



# ORDINARY MEETING

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Date of meeting: 30 January 2024  
Location: Council Chambers  
Time: 6:30 PM

**BUSINESS PAPER**



## ORDINARY MEETING

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**ORDINARY MEETING**  
**1. PROCEDURAL MATTERS**  
**Meeting Date: 30 January 2024**

**1. PROCEDURAL MATTERS**

**Welcome**

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

The General Manager will address the Council meeting, mentioning:

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

**Attendance**

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

**Statement of Ethical Obligations**

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

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

**Apologies and Leave of Absence**

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

**Declaration of Interest**

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

**Acknowledgement of Official Visitors to the Council**

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

**ORDINARY MEETING**

**2. CONFIRMATION OF MINUTES**

**Meeting Date:** 30 January 2024

**2. CONFIRMATION OF MINUTES**



# ORDINARY MEETING

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

MINUTES





## ORDINARY MEETING

Minutes: 12 December 2023

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## ORDINARY MEETING

Minutes: 12 December 2023

### 1. PROCEDURAL MATTERS

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 12 December 2023, commencing at 6:31pm.

#### Welcome

The Mayor, Councillor Sarah McMahon acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

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

#### ATTENDANCE

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

By Audio-Visual Link: Councillor Les Sheather.

**ALSO PRESENT:** General Manager - Elizabeth Richardson, Acting Director City Planning - Meagan Ang, Director Infrastructure Services - Will Barton, Director Corporate Services - Laurie Mifsud, Manager Corporate Communication - Suzanne Stuart, Acting Manager Strategic Planning – Jack Kensey, Manager Community Planning and Partnerships – Elizabeth Murphy, Acting Manager Governance - Shyamali Senevirathna and Council Committee Officer - Amy Birks.

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

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

The Mayor, Councillor Sarah McMahon advised that the General Manager received from Councillor Sheather, a written request to attend tonight's Ordinary Meeting by audio-visual link as he was unable to attend the meeting in person.

#### 217 RESOLUTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Veigel that approval be granted to Councillor Sheather, to attend the Ordinary Council Meeting on 12 December 2023 by audio-visual link as he is unable to attend the meeting in person.

The Mayor, Councillor McMahon left the meeting at 8:14pm.

#### DECLARATIONS OF INTEREST

There were no declarations of interests made.

#### Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

## ORDINARY MEETING

Minutes: 12 December 2023

### 2. CONFIRMATION OF MINUTES

#### 218 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Reardon that the minutes of the Ordinary Meeting held on 21 November 2023, be confirmed with the following amendment:

- Item 4.1.1 – Councillor McMahon declared a pecuniary interest in this matter as the owner is related to her partner.

A PROCEDURAL MOTION was moved by Councillor Veigel, seconded by Councillor Lyons-Buckett that a Condolence be moved.

The Procedural Motion was carried.

## **ORDINARY MEETING**

**Minutes:** 12 December 2023

### **3. CONDOLENCES**

The Mayor, Councillor McMahon, and Councillor Zamprogno extended condolences to the family, friends and colleagues of Michael Kidd, a member of the NSW Fire and Rescue, who lost his life in a house fire at Grose Vale and paid respects to his service to our community.

Council observed a moment of silence in honour of his memory.

## ORDINARY MEETING

Minutes: 12 December 2023

### 4. REPORTS FOR DETERMINATION

#### 4.1. PLANNING DECISIONS

**4.1.1. CP - Planning Proposal - LEP001/21 - 745 Old Pitt Town Road, Oakville - (95498, 124414)**

**Directorate:** City Planning

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The Mayor, Councillor McMahon advised that the Planning Proposal - LEP001/21 – 745 Old Pitt Town Road, Oakville has been withdrawn by the Applicant.

**MOTION:**

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

***Refer to RESOLUTION***

**219 RESOLUTION:**

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

That as Planning Proposal - LEP001/21 – 745 Old Pitt Town Road, Oakville has been withdrawn, Council not consider this matter.

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

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

**Against the Motion:** Nil.

**Absent:** Nil.

## ORDINARY MEETING

Minutes: 12 December 2023

**4.1.2. CP - Planning Proposal - LEP005/23 Redbank, North Richmond - (95498, 124414)**

**Directorate:** City Planning

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### MOTION:

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

***Refer to RESOLUTION***

### 220 RESOLUTION:

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

That:

1. Support the Planning Proposal LEP005/23 for Redbank, North Richmond with the following amendment:-
  - Proceed with RE2 Private Recreation zoning for rezoning the land north of the seniors' living development.
2. Council forward the Planning Proposal LEP005/23 to the Department of Planning and Environment for a Gateway Determination.

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

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

**Against the Motion:** Councillors Lyons-Buckett and Wheeler.

**Absent:** Nil.

## ORDINARY MEETING

Minutes: 12 December 2023

### 4.2. GENERAL MANAGER

#### 4.2.1. GM - Draft Media Policy - (79351, 15988)

**Previous Item:** 4.2.2, Ordinary (11 July 2023)

**Directorate:** General Manager

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

That Council adopt the Media Policy, attached as Attachment 1 to this report.

AN AMENDMENT was moved by Councillor Zamprogno, seconded by Councillor Djuric.

That Council adopt the Media Policy, attached as Attachment 1 to this report with the following amendments:

#### 1. Section 15: Definitions:

That the definition for Media Organisation be:

A media organisation is a person or entity, which works in an organised fashion, to at all times produce and publish accurate, balanced and fair news information for the benefit of the entire community. This can include, but is not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

Where reasonably practicable, media organisations are required to be members of the Australian Press Council or another peak representative body such as the Local and Independent News Association (LINA). Council understands this may not be possible for smaller organisations, and they may be excused from this requirement.

#### 2. Insertion of a Clause 7.13:

##### **Spending on advertising and publishing public notices**

Where Council spends money on the placement of advertising or the publication of official or public notices in local media, Council will spend that money equally among available local media organisations within the same segment (print, radio, etc), and will not favour one media organisation over another.

Council will have regard to the value proposition offered by each publication or organisation, demonstrated by their rates for advertising, their effective reach, their frequency of publication, and relevant deadlines for publication where time-sensitive information is concerned.

A PROCEDURAL MOTION was moved by Councillor Veigel, seconded by Councillor Reardon that this item be dealt with in seriatim.

The Procedural Motion was carried.



## ORDINARY MEETING

Minutes: 12 December 2023

AN AMENDMENT was moved by Councillor Zamprogno, seconded by Councillor Djuric.

That Council adopt the Media Policy, attached as Attachment 1 to this report with the following amendment:

1. **Section 15: Definitions:**

That the definition for Media Organisation be:

A media organisation is a person or entity, which works in an organised fashion, to at all times produce and publish accurate, balanced and fair news information for the benefit of the entire community. This can include, but is not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

Where reasonably practicable, media organisations are required to be members of the Australian Press Council or another peak representative body such as the Local and Independent News Association (LINA). Council understands this may not be possible for smaller organisations, and they may be excused from this requirement.

**For the Amendment:** Councillors McMahon, Conolly, Dogramaci, Reardon, Sheather, Veigel, and Zamprogno.

**Against the Amendment:** Councillors Calvert, Djuric, Kotlash, Lyons- Buckett and Wheeler

**Absent:** Nil.

The Amendment was carried.

AN AMENDMENT was moved by Councillor Zamprogno, seconded by Councillor Djuric.

