Plan:</p> <ol style="list-style-type: none"> 1. Place the Amended Plan on Public Exhibition 2. Receive a Post Exhibition Report 3. Adopt the Draft Vineyard Precinct Section 7.11 Contributions Plan 4. Implement the Plan

Relevant Legislation

Environmental Planning and Assessment Act 1979

DISCUSSION

Minister's Delegate Direction

Council has now received the Minister's Delegate Direction following the Department of Planning, Industry and Environment's consideration of the Final Assessment report issued in November 2019.

It should be noted that the direction provided by the Minister's Delegate requires a number of amendments to the Draft Vineyard Precinct Section 7.11 Contributions Plan, and in a number of cases the Department

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of Planning, Industry and Environment direction is in support of Council's Draft Contributions Plan as opposed to IPART's Final recommendations. The most notable matter in this respect is the Department of Planning, Industry and Environment's support to Council's land acquisition costs as compared to the IPART Final Recommendations. This component represented the most significant cost difference between Council's Plan and the IPART's Final Recommendations Report.

A copy of the letter from the Minister's Delegate including a list of 19 changes to the Draft Vineyard Precinct Section 7.11 Contributions Plan is included as Attachment 1.

A summary of the key directions provided by the Minister's Delegate includes:

- Reduce Boundary Road costs by \$1.9M
- Increase Collector Road costs by \$2.5M
- Increase costs of Roundabouts by \$1.6M
- Increase costs of cycleway crossings by \$0.54M
- Add costs of Channel Stabilisation within the Killarney Chain of Ponds by \$2.1M
- Reduce contingency costs for stormwater infrastructure by \$0.4M
- Increase Open Space Embellishment costs by \$2.8M
- Use Council Valuation for Land acquisition of land and not IPART assessment – increase costs by approximately \$11M
- Amend Plan to reflect latest interest costs.

Based on the direction from the Minister's Delegate, amendments to the Draft Vineyard Precinct Section 7.11 Contributions Plan have now been made.

The process is such that Council has to consider these amendments, undertake further public exhibition of the amended Draft Vineyard Precinct Section 7.11 Contributions Plan, before adopting the Final Plan. This will ensure that the clause 5(3) requirement of the *Environmental Planning and Assessment Act 1979* has been fulfilled in order to give effect to the Vineyard Precinct Section 7.11 Contributions Plan.

A schedule of land and works is proposed to facilitate the new development, and the Draft Vineyard Precinct Section 7.11 Contributions Plan provides the mechanism for developers to be required to pay for their fair share of the cost of those items. The plan has a schedule of land acquisitions and works for local infrastructure totalling \$165.88 million based on the following breakdown:

- \$52.8 million for transport works which will deliver bus stops, a sub arterial and collector road network, and a cycleway network
- \$39.7 million for stormwater drainage which will deliver trunk drainage, two basins, four gross pollutant traps and six rain gardens for stormwater quality treatment
- \$72 million for social infrastructure which will deliver six local parks, three district parks, two playing fields, and land (6,000m²) for community space
- \$1.3 million which is based on the IPART benchmark of 1.5% of capital costs to cover costs associated with preparing the plan and then administering the plan over time.

The Draft Vineyard Precinct Section 7.11 Contributions Plan provides Council and other consent authorities with the legal means of requiring contributions from developments, and includes:

- A schedule of Local Infrastructure comprising land, works and interest costs with a total value (in June quarter 2020 dollars) of \$165.9 million.
- A schedule of contribution rates for various classes of development, and details on how those rates were calculated.

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- Provisions enabling reasonable contributions to be imposed on development that is not identified in the specific development classes included in the plan.
- Various policies on how and when developers can settle their contributions obligations, including opportunities for developers to provide land and works 'in kind'.
- Specific advice on the role of Accredited Certifiers in section 7.11 contributions.
- Various other matters related to the fair and transparent administration of section 7.11 contributions.

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

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

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

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

COMMUNITY ENGAGEMENT

Once endorsed, the Amended Draft Vineyard Precinct Section 7.11 Contributions Plan will be publicly exhibited in accordance with Council's Community Engagement/Participation Plan, before being reported back to Council for consideration of submissions and adoption of the final plan.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

Our Leadership

1.5 Regulation and Compliance:

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

Our Future

5.1 Strategic Planning Governance:

- 5.1.1 Council's planning is integrated and long term.
- 5.1.2 Council's decision making on all matters is transparent, accessible and accountable.
- 5.1.3 Council will continually review its service provision to ensure best possible outcomes for the community.
- 5.1.4 Encourage increased community participation in planning and policy development.
- 5.1.5 The needs of our community will be reflected in Local, State and Regional Plans.

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FINANCIAL IMPACT

The Draft Vineyard Precinct Section 7.11 Contributions Plan once adopted will enable Council to generate and collect compulsory development contributions (operated under the *Environmental Planning and Assessment Act*) to cover the costs of delivering infrastructure needed to support the new Vineyard community.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

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

Planning Decision

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

ATTACHMENTS:

- AT - 1** Correspondence from the Minister's Delegate providing Direction of changes to the Draft Vineyard Precinct Section 7.11 Contributions Plan.
- AT - 2** Amended Draft Vineyard Precinct Section 7.11 Contributions Plan - (*Distributed under separate cover*).

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AT - 1 Correspondence from the Minister's Delegate providing Direction
of changes to the Draft Contributions Plan



**Planning,
Industry &
Environment**

IRF20/1571

Mr Peter Conroy
General Manager
Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756

Dear Mr Conroy

I am writing in relation to the Vineyard Precinct Section 7.11 Contributions Plan (Vineyard CP), which Council submitted to the Independent Pricing and Regulatory Tribunal (IPART) for assessment.

Upon completion of its assessment, IPART made 23 recommendations in relation to the Vineyard CP. Only some of IPART's recommendations require Council to take action to amend the contributions plan prior to enabling Council to seek developer contributions above the \$30,000 threshold. On behalf of the Minister for Planning and Public Spaces, I have considered IPART's recommendations and require Council to amend the Vineyard CP by making nineteen (19) changes to the plan. Attachment A to this letter outlines all of the IPART recommendations that I have endorsed.

When Council has adopted the amended plan it will be considered as having met the requirements of Clause 5(3) of the Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction dated 28 July 2017, and the Vineyard CP will be deemed an IPART reviewed contributions plan.

Please advise the Department of Planning, Industry and Environment (the Department) once this process is completed and provide evidence that the changes have been made.

Should you have any questions in relation to this matter, please contact Mr Geoff Thompson, Director, Infrastructure Programs and Coordination at the Department on 0274 6225 [redacted]

[redacted]
Brett Whitworth
Deputy Secretary
Greater Sydney Place and Infrastructure

22 August 2020

Encl: Endorsed IPART recommendations

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Attachment A: List of required amendments to the Vineyard Precinct Section 7.11 Contributions Plan

IPART No.	Required amendments to the Vineyard Precinct Section 7.11 Contributions Plan
1.	Reduce the cost of Boundary Road in the plan by \$1,902,642, using the council's revised cost estimate from Mitchell Brandtman with adjustments to; <ul style="list-style-type: none"> The quantity of excavated material to be removed from the site (road segment) Allowances for design costs (road segment, bridge and signalised intersection) Contingency allowances (road segment). (page 36, IPART report)
3.	Increase the cost of collector roads (other than Boundary Road) in the plan by \$2,518,209, comprising: <ul style="list-style-type: none"> An increase of \$426,822 for new collector roads [items CR1, CR3 & CR7], based on the council's revised estimate from cost consultant Mitchell Brandtman. A decrease of \$361,051 for Commercial Road [items CR4 & CR5], to remove the cost of roundabouts from the per linear metre rate used to estimate the cost of this road. An increase of \$2,178,367 for full-width collector road upgrades [items CR2 & CR6], based on WTP's cost estimates for similar roads in the Vineyard CP. An increase of \$274,071 for the half-width collector road upgrade [item CR8], based on a unit rate that is 50% of our recommended per linear metre rate for full-width collector road upgrades (see point above). (page 36, IPART report)
4.	Separately account for the cost of three roundabouts on Commercial Road, which IPART estimate would increase the cost of transport works by \$1,617,160 (This is partially offset by the reduction in the per linear metre rate for Commercial Road – see recommendation above). (page 37, IPART report)
5.	Remove the double-counting of the contingency allowance for bus shelters, which IPART estimate would reduce the cost of transport works by \$44,257 (\$3,688 per bus shelter). (page 37, IPART report)
6.	Increase the cost of cycleway creek crossings in the plan by \$540,113. (page 37, IPART report)
7.	For the next version of the plan, consult on and review the costs and benefits of the proposed number and location of cycleway creek crossings in the precinct. (page 37, IPART report)
8.	Index the cost of remaining transport works items (the Windsor Road/Otago Street intersection and the cycleway network) works to June 2019, which IPART estimate would increase the cost of transport works by \$134,786. (page 37, IPART report)
9.	Clarify that existing development in the precinct is eligible for demand credits towards transport infrastructure contributions. (page 48, IPART report)
10.	Add cost of channel stabilisation works on drainage corridor 1 (DC1), which IPART estimate would increase the cost of: <ul style="list-style-type: none"> Stormwater management land by an estimated \$1,472,783 Stormwater management works by an estimated \$646,357. (page 55, IPART report)
11.	Reduce the contingency allowance for basins, GPTs and raingardens to 10% of base costs, consistent with WT Partnership's recommendation, which IPART estimate would reduce the cost of stormwater management works by \$426,866. (page 59, IPART report)
12.	Reduce the cost of channel stabilisation works DC2 by \$618,351, reflecting an approach that apportions 88% of the cost of works to new development. (page 61, IPART report)
13.	Increase the open space embellishment costs by \$2,847,253, comprising: <ul style="list-style-type: none"> \$178,530 for sporting fields, riparian land and land with existing native vegetation (ENV), based on revised cost estimates from Mitchell Brandtman.

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	<ul style="list-style-type: none"> \$2,668,723 for local parks and district parks, based on revised cost estimates from Mitchell Brandtman with some adjustments. (page 69, IPART report)
14.	For its next review of the plan, the council obtain more detailed designs, or at a minimum, scope works for hypothetical parks of a similar size to those in the Vineyard Precinct. (page 70, IPART report)
15.	Calculate the cost of plan administration for the Vineyard CP based on 1.5% of the adjusted cost of works, which would increase the cost of plan administration by an estimated \$62,396. (page 76, IPART report)
16.	Use a value of \$100 per square metre where land is constrained by both a transmission line easement and flood constrained land. Note: IPART's recommendation to use a value of \$85 per square metre for flood constrained land in the Vineyard Precinct is not supported.
17.	Not supported
18.	Reduce the estimated cost of acquiring land for District Park 5 by \$7,283,839 to account for the constraint on development arising from the presence of protected vegetation. (page 90, IPART report)
19.	Increase the cost of land by \$2,951,918 reflecting the inclusion of an allowance of 5% of land costs to cover the 'other acquisition' costs associated with acquisition of land in the plan. (page 97, IPART report)
20.	Revise the interest costs in the plan to reflect: <ul style="list-style-type: none"> IPART's recommended adjustments for transport and stormwater management costs The latest available market interest rate, as advised by T-Corp An interest rate buffer, as advised by T-Corp The 50% refund of interest payments under the NSW Government's Low Cost Loan Initiative. (page 101, IPART report)
21.	To reflect the council's intended approach to the indexation of contribution rates, ensure that the plan: <ul style="list-style-type: none"> Specifies that the land contribution rates will be indexed in accordance with movements in a third party provider's LGA-wide residential property sales index, explains whether the land contribution rates will be indexed quarterly or annually and states that the index will be published on the council's website. Specifies that plan administration contribution rates will be indexed in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics (ABS). (page 104, IPART report)
22.	The council update the base period of the plan to June 2019 and, in doing so, update all the costs in the plan to June 2019 costs. (page 105, IPART report)
23.	Review the plan within the next three years to include more accurate assumptions about the scope, cost and apportionment of works. (page 107, IPART report)

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GENERAL MANAGER

Item: 182 **GM - Student Leadership - (79351)**

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to outline actions taken in relation to the investigation of options to promote greater awareness of Local Government amongst school aged children in the Hawkesbury Local Government Area.

EXECUTIVE SUMMARY:

On 31 October 2017 Council considered a Notice of Motion in relation to the establishment of a Local Government Leadership and Awareness Program. Council has investigated options:

- To work within the education system
- To utilise the activities of other councils who conduct programs with similar objectives.

As an outcome Council staff have developed a potential framework for a Local Government Leadership and Awareness Program for local primary schools.

The framework proposes a three day program that could be attended by schools across the Hawkesbury. Schools would attend one of the half day sessions at the Windsor Function Centre and Council Chambers where they would be involved in a meet and greet and Q&A with the Mayor and Councillors, learn about Local Government and be involved in a role play.

Due to current COVID-19 restrictions the program will not be able to commence until 2021.

RECOMMENDATION:

That:

1. Council receive and note this report.
 2. Due to the current COVID-19 restrictions, funding of the program be considered during the development of the 2021/2022 Operational Plan.
-

BACKGROUND

On 31 October 2017 Council considered a Notice of Motion in relation to the establishment of a Local Government Leadership and Awareness Program and resolved:

"That a report be provided to Council regarding the options available for the establishment of a Local Government Leadership and Awareness Program that would involve inviting all local schools in Hawkesbury to participate. This program could involve students attending the Council Chamber to meet and engage with Councillor's and staff. The program may include various aspects, depending

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on the age of the group of students attending, but may contain mock debates, questions, and answer segments or enjoying a short presentation on local government."

The Notice of Motion suggested that the following points may be relevant to be addressed when preparing a framework for a Local Government Leadership and Awareness Program:

- Available to all primary and secondary schools
- Involving students from each school
- Visiting the Council Chambers
- Meeting Councillors and staff
- Mock debates
- Question and answer session
- Short presentation on Local Government
- Leadership experience
- How the local community works
- Promotion of Council activities
- 12 Month timetable every year
- A token gift
- An information booklet

Local Hawkesbury Schools

There are a total of seven High Schools and 34 Primary Schools located across the City. Whilst class sizes vary, they generally fall within the range of 20 - 28 students per class. Furthermore, some schools have multiple classes for the same year.

Additional inquiries with relevant parties indicate that:

- No arrangements are currently in place whereby formal tuition is provided in High Schools in relation to Civics, Government and/or Local Government
- Primary schools identify one term – usually in grades 5 or 6, at which time some tuition is provided in relation to Local Government
- The ability of schools to participate in off-site activities is influenced by transport, in particular if the numbers and locations are such that a bus is required to move the children to and from the activity.
- As a result of the COVID-19 Pandemic, school excursions have been postponed.

DISCUSSION

As has been noted on occasions, relative to other comparable and neighbouring Councils, Council rates and overall staff numbers are at the lower end of the scale. Whilst this has benefits to ratepayers and residents in terms of their annual rates, it also means that the resources available to deliver new or expand services are limited options have been explored with these limitations in mind.

Local School Curriculum

In recognition of Council's resource constraints, staff initially approached a number of Universities regarding the possibility of:

- Setting their students a project to develop a single term primary school and secondary school curriculum in relation to:
 - Local Government
 - Its relationship with State and Commonwealth Government,
 - The functions it performs
 - The services it delivers

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- Using the results of the project to inform the development of a formal single term program regarding Local Government and Hawkesbury City Council, that could be provided free of charge for local schools to use

Councillors subsequently provided feedback in 2018 that this approach was not consistent with the objectives of the Notice of Motion.

Benchmarking and Better Practice

Staff investigated:

- The actions of adjoining and nearby Councils and whether or not they provided comparable programs (Refer Attachment 1).
- Other similar programs conducted elsewhere across Australia.

These details have been previously circulated to Councillors and were the subject of a Councillor Briefing.

Current Council Activities

Council already conducts a number of related programs, the details of which can be summarised as follows:

Youth

Historically, Council's Youth Participation Strategies have been informed by the biennial Hawkesbury Youth Summit hosted by Council. The most recent Hawkesbury Youth Summit was hosted in April 2017. The resulting programs included:

- Connecting young people to a network of school representatives and service providers
- Delivery of training to young people including e safety, mental health, healthy relationships
- Coordinating the involvement of young people in Council initiatives, including Enhancing the Arts Working Group, waste education, bushcare and employment skills workshops.
- The Youth Participation Officer supporting young people outside of the education system to self-advocate and lead projects and programs including YouthFest, Mental Health Week events and youth development training.

Council's Youth Participation Officer has also been working with schools, youth services and alternate education providers to engage with young people for the purpose of building their capacity to lead engagement and consultation with young people across the Hawkesbury, including those living in isolated areas and not engaged in the school system to develop a Hawkesbury Youth Action Plan.

Mayoral Morning Teas

In 2019 Council established a program of Mayoral Morning Teas. These morning teas share a number of the functions of the proposed Student Leadership Program. During the Mayoral Morning Teas the Leadership Teams from across the City are invited to:

- Explore the role of Local Government
- Gain a better understanding of how Local Government works
- Participate in a role play - with all councillors working together to solve a problem.

All primary and secondary schools are contacted by the Mayor and invited to participate. A second series of Mayoral Morning Tea was held in 2020.

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Proposed Local Government Leadership and Awareness Program Procedure

It is proposed that the Local Government Leadership and Awareness Program be run in addition to the Mayoral Morning Teas in 2021, if COVID-19 restrictions are relaxed and students are permitted to attend excursions off site. The content of the Mayoral Morning Teas has formed the basis for the direction of the Local Government Leadership and Awareness Program which has been developed in consultation with the Mayor and Councillor Richards, the owner of the original Notice of Motion. Key elements of the program can be summarised as follows:

1. Confirm which year students will be studying local government/government by contacting the local Primary Schools
2. Development an Expression of Interest. Send it to local schools each year in February inquiring whether they are interested in being involved in the Local Government Leadership and Awareness Program in that year. They would be required to register their interest in the Expression of Interest. Registration would be via the Council website. Schools may only be able to attend every second year depending on demand.
3. Hold three local government student leadership days in the third or fourth term, using both the Windsor Function Centre to gather and run workshops and the Council Chambers to hold the role play.
 - a) The days will have up to 120 students per day (360 students over the three days) between 9.30am-12pm
 - b) Between 9.30am-12pm three sessions that are each 40 minutes could be held:
 - i. 9.30 am – Mayor welcome and introduction
 - ii. 9.30am - 10.10am Session 1
 - iii. 10.10am - 10.50am Session 2
 - iv. 10.50am - 11.10am Morning tea – brought by students
 - v. 11.10am - 11.50am Session 3
 - vi. 11.50am - 12pm – Wrap up
 - c) Students would rotate through the three sessions during the day (in any order). Sessions would address the following topics
 - i. How Local Government Works (including State/Federal/Local Government, elections)
 - ii. What Council Does – including a discussion and the existing Council Video with a worksheet. Discuss topics such as waste, roadworks, rates, shelter
 - iii. In the Chamber – Role Play. Three topics for the role play decided at a Council Briefing Session prior to the Leadership Program starting

A final format for the program could be developed and agreed with the Mayor and interested Councillors. Once the details of the program have been confirmed, there could be a specific resource engaged to:

- make the initial school inquiries
- prepare the Expression of Interest
- book in the schools
- prepare the worksheets and packs
- finalise the program
- ensure the venues are available and set up on the three days
- be available on the day to manage the student engagement and MC the event.

The Program would be introduced by the Mayor and Councillors could nominate which of the sessions they would like to attend. They would be responsible for running a group. There would need to be the Mayor and a minimum of two Councillors available every day to run the groups.

The cost of venue hire for one year would be in the vicinity of \$5,000. Work packs and gifts for a two year cycle (it is much more cost effective to purchase gifts in bulk) would also be in the order of \$5,000.

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Relevant Legislation

It is suggested that all involved in the Local Government Leadership and Awareness Program including Councillors, Events and Community Services staff be required to attain their Working With Children Check.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

Our Leadership

1.1 Local Leadership and Effective Governance

1.1.1 Council's elected leaders will actively connect and collaborate with the community.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The proposed expenditure would be applicable until the 2021/2022 Operational Plan.

If Council are supportive of the initiative a detailed budget proposal can be included within the 2021/2022 Operational Plan.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

The proposal is not aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The program has resourcing implications, outside Council's adopted Long Term Financial Plan.

ATTACHMENTS:

AT – 1 Better Practice - Local Government Leadership and Awareness Programs.

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AT – 1 Better Practice - Local Government Leadership and Awareness Programs

Better Practice - Local Government Leadership and Awareness Programs

Hawkesbury

Youth Participation

Council's Youth Participation has historically been informed by the outcomes of the Hawkesbury Youth Summit, held biennially since 2009. As a result of the inaugural Youth Summit in 2009 Council employed a Youth Participation Officer for 21 hours a week.

The Youth Participation Officer facilitates youth participation in

- Youth service design
- Youth input into decision-making regarding youth policy, health, young programs
- Identifying training according to needs (anti-bullying, healthy relationships, e safety)

This approach increases the number of young people contributing to youth development locally, particularly those in hard-to-reach population groups.

Specific activities undertaken by Council's Youth Participation Officer include

- resourcing training focused on e safety for schools, mental health and social workers and service providers working directly with young people
- convening Hawkesbury Youth Interagency; a monthly network of organisations who provide services to young people in the Hawkesbury
- coordinating the involvement of young people in Council initiatives through varied processes that enable young people to participate at times and locations that meet their needs
- Convening the Schools Partnership Group that assists to build the capacity of the education system identify at-risk young people (homelessness, mental health) and link with youth services to schools to provide early intervention
- Working with young people to develop and lead youth week and mental health month events

At Hawkesbury's Youth Summit in 2017 young people expressed a desire for a more overarching strategy and more consistent interactions to benefit young people broadly, including in areas outside of Council's jurisdiction (health, housing). As such, Council's Youth Participation Officer has commenced planning with young people to develop a Youth Action Plan that will align with the Human Services Outcomes Framework.

Blacktown

- We have a Youth Advisory Committee
- Their primary engagement tools are **Facebook and Instagram platforms** (they moderate both) <https://www.facebook.com/blacktownyouth/>
- Over the past 3 years, have run a full day youth workshop with about 80 participants from senior high school students.
 - The Mayor speaks about Council
 - The General Manager speaks about the job and career path
 - The students report back at the end of the day, in the Council Chamber and provide their feedback on issues of import to youth.
- Run an **annual high school students forum** – the following link highlights a forum we held to provide a youth perspective when we developed our new community strategic plan <https://www.youtube.com/watch?v=Yy-PhT3oGPM>

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- Our **youth week events** also include opportunities for young people to have their says more informally <https://www.youtube.com/watch?v=pJmTjAilzcQ>

Camden

- Supports the young people in the LGA through a Youth Advisory Council. It focuses on the development of youth leadership, and providing a platform for the Young People to have their voices heard in matters that affect them.
- The Youth Advisory Council have been recently trained in running consultations with their peers to develop a Youth Strategy for the Young People, by the Young People. The training was provided by the Office of the Advocate for Children and Young People who specialise in peer to peer consultations.
- As part of Local Government Week each primary school in the Camden Local Government Area is invited to nominate one Year 6 student to represent their school and present to the Mayor a three-minute speech about: *Why they would like to be the Mayor of Camden and what they would do for the Camden Local Government area.* The speeches are judged by the Mayor of Camden and the Camden Young Citizen of the Year. The winning student gets to wear the Mayoral Robe and chains, and chairs a mock Council meeting which is facilitated by the Governance Team.

Fairfield

- Run a Youth Advisory Committee to provide a forum for young people to present views and priorities to Council on a range of issues and programs.
- The Committee consists of Councillors, Council staff and external representatives.
- The Chairperson is a Youth Advisory Committee member that rotates on a monthly basis.
- The Youth Advisory Committee meets monthly from 5.30pm on a Wednesday at the Administration Centre, Avoca Road, Wakeley subject to availability of premises.
- The Councillor term of appointment is for 1 year ie. October to September
- Have a program where students in Years 5 & 6 come along to the Council Chambers for a talk about what councils do, how they operate etc and they get to sit in the Mayor's chair for a photo etc. The visits had been declining due to cost for the schools of hiring buses etc, so as an alternative we also have an information pack that the schools can request to run an info session themselves.

The Hills

- Council runs an active Youth Ambassador program that annually enables two local young people to experience Council activities, participate in events and workshops, put forward their own youth-related ideas and represent local youth in Council decision making. The process is application based and students are selected against a number of criteria.
- The Hills Youth Army is a collective of young people looking for volunteering opportunities within their local community, and they often assist with key Council events like Australia Day and Orange Blossom Festival.
- Council currently does not run a youth council or mock council meetings, although has done previously at the request of schools.