That Council adopt the Media Policy, attached as Attachment 1 to this report with the following amendment:

2. Insertion of a Clause 7.13:

**Spending on advertising and publishing public notices**

Where Council spends money on the placement of advertising or the publication of official or public notices in local media, Council will spend that money equally among available local media organisations within the same segment (print, radio, etc), and will not favour one media organisation over another.

Council will have regard to the value proposition offered by each publication or organisation, demonstrated by their rates for advertising, their effective reach, their frequency of publication, and relevant deadlines for publication where time-sensitive information is concerned.

**For the Amendment:** Councillor Zamprogno.

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

**Absent:** Nil.

The Amendment was lost.

## ORDINARY MEETING

Minutes: 12 December 2023

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

That

1. Council adopt the Media Policy, attached as Attachment 1 to the report with the following amendment:

### **Section 15: Definitions:**

That the definition for Media Organisation be:

A media organisation is a person or entity, which works in an organised fashion, to at all times produce and publish accurate, balanced and fair news information for the benefit of the entire community. This can include, but is not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

Where reasonably practicable, media organisations are required to be members of the Australian Press Council or another peak representative body such as the Local and Independent News Association (LINA). Council understands this may not be possible for smaller organisations, and they may be excused from this requirement.

2. The adopted Media Policy be referred to a Councillor Workshop by the end of February 2024.

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

That Council adopt the Office of Local Government Model Media Policy and the Draft Hawkesbury Council Media Policy be referred a Councillor Workshop by the end of February 2024.

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

**Against the Amendment:** Councillors McMahon, Calvert, Conolly, Kotlash, Reardon, Sheather and Veigel.

**Absent:** Nil.

The Amendment was lost.

## ORDINARY MEETING

Minutes: 12 December 2023

### MOTION:

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

### *Refer to RESOLUTION*

### 221 RESOLUTION:

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

That

1. Council adopt the Media Policy, attached as Attachment 1 to the report with the following amendment:

#### **Section 15: Definitions:**

That the definition for Media Organisation be:

A media organisation is a person or entity, which works in an organised fashion, to at all times produce and publish accurate, balanced and fair news information for the benefit of the entire community. This can include, but is not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

Where reasonably practicable, media organisations are required to be members of the Australian Press Council or another peak representative body such as the Local and Independent News Association (LINA). Council understands this may not be possible for smaller organisations, and they may be excused from this requirement.

2. The adopted Media Policy be referred to a Councillor Workshop by the end of February 2024.

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

**Against the Motion:** Councillors Djuric, Lyons-Buckett, Sheather, Wheeler and Zamprognio.

**Absent:** Nil.

## ORDINARY MEETING

Minutes: 12 December 2023

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

**Previous Item:** 4.2.2, Ordinary (21 November 2023)

**Directorate:** General Manager

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#### MOTION:

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

***Refer to RESOLUTION***

#### 222 RESOLUTION:

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

That:

1. Council set dates for the holding of Ordinary Meetings of Council for 2024, as contained in Attachment 1 to this report.
2. Council set Ordinary Meetings for 2024 to commence at 6:30pm and take place in the Council Chambers, or by audio-visual link in accordance with Council's Code of Meeting Practice.
3. Clause 3.16 of Council's Code of Meeting Practice regarding giving notice for the submission of Notices of Motion and Questions With Notice, be amended as follows:

*3.16 A Councillor may give notice of any business they wish to be considered by the Council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted eight (8) days before the meeting is to be held, or eleven (11) days if the notice is a question under clause 3.19.*

4. Council's amended Draft Code of Meeting Practice be placed on public exhibition for 28 days, with submissions being accepted for 42 days.
5. At the expiration of the public notification period, the following action be taken:
  - a) Should any submissions be received regarding the Draft Code of Meeting Practice, a further report be submitted to Council, or;
  - b) Should no submissions be received, Council adopt the Draft Code of Meeting Practice.

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

**Against the Motion:** Nil.

**Absent:** Nil.

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## ORDINARY MEETING

Minutes: 12 December 2023

### 4.3. CITY PLANNING

#### 4.3.1. CP - Koala Plan of Management Mapping - (95498, 124414)

**Previous Item:** 4.3.1, Ordinary (20 June 2023)

**Directorate:** City Planning

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

#### **MOTION:**

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

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

#### **223 RESOLUTION:**

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

That Council endorse the new approach to obtaining high quality vegetation mapping for the purpose of a Koala Plan of Management by:

1. Using Council's existing vegetation mapping;
2. Engaging a botanical expert to cross-reference Council's existing mapping with the Plant Community Type mapping available from the Department of Planning and Environment on Bio-Net, and;
3. Conducting botanical ground-truthing surveys to proof mapping and establish high quality accuracy.

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

**Against the Motion:** Nil.

**Absent:** Councillor McMahon.

**ORDINARY MEETING**

**Minutes:** 12 December 2023

**4.3.2. CP - Draft Disability Inclusion Action Plan 2023-2026 - (95498, 96328)**

**Directorate:** City Planning

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**MOTION:**

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

***Refer to RESOLUTION***

**224 RESOLUTION:**

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

That:

1. The Draft Disability Inclusion Action Plan (DIAP) 2023-2026, attached as Attachment 1 to this report, be placed on public exhibition for a period of 28 days.
2. At the expiration of the public exhibition period, the following action be taken:
  - a) Should any submissions be received regarding the Draft DIAP 2023 -2026, a further report be submitted to Council, or;
  - b) Should no submissions be received, Council adopt the DIAP 2023-2026, as attached as Attachment 1 to this report.

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

**Against the Motion:** Nil.

**Absent:** Councillor McMahon.

## ORDINARY MEETING

Minutes: 12 December 2023

### 4.4. CORPORATE SERVICES

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

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

**Directorate:** Corporate Services

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#### **MOTION:**

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

*Refer to RESOLUTION*

#### **225 RESOLUTION:**

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

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

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

**Against the Motion:** Nil.

**Absent:** Councillor McMahon.

**ORDINARY MEETING**

**Minutes:** 12 December 2023

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

**Directorate:** Corporate Services

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**MOTION:**

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

***Refer to RESOLUTION***

**226 RESOLUTION:**

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

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

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

**Against the Motion:** Nil.

**Absent:** Nil.



**ORDINARY MEETING**

**Minutes:** 12 December 2023

**5. REPORTS OF COMMITTEES**

**5.1.1. ROC - Local Traffic Committee - 13 November 2023 - (95495, 80245)**

**Directorate:** Infrastructure Services

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**MOTION:**

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

*Refer to RESOLUTION*

**227 RESOLUTION:**

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

That the Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Local Traffic Committee meeting held on 13 November 2023.

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

**Against the Motion:** Nil.

**Absent:** Nil.

## ORDINARY MEETING

Minutes: 12 December 2023

### 6. NOTICES OF MOTION

#### 6.1.1. NM1 - Councillor Input on Planning Panel Matters - (138884)

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##### MOTION:

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

*Refer to RESOLUTION*

#### 228 RESOLUTION:

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

That:

1. Council seek to complete any report or agenda it is preparing for an upcoming Planning Panel meeting with enough lead-time that it can be also placed on the agenda of the regularly scheduled Chamber meeting of Council held prior to the meeting of the Planning Panel.
2. Debate on any Planning Panel item at a Council meeting only need occur if a Councillor calls it up.
3. The intent of this lead time is to permit Councillors to offer, where it is desired by the chamber, non-binding resolutions for submission to the Planning Panel which convey the community's sentiments on those issues, just like any other body who are welcome to make submissions.