Liverpool

- Have a Youth Council
- Have a Children's Parliament. In the spirit of article 12 of the UN Convention on the Rights of the Child, the 2168 Children's Parliament program, led by Liverpool City Council, aims to build children's capacity to actively engage in civic life by increasing their knowledge and understanding of their rights and responsibilities. The program was launched in 2017 and engages 40 Parliamentarians (aged 9-12 years old) per year from ten schools in the Liverpool local government area.
https://www.westernsydney.edu.au/young-and-resilient/projects/current_projects/mission_australia_-_2168_childrens_parliament_evaluation

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Penrith

- Junior Council. A one off program each year with primary school students - it is civic in nature. Young people learn about Council and run a mock meeting in the Chamber. The program is run through our Communications Department and focuses into the school curriculum section on Civics.
- the Mayoral Challenge - a 'democracy in action' program run each year. We select a suitable park or plays pace that will be upgraded and then engage a school or schools (primary and or secondary) in the area and ask them to nominate a mixed group of students to do a co-design process. The Mayor visits the schools and challenges the students to tell Council how to build the park. The program runs over 6-8 weeks and includes learning civics, how to engage other students/adults, careers in Council, budgeting etc. Students work with our landscape designer and vote on preferred options and then present it to the Mayor and other Councillors.

Wollondilly

- Council runs a Youth Advisory Committee which is one of Council's "Community Advisory Committees". They pursue projects and advocate to Council on a range of issues that affect young people. A big focus each year is on the organising and running of Youth Week events. Details of the Youth Advisory Committee including Terms of Reference can be found here:
<https://www.wollondilly.nsw.gov.au/council/meetings/council-committees-and-advisory-groups/council/wollondilly-youth-advisory-committee/>
- Each year as part of Local Government Week we invite local primary schools to visit us for the day (one school at a time). We give a presentation on Council, key roles, different sections and teams etc. We run a mock Council meeting In any year 5 or 6 local schools usually book in. This year has been an exception of course so we produced a video about Council instead. And distributed it to local primary schools. Link to the video:
<https://cloud.wollondilly.nsw.gov.au/index.php/s/6r1Ni4IcdAWF6lL>

Darwin

- Darwin Civic Education Program for Primary and High Schools
<https://www.darwin.nt.gov.au/community/services/for-children/school-civic-visits>
- The program involves a visit to Council Chambers where students can see where major decisions are made about the future of Darwin, experience a Council meeting by participating in a mock Council debate and learn how to play an active and positive role in the community. The objectives of the program are to allow students to:
 - develop an understanding of the role of local Government
 - appreciate the range of services provided by Council
 - understand how Council makes decisions
 - identify opportunities to participate within their local communities
- The program is supported by:
 - A series of activities conducted by the Mayor, Councillor and at times specialist staff that work in area (nominated in advance by the school) that the students have an interest in
 - A Video <https://youtu.be/WjB3e2Eqh7A>
 - A PowerPoint Presentation
 - Associated graphic material, Q and A's etc.
- The video has been developed so that it can be readily updated to incorporate new information or changes in Mayor and Councillors. Darwin City Council has provided Hawkesbury with a copy of the video script, the PowerPoint Presentation and some activities that can be conducted during the sessions.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 183 **CP - Western Parkland City Liveability Program - (95498, 124414)**

Previous Item: 135, Ordinary (28 July 2020)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to:

- Advise Council of the outcome of the exhibition of the draft Masterplan and Public Domain plans for Richmond, South Windsor and Windsor and seek endorsement of the projects to move to detail design and implementation.
- Acknowledge the work of the Town Centre Master Plan Working Group in their contribution in assisting the completion of the masterplan and public domain plans.

EXECUTIVE SUMMARY:

Council at its ordinary meeting on 28 July 2020 resolved to place on exhibition the Draft Masterplan and Public Domain Plan for Richmond, South Windsor and Windsor.

The Western Parkland City Liveability Program was a key commitment of the Western Sydney City Deal. The City Deals Liveability Program was established to enable each Council to implement a project to provide infrastructure improvements that will improve the built and natural environments and enable economic and social prosperity. The total value of the Liveability Program is \$18.75 million per Council, comprising \$15 million from the Commonwealth and State Government and a further \$3.75 million from Council. In September 2018, under this Program, Council resolved to undertake town centre improvements in Richmond, South Windsor and Windsor. The City Deal funding is required to be expended by April 2022.

This work is considered to be a foundation piece aimed at revitalising our public spaces to support and create economic development and social interaction within each centre. The public domain works aim to address the Hawkesbury's underperforming town centres by undertaking public space rejuvenation and leverage off the rich historic and natural amenity of the Hawkesbury's towns and villages.

The draft plans were placed on exhibition from 1 August to 31 August 2020. A range of community engagement tools were utilised to obtain feedback including but not limited to:

- Business Street Walks;
- Stakeholder workshops (including Council's Town Centre Working Group, the Project Control Group, Chamber of Commerce, local businesses, clubs and education providers);
- An interactive summary digital version of the Master Plan foundation document was prepared for use during the public exhibition period (439 views/downloads);
- Online survey (397 responses);
- Face to face engagement stalls in each town centre;
- Social media
- Direct email to the Business Database and inclusion in the Business Newsletter;

The Public Domain Plans have identified potential projects across all 3 centres, of which some will be able to be implemented by April 2022 as part of the \$18.75 million City Deal budget while other projects will need to be progressed in the years beyond 2022.

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Based on the results of the work to date it is recommended that Council adopt the plans and agree to move to detail design for the following projects:

WINDSOR
Project
George Street Green tree boulevard, street furniture, integrate public art, cleaning of the town centre.
Mall (South, between Fitzgerald and Kable Streets) Shared Pedestrian zone (reopened to cars). Trees to be planted to align with the rest of George Street, create clear sightlines, high quality furniture and lighting, reintroduce car parking – potential one way traffic, create an adaptable space to allow the continuation of markets and events.
Mall (North, between Kable and Baker Street) Pedestrians Only – Extend tree planting to align with the rest of George Street, high quality pavement, street furniture and lighting.
Thompson Square - Outdoor dining upgrades, cleaning, tidying, sightlines improved, nicer space.

SOUTH WINDSOR
George Street Streetscape – Green Boulevard with street trees linking South Windsor from McLeod Park to the Station, new seating with Parklets – to allow places to occupy and sit.
Bereewan Park Upgrades – Staged Plan for works with initial upgrade to include tree planting and formalisation of path network, investigation into community garden.

RICHMOND
Windsor Street Green Tree Boulevard, new seating (Parklets to provide opportunities for outdoor dining) and lighting.
Richmond Park Oval Activation – New seating, pedestrian connectivity to town.

Town Centre Master Plan Working Group

At its meeting on 28 February 2017, Council resolved to:

"Establish the proposed Towns Centres Master Plan Project Group and adopt the proposed Terms of reference to govern the activities of the Project Group."

The Town Centre Master Plan Group was set up, in accordance with Section 2 of the Terms of Reference, to

- Provide advice to Hawkesbury City Council staff on the preparation of a brief to engage a suitable consultant to prepare Master Plans.
- Act as a reference group to assist Council staff.
- Provide advice to Hawkesbury City Council staff on consultative strategies
- Test town centre revitalisation concepts.

In line with Clause 4 of the Terms of Reference, the Working Group has now completed their role in relation to the development of the masterplans.

It is proposed that the work of the group be acknowledged and that they be thanked for their time and effort in relation to this project.

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RECOMMENDATION:

That

1. Council note the outcome of the public exhibition of the Draft Masterplan and Public Domain Plan for Richmond, South Windsor and Windsor.
2. Council adopt the Masterplan and Public Domain Plan for Richmond, South Windsor and Windsor, attached as Attachment 1 to this report.
3. Council approve the list of projects outlined in the body of this report for detailed design.
4. Council acknowledge the work of and thank the Members of the Town Centre Master Plan Working Group in completing their role in the development of the masterplan and public domain plan.

BACKGROUND

The Western Sydney City Deal was signed by the Prime Minister, the Premier of NSW and the Mayors of the eight Western City Councils on 4 March 2018. The City Deal as published contains 38 initiatives which have been the subject of further consideration and development.

The State Government has established a Western Sydney City Deal Delivery Office, drawing together officers from all three levels of government to work collectively on further defining and developing the City Deal to a point where it can be implemented and outcomes delivered.

Council at its meeting on 25 September 2018 considered a report on The Western Sydney City Deal and resolved as follows:

“That Council endorse a program of Town Centre improvements, as the priority project to be applied for under the Western Parkland City Liveability Program.”

Council submitted an application for Round 1 of the Liveability Program funding in October 2018, and were advised of the successful grant application on 23 January 2019. The total value of the Liveability Program is \$18.75 million, comprising \$15 million from the Commonwealth and State Government and a further matching 3.75 million from Council. The City Deal funding is required to be expended by April 2022.

In October 2019 Council engaged the services of Urbis to guide the town centre revitalisation with focussed community and stakeholder engagement and the preparation of strategic Master Plans and Public Domain Plans for the three town centres. This work is considered to be a foundation piece aimed at revitalising our public spaces to support and create economic stimulus and social interaction opportunities.

The Master Plans and Public Domain Plans seek to ensure that the town centres of Hawkesbury are a great place to experience. With a long term outlook, the plan highlights social, economic and cultural development opportunities.

The Master Plan provides an overview of the strategies proposed to revitalise the town centre. It is divided into key projects / precincts with different uses and proposals to ensure the use of each precinct supports community and commercial needs. Public spaces will be enhanced to make the town centres more comfortable and attractive places.

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Detailed History, including previous Council decisions

Liveability Key Stages	
Action	Status
28 February 2017, Council resolved to: Establish the proposed Towns Centres Master Plan Project Group and adopt the proposed Terms of reference to govern the activities of the Project Group.	Completed Working Group commenced September 2017. Working Group met between 2017 and 2020.
Placescape Consultation – Findings 1. Local history, heritage buildings and features 2. Cleanliness of public space 3. Natural environment (views, vegetation, topography, water etc.) 4. Overall visual character of the area 5. Vegetation and natural elements (street trees and planting)	Completed February 2018.
Council confirm project to be submitted for Liveability funding – Richmond, South Windsor and Windsor masterplans and public domain plans.	Completed. Council report 25 September 2018.
Liveability grant submission.	Completed November 2018.
Breakdown of stages of the \$18.75m funding provided to State Government.	Completed February 2019.
Expression of Interest followed by tender process to engage consultants to assist in the development of the masterplan and public domain plans. Engaged Urbis.	Complete March to Sept 2019
Urban Design and Place Analysis Urbis have completed a comprehensive analysis of the town centres including the urban design elements on the ground today as well as the numerous strategic plans, policies and studies that have been undertaken for the town centres including planning, heritage, traffic, environment and other topics. This has been consolidated into a series of opportunity and constraints maps for each Centre. The review of existing documents included but not limited to: <ul style="list-style-type: none"> • Community Strategic Plan • Local Strategic Planning Statement • Draft land use studies – housing, employment lands • Windsor Masterplan • Hawkesbury Horizons • Tourism related plans • Placescape findings Community and Stakeholder Engagement The outcomes of engagement previously undertaken for the Community Strategic Plan, Place Score Card and the Local Strategic Planning Statement provided high level understanding of community values and issues. Engagement for this project has been more targeted and specific to practical short term improvements in the three centres. The engagement activities undertaken included: <ul style="list-style-type: none"> • Business Street Walks (over 150 businesses); • Stakeholder Workshops (including Council's Town Centre Working Group, the Project Control Group, Chamber of Commerce, local businesses, clubs and education providers); 	Completed October 2019 to March 2020.

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<ul style="list-style-type: none"> • Pop-up engagement stalls in each town centre; • Social media posts (100+ comments); • Online survey (337 responses); • Dedicated email line (10 emails); • Dedicated phone line (1 call); and • Postcards (850 distributed). 	
<p>Councillor briefing Outline of community engagement Call for suggestions / project ideas.</p>	Completed April 2020.
<p>Indigenous engagement</p> <p>Engagement with the local Aboriginal community was undertaken during the months of June and July 2020 to support the creation of a Vibrant Towns and Villages Masterplan, which focuses on the towns of Richmond, South Windsor and Windsor.</p> <p>During the stakeholder briefings and face to face workshops, key themes were identified that were relevant to the understanding of the challenges, strengths or future opportunities faced by the local Aboriginal community in the Hawkesbury region.</p> <p>These themes are important to identify patterns of meaning and provide guidance as part of the master planning process moving forward. They are developed from stakeholders' perceptions and/or experience and provide underlying sentiments and ideas for the masterplan.</p> <p>The identified key themes include:</p> <ul style="list-style-type: none"> • Acknowledgement of the past • Understanding the Local Area • Incorporation of Aboriginal culture <p>The feedback and input received from the Indigenous Engagement it will confirm what has been captured in the master plans and public domain plans. This will also further inform the plans during the public exhibition period.</p>	Completed July 2020.
<p>Big Ideas documented</p> <p>Separate to the work undertaken by Urbis, Council staff have collected Councillor suggestions, reviewed other relevant work and studies and added in some other concept ideas for consideration - as outlined in the "Big Ideas" document.</p> <p>The projects included in the Big Ideas document are intended to build on the foundation work proposed under the Liveability Program and enable Council to undertake feasibility studies or apply for future funding opportunities.</p>	Completed June 2020.
<p>Draft masterplan and public domain plans submitted to Council meeting 28 July 2020 to place on exhibition.</p>	Completed July 2020.
<p>Draft Master Plan and Public Domain Plan Interactive Summary Document developed for use during the public exhibition period August 2020.</p>	Completed August 2020.
<p>Public exhibition – The Liveability Project Public Exhibition process conducted from 1 to 31 August 2020.</p> <ul style="list-style-type: none"> • Business Street Walks; • Stakeholder workshops (including Council's Town Centre Working Group, the Project Control Group, Chamber of Commerce, local businesses, clubs and education providers); 	Completed August/September 2020.

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<ul style="list-style-type: none"> • Dedicated Project Information page on Your Hawkesbury Your Say (1,218 visitors); • An interactive summary digital version of the Master Plan foundation document was prepared for use during the public exhibition period (439 views/downloads); • Project fact sheet (109 views/downloads); • Online survey (397 responses); • Hard copy surveys and documents for perusal located at the main Library at Windsor, Richmond Library and at the Customer Service area in the Administration building; • Face to face engagement stalls in each town centre; • Social media posts (19 posts with 280 comments); • Direct email to the Business Database and inclusion in the Business Newsletter; • Written submissions (3 responses received); • Postcards (800 distributed). 	
<p>Present draft master plans and public domain plans to Council for adoption. These plans contain a range of potential projects including the following:</p> <p>Windsor</p> <ul style="list-style-type: none"> • George Street Green tree boulevard • Mall (South, between Fitzgerald and Kable Streets) Shared Pedestrian zone (reopened to cars). • Mall (North, between Kable and Baker Street) Pedestrians Only – Extend tree planting to align with the rest of George Street • Thompson Square upgrades <p>South Windsor</p> <ul style="list-style-type: none"> • George Street Streetscape – Green Boulevard • Bereewan Park Upgrades <p>Richmond</p> <ul style="list-style-type: none"> • Windsor Street Green Tree Boulevard • Richmond Park Oval Activation. 	September 2020 – current position
Detailed Design of prioritised projects. The detail design will provide detailed scope and budget to allow Council to be in a position to stage the works Completed.	Engaging contractors to undertake detail design.
Council to consider and approve design and scope for prioritised projects.	In the process of engaging a consultant and timing to be finalised.
Undertake tender for construction for approved projects.	In the process of engaging a consultant and timing to be finalised.
Commence construction. At this stage it is anticipated multiple projects to occur concurrently.	In the process of engaging a consultant and timing to be finalised.
Finalise expenditure of the grant.	April 2022.

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Town Centre Master Plan Working Group

At its meeting of 28 February 2017, Council resolved to:

"Establish the proposed Towns Centres Master Plan Working Group and adopt the proposed Terms of reference to govern the activities of the Working Group."

The Town Centre Master Working Plan Group was set up, in accordance with Section 2 of the Terms of Reference, to:

2. a) *To provide advice to Hawkesbury City Council staff on the preparation of a brief to engage a suitable consultant to prepare Master Plans for the Windsor and Richmond Town Centres based on the following objectives:*
 - *Provide the communities of Windsor and Richmond and the Hawkesbury with a plan to maintain vibrant and commercially viable town centres*
 - *Produce a workable accessibility, traffic and carparking strategy including safe and accessible pedestrian and cycle routes linking key destination and public transport nodes supported by a way-finding and signage plan.*
 - *Guide future land use and developing of public and private lands within the Windsor and Richmond Town Centres to maximise public benefit, realise optimal land use and support the economic vitality of these town centres*
 - *Guide the design, maintenance and renewal of key public domain asset and physical infrastructure to support community events and visitation*
 - *Guide the activation and showcasing of the foreshore, park and heritage assets within the town centre as foci for public activity*
- b) *To act as a reference group to assist Council staff to manage the works program, methodology and stakeholder engagement processes to be delivered by the consultant engaged to prepare draft Master Plans for the Windsor and Richmond Town Cent4res.*
- c) *To provide advice to Hawkesbury City Council staff on consultative strategies for inviting submissions and comments in relation to the preparation and public exhibition of draft Master Plans for Windsor and Richmond.*
- d) *To develop a framework for the testing of town centre revitalisation concepts in a methodical and sensible manner encouraging active participation and involvement by the community.*

In line with Clause 4 of the Terms of Reference, the Project Group term will cease following the adoption by Council of Master Plans for Windsor and Richmond.

Clause 4 of the Terms of Reference states;

The Project Group Term shall be the time period required to fill the objectives outlined in Section 2. The work of the Project Group will cease following the adoption by Council of Master Plans for Windsor and Richmond

It is proposed that this Working Group be concluded following their final meeting.

DISCUSSION

The purpose of the Masterplan and Public Domain Plan is to:

- Enhance the town centres as the economic, social and cultural hearts of the Hawkesbury
- Attract and activate private and public investment in the town centres
- Enhance the connectivity of key attractors within and adjacent to the town centres

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The development of the draft Masterplan and public domain plans involved a three part methodology that occurred concurrently, the three core elements were:

- Community and Stakeholder Engagement
- Urban Design, Place Analysis and Master Plans
- Public Domain Design

There are key elements in revitalising a town centre which include a mix of connecting people, place and partnership:

- People - strategies should be based on an understanding of how customers behave and use their town centres. This was undertaken previously through the Placescore survey and built upon throughout the Liveability Project in the community engagement process.
- Place - the redesign of the physical environment and creating a place with a unique profile. This has been undertaken in the development of the Master Plans and Public Domain Plans. This will be further explored and completed throughout the detailed design phase.
- Partnership - close collaboration between a wide range of stakeholders is essential. This will include working with all levels of Government, private land owners, businesses and the community. This will include place making strategies to encourage economic stimulation such as:
 - Working with landlords and agents to understand and assist in filling vacancies;
 - Undertaking activities to encourage activation; and
 - Continuing business support initiatives that encourage 'shopping local' and supporting small businesses

During the exhibition that was undertaken between 1 August and 31 August 2020 Council received 397 survey responses and conducted face to face engagement with over 375 community members over 3 days across the three town centres resulting in a high level of support from respondents as outlined below:

Windsor

- 53.7% strongly approve
- 29.2% approve
- 9.8% neutral
- 6% disapprove
- 1.3% strongly disapprove

South Windsor

- 36% strongly approve
- 32.5% approve
- 18.9% neutral
- 11.1% disapprove
- 1.5% strongly disapprove

Richmond

- 37.3% strongly approve
- 37.8% approve
- 16.1% neutral
- 7.8% disapprove
- 1% strongly disapprove

Consultation has also been conducted with the majority of Councillors seeking their input on the ranked projects identified through the extensive community engagement process.

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There was overall agreement that the key outcomes being sought from the project includes:

- Economic Stimulation of retail section
- More attractive spaces – green and clean
- Enabling people places / pedestrian spaces

Proposed projects to move to detail design

The Projects listed below are proposed to proceed to detailed designed:

WINDSOR
Project
George Street Green tree boulevard, street furniture, integrate public art, cleaning of the town centre
Mall (South, between Fitzgerald and Kable Streets) Shared Pedestrian zone (reopened to cars). Trees to be planted to align with the rest of George Street, create clear sightlines, high quality furniture and lighting, reintroduce car parking – potential one way traffic, create an adaptable space to allow the continuation of markets and events.
Mall (North, between Kable and Baker Street) Pedestrians Only – Extend tree planting to align with the rest of George Street, high quality pavement, street furniture and lighting
Thompson Square - Outdoor dining upgrades, cleaning, tidying, sightlines improved, nicer space

SOUTH WINDSOR
George Street Streetscape – Green Boulevard with street trees linking South Windsor from McLeod Park to the Station, new seating with Parklets – to allow places to occupy and sit.
It is noted that there is a desire to provide more focus on the town centre.
Bereewan Park Upgrades – Staged Plan for works with initial upgrade to include tree planting and formalisation of path network, investigation into community garden. This work will take into account the recently adopted Council Transport Policy which accounts for the potential duplication of the rail line.

RICHMOND
Windsor Street Green Tree Boulevard, new seating (Parklets to provide opportunities for outdoor dining) and lighting.
Richmond Park Oval Activation – New seating, pedestrian connectivity to town.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Leadership

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

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

Our Community

- 2.3 Community partnerships continue to evolve - Increase the range of local partnerships and plan for the future
 - 2.3.1 Encourage and facilitate community partnerships.

Our Environment

- 3.4 The sustainability of our environment is improved - Encourage and enable our community to make sustainable choices
 - 3.4.2 Development is functional, attractive and sympathetic with the environment, and avoids unnecessary use of energy, water or other resources.

Our Assets

- 4.3 Places and Spaces - Provide the right places and spaces to serve our community
 - 4.3.1 Provide a variety of quality passive recreation spaces including river foreshores, parks, bushland reserves and civic spaces to enhance our community's health and lifestyle.
 - 4.3.3 Provide a variety of quality shared spaces including meeting spaces accommodating public art, cultural and environmental amenity to enhance our community's health and lifestyle.

Our Future

- 5.1 Strategic Planning Governance - Encourage informed planning, balanced growth and community engagement
 - 5.1.1 Council's planning is integrated and long term.
 - 5.1.2 Council's decision making on all matters is transparent, accessible and accountable.
 - 5.1.5 The needs of our community will be reflected in Local, State and Regional Plans.
- 5.3 Shaping our Growth - Respond proactively to planning and the development of the right local infrastructure
 - 5.3.1 Growth and change in the Hawkesbury will be identified, planned for and valued by the community.
- 5.5 Reinforcing our dynamic places - Support the revitalisation of our town centres and growth of our business community
 - 5.5.1 Revitalise and enhance our two significant town centres of Windsor and Richmond, to create thriving centres each with its own character that attracts residents, visitors and businesses.
 - 5.5.2 Create active partnerships to develop a network of vibrant centres, creating opportunities for business growth and community connection.
 - 5.5.3 Assist our town and village centres to become vibrant local hubs

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- 5.6 Instigating Place Making Programs - Celebrate our creativity and cultural expression
 - 5.6.2 Masterplanning processes will be prepared in consultation with the community, key stakeholders and partners to establish the specific strategies for town and village centres.
- 5.7 Tourism and Economic Development - Promote our community as the place to visit, work and invest
 - 5.7.1 Working in partnership we will actively market our City and our capabilities to existing and potential businesses, visitors and investors.

Financial Implications

The recommendations of the draft plan are to be funded using the \$15 million commonwealth and state liveability program funding. council's 2020/2021 operational plan has funds allocated to satisfy the \$3.75 million eligibility requirement.

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 long term financial plan.

ATTACHMENTS:

- AT - 1** Draft Masterplan and Public Domain Plan – Liveability Program - (*Distributed under separate cover*).

oooO END OF REPORT Oooo

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Item: 184 **CP - Submission to Draft Cumberland Plain Conservation Plan - (95498, 124414)**

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to provide:

- A summary of the Draft Cumberland Plain Conservation Plan;
- A discussion of the implications of the proposed legislation; and
- A recommendation for the submission of feedback to the Department of Planning, Industry and Environment.

EXECUTIVE SUMMARY:

The Department of Planning, Industry and Environment is exhibiting the Draft Cumberland Plain Conservation Plan. The purpose of the Plan is to:

- Identify the impacts on biodiversity as a result of development in Western Sydney, primarily the Aerotropolis and identified Growth Areas
- Identify the mechanisms to avoid impacts on biodiversity or offset the loss of biodiversity.

The Draft Plan has identified sites within the Hawkesbury Local Government Area, known as Strategic Conservation Areas that could be used to offset any loss of biodiversity through:

- Conservation/revegetation works
- Creation of new reserves,
- Expansion of existing reserves
- Creation of stewardship sites on public or private land.

The Draft Cumberland Plain Conservation Plan is on exhibition from 26 August 2020 to 9 October 2020 (extended from the original due date of 25 September 2020), with comments being required to be lodged by the close of exhibition.

This report discusses the implications of the proposed Draft Cumberland Plain Conservation Plan, and makes a recommendation that Council submit comments to the Department of Planning, Industry and Environment, in relation to:

- Use of outdated Mapping to inform Draft Plan
- Issues associated with biodiversity offsets
- Concerns in regard to compulsory acquisition and placing caveats on property
- Proposed Strategic Conservation Area
- The Confluence Reserve Investigation Area
- Proposed New Legislation and Guidelines
- Consideration of Future Additional Sites and/or Mapping being undertaken by Council.

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RECOMMENDATION:

That Council:

1. Receive and note the NSW State Government's Draft Cumberland Plain Conservation Plan
2. Note the key points in the Draft Submission, included as attachment 3 to this report in relation to:
 - Use of outdated Mapping to inform Draft Plan
 - Issues associated with biodiversity offsets
 - Concerns in regard to compulsory acquisition and placing caveats on property
 - Proposed Strategic Conservation Area
 - The Confluence Reserve Investigation Area
 - Proposed New Legislation and Guidelines
 - Consideration of Future Additional Sites and/or Mapping being undertaken by Council.
3. Endorse the Draft Submission on the Cumberland Plain Conservation Plan included as Attachment 2 to this report.

BACKGROUND

The NSW State Government has prepared the Draft Cumberland Plain Conservation Plan. The purpose of the Draft Cumberland Plain Conservation Plan is to identify how development in Western Sydney will impact on biodiversity, and to identify the mechanisms to avoid impacts on biodiversity or offset the loss of biodiversity.

The Plan's vision is to 'support Western Sydney's biodiversity and growth' by supporting the delivery of infrastructure, housing and jobs for Western Sydney in a planned and strategic way that protects and maintains important biodiversity, including threatened flora and fauna. The four Western Sydney Areas nominated for strategic conservation planning are:

- Greater Macarthur Growth Area
- Greater Penrith to Eastern Creek Investigation Area
- Western Sydney Aerotropolis
- Wilton Growth Area

The Plan's conservation program will offset development impacts on biodiversity and help to protect biodiversity over the life of the Plan to 2056. The Plan has 28 commitments and 141 actions that will help achieve its vision, objective and outcomes. These include commitments and actions to conserve flora, fauna and associated habitat, avoid and minimise impacts and manage landscape threats. The conservation program outlines the commitments and actions that will help establish new reserves, biodiversity stewardship sites and ecological restoration to support the creation of new conservation corridors in Western Sydney.

Land that is identified for development in the Western Sydney nominated areas under the Plan is proposed to have biodiversity certification under the *Biodiversity Conservation Act 2016* to facilitate development in those areas. Several planning controls will provide for the ongoing protection of biodiversity values on non-certified or avoided land. These are:

- Requirements to ensure that certified - urban capable land in precinct plans covered by biodiversity approvals are consistent with the areas of biodiversity certified land
- The application of environmental conservation (E2) zoning to protect avoided land, including land with high-value biodiversity, riparian corridors and steep slopes

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- Requirements to ensure that asset protection zones are located wholly within urban capable land
- A Ministerial Direction under section 9.1 of the *Environmental Planning & Assessment Act* to protect avoided land.

The Draft Plan commits to securing at least 5,475 hectares of native vegetation in the Cumberland subregion to conserve biodiversity values. This presents an opportunity to make Western Sydney more liveable, both by fostering greater urban tree canopy and by creating greener public spaces in critical areas, which will take into account existing urban biodiversity.

The Draft Plan proposes to introduce legal mechanisms, as required, to support the identification, management and acquisition of sites that have been proposed for future public land conservation (for example public reserves and new or additional national parks) to offset development impacts and help meet the Plan's commitments.

The Draft Plan identifies areas across Western Sydney:

- That have strategic biodiversity value and include threatened ecological communities and species
- With important connectivity across the landscape
- With ecological restoration potential

These areas are identified as the Strategic Conservation Area in the Plan which are shown on Page 38 of the Draft Cumberland Plain Conservation Plan include as Attachment 1 to this Report, which includes the Hawkesbury Local Government Area.

The Cumberland Plain Conservation Plan proposes planning controls for the Strategic Conservation Area, except for land owned by Local Aboriginal Land Councils or under claim by Local Aboriginal Land Councils.

The proposed planning controls will include matters relating to biodiversity values for the consent or determining authority, for example councils, to consider when assessing any development applications in the strategic conservation area. The consent or determining authority must also be satisfied that development will avoid or minimise impact on identified strategic biodiversity values.

The planning controls are proposed to be implemented through a new State Environmental Planning Policy.

The Cumberland Plain Conservation Plan also proposes the introduction of a Ministerial Direction under Section 9.1 of the *Environmental Planning and Assessment Act, 1979*. The section 9.1 Ministerial Direction will apply when a relevant planning authority prepares a planning proposal for avoided land within the nominated areas or prepares a planning proposal that would result in an intensification of land use in the Strategic Conservation Area.

The Department of Planning, Industry and Environment intends to introduce guidelines to manage the impacts of infrastructure development on matters protected under the *Biodiversity Conservation Act, 2016* and the *Environment Protection and Biodiversity Conservation Act, 1999*.

These guidelines will include:

- Requirements for public authorities to notify the department and avoid, minimise, mitigate and offset impacts to biodiversity when undertaking essential infrastructure development on avoided land in the nominated areas or certain land in the Western Sydney Aerotropolis identified under the Plan
- Planning controls for the strategic conservation area that a determining authority must consider for activities assessed under Part 5 of the *Environmental Planning & Assessment Act*
- Mitigation measures to address indirect and prescribed impacts on biodiversity from infrastructure development in the nominated areas

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The Draft Cumberland Plain Conservation Plan is on exhibition from 26 August 2020 to 9 October 2020 (extended from the original due date of 25 September 2020, with comments being required to be lodged by the close of exhibition. Details of the Draft Cumberland Plain Conservation Plan can be viewed in Attachment 1.

DISCUSSION

The Draft Plan's conservation program will offset development impacts on biodiversity and help to protect biodiversity over the life of the Plan. The Plan commits to securing at least 5,475 hectares of native vegetation in the Cumberland sub region to conserve biodiversity values. The Draft Plan proposes to introduce legal mechanisms, as required, to support the identification, management and acquisition of sites that have been proposed for future public land conservation (for example public reserves and new or additional national parks) to offset development impacts and help meet the Plan's commitments.

The Draft Plan identifies areas across Western Sydney:

- That have strategic biodiversity value and include threatened ecological communities and species
- With important connectivity across the landscape
- With ecological restoration potential

These areas are identified as the Strategic Conservation Area in the Plan, some of which are located within the Hawkesbury Local Government Area.

The Draft Cumberland Plain Conservation Plan proposes planning controls for the Strategic Conservation Areas to be introduced within a new State Environmental Planning Proposal and Section 9.1 Ministerial Direction, along with guidelines for development undertaken by public authorities or under Part 5 of the *Environmental Planning and Assessment Act, 1979*.

A discussion of the implications of the Draft Cumberland Plain Conservation Plan is provided below, and the Draft Submission is included as Attachment 2:

Proposed Strategic Conservation Area

The Draft Cumberland Plain Conservation Plan identifies a Strategic Conservation Area representing areas of important biodiversity value to the Cumberland sub region, including areas containing large remnants of native vegetation, areas with important connectivity across the landscape, and some areas with ecological restoration potential.

It is considered that the Hawkesbury Cumberland Plain is highly significant as an area containing important remnant Cumberland Plain Vegetation, as well as other endangered and critically endangered ecological communities, and therefore central to conservation of these critically endangered ecological community and the animals it supports. Given the extent of vegetation removal proposed as part of the Aerotropolis (10% of the remaining Cumberland Plain Woodland) the significance of remaining vegetation within the Hawkesbury is elevated even further.

It is considered that any areas nominated within the Strategic Conservation Area should benefit the Hawkesbury Local Government Area by conserving and protecting important vegetation communities and habitats, as well as contributing to the amenity and liveability of the locality.

Certain land within the suburbs of:

- Freemans Reach
- Grose Vale
- Grose Wold
- Mulgrave
- North Richmond

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- Richmond Lowlands
- Windsor Downs
- South Windsor and
- Yarramundi

In the Hawkesbury Local Government Area are within the Strategic Conservation Area. None of these lands has been identified by Council or Council's Draft Local Housing, Employment and Rural Land Strategies as a future/potential investigation land/area for rezoning/development.

In general, whilst no objection is raised to the Strategic Conservation Area proposed, it should be noted that Council has a concern that the Draft Plan has been informed by out of date mapping, and encourages the use of the most upto date information/data available. In this respect, it should be noted that Council is currently undertaking biodiversity mapping within the Hawkesbury Local Government Area and identifying Council owned or controlled sites that could potentially be included within the Strategic Conservation Area. The Department of Planning, Industry and Environment's consideration of this updated mapping and/or identification of Council owned or controlled sites is encouraged. Additionally, in terms of the currently identified Strategic Conservation Area, of particular note is the significant environmental benefit that will result from the inclusion of land within the Grose Vale and Grose Wold localities that are identified as Environmental Constraint Area under *Hawkesbury Local Environmental Plan 2012*, as well as Bushells Lagoon and Bakers Lagoon.

The Strategic Conservation Area proposed within Grose Vale and Grose Wold predominantly corresponds to the areas mapped as Environmental Constraint Area under the *Hawkesbury Local Environmental Plan 2012*, and areas of remnant vegetation surrounding and linking these mapped Environmental Constraint Areas. The Environmental Constraint Area was introduced into the Hawkesbury Local Environmental Plan 1989 to protect Cumberland Plain Woodland in the locality.

The Cumberland Plain Conservation Plan therefore will provide an additional mechanism in which the Cumberland Plain Woodland, and other Endangered Ecological Communities, in these areas can be ensured protection into the future, as well as providing for the rehabilitation of the vegetation community and creation of corridors to link the existing remnant vegetation.

The inclusion of Bushells Lagoon and Bakers Lagoon within the Strategic Conservation Area is supported; however concerns are raised in relation to the future management of these lagoons. Of particular concern is the ongoing impacts of contamination of Per and Poly Fluoroalkyl Substances (PFAS) on Bakers Lagoon, and whether this was considered in the determination of including Bakers Lagoon as a Strategic Conservation Area.

Given that Bushells Lagoon and Bakers Lagoon are located within agricultural areas used for turf farms or market gardens, concern is raised in respect to the protection of these wetlands from the impacts of adjoining land uses. In this respect, the revegetation of the areas around these lagoons with native plant communities may be impacted by nutrient rich water runoff or pesticide spray drift. In addition, these lagoons are located within a denuded landscape, and any revegetation in the nominated area will have no physical linkages to other native vegetation communities.

It is therefore recommended that the Department of Planning, Industry and Environment be advised that whilst welcoming the revegetation of important wetland communities, Council requests that the Cumberland Plain Conservation Plan ensures that mechanisms are in place to ensure the viability of revegetated areas in perpetuity, including self-perpetuation.

It is recognised that improved legal powers would better protect wetlands, and in this regard it is recommended that the Department of Planning, Industry and Environment be requested to review the proposed legislation to be developed to ensure better protection, as well as incorporating development controls within the proposed State Environmental Planning Policy that effectively protects the wetlands from the impacts of adjoining land uses.

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The Confluence Reserve Investigation Area

In order to deliver the Draft Cumberland Plain Conservation Plan, the NSW Government proposes to acquire properties/areas of land in Western Sydney to create new public reserves or national parks, which are integral to the delivery of the Draft Plan.

The Draft Cumberland Plain Conservation Plan states that the NSW Government has already committed \$84 million to support the Draft Plan's implementation in the first five years. This will fund a number of key priority actions to deliver commitments identified in the Draft Cumberland Plain Conservation Plan. Commitment 11 of the Draft Plan is to establish at least two new reserves in addition to the Georges River Koala Reserve that will protect threatened communities, species and habitat that are targeted for protection through the Plan. In line with this commitment, the following three new reserves have been identified in order to protect threatened ecological communities, species and their habitats.

- Georges River Koala Reserve
- Gulguer Reserve Investigation Area in the Wollondilly area
- The Confluence Reserve Investigation Area.

The Confluence Reserve Investigation Area is located in the Hawkesbury Local Government Area as shown in Figure 1.

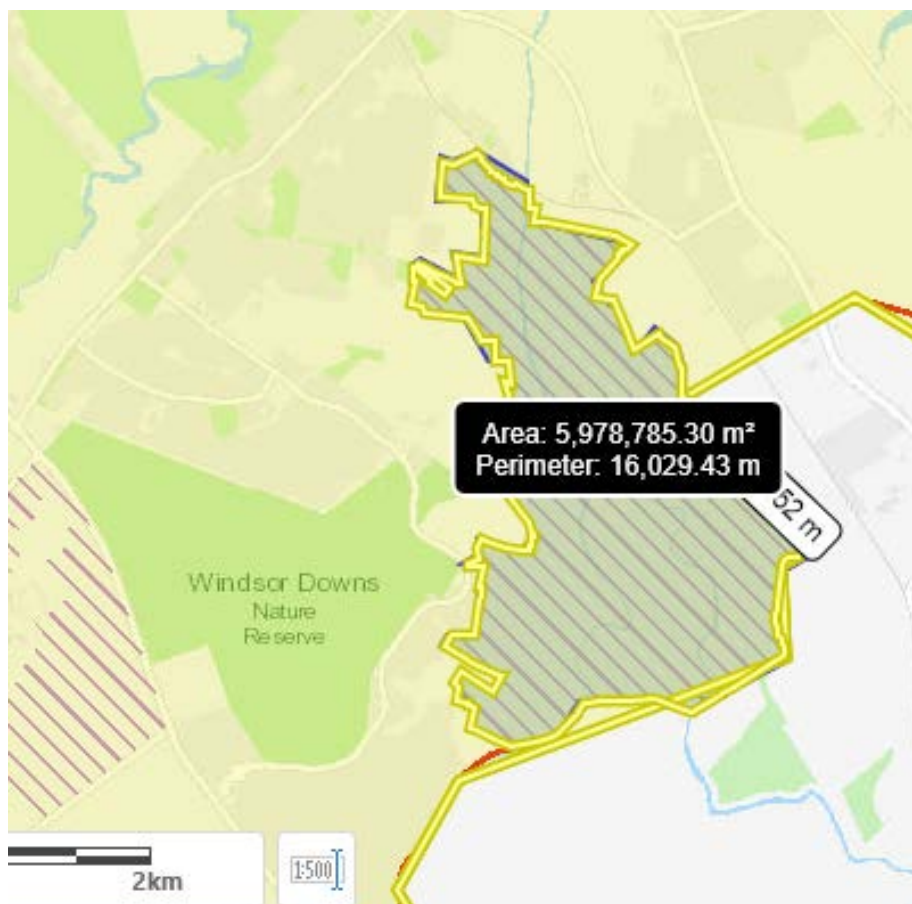


Figure 1: The Confluence Reserve Investigation Area

The Cumberland Plain Conservation Plan advises that the Confluence Reserve Investigation Area contains small patches of vegetation ranging from poor to good condition and contains around 60 hectares of River-Flat Eucalypt Forest and 50 hectares of Freshwater Wetlands. Other Threatened Ecological Species listed under both the *Biodiversity Conservation Act 2016* and the *Environment Protection and Biodiversity Conservation Act 1999* are present in the area, including some Cooks River/Castlereagh Ironbark Forest,

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Cumberland Plain Woodland and Shale Gravel Transition Forest. The ecological restoration opportunity, with up to 365 hectares of cleared land targeted for restoration. Communities likely to be restored include Cooks River/Castlereagh Ironbark Forest, River-Flat Eucalypt Forest and Cumberland Plain Woodland.

A review of Spatial Mapping showing the Strategic Conservation Area within the Draft Cumberland Plain Conservation Plan reveals that the Confluence Reserve Investigation Area which is approximately 600 hectares in size is formed by 35 privately owned properties within the suburbs of Windsor Downs, South Windsor and Mulgrave in the Hawkesbury Local Government Area.

The Confluence Reserve Investigation Area, much of which is flood prone and unsuitable for development, is identified as a potential area for conservation and ecological restoration efforts due to its proximity to several existing nature reserves, thus improving local connectivity. It also provides an opportunity to link with the Wianamatta (South Creek) Corridor, which has been identified as a priority in the Sydney Green Grid. For these reasons the inclusion of this Strategic Conservation Area and the identification of it as a priority for establishment as a reserve is supported.

Proposed New Legislation and Guidelines

Proposed State Environmental Planning Policy for Strategic Conservation Planning

In order to support the Draft Cumberland Plain Conservation Plan, a draft State Environmental Planning Policy for Strategic Conservation Planning is being developed by the Department of Planning, Industry and Environment as the key statutory mechanism to implement strategic conservation planning and provide certainty that the Plan's commitments and actions to protect, enhance, maintain and restore biodiversity in Western Sydney will be met.

The proposed Environmental Planning Policy includes a set of objectives and planning controls including the following proposed controls for strategic conservation that a consent authority must consider and satisfy before granting development consent on the strategic conservation area.

- Impacts on the biodiversity values of the site, such as:
 - ecological function
 - ecological communities
 - species habitat and population numbers
 - habitat connectivity
 - ecosystem resilience
- Whether the development will cause a negative impact on the condition and ecological function of vegetation, or else result in a detrimental change to the distribution of native flora and fauna communities, either on or adjacent to the site.
- Whether the development will disturb a site's native fauna, cause a loss of habitat, or else impact a threatened species, habitat connectivity or links to wildlife corridors and restoration areas.
- Development being designed, sited and managed to minimise vegetation clearing, and to avoid adverse impact to high-value vegetation or potential vegetation restoration areas.
- That the height, bulk, scale, size and proposed use of the development would not disturb habitat or disrupt the surrounding natural environment.
- That any setback, asset protection zones or infrastructure required for the development would not adversely impact the environmental values or result in the removal of vegetation

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Proposed Section 9.1 Ministerial Direction

The Cumberland Plain Conservation Plan also proposes the introduction of a Ministerial Direction under Section 9.1 of the *Environmental Planning and Assessment Act, 1979*. The section 9.1 Ministerial Direction will apply when a relevant planning authority prepares a planning proposal for avoided land within the nominated areas or prepares a planning proposal that would result in an intensification of land use in the Strategic Conservation Area.

Proposed Guidelines

The Department of Planning, Industry and Environment intends to introduce guidelines to manage the impacts of infrastructure development on matters protected under the *Biodiversity Conservation Act, 2016* and the *Environment Protection and Biodiversity Conservation Act, 1999*.

These guidelines will include:

- Requirements for public authorities to notify the department and avoid, minimise, mitigate and offset impacts to biodiversity when undertaking essential infrastructure development on avoided land in the nominated areas or certain land in the Western Sydney Aerotropolis identified under the Plan;
- Planning controls for the strategic conservation area that a determining authority must consider for activities assessed under Part 5 of the EP&A Act;
- Mitigation measures to address indirect and prescribed impacts on biodiversity from infrastructure development in the nominated areas.

No objection is raised to the purpose of, or to the proposed controls within the new State Environmental Planning Policy, Section 9.1 Ministerial Direction and Guideline to protect those areas identified for conservation to offset the loss of vegetation as a consequence of development within Western Sydney.

Council's Role and Funding

Councils will be required to play a role in helping to implement the Plan. The Department of Planning, Industry and Environment (the department) advises that it will support councils, providing guidance and information to ensure they can act in accordance with the Draft Plan's environmental outcomes.

It is understood that councils will:

- Assess development applications to meet the Plan's commitments and actions, as implemented under the proposed State Environmental Planning Policy (SEPP) for strategic conservation planning and development control plans,
- Assist in establishing and managing conservation lands to be secured under the Plan. This will offset the impacts of development and oversee compliance on land identified in the Plan. The Plan commits to providing extension services to help councils build capacity to implement the Plan and undertake conservation management actions.

To ensure that development is consistent with the Draft Plan, the Department of Planning, Industry and Environment proposes annual updates on the Plan's progress, a five-yearly review of the Plan's implementation, and regular auditing and reporting. A compliance working group will be established, comprising the department, local councils and other relevant stakeholders, to prepare a compliance strategy to set out responsibilities. Local councils will have a compliance role, ensuring that conservation measures are implemented in accordance with the Plan. The Plan commits to providing funding for at least three council-based officers across Western Sydney to ensure compliance with the conservation program. These officers will work closely with council rangers to monitor activities such as illegal dumping and vegetation clearing.

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The Draft Cumberland Plain Conservation Plan states that the NSW Government has already committed \$84 million to support the Plan's implementation in the first five years, including the funding for the acquisition of properties to establish the Confluence Reserve Investigation Area within the Hawkesbury Local Government Area. However, it is unclear how the establishment of this reserve will be funded in the long term once land has been acquired and initial conservation works have been completed. In this respect it is recommended that Council requests the Department of Planning, Industry and Environment ensure that funding is available to maintain the newly formed reserve until such time it is self-supporting/perpetuating. This could be required for many decades, and without such funding the responsibility for the maintenance of the reserve will likely fall to Council which may be an untenable financial burden.

Updated Mapping and Identification of Future Additional Sites

Council is currently undertaking a Biodiversity Strategic Planning Framework which will provide updated mapping, and assess the ecological value of approximately 28 Council owned or managed sites. It is considered that any site identified as having significant value could be included in the Plan should additional sites be needed in the future. In this regard it is recommended that Council request that the Department of Planning, Industry and Environment engage in discussion with Council in terms of the use of updated mapping and/or consideration of inclusion of Council owned or controlled sites within the Strategic Conservation Area.

Council's Environmental Sustainability Advisory Committee Consideration

The Draft Cumberland Plain Conservation Plan and Council's Draft Submission was considered by Council's Environmental Sustainability Advisory Committee at its Meeting on 21 September 2019. There was considerable discussion on the topic at the Committee Meeting, and the draft recommendation from the Committee included:

That the Environmental Sustainability Advisory Committee:

1. *Receive and note the Draft Cumberland Plain Conservation Plan.*
2. *Recommend that Council endorse the submission contained in Attachment 3 to the Department of Planning, Industry and Environment for consideration in relation to the implementation of the Cumberland Plain Conservation Plan, but notes that the Environmental Sustainability Advisory Committee does not endorse compulsory land acquisition and placing caveats on property.*
3. *Refers Council to the Nature Conservation Council's paper on the issues with biodiversity offsets, specifically:*
 - *Clear objectives for protecting biodiversity are lacking*
 - *There is no consideration of impacts on water quality, salinity and soil quality*
 - *It does not provide absolute protection (red flags or 'no-go zones') for areas of high conservation value*
 - *The like-for-like principle is undermined*
 - *Supplementary measures are allowed in lieu of genuine offsets*
 - *Mine site rehabilitation can be used as an offset credit*
 - *Developers can pay money into a fund rather than find an appropriate offset site*
 - *Offset obligations can be 'discounted' under the discretion of the Minister*
 - *Offset areas are not guaranteed protection in perpetuity*

Council's Draft Submission has been amended to include the points raised by Council's Environmental Sustainability Advisory Committee.

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COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy given they are matters about which the NSW State Government is undertaking community consultation.

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

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

FINANCIAL IMPACT

There are no financial implications applicable to this Report.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

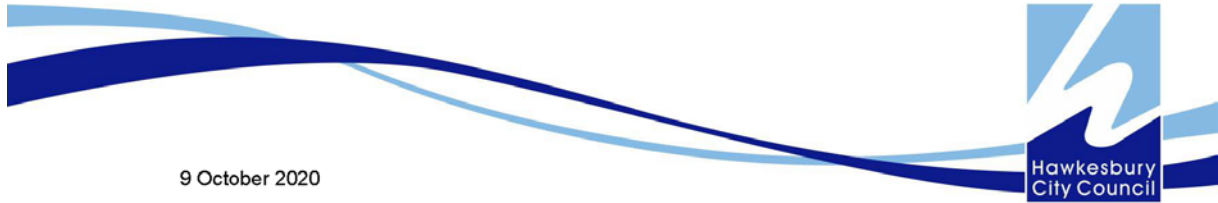
The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal has no resourcing implications outside of Council's adopted 2019/2020 Operational Plan, which will adversely impact on Council's financial sustainability.

ATTACHMENTS:

- AT - 1** Draft Cumberland Plain Conservation Plan - (*Distributed under separate cover*).
- AT - 2** Draft Submission to Department of Planning, Industry and Environment.

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AT - 2 Draft Submission to Department of Planning, Industry and Environment



9 October 2020

Department of Planning, Industry and Environment
Green and Resilient Places Division
Locked Bag 5022
PARRAMATTA NSW 2124.

Dear Sir/Madam

Hawkesbury City Council Submission – Draft Cumberland Plain Conservation Plan

I refer to the abovementioned Draft Cumberland Plain Conservation Plan, which is on exhibition, and open for comment until 9 October 2020.

Following consideration of this matter at Council's Ordinary Meeting of 29 September, 2020 Council resolved to provide the following comments for your consideration in finalising the Draft Cumberland Plain Conservation Plan and Amendment to legislation.

This response provides Council's understanding of the purpose of the Draft Plan, identifies potential issues arising from the new legislation and provides suggestions to resolve these identified issues.

Council understands that the purpose of the Draft Cumberland Plain Conservation Plan is to identify how development in Western Sydney will impact on biodiversity, and to identify the mechanisms to avoid impacts on biodiversity or offset the loss of biodiversity.

The Plan's vision is to 'support Western Sydney's biodiversity and growth' by supporting the delivery of infrastructure, housing and jobs for Western Sydney in a planned and strategic way that protects and maintains important biodiversity, including threatened flora and fauna.

It is noted that the Draft Cumberland Plain Conservation Plan facilitates the delivery of the following four areas nominated for urban development and major transport infrastructure.