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

**Against the Motion:** Nil.

**Absent:** Councillor McMahon.

## ORDINARY MEETING

Minutes: 12 December 2023

### 6.1.2. NM2 – Youth Summitt - (138884)

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A MOTION was moved by Councillor Zamprogno, seconded by Councillor Lyons-Buckett.

That:

1. Council hold a Youth Summit in the second half of 2024, and that funding for the holding of the Summit be factored into the 2024/2025 budget.
2. That preparatory to the organisation of the Summit, discussion at a Councillor briefing permits Councillors to advise on community groups that could be invited or issues that could be raised.
3. That Council reaffirms its support to hold such a Youth Summit every two years thereafter.

AN AMENDMENT was moved by Councillor Conolly, seconded by Councillor Kotlash.

That:

1. At the next Councillor Workshop, Councillors discuss the costs and benefits of holding a Youth Summit, the planned Youth Week events and the Student Leadership Program.
2. Council receives a report at the February 2024 Council Meeting to review and confirm our youth engagement strategies and events for 2024 and 2025.

**For the Amendment:** Councillors Conolly, Djuric and Kotlash.

**Against the Amendment:** Councillor Calvert, Dogramaci, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Absent:** Councillor McMahon.

The Amendment was lost.

## ORDINARY MEETING

Minutes: 12 December 2023

### MOTION:

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

*Refer to RESOLUTION*

### 229 RESOLUTION:

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

That:

1. Council hold a Youth Summit in the second half of 2024, and that funding for the holding of the Summit be factored into the 2024/2025 budget.
2. Preparatory to the organisation of the Summit, discussion at a Councillor briefing permits Councillors to advise on community groups that could be invited or issues that could be raised.
3. That Council reaffirms its support to hold such a Youth Summit every two years thereafter.

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

**Against the Motion:** Councillor Conolly, Dogramaci and Kotlash.

**Absent:** Councillor McMahon.

## ORDINARY MEETING

Minutes: 12 December 2023

### 6.1.3. NM3 - Enhancing the Arts in the Hawkesbury Working Group - (125612)

Mr Phillip Routley and Ms Meera Webster addressed Council, speaking for the recommendation in the business paper.

#### MOTION:

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

#### *Refer to RESOLUTION*

#### 230 RESOLUTION:

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

That Council:

1. Re-establish the 'Enhancing the Arts in the Hawkesbury Working Group' (Working Group) with revised objectives and terms of reference.
2. Appoint Councillors Calvert, Conolly, Lyons-Buckett, Wheeler and Zamprogno to the Working Group.
3. For its initial project, the Working Group liaise with State Member for Hawkesbury, Robyn Preston MP, Federal Member for Macquarie Susan Templeman MP, community advocacy group the Hawkesbury Entertainers and Artists Regional Theatre Society (HEARTS), and other interested groups with a view to identifying potential performance space opportunities, and Council's role within the process.
4. Adopt the Terms of Reference attached as Attachment 1 to the report with an amendment to Clause 5 a) (ii) as follows:
  - (ii) Council staff members appointed by the General Manager of Hawkesbury City Council if requested.

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

**Against the Motion:** Nil.

**Absent:** Nil.

## **ORDINARY MEETING**

**Minutes:** 12 December 2023

### **7. QUESTIONS FOR NEXT MEETING**

#### **7.1.1                    Responses to Councillor Questions Taken on Notice at the Council Meeting 21 November 2023**

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Further questions and answers and comments to the Questions Taken on Notice at the Council Meeting on 21 November 2023, were provided.

## ORDINARY MEETING

Minutes: 12 December 2023

### 8. CONFIDENTIAL REPORTS

#### 231 RESOLUTION:

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

That:

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

**Item: 8.4.1            IS - General Waste Processing Proposal - Waste Management Facility - (95495, 159578)**

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

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

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

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to these matters be withheld from the Press and Public.

#### 232 RESOLUTION:

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

## ORDINARY MEETING

Minutes: 12 December 2023

### 8.4. INFRASTRUCTURE SERVICES

#### 8.4.1. IS - General Waste Processing Proposal - Waste Management Facility - (95495, 159578)

Directorate: Infrastructure Services

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#### **MOTION:**

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

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

#### **233 RESOLUTION:**

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

That:

1. The report regarding the General Waste Processing Proposal be received and noted.
2. Pursuant to the provisions of Section 55(3)(i) of the Local Government Act 1993, Council does not call tenders for the provision of municipal solid waste processing on the basis of extenuating circumstances, given the following reasons:
  - a) A lack of other equivalent municipal solid waste processing solutions resulting in resource recovery;
  - b) It is a trial project for a 12-month period with an optional extension for six months;
  - c) Unavailability of equivalent, viable and competitive tenderers to provide solid waste processing solutions in NSW.
3. Council:
  - a) Proceeds with the development of a Memorandum of Understanding (MoU) with ARC Ento Tech Ltd. for the purpose of trialling alternative municipal solid waste processing, and
  - b) Delegates authority to the General Manager to negotiate and agree upon contract terms and upon such agreement occurring, enter into a twelve-month contract, with a six month option, with ARC Ento Tech Pty Ltd for the provision of municipal solid waste processing.
4. A report be provided to Council on the outcome of the MoU, contract negotiations and any subsequent project details.

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

**Against the Motion:** Nil.

**Absent:** Councillor McMahon.



Meeting terminated at 9.54pm.

Submitted to and confirmed at the Ordinary meeting on 30 January 2024.

.....  
Mayor



# Ordinary Meeting

## End of Minutes

This business paper has been produced electronically to reduce costs, improve efficiency and reduce the use of paper. Internal control systems ensure it is an accurate reproduction of Council's official copy of the business paper.

**ORDINARY MEETING**

**3. MAYORAL MINUTES**

**Meeting Date:** 30 January 2024

**3. MAYORAL MINUTES**

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

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

#### 4. REPORTS FOR DETERMINATION

##### 4.1. PLANNING DECISIONS

Nil reports.

##### 4.2. GENERAL MANAGER

Nil reports.

##### 4.3. CITY PLANNING

##### **4.3.1. CP – Draft Western Sydney Regional Affordable Housing Contribution Scheme – (95498, 124414)**

**Directorate:** City Planning

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

The purpose of this report is to provide information to Council on a Draft Affordable Housing Contribution Scheme, and seek support for a public exhibition to obtain community feedback on this Draft Scheme.

#### **EXECUTIVE SUMMARY**

Through the assurance process associated with the preparation of local housing strategies, the Department of Planning and Environment included requirements on all councils within the Sydney Metropolitan Area, including the Western City District to prepare an affordable housing contribution scheme.

Given housing affordability is not a localised issue, the Draft Regional Affordable Housing Contribution Scheme has been prepared by the Western Sydney Planning Partnership as a partnership with staff from participating councils. The public exhibition is proposed for one month in March 2024. The preparation of a Draft Scheme by councils is enabled by State Policy (the Housing SEPP), which identifies a need for affordable housing across NSW.

#### **RECOMMENDATION**

That Council:

1. Note the Draft Western Sydney Regional Affordable Housing Contribution Scheme prepared through the Western Sydney Planning Partnership.
2. Note that the regional approach to prepare the Draft Western Sydney Regional Affordable Housing Contribution Scheme:
  - a) Is an efficient way of councils meeting their local housing strategy assurance requirements set by the NSW Department of Planning and Environment
  - b) Fulfills actions for affordable rental housing set out in the Western City District Plan
  - c) Will use existing legislative provisions to contribute towards improving affordable rental housing supply.