- Greater Macarthur Growth Area
- Greater Penrith to Eastern Creek Investigation Area
- Western Sydney Aerotropolis
- Wilton Growth Area.

The Plan's conservation program will offset development impacts on biodiversity and help to protect biodiversity over the life of the Plan. The Plan commits to securing at least 5,475 hectares of native vegetation in the Cumberland subregion to conserve biodiversity values. The Plan proposes to introduce legal mechanisms, as required, to support the identification, management and acquisition of sites that have been proposed for future public land conservation (for example public reserves and new or additional national parks) to offset development impacts and help meet the Plan's commitments.

The Plan identifies areas across Western Sydney:

- that have strategic biodiversity value and include threatened ecological communities and species

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Hours: Monday to Friday 8:30am - 5pm | Email: council@hawkesbury.nsw.gov.au | Website: www.hawkesbury.nsw.gov.au



Interpreter Service available, call 131 450 131 450 توفّر خدمة الترجمة، اتصل بـ 131 450 可提供口譯服務，請撥 131 450 Hemm servizz tal-interpretu, cempel 131 450

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- with important connectivity across the landscape
- with ecological restoration potential.

These areas are identified as the Strategic Conservation Area in the Plan, some of which are located within the Hawkesbury Local Government Area.

The Cumberland Plain Conservation Plan proposes planning controls for the Strategic Conservation Areas to be introduced within a new State Environmental Planning Proposal and Section 9.1 Ministerial Direction, along with guidelines for development undertaken by public authorities or under Part 5 of the *Environmental Planning and Assessment Act, 1979*.

Council understands that the proposed amendment applies to all local government areas, however in general the following comments that are provided are specific to the Hawkesbury Local Government Area.

A discussion of the implications of biodiversity offsets, and the Draft Cumberland Plain Conservation Plan is provided below:

Biodiversity Offsets and Cumberland Plain Woodland

Whilst in this particular instance the Draft Cumberland Plain Conservation Plan does not propose the loss of biodiversity within the Hawkesbury Local Government Area, Council would like to take this opportunity to raise concerns and issues associated with biodiversity offset programs such as that proposed. In particular, these concerns and issues which should be addressed include:

- *Clear objectives for protecting biodiversity are lacking*
- *There is no consideration of impacts on water quality, salinity and soil quality*
- *It does not provide absolute protection (red flags or 'no-go zones') for areas of high conservation value*
- *The like-for-like principle is undermined*
- *Supplementary measures are allowed in lieu of genuine offsets*
- *Mine site rehabilitation can be used as an offset credit*
- *Developers can pay money into a fund rather than find an appropriate offset site*
- *Offset obligations can be 'discounted' under the discretion of the Minister*
- *Offset areas are not guaranteed protection in perpetuity*

Additionally, Council also wishes to raise an objection to a Plan that will facilitate the loss of approximately 10% of the remaining Cumberland Plain Woodland, an endangered ecological community that has already been significantly denuded by urban development over time. It is considered that the loss of such a significant proportion of this ecological community elevates the significance of remaining Cumberland Plain Woodland within the Hawkesbury Local Government Area which should be recognised in the prioritisation of offset sites and in funding for those sites.

Mapping and Proposed Strategic Conservation Area

The Draft Cumberland Plain Conservation Plan identifies a Strategic Conservation Area representing areas of important biodiversity value to the Cumberland subregion including areas containing large remnants of native vegetation, areas with important connectivity across the landscape, and some areas with ecological restoration potential.

It is considered that the Hawkesbury Cumberland Plain is highly significant as an area containing important remnant Cumberland Plain Vegetation, as well as other endangered and critically endangered ecological communities and therefore central to conservation of these critically endangered ecological community and the animals it supports.

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It is further considered that any areas nominated as Strategic Conservation Areas should benefit the Hawkesbury Local Government Area by conserving and protecting important vegetation communities and habitats, as well as contributing to the amenity and liveability of the locality.

Certain land within the suburbs of Freemans Reach, Grose Vale, Grose Wold, Mulgrave, North Richmond, Richmond Lowlands, Windsor Downs, South Windsor and Yarramundi in the Hawkesbury Local Government Area are within the Strategic Conservation Area. None of these lands has been identified by Council or Council's Draft Local Housing, Employment and Rural Land Strategies as a future/potential investigation land/area for rezoning/development.

In general, whilst no objection is raised to the Strategic Conservation Area proposed, it should be noted that Council has a concern that the Draft Plan has been informed by out of date mapping, and encourages the use of the most up to date information/data available. In this respect, it should be noted that Council is currently undertaking biodiversity mapping within the Hawkesbury Local Government Area and identifying Council owned or controlled sites that could potentially be included within the Strategic Conservation Area. The Department of Planning, Industry and Environment's consideration of this updated mapping and/or identification of Council owned or controlled sites is encouraged. Additionally, in terms of the currently identified Strategic Conservation Area, of particular note is the significant environmental benefit that will result from the inclusion of land within the Grose Vale and Grose Wold localities that are identified as Environmental Constraint Area under *Hawkesbury Local Environmental Plan 2012*, as well as Bushells Lagoon and Bakers Lagoon.

The Strategic Conservation Area proposed within Grose Vale and Grose Wold predominantly corresponds to the areas mapped as Environmental Constraint Area under the *Hawkesbury Local Environmental Plan 2012*, and areas of remnant vegetation surrounding and linking these mapped Environmental Constraint Areas. The Environmental Constraint Area was introduced into the Hawkesbury Local Environmental Plan 1989 to protect Cumberland Plain Woodland in the locality.

The Cumberland Plain Conservation Plan therefore will provide an additional mechanism in which the Cumberland Plain Woodland in these areas can be ensured protection into the future, as well as providing for the rehabilitation of the community and creation of corridors to link the existing remnant vegetation.

The inclusion of Bushells Lagoon and Bakers Lagoon as Strategic Conservation Areas is supported, however concerns are raised in relation to the future management of these lagoons given that they are located within agricultural areas used for turf farms or market gardens. In this respect, the revegetation of the areas around these lagoons with native plant communities may be impacted by nutrient rich water runoff or pesticide spray drift. In addition, these lagoons are located within a denuded landscape, and any revegetation in the nominated area will have no physical linkages to other native vegetation communities.

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Given that Bushells Lagoon and Bakers Lagoon are located within agricultural areas used for turf farms or market gardens, concern is raised in respect to the protection of these wetlands from the impacts of adjoining land uses. In this respect, the revegetation of the areas around these lagoons with native plant communities may be impacted by nutrient rich water runoff or pesticide spray drift. In addition, these lagoons are located within a denuded landscape, and any revegetation in the nominated area will have no physical linkages to other native vegetation communities.

Whilst welcoming the revegetation of important wetland communities, Council requests that the Cumberland Plain Conservation Plan ensures that mechanisms are in place to ensure the viability of revegetated areas in perpetuity, including self-perpetuation.

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It is recognised that improved legal powers would better protect wetlands, and in this regard it is requested that the Department of Planning, Industry and Environment review the proposed legislation to be developed to ensure better protection, as well as incorporating development controls within the proposed State Environmental Planning Policy that effectively protects the wetlands from the impacts of adjoining land uses.

The Confluence Reserve Investigation Area

In order to deliver the Draft Cumberland Plain Conservation Plan, the NSW Government proposes to acquire some properties/areas of land in Western Sydney to create new public reserves or national parks, which are integral to the delivery of the Plan.

The Draft Cumberland Plain Conservation Plan states that the NSW Government has already committed \$84 million to support the Plan's implementation in the first five years. This will fund a number of key priority actions to deliver commitments identified in the Draft Cumberland Plain Conservation Plan. Commitment 11 of the Draft Plan is to establish at least two new reserves in addition to the Georges River Koala Reserve that will protect threatened communities, species and habitat that are targeted for protection through the Plan. In line with this commitment, the following three new reserves have been identified in order to protect threatened ecological communities, species and their habitats.

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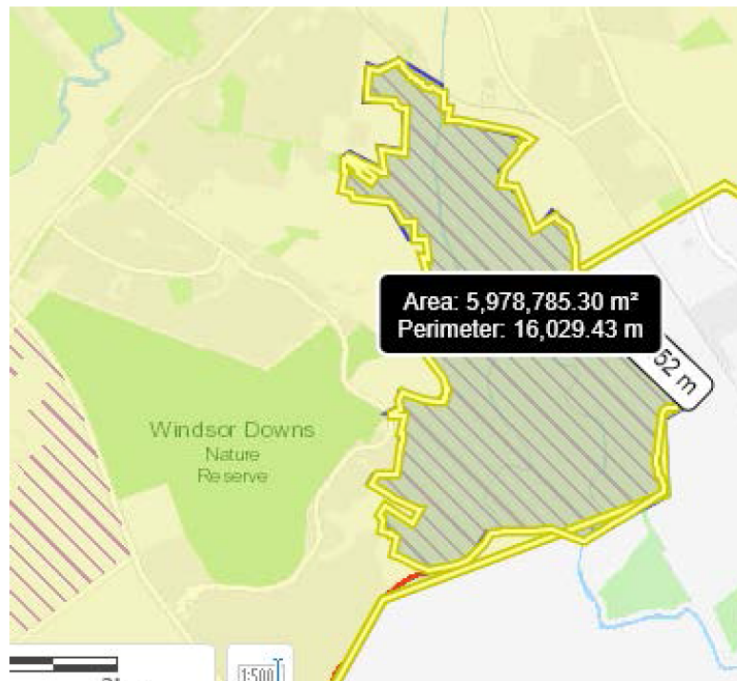


Figure 1: The Confluence Reserve Investigation Area

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A review of Spatial Mapping showing the Strategic Conservation Area within the Draft Cumberland Plain Conservation Plan reveals that the Confluence Reserve Investigation Area which is approximately 600 hectares in size is formed by 35 privately owned properties within the suburbs of Windsor Downs, South Windsor and Mulgrave in the Hawkesbury Local Government Area.

The Confluence Reserve Investigation Area, much of which is flood prone and unsuitable for development, is identified as a potential area for conservation and ecological restoration efforts due to its proximity to several existing nature reserves, thus improving local connectivity. It also provides an opportunity to link with the Wianamatta (South Creek) Corridor, which has been identified as a priority in the Sydney Green Grid. For these reasons Council supports the inclusion of this Strategic Conservation Area and the identification of it as a priority for establishment as a reserve.

However, Council would like to take this opportunity to highlight that it does not endorse compulsory land acquisition and placing caveats on property in this respect.

Proposed New Legislation and Guidelines

Proposed State Environmental Planning Policy for Strategic Conservation Planning

In order to support the Draft Cumberland Plain Conservation Plan, a draft State Environmental Planning Policy for Strategic Conservation Planning is being developed by the Department of Planning, Industry and Environment as the key statutory mechanism to implement strategic conservation planning and provide certainty that the Plan's commitments and actions to protect, enhance, maintain and restore biodiversity in Western Sydney will be met.

The proposed Environmental Planning Policy includes a set of objectives and planning controls including the following proposed controls for strategic conservation that a consent authority must consider and satisfy before granting development consent on the strategic conservation area.

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- that the height, bulk, scale, size and proposed use of the development would not disturb habitat or disrupt the surrounding natural environment.
- that any setback, asset protection zones or infrastructure required for the development would not adversely impact the environmental values or result in the removal of vegetation

Proposed Section 9.1 Ministerial Direction

The Cumberland Plain Conservation Plan also proposes the introduction of a Ministerial Direction under Section 9.1 of the *Environmental Planning and Assessment Act, 1979*. The section 9.1 Ministerial Direction will apply when a relevant planning authority prepares a planning proposal for avoided land within the nominated areas or prepares a planning proposal that would result in an intensification of land use in the Strategic Conservation Area.

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The Department of Planning, Industry and Environment intends to introduce guidelines to manage the impacts of infrastructure development on matters protected under the *Biodiversity Conservation Act, 2016* and the *Environment Protection and Biodiversity Conservation Act, 1999*.

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- planning controls for the strategic conservation area that a determining authority must consider for activities assessed under Part 5 of the EP&A Act;
- mitigation measures to address indirect and prescribed impacts on biodiversity from infrastructure development in the nominated areas.

Council raises no objection to the purpose of, or to the proposed controls within the new State Environmental Planning Policy, Section 9.1 Ministerial Direction and Guideline to protect those areas identified for conservation to offset the loss of vegetation as a consequence of development within Western Sydney.

Council's Role and Funding

Councils will be required to play a role in helping to implement the Plan. The Department of Planning, Industry and Environment (the department) advises that it will support councils, providing guidance and information to ensure they can act in accordance with the Plan's environmental outcomes.

It is understood that councils will:

- assess development applications to meet the Plan's commitments and actions, as implemented under the proposed State Environmental Planning Policy (SEPP) for strategic conservation planning and development control plans,
- assist in establishing and managing conservation lands to be secured under the Plan. This will offset the impacts of development and oversee compliance on land identified in the Plan. The Plan commits to providing extension services to help councils build capacity to implement the Plan and undertake conservation management actions.

To ensure that development is consistent with the Plan, the Department of Planning, Industry and Environment proposes annual updates on the Plan's progress, a five-yearly review of the Plan's implementation, and regular auditing and reporting. A compliance working group will be established, comprising the department, local councils and other relevant stakeholders, to prepare a compliance strategy to set out responsibilities. Local councils will have a compliance role,

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The Draft Cumberland Plain Conservation Plan states that the NSW Government has already committed \$84 million to support the Plan's implementation in the first five years, including the funding for the acquisition of properties to establish the Confluence Reserve Investigation Area within the Hawkesbury Local Government Area. However, it is unclear how the establishment of this reserve will be funded in the long term once land has been acquired and initial conservation works have been completed.

Given the above, Council requests that the Department of Planning, Industry and Environment ensure that funding is available to maintain the newly formed reserve until such time as it is self supporting/perpetuating, as this could be required for many decades, and without such funding the responsibility for the maintenance of the reserve will likely fall to Council which may be an untenable financial burden.

Updated Mapping and Consideration of Future Additional Sites

Council is currently undertaking a Biodiversity Strategic Planning Framework which will provide updated mapping, and assess the ecological value of approximately 28 Council owned or managed sites. It is considered that any site identified as having significant value could be included in the Plan should additional sites be needed in the future. In this regard it is recommended that Council request that the Department of Planning, Industry and Environment engage in discussion with Council in terms of the use of updated mapping and/or consideration for inclusion of Council owned or controlled sites within the Strategic Conservation Area.

Thank you for the opportunity to provide comments.

Should you have any enquiries in relation to this matter please contact Colleen Haron, Senior Strategic Land Use Planner on (02) 4560 4564.

Yours faithfully

Andrew Kearns
Manager Strategic Planning

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Item: 185 **CP - Exhibition of Draft Voluntary Planning Agreement Policy - Post Exhibition Report - (95498, 124414)**

Previous Item: 233, Ordinary (10 December 2019)
 137, Ordinary (28 July 2020)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of the outcome of public exhibition of the Draft Voluntary Planning Agreement Policy.

EXECUTIVE SUMMARY:

The implementation of a Voluntary Planning Agreement Policy is a management action arising from the Developer Contributions Audit.

Council at its Ordinary Meeting on 10 December 2019 resolved to place on exhibition a Draft Voluntary Planning Agreement Policy.

The purpose of the Draft Voluntary Planning Agreement Policy is to provide a framework for Hawkesbury City Council to guide the preparation of Voluntary Planning Agreements. The Draft Voluntary Planning Agreement Policy has been prepared in accordance with Subdivision 2 of Division 7.1 of Part 7 of the Environmental Planning and Assessment Act 1979, and the relevant sections of the Environmental Planning and Assessment Regulation 2000.

The Draft Voluntary Planning Agreement Policy was publicly exhibited between Friday, 10 January 2020 and Friday, 28 February 2020, and received one submission which is detailed in the report. Having considered the submission, it is considered appropriate to amend the Draft Voluntary Planning Agreement Policy as detailed in the report, including:

- Correction of anomalies/administrative matters
- Provision of greater certainty for various clauses.

Council considered a Post Exhibition report on this matter at its Ordinary Meeting on 28 July 2020. Following consideration of the matter, Council resolved that:

- "1. *Council note the outcome of public exhibition of the Draft Voluntary Planning Agreement Policy.*
2. *The Policy be tabled for further consideration by the Internal Audit Committee in September 2020 and it be referred to the next Council Meeting."*

The Policy was considered by the Internal Audit Committee as an item on 26 August 2020 where the Committee resolved:

"That the Audit Committee receive and note the draft Voluntary Planning Agreement Policy."

It is noted that the Minutes of the Audit Committee Meeting on 26 August 2020 are also included as a separate item in the same Business Papers for this meeting.

As such the matter has now been brought back for Council's consideration.

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RECOMMENDATION:

That Council:

1. Note the outcome of public exhibition of the Draft Voluntary Planning Agreement Policy.
2. Adopt the Voluntary Planning Agreement Policy, attached as Attachment 1 to this report.

BACKGROUND

A Voluntary Planning Agreement may be used for a variety of reasons in order to achieve public benefits which are not ordinarily available through the planning and development system or are available in a restricted manner.

Voluntary Planning Agreements:

- Provide a means for allowing the local community to share in the financial benefit obtained by a developer due to a change in planning controls or a consent to a development application;
- Provide a way for the local community to secure public benefits in addition to measures which are required to address the impact of development on private and public lands;
- Allow for a flexible means for achieving good development outcomes and targeted public benefit;
- Provide opportunities for the local community to participate in the quality and delivery of public benefits; and
- Allow developers to have an input to the type, quality, timing and location of public benefits.

A Voluntary Planning Agreement is defined in section 7.4 (1) of the *Environmental Planning and Assessment Act 1979* as:

"A planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority (or 2 or more planning authorities) and a person (the developer):

- a) *who has sought a change to an environmental planning instrument (such as a planning proposal), or*
- b) *who has made, or proposes to make, a development application or application for a complying development certificate, or*
- c) *who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies,*

under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose."

The key types of applications for which Council may, at its discretion, enter into a planning agreement are:

- a) A planning proposal; and
- b) A development application (or an application to modify a development consent).

Relevant Legislation

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000.

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DISCUSSION

Council may consider entering into a Voluntary Planning Agreement where there will be an opportunity or likely requirement for a development contribution:

- a) When a developer:
 - i. proposes to, or has made a request for a planning proposal seeking a change to Hawkesbury Local Environmental Plan 2012 to facilitate the carrying out of development or State Significant Development; or
 - ii. proposes to, or has made, a development application under Part 4 of the Environmental Planning and Assessment Act 1979; or
 - iii. an application under s 4.55 of the *Environmental Planning & Assessment Act 1979* to modify a development consent; or
 - iv. has entered into an agreement with, or is otherwise associated with, a person to whom (i), (ii) or (iii) applies; or
- b) In the circumstances of an offer by a developer as set out in section 7.7(3) of the *Environmental Planning and Assessment Act 1979*, s 7.7 (3) states in part: a consent authority can require a planning agreement to be entered into as a condition of a development consent, but only if it requires a planning agreement that is in the terms of an offer made by the developer in connection with:
 - i. the development application or application for a complying development certificate, or
 - ii. a change to an environmental planning instrument sought by the developer for the purposes of making the development application or application for a complying development certificate, or that is in the terms of a commitment made by the proponent in a statement of commitments made under Part 3A.

Notwithstanding the above, Council in its absolute discretion is not obliged to enter into a voluntary planning agreement with a developer.

The Council's use of planning agreements will be governed by the following principles:

- a) Planning decisions may not be bought or sold through planning agreements,
- b) Development that is unacceptable on planning grounds will not be permitted because of planning benefits offered by developers that do not make the development acceptable in planning terms,
- c) Council will not allow planning agreements to improperly fetter the exercise of its functions under the Environmental Planning and Assessment Act 1979, Regulation or any other Act or law,
- d) Council will not use planning agreements for any purpose other than a proper planning purpose,
- e) Council will not allow the interests of individuals or interest groups to outweigh the public interest when considering a proposed planning agreement,
- f) Council will not improperly rely on its statutory position in order to extract unreasonable public benefits from developers under planning agreements,
- g) If the Council has a commercial interest in development the subject of a planning agreement, it will take appropriate steps to ensure that it avoids a conflict of interest between its role as a planning authority and its interest in the development,
- h) When considering a planning proposal or development application, Council will not give undue weight to a planning agreement.

Should Council resolve to approve the draft Voluntary Planning Agreement Policy, any previous policies/guidelines/procedures are to be rescinded.

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COMMUNITY ENGAGEMENT

The Draft Voluntary Planning Agreement Policy was publicly exhibited between Friday 10 January 2020 to Friday 28 February 2020.

Details of the public exhibition were advertised in The Courier, Council's website and promoted through Council's Facebook page and 'Your Hawkesbury - Your Say' online engagement site. Hard copies of the exhibition were also placed at Council's Administration Centre.

A single written submission was received during the public exhibition of the Draft Voluntary Planning Agreement Policy. The details of the submission and Council's responses are as follows:

Submission	Council's Response
1. It is our understanding that Local Council adopted policies are legally binding and already supported by legal precedence whereas Local Council Development Control Plans can be discretionary.	A Voluntary Planning Agreement when entered into is legally binding on all parties subject to the Agreement. Preparation of Voluntary Planning Agreements will be directed by the Policy. To an extent, a Development Control Plan is discretionary, and is considered as part of the merit assessment of development applications.
2. The inclusion of a draft planning agreement template exhibited in combination with the draft policy would be useful in the assessment of the information provided in the documents. A draft template has not been exhibited. To view an actual completed draft planning policy agreement template document incorporating standard clauses would improve process efficiency and better illustrate how the information included in the exhibited draft policy is applied to an agreement.	It is considered that the provision of a template was not required to be exhibited with the Draft Voluntary Planning Agreement Policy given that it is a document that is subject to change periodically based on identified improvements.
3. There are additional terms noted within the exhibited policy documents that should be included in Clause 1.6 to provide greater clarity, explanation and avoid ambiguity.	No specific details have been provided in terms of the additional items, and it is considered that the terms included within Clause 1.6 are appropriate.
4. Clause 2.2 involves cross boundary voluntary planning agreements. If Council is affected by a development application or planning proposal from an adjoining council area, which local Government Area Policy is required to be used?	Such a situation is subject to negotiation between the respective parties depending on the particular circumstances.
5. Clause 2.3 should not be limited to just the three listed actions but to all dealings with planning agreements.	It is considered appropriate to amend Clause 2.3 to refer to implementation and modification of Voluntary Planning Agreements

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Submission	Council's Response
6. Clause 2.4 should provide an explanation of the situation when a development or planning proposal is outside but close to the boundary of the HLGA.	Whilst Clause 2.2 addresses Cross Boundary Voluntary Planning Agreements, it is considered appropriate to amend Clause 2.4 to refer to matters outside or close to the boundary of the Hawkesbury Local Government Area.
7. Clause 2.5 includes the term 'intended', which implies an uncertainty or doubt that the policy would be periodically reviewed. Council Policies should be compulsorily reviewed within a definite time period.	It is considered appropriate to amend Clause 2.5 to provide greater certainty that the Policy will be reviewed at the following trigger points: Changes in legislation; Changes to Guidelines issued by the NSW State Government; Otherwise every 5 years.
8. The circumstances at Part (g) of Clause 3.1 describe the situation where Council has a commercial interest in a development which is subject of a planning agreement. This situation must trigger the involvement of an independent third party in negotiation procedures so as to avoid any risk of impropriety.	It is considered that the Clause provides clear direction. Implementation of this clause is an operational matter.
9. Clause 3.2 outlines that ' <i>an initial written offer</i> ' is made and that offer is then ' <i>finalised once negotiations about the exact terms of the planning agreement have been agreed</i> ' following discussions with Council staff. When probity issues arise an independent third party must be involved. Council must also facilitate community consultation/meetings are undertaken at this stage in order to provide all details of the development proposal and offer by a developer to enter into a planning agreement. The developer must provide for these additional consultation costs. Community consultation must occur at this early stage before the exhibition period so that Council and Councillors have the benefit of understanding the concerns of the community by the time the proposal first comes to a Council meeting. Councillors need to be fully informed before they decide whether or not to endorse a development proposal and an offer by a developer to enter into a VPA.	The <i>Environmental Planning and Assessment Act 1979</i> requires all Voluntary Planning Agreements to be publicly exhibited. It is considered that public exhibition is a key step in the Voluntary Planning Agreement process. Council formally considers all Draft Voluntary Planning Agreements prior to public exhibition, and also the outcome of public exhibition prior to resolving to enter into a Voluntary Planning Agreement. As such no change is proposed to this Clause.

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Submission	Council's Response
<p>10. Clause 3.3 notes that <i>'the typical process involved in negotiating a VPA is outlined in Appendix A'</i>. There is no Appendix A listed in the Table of Contents or noted in the exhibited documents but there is an unnamed 'process flow chart' included at Clause 7.10 Notations on Certificates under Section 10.7 of the Act On page 19.</p>	<p>The Draft Voluntary Planning Agreement Policy has been amended to include the diagram referred to as Appendix A.</p>
<p>11. Clause 3.4 part (c) has been mislabelled and would appear to be the end of part (b) preceding it.</p>	<p>The Draft Voluntary Planning Agreement Policy has been amended to correct this administrative error.</p>
<p>12. Clause 3.4 part (f) has also been mislabelled and would appear to be the end of part (e) preceding it.</p>	<p>The Draft Voluntary Planning Agreement Policy has been amended to correct this administrative error.</p>
<p>13. Clause 3.6 indicates the optional use of a separate contractual arrangement relating to the delivery of a material public benefit. We consider the use of a separate contractual arrangement in the situations listed at Clause 3.6 should be mandatory.</p>	<p>Application of this clause is dependent on the circumstances of each matter.</p>
<p>14. Clause 4.3 again indicates a discretionary requirement of a developer to provide Council with information that will assist in the determination of a planning agreement offer. This again should be a compulsory requirement of a developer to provide all supporting documentation. The terms included at Clause 4.3 are all too flexible.</p>	<p>The Draft Voluntary Planning Agreement Policy has been amended to require the provision of supporting documentation.</p>
<p>15. We do not support the pooling of monies collected from different planning agreements across the Local Government Area. The needs of one community should not be rated any more important above the needs of another community and money collected through a particular development should stay with that community just as in site specific Contribution Plans.</p>	<p>The practice of pooling monies collected through Voluntary Planning Agreements is consistent across local government areas.</p> <p>The onus still remains on a Council when sufficient funds have been collected to provide the identified item.</p>
<p>16. Clause 4.5 refers to <i>'works in kind'</i>. An explanation of this arrangement should be included in the exhibited documents and in what circumstances its use would be negotiated.</p>	<p>Officers are preparing a Works in Kind Policy which will be considered by Council and publicly exhibited.</p>

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17. Clause 4.6 again illustrates more flexibility in regard to the obligations of a developer.	It is standard practice across all local government areas that Voluntary Planning Agreements take effect with development consent ie. The need for the Voluntary Planning Agreement is a consequence of the particular development. As such no change is proposed to this Clause.
18. Clause 4.7 states that ' <i>Council's Solicitor will ordinarily prepare a VPA</i> '. In this situation where Council's Solicitor is not involved in the preparation of a draft VPA then independent Legal advice or opinion must be sought in relation to the draft VPA.	It is considered appropriate to amend the Draft Voluntary Planning Agreement Policy to reflect such a circumstance.
19. Part (f) of Clause 4.8 should not be included. What are the circumstances where ' <i>Council and the developer otherwise agree</i> '?	Agreed – this part has been deleted from the Draft Policy.
20. The Clause 4.11 Implementation agreement. This is again too flexible with the inclusion of the terms, ' <i>in appropriate cases</i> ' and ' <i>may require</i> '. To provide an assurance that the provision of community infrastructure does actually occur in an acceptable timeframe, all VPA must provide for an implementation agreement to be entered into, in addition to any consent conditions that also exist.	This depends on the nature of the Voluntary Planning Agreement being negotiated. For complex matters these will likely require an Implementation Agreement. For other simple matters that are relatively straightforward, an Implementation Agreement is not required. As such it is considered appropriate to retain the flexibility contained within the existing Clause.
21. Clause 5.1 indicates Council's Developer Contributions Committee will review the VPA and may set up a negotiation team. We understand this committee would be reviewing and negotiating a draft version of the VPA. The draft policy should indicate the Developer Contributions Committee will in fact review the draft version of the VPA and if needed carry out additional negotiations before exhibition.	The Draft Voluntary Planning Agreement Policy has been amended to specify that Council's Developer Contributions Committee will review the Draft Voluntary Planning Agreement and set up a negotiation team.
22. Clause 5.2 mentions the use of a Probity Plan. A copy of Council's Probity Plan should be exhibited along with the policy documents.	The exhibition of a Probity Plan as part of the Policy was not considered necessary.

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Submission	Council's Response
23. Clause 5.3 again indicates flexibility in the appointment of an independent person in situations we consider the appointment should be mandatory.	It is considered appropriate to amend Clause 5.3 to require an independent person in the identified circumstances.
24. Clause 5.4 indicates the landowner <i>'should be an additional party to the agreement'</i> . We consider this must be a compulsory requirement of a planning agreement considering Clause 7.2 requires the developer to agree to registration of the VPA on title of the land. A developer is not always the landowner at the early stage of a planning proposal. The landowner must be a party to the VPA considering registration on the title of the land is compulsory under the provisions of the VPA. It is our understanding that the Act requires the landowner to be a party to the VPA until all the obligations under the VPA are carried out.	Clause 5.4 specifies that if the developer is not the owner of the relevant land, the landowner should be an additional party to the agreement. As such no change is recommended to this Clause.
25. Clause 7.5 Provision of security under a voluntary planning agreement. This clause should be exempt from any amendment, modification or revocation that would result in any reduction of security or withdrawal of community infrastructure.	This Clause does not provide an exemption from amending, modifying or revoking the amount of security provided. As such, no change is proposed to the Draft Voluntary Planning Agreement Policy in this respect.
26. Clause 7.6 Dispute resolution. This clause must provide for the involvement of an independent person qualified in dispute resolution and the developer accepts the cost.	It is considered appropriate to amend this Clause to specify an independent person qualified in dispute resolution and the developer accepts the cost.
27. Clause 7.7 mentions a <i>'defects liability period'</i> . The calculation and agreement of a liability period should be decided before the VPA is adopted.	It is considered more appropriate to consider matters associated with the defects liability period at the development application stage.
28. Clause 7.8 also lists the presence of a separate implementation agreement. The comments made at Point 20. Are repeated. A proper explanation and exhibition of the relevant draft implementation agreements should accompany exhibition of the VPA documents.	This depends on the nature of the Voluntary Planning Agreement being negotiated. For complex matters these will likely require an Implementation Agreement. For other simple matters that are relatively straightforward, an Implementation Agreement is not required. As such it is considered appropriate to retain the flexibility contained within the existing Clause.

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Submission	Council's Response
29. Clause 7.9 again mentions a separate implementation agreement and the above comments are repeated.	This depends on the nature of the Voluntary Planning Agreement being negotiated. For complex matters these will likely require an Implementation Agreement. For other simple matters that are relatively straightforward, an Implementation Agreement is not required. As such it is considered appropriate to retain the flexibility contained within the existing Clause.
30. The listing of the VPA registration on the title of the land must be noted on certificates under section 10.7 of the Act. A potential property purchaser must be made aware of any planning agreement registered on a land title where planning agreement obligations are still outstanding.	Requirements for certificates are contained in Section 10.7 of the Environmental Planning and Assessment Act 1979. As such no change to this Clause is proposed.
31. The flow chart on page 19 needs to be more legible and indicate where involvement of the Development Contributions Committee and other Planning Authorities takes place and that consultation with the community occurs well before notification and exhibition under the Act.	It is considered that the flow chart has sufficient detail, and as such no change is proposed.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

Our Leadership

- 1.2 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.

Our Future

- 5.1 Strategic Planning Governance - Encourage informed planning, balanced growth and community engagement
 - 5.1.1 Council's planning is integrated and long term.
 - 5.1.2 Council's decision making on all matters is transparent, accessible and accountable.
 - 5.1.3 Council will continually review its service provision to ensure best possible outcomes for the community.
 - 5.1.4 Encourage increased community participation in planning and policy development.

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FINANCIAL IMPACT

There are no financial implications of this proposed Voluntary Planning Agreement Policy.

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.

ATTACHMENTS:

AT - 1 Voluntary Planning Agreement Policy – *(Distributed under separate cover)*.

oooO END OF REPORT Oooo

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SUPPORT SERVICES

Item: 186 **SS - Investment Report - August 2020 - (95496)**

Previous Item: 150, Ordinary (10 March 2020)

Directorate: Support Services

PURPOSE OF THE REPORT:

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

EXECUTIVE SUMMARY:

This report indicates that Council held \$57.15 million in investments at 31 August 2020 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

RECOMMENDATION:

That the Monthly Investments Report for August 2020 be received and noted.

BACKGROUND

Council held \$57.15 million in investments as at 31 August 2020. Details on the composition of the Investment Portfolio, and its compliance with Council's Investment Policy are provided below. Details include the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, the percentage of the total portfolio, exposure to credit ratings bands and the spread of maturities.

1. Composition of Investment portfolio

Tables 1 to 3 below provide details regarding the \$57.14 million in investments held as at 31 August 2020.

Table 1 - Summary of Council's Investment Portfolio as at 31 August 2020

Product Type	Face Value	% of Total
At Call Deposits	\$4,900,000	8.6%
TCorp Cash Fund	\$2,129,166	3.7%
Term Deposits - Fixed Rate	\$50,120,000	87.7%
Grand Total	\$57,149,166	100.0%

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

Long Term Credit Rating	Face Value	% of Total
AA-	\$52,520,000	91.9%
BBB	\$2,500,000	4.4%
NSW TCorp Cash Fund	\$2,129,166	3.7%
Grand Total	\$57,149,166	100.0%

Table 3 – Fixed Term Deposits

Institution	Long Term Rating	Short Term Rating	Maturity	Rate	Face Value
ANZ	AA-	A-1+	16-Sep-20	0.70%	1,000,000
			30-Sep-20	1.00%	1,000,000
			04-Nov-20	1.50%	2,000,000
			09-Dec-20	1.25%	1,000,000
			09-Dec-20	1.50%	2,000,000
			27-Jan-21	0.90%	1,500,000
			07-Jul-21	0.80%	3,000,000
Bank of Queensland	BBB+	A-2	11-Aug-21	0.90%	2,500,000
Commonwealth Bank of Australia	AA-	A-1+	11-Sep-20	0.39%	1,500,000
National Australia Bank	AA-	A-1+	23-Sep-20	1.47%	1,000,000
			14-Oct-20	1.52%	2,000,000
			14-Oct-20	1.51%	1,000,000
			22-Oct-20	1.53%	620,000
			20-Nov-20	1.45%	1,500,000
			12-Jan-21	1.55%	1,500,000
			13-Jan-21	1.30%	1,000,000
			13-Jan-21	1.04%	1,000,000
			10-Feb-21	1.50%	1,000,000
			19-Feb-21	1.50%	1,000,000
			05-Mar-21	1.30%	2,000,000
			29-Apr-21	1.10%	1,000,000
			26-May-21	1.02%	1,500,000
			03-Jun-21	0.99%	3,000,000
Westpac	AA-	A-1+	23-Sep-20	1.53%	4,000,000
			22-Feb-21	1.50%	1,000,000
			17-Mar-21	1.31%	3,000,000
			07-Apr-21	1.00%	1,000,000
			21-Apr-21	1.00%	1,000,000
			29-Apr-21	1.00%	1,000,000
			06-May-21	0.95%	1,500,000
			26-May-21	0.95%	500,000
			03-Jun-21	0.91%	1,000,000
			18-Jun-21	0.92%	1,500,000
Grand Total					\$50,120,000

2. Compliance to Investment Policy

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

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Table 4 – Exposure Limits to credit ratings bands

Long-Term Credit Rating	Exposure of Entire Portfolio		
	Actual	Maximum	Compliant
AAA to AA- or Major Bank and below	96.3%	100%	Yes
A+ to A- and below	4.4%	50%	Yes
BBB+ to BBB and below	4.4%	30%	Yes
BBB- and below	0%	5%	Yes
TCorp Cash Fund	3.6%	20%	Yes

Table 5 – Term to Maturity

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

3. Portfolio Return

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

Table 6 – Portfolio Return

31 August 2020	Weighted Average Return (Running Yield)
Hawkesbury City Council – Investment Portfolio	0.10%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.01%
Performance Relative to Benchmark	0.09%

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

Relevant Legislation

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

Investment Certification

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

DISCUSSION

Council's investments and returns achieved are driven and impacted by economic and market conditions. Council's Investment Advisor has reviewed Council's investments as at 31 August 2020 and has advised as follows:

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- *“Council’s portfolio monthly return of 0.10% is 0.09% above the Bloomberg AusBond Bank Bill benchmark. This return excludes at Call Accounts and the NSW TCorp Cash Fund. While Council’s investment performance has fallen in recent times it has maintained an excellent return over the benchmark index and relative to comparable councils.*
- *Council is not close to any of its individual policy limits. Exposures to individual entities and to credit limits in general have been well managed such that there is additional capacity to add exposures to any of the existing names if an opportunity arises, or to absorb any downgrades of any entities without breaching policy limits. Amicus generally recommends its clients operate with “buffers” between policy limit maximums and minimums to provide flexibility and avoid breaches which is the strategy adopted by Hawkesbury City Council.*
- *The Reserve Bank of Australia has taken significant actions in recent months to keep interest rates low and support Authorised Deposit Taking Institutions in response to the economic disruptions caused by COVID-19 related shutdowns. The risk of default of any Authorised Deposit Taking Institutions is likely a longer term issue in a scenario of loan losses due to mortgage defaults caused by high unemployment and falling house prices. In this scenario, transparency is a key feature and so it is advised Council should restrict its investments to entities which are rated at investment grade by the major credit ratings agencies at the best rates available and be also mindful that total exposures are within Council’s policy limits.*
- *In the current investment environment, Amicus suggests Council to pursue the following investment strategies with regards to any excess liquidity:*
 - *Invest in the best Term Deposit rates available up to one to two years within the capacity of Policy limits. The yield curve is currently flat so there is very little premium for increasing the term of investments.*
 - *Take limited exposures (perhaps no more than 5% of the total portfolio per entity) to issuers outside the Major Banks in short dated Term Deposits if rates are attractive. This is a very low risk strategy given the steps taken by the Reserve Bank of Australia to ensure no Authorised Deposit Taking Institutions will fail due to liquidity reasons in the short term.*
 - *Be prepared to invest in longer dated Floating Rate Notes from the Major Banks. There is a possibility of a correction in the equity markets in the next few months. If this occurs, this is likely to cause an increase in credit margins (as was the case in March). This should be a buying opportunity and Amicus recommends (subject to market conditions and events at the time), Council consider investing in Major Bank Floating Rate Notes if trading margins above 100 basis points can be achieved.*

It is noted that Council has on-boarding with some non-major banks. This will enable Council to take advantage of favourable offerings these institutions may have when undertaking investment activity in the coming months. Council is also discussing the process for preparing to take advantage of Floating Rate Notices, as recommended by the Investment Advisor.

During the reporting period, the investment portfolio decreased by \$2.5 million reflecting funds received, payments made, and redemption of invested funds and lodging of new term deposits, which is driven by cash flow requirements.

It is noted that the level of investment in term deposits in the coming months will be impacted by the deferral of the due date for the payment of the first instalment of the 2020/2021 Rates Notices, from 31 August 2020 to 30 September 2020. The cash flow during the next four months is, at this stage, unpredictable, but will be closely monitored to ensure investment opportunities are captured while ensuring appropriate cash flow is maintained to sustain Council's operations.

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Restriction of Funds

Council's total investment portfolio as at 31 August 2020 included funds that are restricted as to what they can be expended on.

Table 7 – Restriction of Funds by Type and Proportion

Restriction Type	Amount	%
External Restrictions - S7.11 and S7.12 Developer Contributions	\$11,848,838	20.73%
External Restrictions - Western Parkland City Liveability Program	\$3,659,165	6.40%
External Restrictions - Bushfire and Flood Grants	\$900,316	1.58%
External Restrictions - Other (e.g. domestic waste, sewerage)	\$3,404,391	5.96%
Internal Restrictions (e.g. election, workers compensation, Employee Leave Entitlements)	\$17,112,293	29.94%
Unrestricted	\$20,224,163	35.39%
Total	\$57,149,166	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.

Liveability, Fire and Flood Funding

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

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

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

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 29 September 2020

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

Our Leadership

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

FINANCIAL IMPACT

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

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

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

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 29 September 2020

Item: 187 **SS - General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2020 - (95496)**

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to refer the General Purpose Financial Statements and Special Purpose Financial Statements (Financial Statements) for the financial year 2019/2020, to audit by the NSW Audit Office.

EXECUTIVE SUMMARY:

Section 413(1) of the Local Government Act 1993 (the Act) requires that *“a council must prepare financial reports for each year, and must refer them for audit as soon as practicable.”* The unaudited Annual Financial Statements for 2019/2020 have been completed and are ready for audit.

RECOMMENDATION:

That:

1. Council note that despite the circumstances that have confronted the Hawkesbury community over the past 12 months, in particular:
 - a) The bushfire and flood and the impacts that they have had on the condition of Council assets
 - b) The COVID-19 Pandemic and the impact this has had on Council's financial operations, including the value of its investment properties

Its end of year financial results as reported to the Audit Committee on 16 September 2020, include the allocation of the budgetary surplus of \$272K in line with the priorities adopted by Council at the Council meeting on 25 August 2020.
2. 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 2019/2020 have been drawn up in accordance with:
 - The Local Government Act 1993 (NSW) (as amended) and the Regulations made thereunder;
 - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board, and
 - The Local Government Code of Accounting Practice and Financial Reporting.
 - b) 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.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 29 September 2020

3. Council sign the “Statement by Councillors and Management” for the General Purpose and Special Purpose Financial Statements. The Statements are to be signed by the Mayor, Deputy Mayor, General Manager and the Responsible Accounting Officer.
4. Council seek a presentation from the NSW Audit Office, or its representative, at a Council Meeting following the completion of the audit.

BACKGROUND

The 2019 – 2020 Financial year has been a difficult year for Hawkesbury Council and its community. Over the course of the year Council and the community have endured:

- Bushfire and flood and the impacts that they have had on the condition of Council assets
- The COVID-19 Pandemic and its impact on Councils financial operations, including the value of its investment properties.

Despite these challenges:

- Council has continued to progress its financial position towards the achievement of its Fit For The Future Targets by 30 June 2021
- Council's end of year financial results include the allocation of a budgetary surplus of \$272K, in line with the priorities adopted by Council at the Council meeting on 25 August 2020.

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

The unaudited Financial Statements for the year ended 30 June 2020 (Attachment 1) (distributed under separate cover) have been completed and are ready for audit.

The unaudited Financial Statements have been considered by the Audit Committee at its meeting on 16 September 2020. The Committee endorsed the recommendation to submit the Financial Statements to Council to refer to audit.

A copy of the audited Financial Statements for the year ended 30 June 2020 will be submitted for adoption at the Council Meeting on 24 November 2020. A detailed explanation on these key results will be included in the report presented at that meeting. At that meeting, a presentation relating to the Financial Statements will be given by Grant Thornton, who have been subcontracted to perform the audit, by the NSW Audit Office.

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

Clause 215(1) of the Local Government (General) Regulation 2005 (Regulation) determines the format of the Statement by Councillors and Management. The Statement must:

- a) Be made by resolution of Council; and

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SECTION 3 – Reports for Determination
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b) Be signed by:

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

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

- a) Whether or not Council's annual financial reports have been drawn up in accordance with:
 - The Local Government Act 1993 (NSW) (as amended) and the Regulations made thereunder,
 - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board, and
 - The Local Government Code of Accounting Practice and Financial Reporting
- b) Whether or not those reports present fairly the Council's financial position and operating result for the year;
- c) Whether or not those reports are in accordance with the Council's accounting and other records; and
- d) Whether or not the signatories know of anything that would make those statements false or misleading in any way.

Relevant Legislation

Local Government Act 1993
 Local Government (General) Regulations 2005

DISCUSSION

Overview of Key Financial Information

Income Statement

Provided below is a summary of Council's financial results for the period ended 30 June 2020.

Statement of Financial Performance	2019/2020 \$'000	2018/2019 \$'000	Movement Increase /(Decrease) \$'000
Income from continuing operations	104,399	107,622	(3,223)
Expenses from continuing operations	88,973	79,340	9,633
Net Operating Result for the year	15,426	28,282	(12,856)
Capital Grants and Contributions	18,483	22,963	(4,480)
Net Operating Result before Capital Grants and Contributions	(3,057)	5,319	(8,376)

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Income from continuing operations	2019/2020 \$'000	2018/2019 \$'000	Movement Increase /(Decrease) \$'000
Rates and Annual Charges	62,129	57,453	4,676
User Charges and Fees	5,944	6,912	(968)
Other Operating Revenue	3,398	4,907	(1,509)
Grants and Contributions – Operating	10,112	11,093	(981)
Grants and Contributions – Capital	18,483	22,963	(4,480)
Interest	1,388	1,768	(380)
Fair Value Reduction on Investment Property	0	2,264	(2,264)
Rental Income	2,724	0	2,724
Profit from Joint Venture Equity	221	262	(41)
Total Income from Continuing Operations	104,399	107,622	(3,223)

Expenses from continuing operations	2019/2020 \$'000	2018/2019 \$'000	Movement Increase/ (Decrease) \$'000
Employee costs	30,865	28,949	1,916
Borrowing costs	282	305	(23)
Materials and Contracts	22,208	19,312	2,896
Depreciation and Amortisation	19,450	18,640	810
Other Expenses	11,872	11,834	38
Loss on Sale of Assets	40	300	(260)
Fair Value Decrement on Investment Property	1,682	0	1,682
Revaluation Decrement / Impairment	2,574	0	2,574
Total Expenses from Continuing Operations	88,973	79,340	9,633

Statement of Financial Position

Provided below is a summary of Council's financial position as at 30 June 2020.

Statement of Financial Position	2019/2020 \$'000	2018/2019 \$'000	Movement Increase/ (Decrease) \$'000
Current Assets	72,821	73,161	(340)
Non-Current Assets	1,230,453	1,099,026	131,427
Total Assets	1,303,274	1,172,187	131,087
Current Liabilities	22,328	21,077	1,251

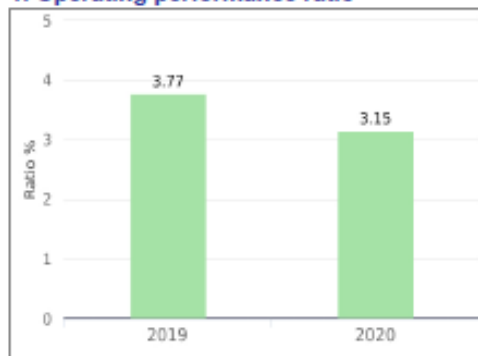
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Statement of Financial Position	2019/2020 \$'000	2018/2019 \$'000	Movement Increase/ (Decrease) \$'000
Non-Current Liabilities	14,836	13,205	1,631
Total Liabilities	37,164	34,282	2,882
Net Assets	1,266,110	1,137,905	128,205
Equity	1,266,110	1,137,905	128,205

Performance Indicators

Council's financial statements disclose a number of financial indicators, which are detailed below:

1. Operating performance ratio



Benchmark: — > 0.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting #28

Purpose of operating performance ratio

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

Commentary on 2019/20 result

2019/20 ratio 3.15%

The ratio declined from the previous year, as a result of the impacts of natural disasters and the COVID-19 Pandemic.

The ratio is better than the benchmark.

Ratio achieves benchmark

Ratio is outside benchmark

2. Own source operating revenue ratio



Benchmark: — > 60.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting #28

Purpose of own source operating revenue ratio

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

Commentary on 2019/20 result

2019/20 ratio 72.55%

The ratio improved as a result of the decline in capital grants and contributions over the previous reporting period.

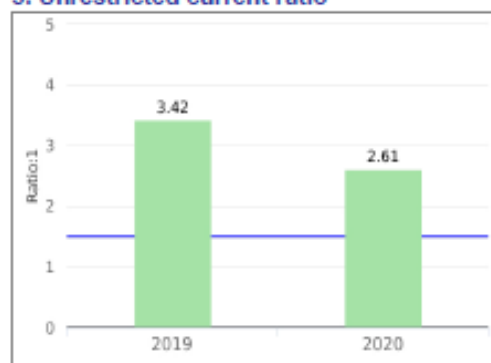
The ratio is better than the benchmark.

Ratio achieves benchmark

Ratio is outside benchmark

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3. Unrestricted current ratio



Benchmark: — > 1.50x

Source of benchmark: Code of Accounting Practice and Financial Reporting #28

Purpose of unrestricted current ratio

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

Commentary on 2019/20 result

2019/20 ratio 2.61x

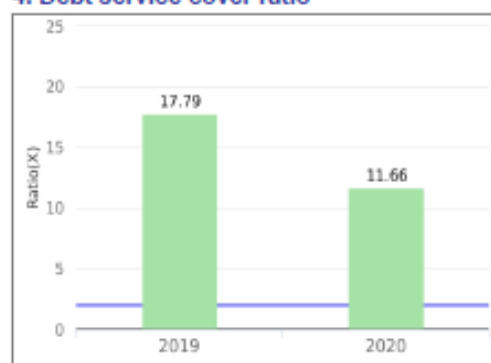
The ratio declined as a result of the level of current liabilities less specific purpose liabilities increasing from the previous reporting period. This is mostly attributable to the change in accounting standards in relation to leasing.

The ratio is better than the benchmark.