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

3. Endorse the public exhibition of the Draft Western Sydney Regional Affordable Housing Contribution Scheme attached as Attachment 1 to the report in March 2024.
  4. Report the results of the public exhibition to Council by mid-2024 with a recommendation on whether to endorse the Draft Scheme to apply in the Hawkesbury Local Government Area.
- 

## BACKGROUND

Affordable housing is critical social infrastructure and is essential for social equity and sustainability, as well as supporting the economy of Western Sydney, yet housing in Western Sydney is becoming increasingly unaffordable for many people in the region, particularly low- and moderate-income essential workers.

Sydney councils are required by NSW Department of Planning and Environment to prepare an Affordable Housing Contribution Scheme as part of the assurance process for their local housing strategies. To reduce the burden on individual councils of preparing and administering schemes, the Western Sydney Planning Partnership has been working with planning staff from nine local councils to develop a common approach for a regional Scheme.

The Draft Scheme will allow affordable housing contributions to be levied as a condition of consent for certain development approvals to contribute to affordable housing provision in Western Sydney. This contribution has been set at a low-rate and with a long, staged three-year introduction between exhibition of the draft Scheme and coming into effect in March 2027, to ensure that it does not undermine the delivery of development.

The Draft Scheme identifies a process for delivery and management of the affordable rental housing in perpetuity, partnering with registered community housing providers and state government housing providers to deliver and manage the housing.

Proposed for early 2024 (likely to be March), the public exhibition is intended to seek public and stakeholder comment on the Draft Scheme. The submissions and feedback from the exhibition will be considered and reported to Council by mid-2024 and allow Council to consider whether to endorse the application of the Draft Scheme in the Hawkesbury Local Government Area. Following this exhibition process and post-exhibition reporting, the Draft Scheme could be included in each relevant Council LEP via a State-led amendment process being discussed with the NSW Department of Planning and Environment.

The Draft Scheme and distribution approach is estimated to lead to the delivery of 4,800 to 6,800 affordable rental dwellings across Western Sydney over a ten-year period. While this does not address by any measure the full need for affordable housing in Western Sydney, it is a reasonable and moderate proposal that allows for development and growth to lead to increased affordable rental housing supply. The Draft Scheme is provided as Attachment 1 to the report.

### Western Sydney local councils working together.

The establishment of the Western Sydney Planning Partnership (WSPP) was a council-led initiative in the 2018 Western Sydney City Deal. WSPP is a vehicle for local councils to work at a regional level with state agencies to deliver outcomes through a collaborative planning approach. Each Western Sydney Council is represented on the WSPP Partnership Control Group by its Planning Director or a nominated representative, who oversee joint project delivery.

One of the key projects for the WSPP since 2022 has been working with local councils and the Department of Planning and Environment to prepare a regional affordable housing contribution

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

scheme for the Western Parkland City councils and Blacktown City. This continues the strong and lengthy tradition of local government in Western Sydney working together to address key challenges for the region.

#### Requirement to prepare affordable housing contribution schemes.

Affordable housing is critical social infrastructure and is essential for social equity and sustainability, and to support the economy and growth of the region, yet housing in Western Sydney has become increasingly unaffordable for many people, including for the key workers needed to sustain Western Sydney's productivity. If the problem is not addressed, the number of Western Sydney households in need of affordable dwellings is projected to increase from 82,700 households in 2021 to 129,000 households in 2041.

Affordable Rental Housing targets are set out in the *Greater Sydney Region Plan- A Metropolis of Three Cities* and the *Western City District Plan*, both published in 2018 by the then Greater Sydney Commission. Targets in the range of 5 -10 per cent of new residential floorspace were signalled to the private sector and the District Plan included an action for Councils to 'Prepare (an) Affordable Housing Rental Housing Scheme...'

As a result, all Western Parkland City Councils (and Blacktown) have been required to prepare an Affordable Housing Contribution Scheme (Draft Scheme) as part of their assurance requirements for their Local Housing Strategies. The preparation of a Draft Scheme by councils is enabled by State Policy (the Housing SEPP), which identifies a need for affordable housing across NSW.

In recognition of the significant resourcing for councils to prepare and administer individual schemes, and the benefits of working on a regional basis, the Western Sydney Planning Partnership has developed a Draft Regional Affordable Housing Contribution Scheme in partnership with Council staff and the Department of Planning and Environment.

The Department of Planning and Environment has confirmed that if councils adopt the Regional Affordable Housing Contribution Scheme in their respective Local Government Area they will meet their Local Housing Strategy assurance requirements. The correspondence from the Department of Planning and Environment is provided as Attachment 2.

A project partnership was established with the Department of Planning and Environment, the Greater Cities Commission, the eight Western Parkland City Councils and Blacktown City Council to develop a Draft Scheme that is designed to be suitable for Western Sydney. This work has been undertaken alongside the preparation of the Western Sydney Planning Partnership's Draft Affordable Housing Strategy, which identifies the development of an affordable housing contribution scheme as a key action.

## DISCUSSION

#### Development of a draft Regional Affordable Housing Contribution Scheme

Substantive work has been undertaken and expert advice sought over the last 12 months to prepare a Draft Regional Affordable Housing Contribution Scheme.

The Draft Scheme is an efficient way to provide a common regional approach, that is responsive to the Western Sydney context.

The Draft Scheme is based on expert advice provided by SGS Economics & Planning, which considered options for the application of a contribution scheme in Western Sydney and recommended the preferred option of a low rate that is applied broadly to development based on identified need for affordable housing across the region. As both residential and non-residential development contributes

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

to the need for affordable housing, the Draft Scheme is broadly applied, though with a delayed implementation of three years (commencing March 2027) to ensure sufficient notice to market.

The Draft Scheme proposes a low-rate affordable housing contribution calculated generally at 1.5% of total floorspace or developable area for residential subdivision and residential development to be imposed as a condition of development consent. The Draft Scheme includes a reduced rate for major non-residential development of 0.3% based on economic advice provided by Hill PDA. This low rate supports the intent to attract jobs growth to Western Sydney, while recognising the need generated for affordable rental housing by essential workers necessary for commercial and industrial development.

The Draft Scheme excludes certain types of development from making a contribution, including social and affordable housing and other forms of specialised accommodation such as seniors housing, group homes, hostels and boarding houses. The Draft Scheme applies to new development and excludes replacement dwellings and small-scale alterations and additions, which would not be required to make a contribution. With respect to non-residential development, the Draft Scheme only applies to large (over 1,000sqm GFA) developments, ensuring that the Draft Scheme does not apply to small local businesses.

Western Sydney Planning Partnership has commissioned legal advice in 2023 to inform the development of the Draft Scheme, which has confirmed that the approach is within the legislative framework. This legal advice has also assisted in resolving several other operational questions in relation to the design of the contribution scheme. The advice has been circulated to councils for information but is not attached to this report as it is confidential.

The Draft Scheme does not preclude the opportunity for each Council to consider additional affordable housing contributions, at a later date as part of future precinct planning or planning proposals. This may be appropriate where land is rezoned for greater density and can reasonably contribute a higher proportion of affordable rental housing. This, however, is not part of the Draft Scheme and would be in addition to the rates in the Draft Scheme being exhibited.

The Draft Scheme is supported by an updated evidence base including a housing needs assessment evidence base. This demonstrates that housing affordability in Western Sydney has declined significantly in recent years and clearly establishes the need for the provision of affordable rental housing. The evidence base is provided as Attachment 3 to the report.