Ratio achieves benchmark

Ratio is outside benchmark

4. Debt service cover ratio



Benchmark: — > 2.00x

Source of benchmark: Code of Accounting Practice and Financial Reporting #28

Purpose of debt service cover ratio

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

Commentary on 2019/20 result

2019/20 ratio 11.66x

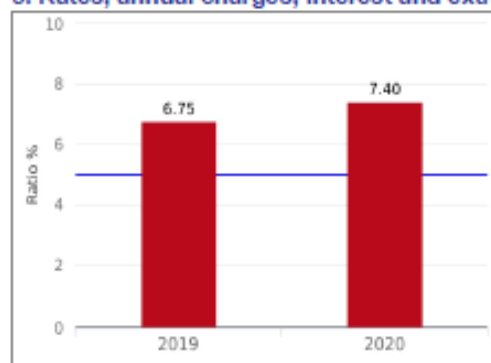
The ratio declined due to an decrease in available cash to service debt costs, in conjunction with an increase in debt costs from the previous reporting period. This is mostly attributable to the change in accounting standards in relation to leasing.

The ratio is better than the benchmark.

Ratio achieves benchmark

Ratio is outside benchmark

5. Rates, annual charges, interest and extra charges outstanding percentage



Benchmark: — < 5.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting #28

Purpose of rates, annual charges, interest and extra charges outstanding

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

Commentary on 2019/20 result

2019/20 ratio 7.40%

The ratio declined as a result of an increase in the amount of outstanding rates and annual charges. In order to support the community during the economic impacts of the COVID-19 Pandemic, debt recovery action was significantly reduced.

It is to be noted that this ratio does not account for payment arrangements or the impact of Council's Policy in not taking legal action on pensioners.

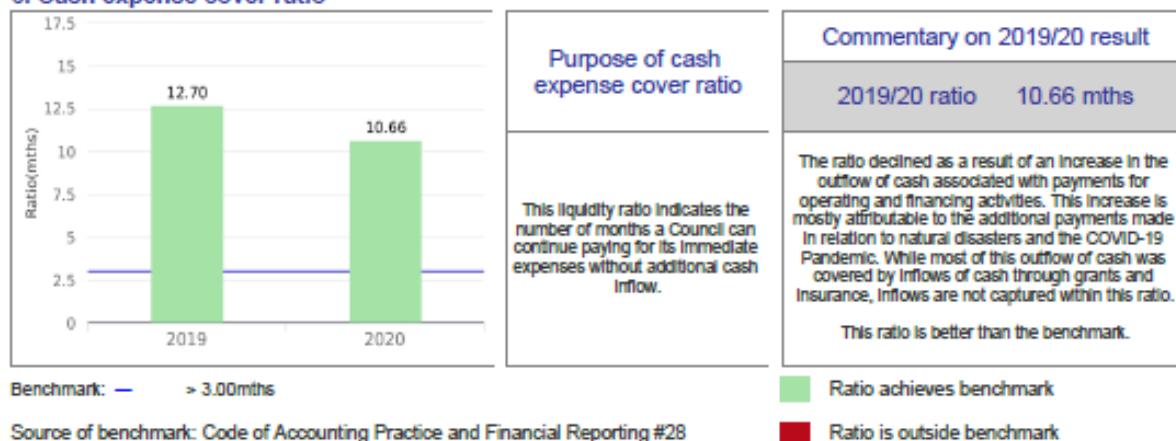
The ratio needs improvement.

Ratio achieves benchmark

Ratio is outside benchmark

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6. Cash expense cover ratio



Interpretation of Financial Results

Council's operating result reduced from a surplus of \$28.3 million in 2018/2019 to a surplus of \$15.4 million in 2019/2020. The net operating result before capital grants and contributions was a deficit of \$3.1 million in 2019/2020, compared to a \$5.3 million surplus in 2018/2019. The impacts of natural disasters and the COVID-19 Pandemic has significantly impacted on Council's operating result, with less income received and increased expenditure incurred. There was also a \$3.9 million grant received during the 2018/2019 financial year, which did not recur during 2019/2020.

Council's operating result of \$3.1M deficit was better than the Deficit projected in the March Quarterly Budget Review of \$5.4M, adopted by Council on 26 May 2020.

It is to be noted that the \$3.1M deficit also includes adjustments made to asset values, in line with accounting standards, being \$2.6M in relation to damaged road infrastructure as a result of the flood and \$1.7M in the value of Investment Properties as a result of the economic impact of COVID-19. Both these adjustments are accounting adjustments only and are not budgeted.

Removing the impact of the above accounting adjustments totalling \$4.3M, Council's operating result is a surplus of \$1.2M.

Council's end of year result is considered sound as is further indicated by the Operating Performance Ratio of 0.03%, which meets the benchmark for financial sustainability as set by the Office of Local Government.

Council's cash and current investments decreased from \$65.1 million to \$63.5 million during the reporting period and included restricted and unrestricted funds. The decrease in cash and current investments is a result of the reduction in income and increase in expenditure, as outlined above. It is further to be noted that external borrowings of \$23.5 million were planned for 2019/2020. Due to low interest rates being achieved on Council's investments, it was more cost effective to borrow internally from Council's own cash. This has contributed to the drop in cash and investments.

Council's Unrestricted Current Ratio at 30 June 2020 is 2.61 and remained significantly above the accepted industry benchmark of 1.5. The Debt Service Ratio was 11.66 and remains better than the accepted industry benchmark of 2.

The Own Source Operating Revenue Ratio improved, up to 72.55% as against 67.60% for 2018/2019. This reflects decreases in revenues from grants and contributions.

The Rates Outstanding Ratio increased to 7.40% of collectables. Council's Debt Recovery Policy allows for ratepayers to enter into a payment arrangement with Council, and also has special provisions limiting debt recovery action taken in regard to 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. Whilst

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the ratio is higher than the accepted industry benchmark of 5%, the exclusion of amounts on payment arrangements and amounts owed by Pensioners, results in this ratio being 4.9%, which is better than the benchmark.

Finally, it should be noted that from an overall budgetary perspective, funds in the amount of \$272K were left as surplus and have been allocated in accordance with the priorities adopted by Council at the meeting on 25 August 2020.

Matters of Note

1. *Adoption of New Accounting Standards – AASB 15 Revenue from Contracts with Customers, AASB 1058 Income for Not-for-Profit Entities and AASB 16 Leases.*

In line with the transition methodology mandated in the Local Government Accounting Code of Accounting Practice and Financial Reporting #28, Council has adopted AASB 15, AASB 1058 and AASB 16 for the first time within the period ending 30 June 2020.

An overview of the impacts of the adoption of these standards is included in *Note 17 Accumulated Surplus, Revaluation Reserves, Changes in Accounting Policies, Changes in Accounting Estimates and Errors* on pages 64 to 70 of The Statements. An extract from the Statement is shown below. There has been no material impact on Council's Income Statement or Financial Position as a result of the implementation these standards, however there are increased disclosures within The Statements.

(ii) AASB 15 and AASB 1058

The following approach has been applied on transition to AASB 15 and AASB 1058:

- Council has not adopted the completed contract expedient and therefore has not excluded revenue which was fully recognised in previous years in accordance with the former accounting standards and pronouncements

Principal v agent

Prior to adoption of AASB 15, the Council had assessed that they were a principal in transactions where another party was involved in providing the goods or services including pass-through grants.

Under AASB 15, the indicators of a principal have changed and there are now a number of performance obligations within grant agreements where the Council is acting as an agent since the only obligation is to transfer the funds to a third party. The result is that Council can only recognise the "commission" to which they are entitled rather than the gross revenue and expenses. There is no change to reported profit.

Licences

Council has reviewed the licences it grants and considers that all licences are either short-term or low value and elects to recognise all revenue from licences up-front rather than spreading them over the life of the licence.

Grants – operating

Under AASB 1004, most grant income was recognised as revenue on receipt. Under AASB 15, where an agreement is enforceable and contains sufficiently specific performance obligations, the revenue is either recognised over time as the work is performed, or recognised at the point in time that the control of the services passes to the customer.

Grants – capital

Under AASB 1004, most grant monies were recorded as revenue on receipt. Under AASB 1058, where Council has received assets (including cash) to acquire or construct a non-financial asset, the asset is to be controlled by Council and the contract is enforceable, then the asset is recognised as a contract liability on receipt and recorded as revenue as the performance obligation to acquire or construct the asset is completed.

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(iii) AASB 16 Leases

Council as a lessee

Under AASB 117, Council assessed whether leases were operating or finance leases, based on its assessment of whether the significant risks and rewards of ownership had been transferred to Council or remained with the lessor. Under AASB 16, there is no differentiation between finance and operating leases for the lessee and therefore all leases which meet the definition of a lease are recognised on the statement of financial position (except for short-term leases and leases of low-value assets).

Council has used the exception to lease accounting for short-term leases and leases of low-value assets, and the lease expense relating to these leases is recognised in the Income Statement on a straight-line basis.

Practical expedients used on transition

AASB 16 includes a number of practical expedients which can be used on transition. Council has used the following expedients:

- Contracts which had previously been assessed as not containing leases under AASB 117 were not re-assessed on transition to AASB 16.
- Lease liabilities have been discounted using the Council's incremental borrowing rate at 1 July 2019.
- Right-of-use assets at 1 July 2019 have been measured at an amount equal to the lease liability adjusted by the any prepaid or accrued lease payments.
- A single discount rate was applied to all leases with similar characteristics.
- The right-of-use asset was adjusted by the existing onerous lease provision (where relevant) at 30 June 2019 rather than perform impairment testing of the right-of-use asset.
- Excluded leases with an expiry date prior to 30 June 2020 from the Statement of Financial Position, and lease expenses for these leases have been recorded on a straight-line basis over the remaining term.
- Used hindsight when determining the lease term if the contract contains options to extend or terminate the lease.

Financial statement impact of adoption of AASB 16

Council has recognised right-of-use assets and lease liabilities of \$3.1M at 1 July 2019 for leases previously classified as operating leases, or leases that are significantly below market value which were previously off balance sheet.

The weighted average lessee's incremental borrowing rate applied to lease liabilities at 1 July 2019 was 3.95%.

2. Asset Revaluations

Council has undertaken revaluations on the following asset classes:

- Investment Properties – based on National Australia Bank's Commercial Property Index;
- Community Land – based on the Valuer General land valuation as at December 2019;
- Land Under Roads – based on the Valuer General land valuation as at December 2019; and
- Roads, Bridges, Footpaths and Stormwater Drainage – undertaken in-house.

Council is currently having the revaluations for both Investment Properties and Roads, Bridges, Footpaths and Stormwater Drainage reviewed by a qualified external valuer, APV – Valuers and Asset Management. Any changes recommended by the valuer will be considered for materiality and incorporated into The Statements, prior to finalisation and reporting to Council as part of the Annual Report 2019/2020.

Financial Implications

There are no financial implications applicable to this report. The Statements are the mechanism by which the financial performance and financial position, over the 12 months ending 30 June 2020 are reported. Any observed concerning trends are noted and addressed by management.

Fit For The Future Strategy Considerations

The subject of this report does not directly align with a specific Fit for the Future Strategy, but does provide an overview on the financial performance of 2019/2020. This performance provides a basis to assess Council's progress in achieving the overall Fit for the Future objectives, being to attain financial sustainability and meet all the Fit for the Future benchmarks by 2020/2021.

The table below summarises the Fit for Future key performance indicators for the reporting period, excluding those requiring input from the Special Schedule, Report on Infrastructure Assets, which are not audited. The indicators using the Report on Infrastructure Assets and the report itself, will be included in the final Audited Financial Statements to be presented to Council on 24 November 2020.

ORDINARY MEETING
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These indicators are based on the General Fund only, in line with the Office of Local Government methodology. Please note that the table below does not include the Asset Maintenance Ratio, or the Infrastructure Backlog Ratio, awaiting the finalisation of Special Schedule, Report on Infrastructure Assets, which is not audited. These ratios will be included in the Council Report for the Audited Financial Statements on 24 November 2020.

Financial Sustainability Ratio	Benchmark	Result at 30 June 2020	Benchmark Met in 19/20
Operating Performance	>= 0%	0.03%	Yes
Own Source Revenue	> 60%	70.27%	Yes
Asset Renewal	> 100%	104.86%	No
Debt Service	0%-20%	1.07%	Yes
Real Operating Expenditure per Capita	Decrease	Increase	No

Presentation to the Audit Committee Meeting 16 September 2020

At the Audit Committee Meeting held 16 September 2020, an overview of Council financial performance was provided that highlighted that despite the impacts of the bushfires, floods and COVID-19, Council's operating result (\$3.1M deficit) was better than projected in the March Quarterly Budget Review (\$5.4M), adopted by Council on 26 May 2020.

It was highlighted that the \$3.1M deficit includes adjustments made to:

- Asset values, in line with accounting standards, being \$2.6M in relation to damaged road infrastructure as a result of the flood
- Investment Properties, being \$1.7M as a result of the economic impact of COVID-19.

The reduction in the value of roads is temporary in nature, with the restoration of the roads to be funded from grants and completed during 2020/2021. The decrease in the value of Investment Properties is not realised, as Council is not planning to sell any of the properties in the near future.

When removing the impact of the adjustments in asset values, which are not included in the Operating Performance Ratio, the Operating Result is a surplus of \$1.2M. This is a sound result, particularly in regards to the conditions and events experienced during 2019/2020. This is further indicated by the Operating Performance Ratio of 0.03%, which meets the benchmark for financial sustainability as set by the Office of Local Government.

The presentation to the Audit Committee also highlighted the difference between the Operating Result and the Budget Result (being the difference between funds budgeted and funds used), which are two distinct measures of financial performance. As outlined in the 2019/2020 Interim End of Year Operational Plan and Budget Summary Report presented to Council 25 August 2020, the indicative Budgetary Result was a surplus in the order of \$250,000. Currently, the Budget Result is a surplus of \$272,000, subject to finalisation as part of the audit.

The Audit Committee endorsed the recommendation to submit the Financial Statements to Council to refer to audit.

Conclusion

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

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 29 September 2020

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

Our Leadership

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

FINANCIAL IMPACT

The matters raised in this report do not have direct financial implications, but do provide an overview of the financial performance and financial position of Council as at 30 June 2020.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

The subject of this report does not directly align with a specific Fit for the Future Strategy, but does report of some of the status of the Fit for the Future Benchmarks, indicating Council's progression towards meeting all Fit for the Future benchmarks by 2020/2021.

ATTACHMENTS:

- AT - 1** General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2020 - (*Distributed under separate cover*).
- AT - 2** Statement made by Councillors and Management.

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AT - 2 Statement made by Councillors and Management

Hawkesbury City Council

Financial Statements 2020

General Purpose Financial Statements
for the year ended 30 June 2020

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

The attached General Purpose Financial Statements have been prepared in accordance with:

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

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

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

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

Signed in accordance with a resolution of Council made on 29 September 2020.

Patrick Conolly
Mayor
29 September 2020

Mary Lyons-Buckett
Deputy Mayor
29 September 2020

Peter Conroy
General Manager
29 September 2020

Emma Galea
Responsible Accounting Officer
29 September 2020

oooO END OF REPORT Oooo

ORDINARY MEETING
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Meeting Date: 29 September 2020

Item: 188 **SS - Council Resolution Summary - (95496)**

Previous Item: 088, Ordinary (12 May 2020)
 190, Ordinary (29 October 2019)
 040, Ordinary (12 March 2019)
 213, Ordinary (28 August 2018)
 NM2, Ordinary (24 June 2014)

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to provide Council with a summary of the status of resolutions passed by Council.

EXECUTIVE SUMMARY:

At the Council meeting on 24 June 2014, Council resolved to receive a six-monthly report summarising the resolutions moved by Council in the preceding six months. Further, at its meeting on 28 August 2018, Council resolved to add further columns giving information relating to the actions taken to date and approximate timeframes for resolutions ongoing, and to include those resolutions outstanding from previous summaries.

At its meeting on 12 May 2020, Council received a report on Council Resolutions for the period 1 July 2019 to 31 December 2020, as well as outstanding resolutions from previous reports. That report explained that Council had developed an enhanced system for the tracking of action on resolutions.

This report, and the attachments to the report, summarise the resolutions passed by Council for the period from 1 January 2020 to 30 June 2020, and those resolutions outstanding from previous summaries, excluding resolutions as outlined in the report below.

The report also explains further changes which have been made to the system for actioning and tracking action on Council resolutions.

RECOMMENDATION:

That the Council Resolution Summary for 1 January 2020 to 30 June 2020, and those resolutions outstanding from previous summaries, be received and noted.

BACKGROUND

Council at its Meeting on 24 June 2014, gave consideration to a Notice of Motion regarding summarising Council resolutions and resolved as follows:

"That Council prepare a six-monthly report summarising the resolutions passed by Council in the preceding six months, excluding resolutions not requiring action or procedural resolutions, and assigning a status to such resolutions to indicate if the action has commenced, has been completed, or a likely timeframe for completion."

ORDINARY MEETING
SECTION 3 – Reports for Determination
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Further to the above, Council at the meeting on 28 August 2018, when considering the report regarding the Council Resolutions for the period from 1 January 2018 to 30 June 2018, resolved, in part, as follows:

"That Council:

...

- 2. Include in future such reports, an additional column giving information relating to the outcome or approximate timeframes where applicable for resolutions ongoing.*
- 3. Include in future such reports, those resolutions outstanding from previous summaries."*

Accordingly, Council's Resolution Summary Reports were updated to contain the additional columns showing the action taken to date and outcomes, as well as an estimated completion date for those matters ongoing.

Further, outstanding resolutions pre-dating the most recent six month period were included in a separate document. Resolutions identified in either of the Resolution Summary Reports were able to be included in the future Resolution Summary Reports to Council.

At its meeting on 12 May 2020, Council received a report on Council Resolutions for the period 1 July 2019 to 31 December 2019, as well as outstanding resolutions from previous reports. That report explained that Council had developed an enhanced system to ensure that all:

- Council resolutions are recorded
- Council resolutions are monitored to completion
- Outstanding Council resolutions are identified and reported to Council.

The Resolution Summary reports attached to the report to the Council Meeting on 12 May 2020 were the first to be published using Council's existing records management software, and in a new report format to include:

- Details of the relevant Council Resolution, broken into parts. This allows the actions for each part of a resolution to be tracked
- Details of the status of the resolution, including the specific action taken to progress it
- Better filtering to enable a variety of reporting formats.

Using the records management software in this way requires each resolution and resolution part from each Council Meeting to be registered in the system so that notes can be made against each part based on a closed set of templates.

DISCUSSION

Since the Resolutions Summaries were last reported to Council further enhancements have been made to the system for recording actions on resolutions, and the reporting of those actions. These include:

- Migrating all outstanding Council resolutions into the system so that actions can be recorded in the same way as for resolutions within the most recent reporting period.
- Changes to the titles of the notes templates that staff use to record action taken. These are now more closely linked to the types of actions that generally flow from resolutions, and means the notes when reported contain less internal commentary.
- Streamlining the process for tracking responses to correspondence and using the system to prompt the sending of follow up correspondence.
- The development of a staff training manual and training sessions for staff who are required to action Council resolutions and update the system for reporting purposes.

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For the purpose of reporting to Council staff have prepared a Resolution Summary Report for the period from 1 January 2020 to 30 June 2020 and a report for those outstanding resolutions outstanding from previous summaries for the period 1 January 2018 to 31 December 2019.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

Our Leadership

- 1.6 Corporate Services - Support the operation of the organisation through the provision of effective and efficient corporate support services.

- 1.6.2 Council's workforce, systems and processes will support high performance and optimal service delivery for our community.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

There are no financial implications applicable to this report.

ATTACHMENTS:

- AT - 1** Council Resolution Summary – January 2020 to June 2020 (*Distributed under separate cover*).
- AT - 2** Council Resolution Summary - Outstanding Resolutions from previous Summaries January 2018 to December 2019 (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 29 September 2020

ordinary

section 4

reports
of committees

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 29 September 2020

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 29 September 2020

SECTION 4 – Reports of Committees

Item: 189 **ROC - Audit Committee - 26 August 2020 - (95496, 91369, 79351)**

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Audit Committee, held on 26 August 2020.

EXECUTIVE SUMMARY:

The Audit Committee considered seven items at its meeting on 26 August 2020. These items have no policy or financial implications to Council and therefore, are presented for information only.

RECOMMENDATION:

That Council receive and note the Minutes of the Audit Committee Meeting held on 26 August 2020.

DISCUSSION

The Audit Committee met on 26 August 2020 and considered reports on the following matters, as shown in the minutes attached as Attachment 1 to this report.

- Item: 1** Presentation: Internal Audit Management Actions Software.
- Item: 2** Presentation: Council Strategies.
- Item: 3** 2018/2019 and 2019/2020 Internal Audit Programs Update
- Item: 4** Status of Internal Audit Management Actions as at 14 August 2020
- Item: 5** Voluntary Planning Agreement Policy
- Item: 6** Proposed Special Audit Committee Meeting - 16 September 2020
- Item: 7** Procurement Audit

The above items do not have any policy or financial implications to Council, and therefore, are presented to Council to receive and note.

ATTACHMENTS:

- AT - 1** Minutes of the Audit Committee held on 26 August 2020.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 29 September 2020

AT - 1 Minutes of the Audit Committee held on 26 August 2020.

Minutes of the Meeting of the Audit Committee held by Audio-Visual link on 26 August 2020, commencing at 4:03pm.

Present: Councillor Paul Rasmussen, Hawkesbury City Council
Councillor John Ross, Hawkesbury City Council
Mr Craig Bennett, Community Representative
Ms Ellen Hegarty, Community Representative
Ms Nisha Maheshwari, Chairperson, Community Representative

Apologies: Nil

In Attendance: Mr James Winter, Grant Thornton
Mr Kenneth Leung, NSW Audit Office
Ms Penelope Corkill, Centium
Mr Peter Conroy, Hawkesbury City Council
Mr Laurie Mifsud, Hawkesbury City Council
Ms Linda Perrine, Hawkesbury City Council
Ms Emma Galea, Hawkesbury City Council
Mr Charles McElroy, Hawkesbury City Council
Mr Mario Robles, Hawkesbury City Council
Mr Conrad Webb, Hawkesbury City Council
Ms Stephannie Kissun, Hawkesbury City Council (left at 4:34pm)
Ms Megan Berrell, Hawkesbury City Council

The Chairperson advised that the meeting would be recorded to assist with minute taking purposes.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Mr Craig Bennett and seconded by Councillor Paul Rasmussen that the Minutes of the Audit Committee held on the 3 June 2020, be confirmed.

SECTION 2 - Presentations to the Committee

Item: 1 Presentation: Internal Audit Management Actions Software.
Presenter: Ms Stephannie Kissun, Corporate Planning and Performance Strategist, Hawkesbury City Council

- Ms Kissun provided the Audit Committee with a live demonstration of Council's new Internal Audit Management Action Database in Council's Pulse System.

Summary of Presentation:

- Council Managers are familiar with using the Pulse System, as it is being used for Operational Planning and Reporting, Delegations, Policies and Onboarding.
- Managers are able to view details of the Management Actions that they are responsible for. This includes the details of the Internal Audit Management Actions due dates, as well as the capability to update comments on each Management Action.
- The Pulse System delivers reporting across all Management Actions, with multiple filter options available, to allow specific detailed/filtered views of the data when required.

ORDINARY MEETING
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- The System has functionality to remind Managers if they have comments or Audit Actions due, by sending auto-generated notifications to the Responsible Officer.
- The ultimate goal of using Pulse is to get an organisation-wide view of the various activities within the organisation at any given time, which will provide robust reporting and aid in informed decision making.
- Committee members made enquiries relating to the functionality and capabilities of the Pulse System. The Internal Audit Management Actions Software in the Pulse System was well received and commended by the Audit Committee.
- A copy of the Presentation - Internal Audit Management Actions Software is attached as Attachment 1 to the Minutes.

Item: 2 Presentation: Council Strategies.
Presenter: Mr Peter Conroy, General Manager, Hawkesbury City Council

- Mr Conroy provided the Audit Committee with an overview of Council Strategies, as many of the Internal Audit Management Actions are related to the progress of these strategies.
- Committee members enquired whether Council is in regular contact with the State Government in relation to progressing various strategies and aspirations. The General Manager confirmed that Council does make regular contact with the State Government.
- A copy of the Presentation - Council Strategies is attached as Attachment 2 to the Minutes.

SECTION 3 - Reports for Determination

Item: 3 AC - 2018/2019 and 2019/2020 Internal Audit Programs Update - (91369, 121470, 95496, 79351)

Directorate: Support Services

OFFICER'S RECOMMENDATION:

That the progress on the 2018/2019 and the 2019/2020 Internal Audit Programs be received and noted.

DISCUSSION:

- The Director Support Services provided an update on the 2017/2018, 2018/2019 and 2019/2020 Internal Audit Programs.

COMMITTEE RECOMMENDATION:

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

That the progress on the 2018/2019 and the 2019/2020 Internal Audit Programs be received and noted.

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Item: 4 AC - Status of Internal Audit Management Actions as at 14 August 2020 - (91369, 121470, 95496, 79351)

Directorate: Support Services

OFFICER'S RECOMMENDATION:

That the Audit Committee receive and note the following reports;

1. Internal Audit Management Actions Status Report as at 14 August 2020, attached as Attachment 1 to this report.
2. Incomplete Internal Audit Management Actions Report as at 14 August 2020, attached as Attachment 2 to this report.
3. Recently Completed Internal Audit Management Actions Report, attached as Attachment 3 to this report.
4. Overdue Extreme / High Risk Internal Audit Management Actions Report as attached as Attachment 4 to this report.
5. Extension of Due Dates for Internal Audit Management Actions items attached as Attachment 5 to this report.

DISCUSSION:

- The Director Support Services provided the Audit Committee with an overview of the Attachments to this report, highlighting that the Attachments were generated using Council's Pulse System as discussed in Item 1.
- An enquiry was made regarding Council's engagement with a law firm to provide six monthly updates relating to changes in legislation, and a request was made to provide a copy of this documentation to the Audit Committee.
- Committee members queried Attachment 5 - Extension of Due Dates for Internal Audit Management Actions and the items with an 'On Track' status, noting that if these items are included on the Extension of Due Dates list, they must not be on track. The Director Support Services clarified that the 'On Track' status is accurate based on the revised due dates, which have previously been approved by the Executive Management Team.
- Discussion took place regarding the necessity of presenting reports to the Audit Committee for its oversight on particular policies prior to being presented to Council for consideration or put on public exhibition. Councillor Ross was of the opinion that the Audit Committee should provide its advice on particular policies prior to adoption by Council. Committee members agreed to discuss this matter further in General Business, to determine a clear process for the Audit Committee's oversight on particular policies, in order to reduce confusion or debate going forward.
- A query regarding letters of comfort is to be investigated further by management.

COMMITTEE RECOMMENDATION:

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

That the Audit Committee receive and note the following reports;

ORDINARY MEETING
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1. Internal Audit Management Actions Status Report as at 14 August 2020, attached as Attachment 1 to this report.
2. Incomplete Internal Audit Management Actions Report as at 14 August 2020, attached as Attachment 2 to this report.
3. Recently Completed Internal Audit Management Actions Report, attached as Attachment 3 to this report.
4. Overdue Extreme / High Risk Internal Audit Management Actions Report as attached as Attachment 4 to this report.
5. Extension of Due Dates for Internal Audit Management Actions items attached as Attachment 5 to this report.

Councillor Ross requested that he be recorded as voting against the motion.

Item: 5 AC - Voluntary Planning Agreement Policy - (91369, 121470, 95496, 79351)
Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Audit Committee:

1. Receive and note the Draft Voluntary Planning Agreement Policy.
2. Provide feedback in relation to the Draft Voluntary Planning Agreement Policy.

DISCUSSION:

- Some further discussion took place regarding the necessity of presenting reports to the Audit Committee for its oversight on particular policies prior to being presented to Council for consideration.
- The Director City Planning advised that the Draft Voluntary Planning Agreement Policy had been presented to Council and completed its public exhibition period. During the public exhibition period, one submission was received and the Draft Voluntary Planning Agreement Policy was amended in response to this submission.
- A resolution was made at the Council Meeting held on 28 July 2020, that the Draft Voluntary Planning Agreement Policy be tabled for further consideration by the Audit Committee before being referred to the next Council Meeting for adoption.
- Councillor Ross queried the feasibility of a Works-In-Kind Agreement being encompassed to the Draft Voluntary Planning Agreement Policy and was of the opinion that a Voluntary Planning Agreement Policy is not fundamental to the operations of Council at this stage.
- The General Manager clarified that a Works-In-Kind Agreement can be used at Council's discretion. It was highlighted that Council's City Planning Directorate requires the Voluntary Planning Agreement Policy to be in place, to reduce any risk to Council, to ensure the community's best interests are protected.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 29 September 2020

COMMITTEE RECOMMENDATION:

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

That the Audit Committee receive and note the Draft Voluntary Planning Agreement Policy.

Councillor Ross requested that he be recorded as voting against the motion.

Item: 6 AC - Proposed Special Audit Committee Meeting - 16 September 2020 - (91369, 121470, 95496, 79351)

Directorate: Support Services

OFFICER'S RECOMMENDATION:

That a Special Meeting of the Audit Committee be held at 4.00pm on Wednesday, 16 September 2020.

DISCUSSION:

- The Audit Committee accepted the proposed Special Audit Committee Meeting date to be held on Wednesday, 16 September 2020.

COMMITTEE RECOMMENDATION:

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

That a Special Meeting of the Audit Committee be held at 4.00pm on Wednesday, 16 September 2020.

Item: 7 AC - Procurement Audit - (91369, 121470, 95496, 79351)

Directorate: Support Services

OFFICER'S RECOMMENDATION:

That the Audit Committee receive and note the Procurement Audit Report attached as Attachment 1 to this report.

DISCUSSION:

- Penny Corkill from the Centium Group provided the Audit Committee with an overview of the key positive controls and key findings from the Procurement Audit.
- Council's Chief Financial Officer advised that Council has undertaken actions to improve its procurement process by reviewing various procedures and providing training to staff.
- Committee members discussed the use of credit cards and the controls in place to ensure expenditure is monitored, including the spending thresholds placed on each credit card. Ms Corkill from the Centium Group confirmed that the thresholds in place are consistent with the Office of Local Government guidelines.

ORDINARY MEETING
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- The Chief Financial Officer explained that Council uses a centre-led procurement model and that procurement is undertaken across the whole organisation, with the Procurement team acting as support for all staff.

COMMITTEE RECOMMENDATION:

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

That the Audit Committee receive and note the Procurement Audit Report attached as Attachment 1 to this report.

CLOSURE OF MEETING

The meeting was closed by the Chairperson due to Councillor Paul Rasmussen and Councillor John Ross being required to leave the meeting to attend other commitments and consequently there was not going to be a quorum to continue the meeting.

The Committee agreed to include Items 8, 9, 10, 11, 12 (Confidential) and General Business on the Agenda for the Special Audit Committee Meeting to be held on Wednesday, 16 September 2020.

The meeting terminated at 6:27pm.

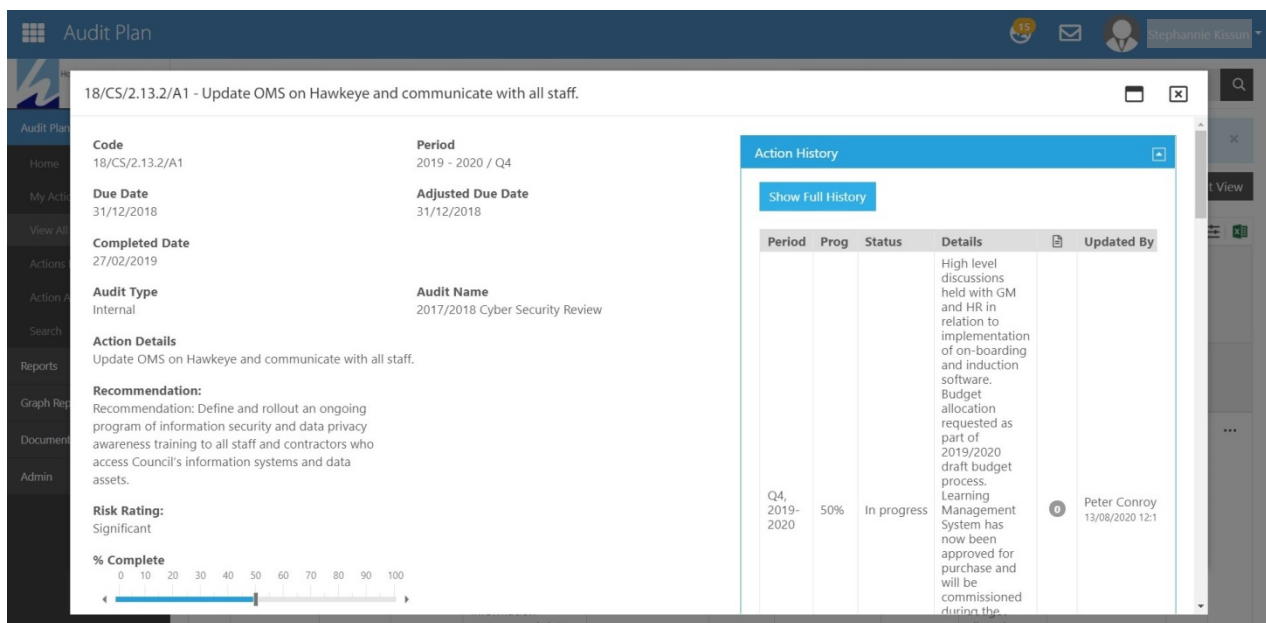
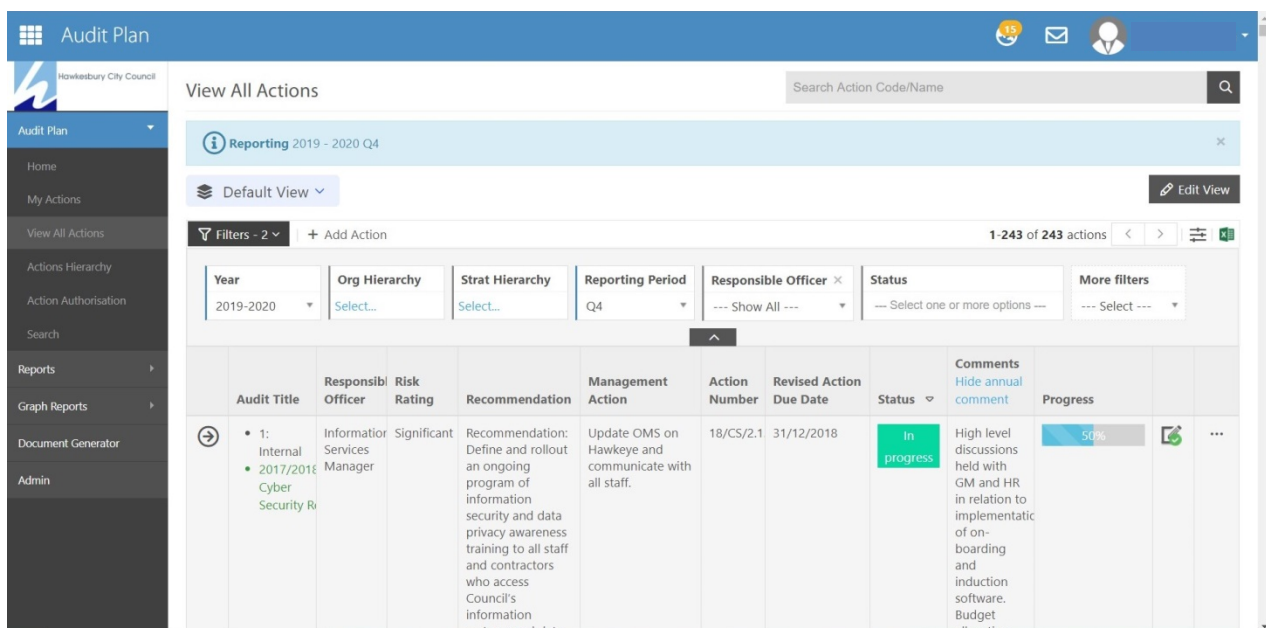
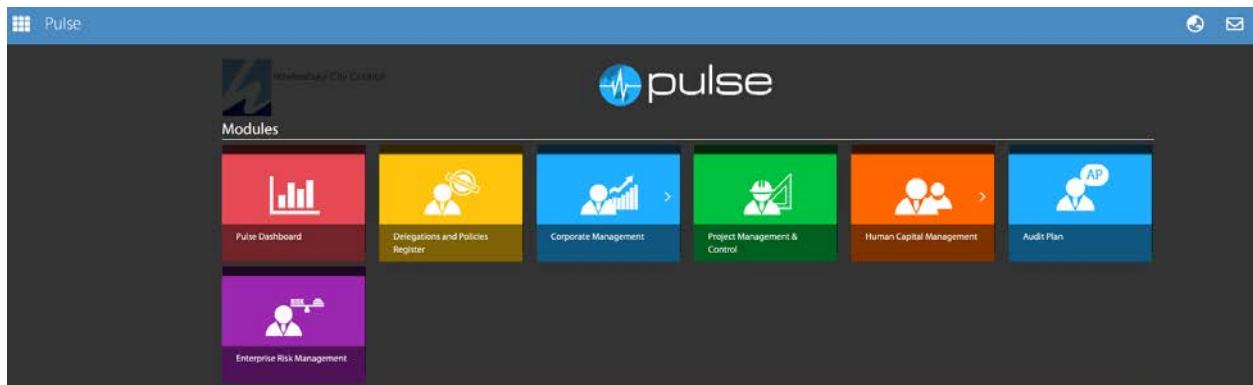
ATTACHMENTS:

AT - 1 Copy of Presentation - Internal Audit Management Actions Software.

AT - 2 Copy of Presentation - Council Strategies.

ORDINARY MEETING
SECTION 4 – Reports of Committees
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AT - 1 Copy of Presentation - Internal Audit Management Actions Software



AT - 2 Copy of Presentation - Council Strategies



- Council Strategies
 - Demographics
 - Recreation and Open Space
 - Environmental Planning
 - Property
- Context
- Sequence
- State Government Initiatives
- History to date
- Next steps

1



Context

- Historically a lack of Strategic Planning
- Lack of direction and co-ordination
- Limited Council resources and budget

2

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 29 September 2020



Resource Comparison

18/19	OLG Classification	Size of LGA	Population	Full Time Equivalent Staff (FTE)	Population per FTE	Budget Employee Costs	Budget Operating Expenses	% Budget Employee Costs Budget of operating Expenses	Actual Employee Costs	Actual Salaries & Wages only	Actual Operating Expenses	% Employee Costs of Operating Expenses	% Salaries & Wages of Operating Expenses
		Km2							\$000's	\$000's	\$000's		
Blue Mountains	Metropolitan Fringe	1,431	79,118	537	147	57,755	116,680	49%	\$ 57,410	\$ 44,454	\$ 125,103	46%	36%
Camden	Metropolitan Fringe	201	95,252	450	212	47,147	102,624	46%	\$ 48,878	\$ 36,559	\$ 124,608	39%	29%
Wollondilly	Metropolitan Fringe	2,556	53,149	247	215	24,279	59,551	41%	\$ 23,772	\$ 21,380	\$ 60,516	39%	35%
Wingecarrable	Regional Town / City	2,688	51,134	472	108	37,288	103,288	36%	\$ 35,998	\$ 29,460	\$ 112,148	32%	26%
Penrith	Metropolitan Fringe	405	212,977	1067	200	102,245	240,744	42%	\$ 101,258	\$ 77,614	\$ 233,460	43%	33%
The Hills	Metropolitan Fringe	386	177,969	518	344	57,076	137,326	42%	\$ 54,026	\$ 44,413	\$ 150,100	36%	30%
Hawkesbury	Metropolitan Fringe	2,775	67,296	310	217	28,431	79,987	36%	\$ 28,949	\$ 20,896	\$ 79,340	36%	26%
		1	3	2	2	2	6	1	2	2	6	2	2
		Largest	Third Lowest	Second Lowest	Second Highest	Second Lowest	Sixth Lowest	Equal Lowest	Second Lowest	Second Lowest	Sixth Lowest	Equal Second Lowest	Second Lowest

4



Sequence – Achieve Greatest Benefit

- Support good governance
 - Quality, transparency and consistency
- Alignment with State and Local planning
 - Integrated planning and reporting
 - State plans – land use, transport, infrastructure
- Evidence based
- Timing and programming
 - Stage 1 informs Stage 2
 - Facilitating wider use across organisation
- Integrated with Council's Delivery Program and Operational Plan

4



History to date – Local Planning Statements

- February : Draft 2018 – 2019 Operational Plan
 - Funds set aside for strategic planning
- March 2018
 - Local Strategic Planning Statement “foreshadowed”
 - Metropolitan Strategy and Western City Plan
- Mid s 2018 - Demographics
- Later 2018 – Local Strategic Planning Statement Process Confirmed
 - Other Growth Councils - \$2.5 Million direction
 - Health Check
 - Studies – Housing, Employments Lands, Rural Lands, Flooding
 - Completion 2020
- 2020 Greater Sydney Commission Assurance

5



History to date - Vineyard

- Vineyard Release Area Rezoned – No Warning
- No Developer Contributions Plan
- No Development Control Plan
- Development Applications Lodged
- Hardship Application – Council forced to acquire
- Finalize Contributions Plan and Development Control Plan - exhibit and adopt – no funding
- IPART Review Plan – first time – Council submission
- IPART Review Plan – second time – Council submission
- Now with Department of Planning

6



More State Government Initiatives

- Flood management amendments
- Developer Contributions
- Waste Strategy
- State Housing Strategy
- State Housing Diversity Policy
- Natural Disaster Policy
- Business as Usual
- Bushfire/Flood/Pandemic

7



Next Steps

- Environmental Management Framework
- Recreation and Open Space Strategy
- Property Strategy
- Business as Usual
- Review of Local Environment Plan
- Review of Development Control Plan
- More State Government Initiatives

8



Questions

9

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 29 September 2020

Item: 190 **ROC - Local Traffic Committee - 14 September 2020 - (80245, 95495)**

Directorate: Infrastructure Services

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Local Traffic Committee, held on 14 September 2020. The Local Traffic Committee is not a Committee of Council but a Statutory Committee.

EXECUTIVE SUMMARY:

The Local Traffic Committee considered three items, contained within the minute of the Local Traffic Committee. As these items have no policy or financial implications to Council, they are presented for information only.

RECOMMENDATION:

That in relation to the Minutes of the Local Traffic Committee Meeting held on 14 September 2020:

1. Council receive and note the Local Traffic Committee minutes.
-

DISCUSSION

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

- Special Event Traffic - Cancellation of 2020 Special Events due to COVID-19
- General Traffic Matter – Proposed Changes to Parking Restrictions – Pitt Town Public School, Pitt Town
- Special Event Traffic – Parramatta Cycling Club Road Cycling Races 2021 – Oakville Events

ATTACHMENTS:

AT - 1 Minutes of the Local Traffic Committee held on 14 September 2020.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 29 September 2020

AT - 1 Minutes of the Local Traffic Committee held on 14 September 2020

Minutes of the Meeting of the Local Traffic Committee held remotely on Monday, 14 September 2020.

ATTENDANCE

Present: Councillor Peter Reynolds, Hawkesbury City Council
Mr David Lance, Transport for NSW
Mr Mark Rusev, representing Ms Robyn Preston MP, Member for Hawkesbury
Mr Steve Grady, Busways

Apologies: Nil

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

Mr Christopher Amit advised the Committee that the position of Chair is to be undertaken in accordance with Transport for NSW (formerly RMS/RTA) Guidelines "Delegation to Councils for Regulation of Traffic" Section 5.3 which states that the meeting is to be convened by a Council Representative, either voting or non-voting. On this basis Mr Amit is to take up the position of the Chair for this meeting.

SECTION 1 – Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Mr David Lance, seconded by Councillor Peter Reynolds, that the Minutes from the previous meeting held on Monday, 10 August 2020 be confirmed.

Item 1.2 Business Arising

There was no Business Arising.

SECTION 2 - Reports for Determination

Item: 2.1 LTC - Cancellation of 2020 Special Events due to COVID-19- (Hawkesbury) - (80245)

Previous Item: LTC 20 April 2020 – Item 2.1

REPORT:

Several Events planned to be undertaken during 2020 within the Hawkesbury Local Government Area have been cancelled due the COVID-19 pandemic.

The current Public Health order (COVID-19 Restrictions on Gathering and Movement) Order 2020 under the Public Health Act 2010 (NSW) is ongoing and unless the community situation with COVID-19 improves, it is likely that the Public Health Order will extend into 2021.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 29 September 2020

The following events have been cancelled:

1. Convict 100 Mountain Biking Event - Maximum Adventure Pty Ltd: Originally set down for 2 May 2020 and rescheduled to 1 August 2020 - **Cancelled.**
2. Bridge to Bridge Water Ski Classic Event - NSW Water Ski Federation Ltd: 28 & 29 November 2020 – **Cancelled.**
3. Hawkesbury 120 Ski Race Classic Event - Hawkesbury 120 Ski Race Classic: 17 & 18 October 2020 - **Cancelled.**
4. Mountain Lagoon Endurance Ride Weekend Event - Zone One of the NSW Endurance Riders' Association: Originally set down for 28 & 29 March 2020 and rescheduled to 22 & 23 August 2020 - **Cancelled.**
5. The Ironman 70.3 Western Sydney Event – USM Events T/A Ironman: 27 September 2020 – **Cancelled.**

RECOMMENDATION TO COMMITTEE:

That the information be received.

APPENDICES:

There are no supporting documents for this report.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr David Lance, seconded by Councillor Peter Reynolds.

Support for the Recommendation: Unanimous support

That the information be received.

Item: 2.2 **LTC - Proposed Changes to Parking Restrictions - Pitt Town Public School, Pitt Town (Hawkesbury) - (80245, 36556, 92183, 123265, 125358, 137535)**

Previous Item: **LTC - 10 November 2014 - Item 4.1**
 LTC – 08 August 2016 - Item 4.1

REPORT:

Representations have been made by the Principal of Pitt Town Public School requesting changes to the existing parking restrictions along Buckingham Street and Fernadell Drive, Pitt Town to improve the safety for parents and students during the school morning and afternoon drop off and pick up times.

A meeting was undertaken on 18 February 2020 at the school with those present including the member for Hawkesbury Ms Robyn Preston MP and representatives from the School, Transport for NSW and Council staff.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 29 September 2020

Issues raised and discussed at the meeting on 18 February 2020 and some of the immediate actions taken about these issues are listed below:

1. Buckingham Street: The Principal indicated that at times there are two buses trying to fit into the 'School Bus Zone' and the second bus is extending back into the travelling lane. Action Taken: Busways were contacted (20/2/2020) and they advised that the 'School Bus Zone' may need to be extended in a westerly direction as three buses are scheduled at the School at 2:46pm, 2:46pm and 2:50pm. If all three buses are in the zone, then the 'School Bus Zone' needs to be extended from 30metres to 47.5metres.
2. Buckingham Street: Proposal to install a No Stopping zone (to operate during school days and school zone times) across Nos. 14 to 22 Buckingham Street (from the Children's Crossing to Grenville Street). The residents are to be consulted after feedback is provided by the Principal after the P&C meeting scheduled for 25 February 2020.
3. Buckingham Street: Existing No Parking zone in front of the School (operating during school days and school zone times) located on the northern side of the road and east of the Children's Crossing and extending to the eastern School boundary is to be replaced with a No Stopping zone. The existing No Parking zone can be replaced by relocating it to the approach side of the 'School Bus Zone' and on the same side as the School. If the 'School Bus Zone' is to be extended, then this zone will start at a further point west of the existing 'School Bus Zone'.
4. Buckingham Street: Intersection No Stopping zones (in accordance with mandatory Australian Road Rules) are proposed at Grenville Street and Chatham Street (10metre zones).
5. Fernadell Drive: Provide a new No Parking zone (operating during school days and school zone times) along the School boundary of Fernadell Drive – approximate length of 130metres to a point east of Oaks Street. The proposed zone is to commence from the eastern end of the existing No Stopping zone (operating during school days and school zone times) which is adjacent to the School gate. It was discussed to extend the proposed zone to the property boundary of the School; however the nature strip would require reshaping and other civil works. The proposed extent is considered to be sufficient. The existing No Stopping zones in Fernadell Drive to remain unchanged. The No Parking zone will provide an alternate replacement to the relocated No Parking zone in Buckingham Street.
6. Fernadell Drive: Future option for Fernadell Drive – subject to meeting Warrants - is to provide a Children's Crossing. This would be placed central to Pastoral Street and Vine Street. This would require reconstructing the Pram Ramps and also the provision of kerb Islands (similar to a Wombat Crossing) to ensure that only 2- lanes of roadway are being crossed by pedestrians. Current width of Fernadell Drive is 11metres.
7. Fernadell Drive: The extent of the existing School zone to be reviewed by Transport for NSW.