#### Economic impact of Scheme

Expert economic and property consultants, Hill PDA were engaged to undertake a review of the proposed contributions and to test the economic impact of the Draft Scheme to ensure the Draft Scheme is designed to not unreasonably affect the economic viability of development. The economic testing is provided as Attachment 4 to the report.

The design of the Draft Scheme to ensure its implementation is viable has incorporated the recommendations of the Hill PDA report. As a result, the approach includes setting a low rate (1.5% equivalent of residential GFA and 0.3% of non-residential GFA) and staging its introduction to be 3 years from the date of the exhibition (to ensure clear information is available to the market). The rates in the Draft Scheme are less than the affordable housing contributions in other parts of Sydney, including in the City of Sydney where contributions are 3% for residential development and 1% for non-residential development.

#### Delivery of Affordable Housing

The Draft Scheme will require monetary contributions as a condition of development consent (and in certain cases this may be in-kind as land dedications). Contributions have been monetised with rates

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

that differ between Local Government Areas to account for the regional differences in floorspace value.

The estimated affordable rental housing supply to be created through the Draft Scheme and distribution approach (that leverages Federal Government financing and other land resources) is 6,800 dwellings equivalent over a ten-year period (4,800 if partially implemented).

The Draft Scheme is accompanied by a detailed Draft Distribution Plan included as Attachment 5 to the report, which sets out the process for the delivery of affordable housing. A key element of this approach is to minimise any ongoing burden on local councils for the delivery of affordable housing, and managing affordable rental housing, or the asset management, maintenance or renewal.

Key elements of the Draft Distribution Plan are:

- Affordable rental housing will be for very low, low, moderate-income households, and be provided at below private market rental levels to reduce housing related financial stress.
- Opportunity to pool contributions across four sub-regions of Western Sydney Local Government Areas to increase scale and flexibility for delivery of affordable housing.
- Partnership proposed with NSW Department of Communities and Justice to lead a competitive commissioning process and establish legal agreements for affordable rental housing.
- Delivery by the expert not-for-profit housing providers, including registered community housing and state government housing providers.
- Commissioning process leverages Commonwealth government affordable housing financing and housing provider land assets to increase quantity of affordable rental housing supply, and
- Housing providers to own, manage and renew dwellings as affordable rental housing in perpetuity.

The detailed commissioning process for the delivery of affordable housing is included in the Draft Distribution Plan, which supports the Draft Scheme.

The Draft Distribution Plan will be an operational policy for distribution of the contributions collected under this Draft Scheme. If changes are needed, the Draft Distribution Plan requires the amendments to be agreed by formal resolution of all participating local councils.

It is proposed that housing delivery would be with Not for Profit (community and government) housing providers, ownership would be transferred to the Not for Profit provider so that local councils are not taking-on housing asset management responsibilities and costs, and with a requirement that the affordable rental housing be provided in perpetuity (noting some flexibility in renewal and redevelopment of stock in the long term with retention of the same amount of affordable housing). Transferring asset ownership also allows for example the community housing providers to seek additional low-cost financial support from the Commonwealth Government to part-finance projects.

Currently, discussions are underway between Western Sydney Planning Partnership, and the Department of Communities and Justice (to be Homes NSW) on establishing a partnership for them to lead a regional mechanism for disbursement of funds to Not for Profit providers using a competitive commissioning process.

#### A regional approach to statutory adoption

The Draft Scheme will need to be adopted by each Council for it to come into effect in their Local Government Area. It is recommended that the Draft Scheme be adopted by participating local councils prior to progressing the statutory amendment process to include the affordable housing contribution rates in each LEP.



## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

Western Sydney Planning Partnership is working with Department of Planning and Environment to finalise the statutory implementation mechanism for all councils who agree to adopt the Scheme. This is likely to occur through a process whereby the Department of Planning and Environment will prepare an amending State Environmental Planning Policy (SEPP) to amend all LEP's at the same time.

This is an efficient mechanism to amend the LEPs instead of each council needing to progress individual planning proposals to amend their LEPs. The alternative statutory implementation option would be for each council to progress an individual planning proposal following adoption of the Draft Scheme.

It should be noted that the Scheme may need to be exhibited again as part of any statutory amendment process (amending SEPP or planning proposal process) as part of formal consultation requirements. Further details of this process will be confirmed in a report to Council following the 2024 exhibition of the Draft Scheme.

Each council will have the option to adopt the Draft Scheme or for the Draft Scheme to not apply in their local government area. However, it is noted that councils who do not opt-in to the regional Scheme may be required to invest substantive resources in developing individual schemes to meet the Department of Planning and Environment assurance requirements.

#### **Conclusion**

The Draft Western Sydney Affordable Housing Contribution Scheme seeks to introduce affordable housing contributions for new development and provides a regional approach that will assist in addressing the affordability crisis and ensure that the growth and development of the region directly contributes to the increasing need for rental affordable housing in Western Sydney.

The proposed public exhibition of the Draft Scheme in 2024 provides an opportunity for each council to consider community and stakeholder feedback on the Draft Scheme and for changes to be made prior to Council making a decision on whether to adopt the Draft Scheme in the Hawkesbury Local Government Area.

#### **COMMUNITY ENGAGEMENT**

##### **Proposed Public Exhibition**

It is proposed that each council undertake public exhibition of the Draft Scheme in early 2024. The exhibition will provide the opportunity for community, industry and other stakeholder feedback on the Draft Scheme. Regional coordination of the timing of this exhibition with the nine Western Sydney councils is being undertaken through Western Sydney Planning Partnership.

The Western Sydney Planning Partnership will prepare exhibition materials (including FAQ's and factsheets) and provide these to each council to support the exhibition process. Council's strategic planning team will be responsible for managing the exhibition process for each council. The Western Sydney Planning Partnership will support councils by providing technical advice to respond to enquiries, as required.

Council staff will coordinate feedback on the Draft Scheme. The Draft Scheme will be revised (in consultation with Council staff) by the Western Sydney Planning Partnership, if required, following exhibition in response to issues raised in submissions and to address the feedback provided from each Council. The feedback and amended Draft (final) Scheme will be reported to Council seeking a resolution on whether each Council adopts the Draft Scheme (or chooses to opt-out of the Scheme) by mid-2024.

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

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

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

Great Place to Live

1.3 Increase the range of local partnerships and plan for the future.

1.6 Build on a sense of community and wellbeing.

Reliable Council

4.1 Provide representative, responsive and accountable governance.

4.2 Encourage an informed community.

4.3 Build strong financial sustainability for now and future generations.

4.4 Build strong relationships and shared responsibilities.

4.7 Encourage informed planning, balanced growth and community engagement.

4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

**FINANCIAL IMPACT**

Developing an individual LGA-level Affordable Housing Contribution Scheme would require substantive Council resources, including a requirement for an evidence base and individual scheme development, and viability testing.

The administrative savings to councils in participating in a regional collaboration with other local councils for the preparation of, and adopting a regional scheme prepared with the assistance of the Western Sydney Planning Partnership, are substantial.

Further, the regional approach proposed to the delivery and management of affordable housing will ensure that local councils do not have the cost burden of managing and owning affordable housing assets, whilst ensuring affordable rental housing is provided in their LGAs in-perpetuity.

**ATTACHMENTS**

**AT - 1** Draft Western Sydney Regional Affordable Housing Contribution Scheme - (*Distributed under separate cover*).

**AT - 2** Correspondence from NSW Department of Planning and Environment confirming Local Housing Strategy Assurance Requirements.