A summary of the proposed actions based on the points raised at the meeting and presented to the School are detailed in figure 1 below:

ORDINARY MEETING
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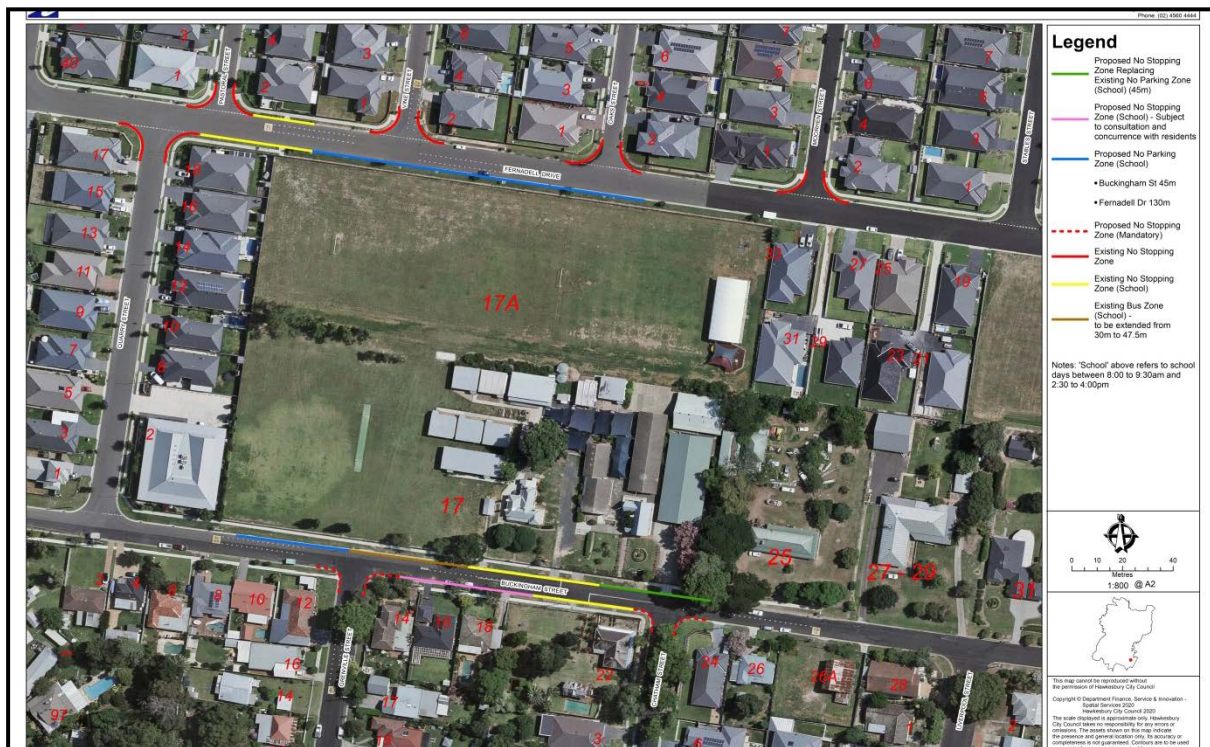


Figure 1: Details of proposed changes to parking restrictions

The proposed changes to parking restrictions were referred to the School Principal to discuss with the P&C Association, Parents and other representatives after the meeting with a copy of the plan as outlined in Figure 1. The advice received from the School Principal is that consultation has been undertaken with the School community and they are supportive of the proposed changes to the parking restrictions in both Buckingham Street and Fernadell Drive as outline in Figure 1.

Consultation was undertaken during July/August 2020 with properties adjacent to where parking restrictions were proposed along Buckingham Street and Fernadell Drive. Feedback was received from four of the properties affected.

Consultation Comments Received:

- Three properties on Buckingham Street between Grenville Street and Chatham Street objected to the No Stopping zone across their property frontages, even though the zone would operate only on School days and during the School zone times. These residents have limited off street parking and utilise the road space parking during the proposed restrictions.
- One property in Fernadell Drive, requested that the School zone be extended and they were advised that his matter was with TfNSW as a result of the February meeting. Another request was for the No Stopping zone (operating on School days and during the School zone times) be shortened in front of Pastoral Street. It was explained that this zone was implemented in 2016 to improve safety for School children using the rear gate to access and leave the School.

Summary of Actions from the Consultation:

- The proposed No Stopping zone (to operate on School days and during the School zone times School) across Nos. 14, 16 and 18 Buckingham Street, not be implemented.
- Transport for NSW be requested to review the extent of the School zone along Fernadell Drive.

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- The existing No Stopping zone (operating on School days and during the School zone times) along Fernadell Drive to remain unchanged.

Pedestrians and traffic movement in and around the School has been reviewed in the past. This has included discussions with the current and former Principals. Previous actions undertaken at the School are provided as background.

Background:

Previous changes to parking restrictions were implemented at the School in 2014 and 2016.

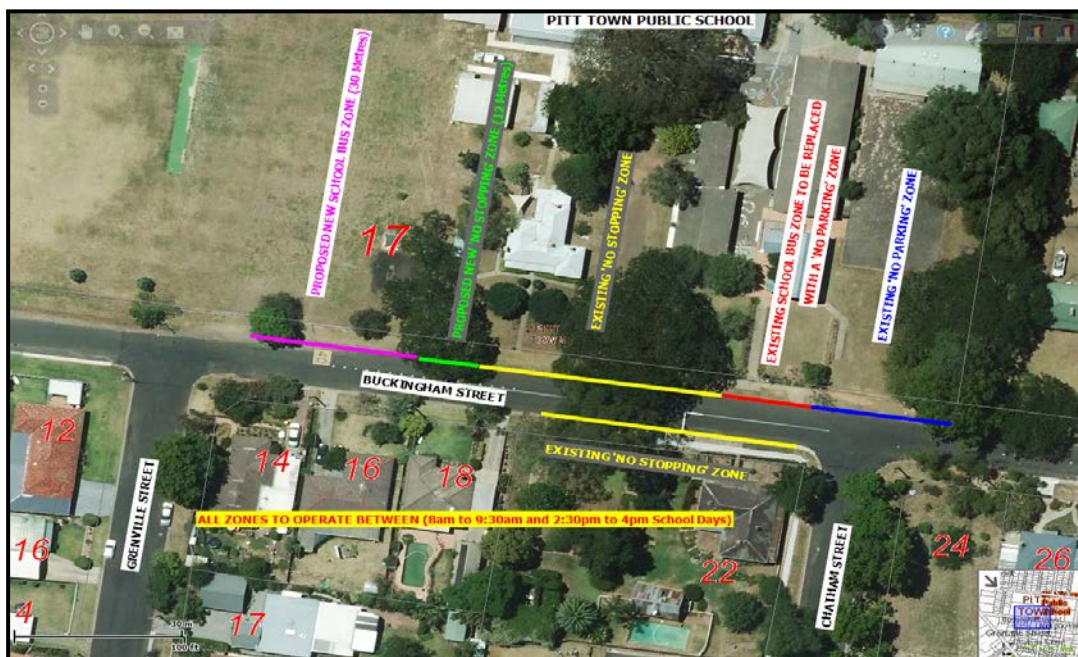
Changes to Parking restrictions in 2014:

The Principal of Pitt Town Public School, requested the relocation of the exiting 'School Bus Zone' as well as replacing the existing 'School Bus Zone' with a 'No Parking' zone along the northern side of Buckingham Street, Pitt Town, adjacent to the existing Children's Crossing. The issue related to the existing 'School Bus Zone' being too close to the Children's Crossing as well as not being sufficient in length to accommodate the number of Buses utilising the zone. The provision of the 'No Parking' zone to replace the 'School Bus Zone' was implemented to provide additional kerb length for parents to utilise to drop off and pick up students.

In addition to relocating the existing 'School Bus Zone', the exiting 'No Stopping' zone on the northern side of Buckingham Street at the western end of the Children's Crossing was extended by 12 metres to take it across the driveway access to the School by 6 metres and improve ingress and egress at the driveway. The new 'School Bus Zone' was to commence from this westerly point and extend for a distance of 30 metres in a westerly direction. The required length of 30 metres for the new 'School Bus Zone' was based on the advice of Busways.

As part of the review of signs in the vicinity of the School along Buckingham Street between Grenville Street and Chatham Street, the operating times for all parking restriction signs were changed from (8am to 9am and 2pm to 3pm) to (8am to 9:30am and 2:30pm to 4pm) – School days. The changes to the operating times were in keeping with the operation times of the School Zone.

The Principal supported these changes as they would provide improvements to safety with minimal effect to the loss of parking in the vicinity of the School. The Principal undertook to communicate the proposed changes to the School Community through the School newsletter.



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Figure 2: Details of changes to parking restrictions in 2014.

Changes to Parking restrictions in 2016:

The Principal and the Parents and Citizens Association of Pitt Town Public School requested a 'No Stopping' zone during School zone times on School Days along Fernadell Drive be provided at the rear access point of the school. There are two pram ramps in line with the rear school gate which were constructed by the Pitt Town Developer. The pram ramps could not be accessed as parents were parking across them. The location of the pram ramps is where the students were expected to cross the road. Due to this safety issue the gate was locked with access to the School only from the front of the School along Buckingham Street, Pitt Town.

Requests received by the previous school Principal for a Children's Crossing at the rear of the school were investigated, including counts; however the results of the counts did not meet the required Warrant. If a Crossing point was to be installed along Fernadell Drive incorporating the two pram ramps an option would be for the length of the No Stopping zone to be 20 metres in total length on each side of the road. If a Children's Crossing, Pedestrian Refuge or Pedestrian Crossing was to be installed this would require additional space totalling 30 metres on each side of the road.

The Committee supported the installation of the No Stopping zone during School zone times on School Days along Fernadell Drive incorporating the two pram ramps and totalling 20 metres in length on each side of the road, and agreed that the removal of the on street parking would improve safety for School children using the rear gate to access and leave the School.

Additional No Stopping zones (mandatory 10 metres) were installed along Fernadell Drive at its intersecting roads in the vicinity of the School rear boundary. The intersecting roads included Quarry Street, Pastoral Street, Vine Street, Oaks Street and Moorhen Street. In addition the No Stopping zone during School zone times on the southern side of Fernadell Drive to the west of the Pram Ramp was extended to meet the mandatory 10 metre No Stopping zone east of Quarry Street.



Figure 3: Details of 'No Stopping' zone during School zone times adjacent to the School Gate in Fernadell Drive

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Summary:

Based on the results of the School Community consultation undertaken by the School Principal and the resident consultation undertaken by Council during July/August 2020, the following parking restrictions are proposed for implementation as outlined in Attachment 1:

1. Buckingham Street: The existing Bus zone (operating during school days and school zone times) be extended in a westerly direction from 30metres to 47.5metres.
2. Buckingham Street: The existing No Parking zone in front of the School (operating during school days and school zone times) located on the northern side of the road and east of the Children's Crossing and extending to the eastern School boundary, be replaced with a No Stopping zone (approximately 45metres in length). The existing No Parking zone (approximately 45metres in length and operating during school days and school zone times) be relocated to the approach side of the extended Bus Zone (operating during school days and school zone times) and on the same side as the School.
3. Buckingham Street: Intersection No Stopping zones (in accordance with mandatory Australian Road Rules) be provided at Grenville Street and Chatham Street (10metre zones).
4. Fernadell Drive: Provide a new No Parking zone (operating during school days and school zone times) along the School boundary of Fernadell Drive – approximate length of 130 metres to a point east of Oaks Street. The proposed zone is to commence from the eastern end of the existing No Stopping zone (operating during school days and school zone times) which is adjacent to the School gate

Transport for NSW be requested to review the extent of the existing School zone in Fernadell Drive adjacent to the School boundary with a view to extending the zone to accommodate the road approaches to the School.

RECOMMENDATION TO COMMITTEE:

1. The following parking restrictions be implemented in the vicinity of Pitt Town Public School as listed below and outlined in Attachment 1:
 - a. Buckingham Street: The existing Bus zone – R5-20 (operating during school days and school zone times) be extended in a westerly direction from 30metres to 47.5metres.
 - b. Buckingham Street: The existing No Parking zone in front of the School (operating during school days and school zone times) located on the northern side of the road and east of the Children's Crossing and extending to the eastern School boundary, be replaced with a No Stopping zone – R5-400 (approximately 45metres in length). The existing No Parking zone – R5-40 (approximately 45metres in length and operating during school days and school zone times) be relocated to the approach side of the extended Bus Zone (operating during school days and school zone times) and on the same side as the School.
 - c. Buckingham Street: Intersection No Stopping zones – R5-400 (in accordance with mandatory Australian Road Rules) be provided at Grenville Street and Chatham Street (10metre zones).
 - d. Fernadell Drive: Provide a new No Parking zone – R5-40 (operating during school days and school zone times) along the School boundary of Fernadell Drive – approximate length of 130 metres to a point east of Oaks Street. The proposed zone is to commence from the eastern end of the existing No Stopping zone (operating during school days and school zone times) which is adjacent to the School gate.
2. Transport for NSW be requested to review the extent of the existing School zone in Fernadell Drive adjacent to the School boundary with a view to extending the zone to accommodate the road approaches to the School.

APPENDICES:

AT – 1 Proposed parking restrictions Pitt Town Public School, Pitt Town.

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COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr David Lance, seconded by Councillor Peter Reynolds.

Support for the Recommendation: Unanimous support

1. The following parking restrictions be implemented in the vicinity of Pitt Town Public School as listed below and outlined in Attachment 1:
 - a. Buckingham Street: The existing Bus zone – R5-20 (operating during school days and school zone times) be extended in a westerly direction from 30metres to 47.5metres.
 - b. Buckingham Street: The existing No Parking zone in front of the School (operating during school days and school zone times) located on the northern side of the road and east of the Children's Crossing and extending to the eastern School boundary, be replaced with a No Stopping zone – R5-400 (approximately 45metres in length). The existing No Parking zone – R5-40 (approximately 45metres in length and operating during school days and school zone times) be relocated to the approach side of the extended Bus Zone (operating during school days and school zone times) and on the same side as the School.
 - c. Buckingham Street: Intersection No Stopping zones – R5-400 (in accordance with mandatory Australian Road Rules) be provided at Grenville Street and Chatham Street (10metre zones).
 - d. Fernadell Drive: Provide a new No Parking zone – R5-40 (operating during school days and school zone times) along the School boundary of Fernadell Drive – approximate length of 130 metres to a point east of Oaks Street. The proposed zone is to commence from the eastern end of the existing No Stopping zone (operating during school days and school zone times) which is adjacent to the School gate.
2. Transport for NSW be requested to review the extent of the existing School zone in Fernadell Drive adjacent to the School boundary with a view to extending the zone to accommodate the road approaches to the School.

**Item: 2.3 LTC - Parramatta Cycling Club Road Cycling Races 2021 - Oakville Events
(Hawkesbury) - (80245, 82935)**

REPORT:

Introduction:

An application has been received from the Parramatta Cycling Club seeking approval (in traffic management terms) to conduct the Parramatta Cycling Club Road Cycling Races 2021 - Oakville Events.

The event organiser is proceeding with the event based on the current Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020 under the Public Health Act 2010 (NSW).

The event organiser has advised;

- The event has been held annually, for nearly 30 years.
- Parramatta Cycling Club has been conducting club-level road racing on the roads around Oakville. Some who have engaged in these races have gone on to achieve great success in the Olympics, Commonwealth Games and World Championships.
- The cycling events will be held on 13 separate Saturdays and 1 Sunday, during the period of 10 April 2021 to 25 September 2021.

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- The proposed dates are;
 - 10 April 2021
 - 24 April 2021
 - 08 May 2021
 - 22 May 2021
 - 05 June 2021
 - 19 June 2021
 - 20 June 2021 (Sunday)
 - 03 July 2021
 - 17 July 2021
 - 31 July 2021
 - 14 August 2021
 - 28 August 2021
 - 11 September 2021
 - 25 September 2021
- Each event will be conducted between 1pm and 4pm, with racing commencing at 2pm.
- The event is a Race and there will be 4 to 5 graded races up to 50 kilometres in length or a duration of 90 minutes.
- There will be up to 80 participants.
- Approximately 30 spectators are expected.
- There will be 4 to 5 groups with each group not to exceed 20 riders.
- The event starts and finishes at Oakville Public School, located at No. 46 Ogden Road, Oakville.
- Utilising the School's parking facilities will eliminate traffic congestion in the start/finish area.
- Traffic control arrangements will be in place with no road closures required.
- The average speeds for races at Category 2 level vary from 30kph to 40kph, all of which are well below the posted speed limit. The only exception to this situation is the final sprint, which traditionally occurs within the last 200 metres of the race. In order to protect all riders and motorists, this section of the course is sterilised by the exclusion of motorised vehicles for the period of the sprint, generally less than 60 seconds.
- The course follows an anti-clockwise direction which utilises left turns only at intersections to ensure the safety of participants and motorists.
- The course has been chosen because of its remote location and minimum impact on the local amenity.
- Accredited traffic marshals are in constant two way radio communication between marshals and all escort vehicles and the start line.
- Prior to racing commencing, the course is subject to a physical inspection, in the event that circumstances have changed since the last race.
- The Club will utilise a roaming Commissaires vehicle as an escort for public awareness and also for observing race and road infringements.

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- All riders are informed that should they breach any directive, by the marshal, commissaire or official, they face disqualification. If in the view of such officials the breach is serious, the riders also face fines and potential suspension.
- All riders in the event are to be licensed through the Australian Cycling Federation and there is a policy of no license, no start.
- The Bicycle Race will be conducted along the following route;
 - Commencing at Oakville Public School, Oakville, and entering Ogden Road,
 - Travel a short distance along Ogden Road and then into Hanckel Road,
 - Travel along Hanckel Road and turn left into Old Pitt Town Road,
 - Travel along Old Pitt Town Road and turn left into Saunders Road,
 - Travel along Saunders Road and turn left into Smith Road,
 - Travel along Smith Road and turn left into Ogden Road,
 - Travel along Ogden Road finishing at Oakville Public School.
 - The route distance is approximately 7.1 kilometres.

Refer to Attachment 1: Parramatta Cycling Club Road Cycling Races 2021 - Oakville Events - Event Route Plan.

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 disrupt minor traffic and transport systems along the specified route and there may be a low scale disruption to the non-event community. Speed limit, traffic volume and road width details are provided in the following table:

Oakville Route			
Road Name	Speed Limit (kph)	ADT (Year)	Sealed Carriageway Width (m)
Hanckel Road	60 & 70	1498 (2002)	5.7
Ogden Road	60 & 70	190 (1999)	8.0
Old Pitt Town Road	70	1905 (2018)	6.0 to 8.0
Saunders Road	70	784 (2018)	5.4 to 5.8
Smith Road	70	342 (1999)	6.1

The event organiser should assess the risk and address the suitability of the route as part of the risk assessment considering the road width, number of bicycles, traffic volume and bicycles travelling close to the edge of the sealed travelling lane.

The course follows an anti-clockwise direction which utilises left turns only at intersections to ensure the safety of participants and motorists with traffic controls in place. No road closures are proposed, although there will be a sprint at the end of the race within the last 200 metres of the course which the event organiser is proposing to close off under traffic control for approximately 60 seconds.

The event organiser is to ensure that Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document Set ID No: 7175290):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,

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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. Transport Management Plan – referred to in the application as Traffic Management Plan (TMP) which requires updating for the 2021 event,
5. Proposed Road Racing Schedule 2021,
6. Event Route Plan (referred to from the 2012 event),
7. Copy of Insurance Policy which is valid to 01 January 2021, however does not include Hawkesbury City Council and Transport for NSW – TfNSW (formerly RTA/RMS) as an Interested Parties,
8. Copy of the application to the NSW Police Force.
9. Copy of Consultation letter to Residents.

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, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, 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 Parramatta Cycling Club Road Cycling Races 2021 - Oakville Events planned for;
 - 10 April 2021
 - 24 April 2021
 - 08 May 2021
 - 22 May 2021
 - 05 June 2021
 - 19 June 2021
 - 20 June 2021 (Sunday)
 - 03 July 2021
 - 17 July 2021
 - 31 July 2021
 - 14 August 2021
 - 28 August 2021
 - 11 September 2021
 - 25 September 2021

by the Parramatta Cycling Club along the Oakville Route be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser and the event organiser is to ensure that Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

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Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event; The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) for the entire route, which needs to include details such as the specific position of barriers, signs etc, required for the event which includes the closing sprint at the end of the race, to Council for acknowledgement and Transport for NSW – TfNSW (formerly RTA/RMS) for concurrence. The TCP should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4e. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and Transport for NSW – TfNSW (formerly RTA/RMS) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4f. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. 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;
- 4h. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures 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);
- 4i. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4j. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi

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companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;

- 4k. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence has been submitted to Council;
- 4l. 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:

- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4o. 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);
- 4p. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4q. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route 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 competitors and 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.

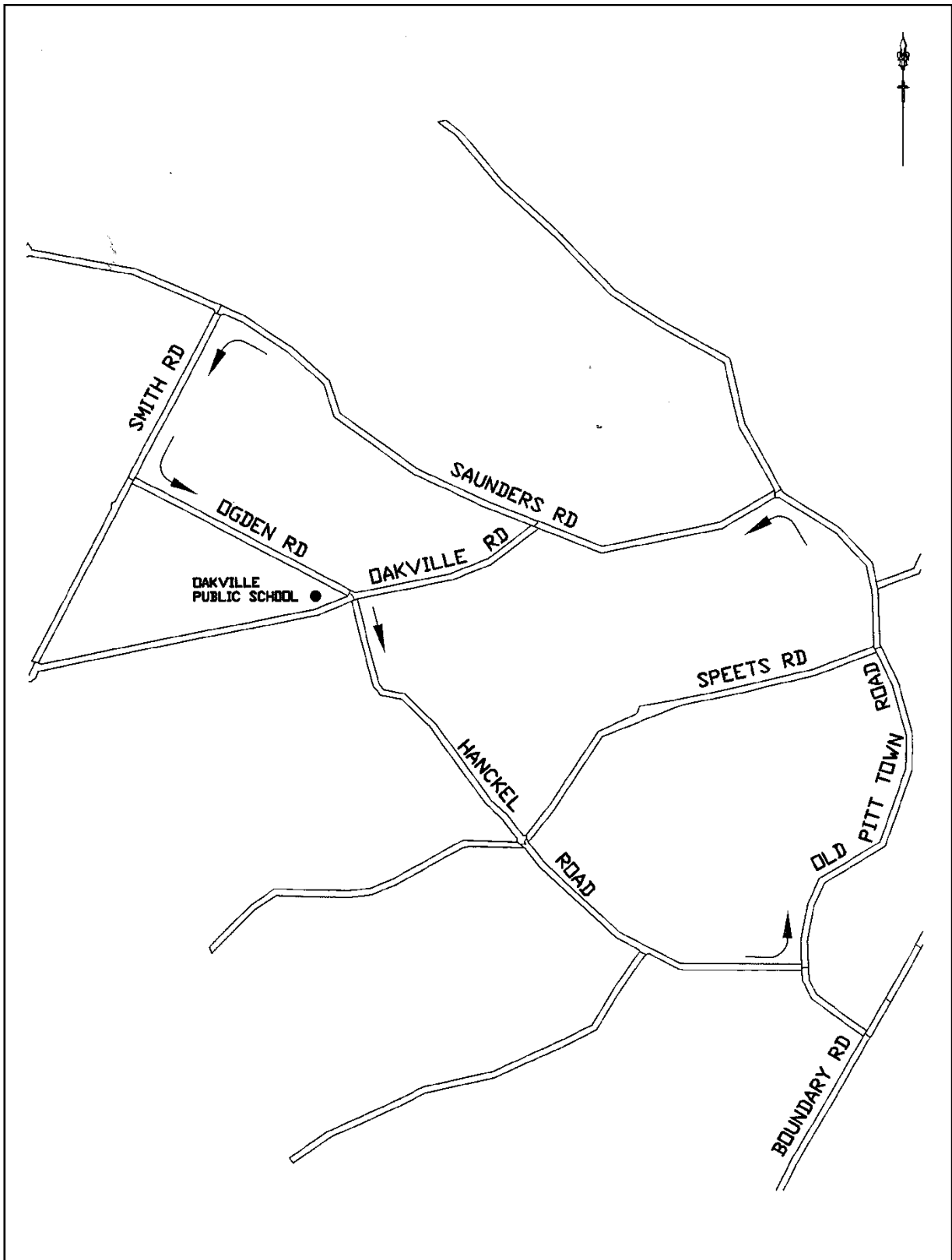
APPENDICES:

AT - 1 Parramatta Cycling Club Road Cycling Races 2021 - Oakville Events - Event Route Plan

AT - 2 Special Event Application - (ECM Document Set ID No: 7175290) - *see attached*.

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AT - 1 Parramatta Cycling Club Road Cycling Races 2021 - Oakville Events - Event Route Plan



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COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr David Lance, seconded by Councillor Peter Reynolds.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, 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 Parramatta Cycling Club Road Cycling Races 2021 - Oakville Events planned for;
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by the Parramatta Cycling Club along the Oakville Route be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).

3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser and the event organiser is to ensure that Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

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

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

- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event; The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) for the entire route, which needs to include details such as the specific position of barriers, signs etc, required for the event which includes the closing sprint at the end of the race, to Council for acknowledgement and Transport for NSW – TfNSW (formerly RTA/RMS) for concurrence. The TCP should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4e. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and Transport for NSW – TfNSW (formerly RTA/RMS) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4f. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. 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;
- 4h. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures 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);
- 4i. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4j. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4k. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence has been submitted to Council;

ORDINARY MEETING
SECTION 4 – Reports of Committees
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- 4l. 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:

- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4o. 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);
- 4p. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4q. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route 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 competitors and 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.

SECTION 3 - Reports for Information

There were no Reports for Information.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Monday, 12 October 2020 at 3pm in the Large Committee Room.

oooO END OF REPORT Oooo

ordinary

section 5

notices of motion

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 29 September 2020

SECTION 5 – Notices of Motion

No Notices of Motion.

ORDINARY MEETING
Confidential Reports
Meeting Date: 29 September 2020

CONFIDENTIAL REPORTS

Item: 191 **IS - Draft Water Industry Competition Amendment Bill 2020 - (95495, 112179, 147295)**

Directorate: Infrastructure 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)(e) of the Act as it relates to information that would, if disclosed, prejudice the maintenance of law 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.

oooO END OF REPORT Oooo



ordinary
meeting

end of
business
paper

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