**AT - 3** Evidence base - Western Sydney Regional Affordable Housing Strategy - (*Distributed under separate cover*).

**AT - 4** Western Sydney Affordable Housing Contribution Scheme - Economic Testing - (*Distributed under separate cover*).

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 30 January 2024

**AT - 5** Draft Western Sydney Affordable Housing Contribution Scheme - Distribution Plan -  
(*Distributed under separate cover*).

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**AT 2 - Correspondence from NSW Department of Planning and Environment LHS Assurance Requirements**

Department of Planning and Environment



Our ref: IRF22/3565

Mr Luke Nicholls  
Director  
Western Sydney Planning Partnership  
Locked Bag 7064  
LIVERPOOL BC NSW 1871

Via email: [nicholls@ppo.nsw.gov.au](mailto:nicholls@ppo.nsw.gov.au)

4 November 2022

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Subject: WSPP Affordable Housing Strategy & Scheme

Dear Mr Nicholls

Thank you for your correspondence to Catherine Van Laeren requesting confirmation that WSPP's collaborative approach to deliver a regional affordable housing scheme will comply with the Department's local housing strategy approval requirements.

I can confirm that if participating councils are able to establish an endorsed regional affordable housing scheme, then this will satisfy their local housing strategy approval requirements.

However, I reiterate the Department's position that any scheme must be consistent with the *Guideline for Developing an Affordable Housing Contribution Scheme*. I encourage you to continue to work with the Department to ensure any such scheme is consistent with the guideline and is able to be implemented on a regional basis.

If you would like to discuss this matter further, please contact Sara Roach, Director, Metro Housing Programs on (02) 8275 1704.

Yours sincerely

A black rectangular box redacting the signature of Monica Gibson.

4/11/2022  
Monica Gibson  
Executive Director  
Housing Supply & Infrastructure

oooO END OF REPORT Oooo

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**4.4. CORPORATE SERVICES**

**4.4.1. CS - Investigation into the Proposed Grose River Bridge Project, Yarramundi - (95496)**

**Directorate:** Corporate Services

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**PURPOSE OF THE REPORT**

The purpose of this report is to advise of the outcome of the investigation into the consideration of certain land associated with the proposed Grose River Bridge Project, Yarramundi.

**EXECUTIVE SUMMARY**

At the Council Meetings on 31 January 2023 and 20 June 2023, it was indicated that an investigation should be undertaken into the consideration of certain land associated with the proposed Grose River Bridge Project.

Council engaged O'Connor Marsdens and Associates Pty Limited to carry out the investigation into the consideration of certain land associated with the proposed Grose River Bridge Project.

This report outlines the findings from the investigation.

**RECOMMENDATION**

That the investigation into the consideration of certain land associated with the proposed Grose River Bridge Project be received and noted.

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**BACKGROUND**

At the Council Meetings on 31 January 2023 and 20 June 2023, it was indicated that an investigation should be undertaken into the consideration of certain land associated with the proposed Grose River Bridge Project.

Council sought quotations from independent investigators to investigate the meetings that were held on 12 November 2018 and 30 January 2019, between representatives from Hawkesbury City Council, Transport for NSW and Redbank Communities, regarding the Grose River Bridge Project, to determine:

- Who was in attendance at all the meetings held between Transport for NSW, Hawkesbury City Council and Redbank Communities.
- The details of the discussions that were held at these meetings with specific regard to the item detailed as 'Meeting No.4 held 30 January 2019 Item 3.07 – Road designed to avoid the Starr property as per the design brief' as per reported to Council at its meeting on 13 September 2022.

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

- The identification of the person/persons or the entity/entities that issued instructions that the – “Road designed to avoid the Starr property as per the design brief”, at the meeting on 30 January 2019, and whether those instructions were improper and/or were acting on instructions from any third party not present at the meetings.

The scope of the independent investigation included:

- Scoping meeting with Council's case manager to determine the milestones and timeframes for the investigation, interview management and background document identification.
- Review of Council business papers and records related to the meetings held between Council, Transport for NSW and Redbank Communities, related emails and correspondence.
- Review of relevant legislation, Council policies and procedures including but not limited to Council's Policy, Rezoning of Land for Residential Purposes – Infrastructure Issues.
- Interview of Council employees.
- Interview of staff from other agencies and parties.
- Analysis of evidence/information and prepare an investigation report.
- Quality and assurance of the investigation report.

### DISCUSSION

The investigation into this matter has been completed and the finalised report provided to Council. A copy of the finalised Confidential Investigation Report is attached as Attachment 1 to this report.

The following findings were made:-

1. The evidence obtained identified six Project Team meetings to discuss the alternative route and location of the Grose River Bridge between 13 July 2018 and 11 March 2018. There is no evidence that the meetings do not accurately reflect the attendees of these meetings.
2. There is sufficient evidence that discussions relating to minimising the impact on or avoiding the Starr property was based on the intention to minimise the number of affected properties (and/or properties to be acquired) and provided the most direct route to the Grose River Bridge.
3. There is insufficient evidence to identify a person / persons or the entity/entities that, at the meeting on 30 January 2019, issued instructions that the – “Road designed to avoid the Starr property as per the design brief” or that any such instruction was actually made.

There is no evidence to support an assertion that minute recordings to ‘avoid the Starr property’ were made as a result of instructions that were improper and/or were acting on instructions from any third party not present at the meetings.

This matter was presented at the Councillor Briefing Session on 23 January 2024.

Based on the above findings, it is considered no further action is necessary in regard to this matter.

### COMMUNITY ENGAGEMENT

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

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date:** 30 January 2024

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

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

Reliable Council

4.1 Provide representative, responsive and accountable governance.

**FINANCIAL IMPACT**

The engagement of an investigator regarding this matter has direct financial implications. The expenditure applicable is provided for in the Adopted 2023/2024 Operational Plan.

**ATTACHMENTS**

**AT – 1** Confidential Investigation Report – Proposed Grose River Bridge Project – (*Distributed under separate cover*).

oooO END OF REPORT Oooo

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**4.4.2. CS – Investment Report – November 2023 – (95496, 96332)**

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

**Directorate:** Corporate Services

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**PURPOSE OF THE REPORT**

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

**EXECUTIVE SUMMARY**

This report indicates that Council held \$87.8 million in investments as at 30 November 2023 and outlines that all investments were made in accordance with the Local Government Act, 1993, the Local Government (General) Regulation, 2021 and Council's Investment Policy.

**RECOMMENDATION**

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

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**BACKGROUND**

Council held \$87.8 million in investments as at 30 November 2023. Details on the composition of the Investment Portfolio, and its compliance with Council's Investment Policy are provided below. Details include the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, the percentage of the total portfolio, exposure to credit ratings bands and the spread of maturities.

**1. Composition of Investment portfolio**

Tables 1 to 4 below provide details regarding the \$87.8 million in investments as at 30 November 2023.

**Table 1: Summary of Council's Investment Portfolio as at 30 November 2023**

Product Type	Face Value	% of Total
Term Deposits - Fixed Rate	\$72,000,000	82%
Floating Rate Notes	\$800,000	1%
NSW TCorp Long Term Growth Fund	\$990,538	1%
At Call Deposits	\$14,000,000	16%
<b>Grand Total</b>	<b>\$87,790,538</b>	<b>100%</b>



**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

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

Long Term Credit Rating	Face Value	% of Total
AA	\$67,000,000	72%
A	\$12,800,000	17%
BBB	\$7,000,000	10%
NSW TCorp Managed Funds	\$990,538	1%
<b>Grand Total</b>	<b>\$87,790,538</b>	<b>100%</b>

**Table 3 – Fixed Term Deposits**

Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
Bank of Queensland	BBB+	6-Dec-23	4.80%	\$3,000,000
		6-Dec-23	4.90%	\$1,000,000
		4-Mar-24	1.70%	\$2,000,000
		30-Mar-28	4.80%	\$1,000,000
Commonwealth Bank	AA-	13-Dec-23	4.96%	\$5,000,000
		25-Jan-24	5.46%	\$2,000,000
		31-Jan-24	5.47%	\$4,000,000
		12-Feb-24	4.95%	\$2,000,000
		6-Mar-24	5.42%	\$3,000,000
		6-Mar-24	4.99%	\$2,000,000
		10-Apr-24	3.01%	\$2,000,000
		21-Feb-24	4.99%	\$2,000,000
National Australia Bank	AA-	6-Dec-23	4.85%	\$2,000,000
		6-Mar-24	4.95%	\$2,000,000
		6-Mar-24	5.05%	\$1,000,000
		20-Mar-24	5.00%	\$2,000,000
		25-Mar-24	5.05%	\$2,000,000
		10-Apr-24	5.10%	\$3,000,000
		10-Apr-24	5.05%	\$2,000,000
		19-Aug-24	0.75%	\$3,000,000
		10-Sep-24	0.80%	\$1,000,000
		10-Sep-24	5.20%	\$1,000,000
		10-Sep-24	5.20%	\$2,000,000
		19-Nov-24	0.75%	\$1,000,000
		15-Jan-25	0.80%	\$500,000
		5-Mar-25	1.05%	\$1,500,000
		3-Nov-25	0.95%	\$500,000
		19-Nov-25	0.90%	\$500,000
		13-Jan-26	1.00%	\$500,000

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
		4-Mar-26	1.30%	\$1,500,000
Suncorp	A+	10-Jan-24	5.35%	\$2,500,000
		10-Jan-24	5.45%	\$3,500,000
		25-Mar-24	5.15%	\$1,000,000
		24-Apr-24	5.28%	\$1,000,000
		8-May-24	5.41%	\$3,000,000
		7-Aug-24	5.45%	\$1,000,000
Westpac	AA-	25-Jan-24	4.36%	\$2,000,000
		20-Feb-25	4.97%	\$2,000,000
<b>Grand Total</b>				<b>\$72,000,000</b>

**Table 4: Floating Rate Notes**

Institution	Maturity	Yield	Face Value
Macquarie Bank	14-Sep-26	4.90%	\$800,000
<b>Grand Total</b>			<b>\$800,000</b>

## 2. Environmental, Social and Governance (ESG) Investments

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

**Table 5: ESG Investments**

Institution	Maturity	Rate	Face Value
Westpac	25-Jan-24	4.36%	\$2,000,000
<b>Grand Total</b>			<b>\$2,000,000</b>

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

Product Type	Face Value	% of Total
Environmental, Social and Governance (ESG)	\$2,000,000	3%
Other	\$70,000,000	97%
<b>Grand Total</b>	<b>\$72,000,000</b>	<b>100%</b>

## 3. Compliance to Investment Policy

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

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**Table 7: Exposure Limits to credit ratings bands**

Long-Term Credit Rating	% of Portfolio	Policy Maximum	Compliant with Policy
AA	72%	100%	Yes
A	17%	60%	Yes
BBB	10%	50%	Yes
NSW TCorp Funds	1%	20%	Yes

**Table 8: Term to Maturity**

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

#### 4. Portfolio Return

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

**Table 8 – Portfolio Return**

30 November 2023	Monthly Return (Annualised)	Financial Year to Date (Annualised)
Hawkesbury City Council – Investment Portfolio	4.87%	4.17%
Benchmark – Bloomberg Ausbond Bank Bill Index	4.34%	4.28%
<b>Performance Relative to Benchmark</b>	<b>0.53%</b>	<b>-0.11%</b>

#### Relevant Legislation

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

#### Investment Certification

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

#### DISCUSSION

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

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

*“Council’s investment portfolio, excluding the transactional cash account, returned 4.87%pa for the month on a marked-to-market basis versus the bank bill index benchmark’s 4.34%pa return. Over the past 12 months, the investment portfolio has returned 3.65% versus the bank bill index benchmark’s 3.76%.*

*The NSW TCorpIM Long Term Fund (+3.77% actual) had a very strong return for the month reflecting the surge in global share markets and the rebound in bond prices as the end of the interest rate hikes may be at hand. The fund’s return gave a good boost to the portfolio’s overall performance.*

*Without marked-to-market influences, Council’s investment portfolio yielded 4.33%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the FRN and growth fund.*

*During November, Council had \$8m in a range of Term Deposits mature with initial terms between 5 months to 3 years which had an average rate of 3.14%pa. Council took advantage of Suncorp’s competitive rates investing \$4m between two TDs with terms of 6 and 9 months paying an average of 5.43%pa, helping to boost Council’s overall portfolio yield.*

*The lower than expected monthly inflation data, followed by the RBA keeping rates on hold in its November meeting and then quarterly domestic GDP growth being lower than expected is putting downward pressure on longer term rates.*

*Council has \$11m in term deposit maturities in December. Looking forward, the following is recommended for consideration over the coming month:*

- Some banks now have their peak rates in the 9 month area, which may become the norm over the next month, so finding and locking in a competitive 12 month rate may prove valuable. If cashflow requirements allow, look for term deposit specials in the 12 month area as rates either flatten out or drop off beyond 12 months.*
- Suncorp (non-fossil fuel) continues to be offering some of the most competitive rates in the market with levels in the 5.25% area, across the 6 to 12 month range. The lower rated Bank of Queensland has the best 9 month rate among the most widely used banks, at 5.40%, but then their rates fall back to the 5.30% area and below at 12+ months.*
- FRNs, whose quarterly interest rate is reset off of the 3 month bank bill rate, remain a good option for Council’s long dated holdings providing cash flow allows. Continue to review new 3-5yr floating rate note offerings from highly rated banks, preferably Australian owned ADIs. While new issuance will taper off going into the holiday season, banks often come to market in the first quarter of new calendar years.*

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

#### **Restriction of Funds**

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

**ORDINARY MEETING****4. REPORTS FOR DETERMINATION****Meeting Date:** 30 January 2024**Table 9 – Restriction of Funds**

<b>Restriction Type</b>	<b>November 2023</b>	<b>%</b>	<b>October 2023</b>	<b>%</b>	<b>Monthly Change</b>
External Restrictions - S7.11 and S7.12 Developer Contributions	\$25,078,296	28.57%	\$25,858,244	29.47%	(\$779,948)
External Restrictions - Western Parkland City Liveability Program	\$478,502	0.54%	\$525,486	0.60%	(\$46,984)
External Restrictions - Bushfire and Flood Grants	\$9,419,993	10.73%	\$9,720,014	11.08%	(\$300,021)
External Restrictions - Regional & Local Roads Repair Program	-	-	\$795,000	0.90%	(\$795,000)
External Restrictions - West Invest Program	\$10,927,482	12.45%	-	-	\$10,927,482
External Restrictions - Other (e.g. domestic waste, sewerage, loans)	\$6,752,959	7.69%	\$15,623,623	17.80%	(\$8,870,664)
Internal Restrictions (e.g. election, workers compensation, Employee Leave Entitlements)	\$31,216,080	35.56%	\$31,778,686	36.21%	(\$562,606)
Unrestricted	\$3,917,226	4.46%	\$3,453,517	3.94%	\$463,709
<b>Total</b>	<b>\$87,790,538</b>	<b>100.00%</b>	<b>\$87,754,570</b>	<b>100.00%</b>	<b>\$35,968</b>

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

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

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

**COMMUNITY ENGAGEMENT**

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

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date:** 30 January 2024

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

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

Reliable Council

4.3 Build strong financial sustainability for now and future generations.

**FINANCIAL IMPACT**

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

**ATTACHMENTS**

There are no supporting documents for this report.

oooO END OF REPORT Oooo

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**4.4.3. CS - Investment Report - December 2023 - (95496, 96332)**

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

**Directorate:** Corporate Services

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**PURPOSE OF THE REPORT**

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

**EXECUTIVE SUMMARY**

This report indicates that Council held \$82.5 million in investments as at 31 December 2023 and outlines that all investments were made in accordance with the Local Government Act, 1993, the Local Government (General) Regulation, 2021 and Council's Investment Policy.

**RECOMMENDATION**

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

---

**BACKGROUND**

Council held \$82.5 million in investments as at 31 December 2023. Details on the composition of the Investment Portfolio, and its compliance with Council's Investment Policy are provided below. Details include the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, the percentage of the total portfolio, exposure to credit ratings bands and the spread of maturities.

**1. Composition of Investment portfolio**

Tables 1 to 4 below provide details regarding the \$82.5 million in investments as at 31 December 2023.

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

Product Type	Face Value	% of Total
Term Deposits - Fixed Rate	\$74,000,000	90%
Floating Rate Notes	\$800,000	1%
NSW TCorp Long Term Growth Fund	\$1,021,000	1%
At Call Deposits	\$6,700,000	8%
<b>Grand Total</b>	<b>\$82,521,000</b>	<b>100%</b>

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

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

Long Term Credit Rating	Face Value	% of Total
AA	\$52,700,000	64%
A	\$12,800,000	16%
BBB	\$16,000,000	19%
NSW TCorp Managed Funds	\$1,021,000	1%
<b>Grand Total</b>	<b>\$82,521,000</b>	<b>100%</b>

**Table 3 – Fixed Term Deposits**

Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
Bank of Queensland	BBB+	4-Mar-24	1.70%	\$2,000,000
		24-Apr-24	5.20%	\$3,000,000
		08-May-24	5.20%	\$3,000,000
		22-May-24	5.20%	\$3,000,000
		05-Jun-24	5.20%	\$4,000,000
		30-Mar-28	4.80%	\$1,000,000
Commonwealth Bank	AA-	25-Jan-24	5.46%	\$2,000,000
		31-Jan-24	5.47%	\$4,000,000
		12-Feb-24	4.95%	\$2,000,000
		6-Mar-24	5.42%	\$3,000,000
		6-Mar-24	4.99%	\$2,000,000
		10-Apr-24	3.01%	\$2,000,000
		21-Feb-24	4.99%	\$2,000,000
National Australia Bank	AA-	6-Mar-24	4.95%	\$2,000,000
		6-Mar-24	5.05%	\$1,000,000
		20-Mar-24	5.00%	\$2,000,000
		25-Mar-24	5.05%	\$2,000,000
		10-Apr-24	5.10%	\$3,000,000
		10-Apr-24	5.05%	\$2,000,000
		19-Aug-24	0.75%	\$3,000,000
		10-Sep-24	0.80%	\$1,000,000
		10-Sep-24	5.20%	\$1,000,000
		10-Sep-24	5.20%	\$2,000,000
		19-Nov-24	0.75%	\$1,000,000
		15-Jan-25	0.80%	\$500,000
		5-Mar-25	1.05%	\$1,500,000
		3-Nov-25	0.95%	\$500,000
		19-Nov-25	0.90%	\$500,000
		13-Jan-26	1.00%	\$500,000



**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
		4-Mar-26	1.30%	\$1,500,000
Suncorp	A+	10-Jan-24	5.35%	\$2,500,000
		10-Jan-24	5.45%	\$3,500,000
		25-Mar-24	5.15%	\$1,000,000
		24-Apr-24	5.28%	\$1,000,000
		8-May-24	5.41%	\$3,000,000
		7-Aug-24	5.45%	\$1,000,000
Westpac	AA-	25-Jan-24	4.36%	\$2,000,000
		20-Feb-25	4.97%	\$2,000,000
<b>Grand Total</b>				<b>\$74,000,000</b>

**Table 4: Floating Rate Notes**

Institution	Maturity	Yield	Face Value
Macquarie Bank	14-Sep-26	4.90%	\$800,000
<b>Grand Total</b>			<b>\$800,000</b>

## 2. Environmental, Social and Governance (ESG) Investments

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

**Table 5: ESG Investments**

Institution	Maturity	Rate	Face Value
Westpac	25-Jan-24	4.36%	\$2,000,000
<b>Grand Total</b>			<b>\$2,000,000</b>

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

Product Type	Face Value	% of Total
Environmental, Social and Governance (ESG)	\$2,000,000	3%
Other	\$72,000,000	97%
<b>Grand Total</b>	<b>\$74,000,000</b>	<b>100%</b>

## 3. Compliance to Investment Policy

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

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**Table 7: Exposure Limits to credit ratings bands**

Long-Term Credit Rating	% of Portfolio	Policy Maximum	Compliant with Policy
AA	64%	100%	Yes
A	16%	60%	Yes
BBB	19%	50%	Yes
NSW TCorp Funds	1%	20%	Yes

**Table 8: Term to Maturity**

Term to Maturity	% of Portfolio	Policy Range	Compliant with Policy
Between 0 and 1 years	89%	40% - 100%	Yes
Between 1 and 5 years	11%	0% - 60%	Yes

#### **4. Portfolio Return**

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

**Table 8 – Portfolio Return**

31 December 2023	Monthly Return (Annualised)	Financial Year to Date (Annualised)
Hawkesbury City Council – Investment Portfolio	4.87%	3.92%
Benchmark – Bloomberg Ausbond Bank Bill Index	4.43%	3.89%
<b>Performance Relative to Benchmark</b>	<b>0.44%</b>	<b>0.03%</b>

#### **Relevant Legislation**

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

#### **Investment Certification**

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

#### **DISCUSSION**

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

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

*"Council's investment portfolio, excluding the transactional cash account, returned 4.87%pa for the month on a marked-to-market basis versus the bank bill index benchmark's 4.43%pa return. Over the past 12 months, the investment portfolio has returned 3.92% versus the bank bill index benchmark's 3.89%.*

*The NSW TCorpIM Long Term Growth Fund (+3.08% actual) had another strong month reflecting the surge in global share markets and the upward trend in bond prices. Inflation appears to be easing in many major countries signalling the likely end of interest rate hikes in this cycle and possible cuts starting in mid-2024. The fund's return gave another good boost to the portfolio's overall performance.*

*Without marked-to-market influences, Council's investment portfolio yielded 4.42%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the FRN and growth fund.*

*During December, Council had \$11m across four term deposits mature with terms of 6 to 7 months which had an average rate of 4.88%pa. Council took advantage of Bank of Queensland's competitive rates investing \$13m between four term deposits with terms of 4 to 5 months all paying 5.20%pa, locking in a good level above 5% before rates slipped lower.*

*With inflation easing in many major countries the market is pricing in the likely end of interest rate hikes in this cycle and possible cuts starting in mid-2024, consequently interest rates on longer dated term deposits are beginning to trend lower.*

*Council has \$12m in term deposit maturities in January. Looking forward the following is recommended for consideration over the coming month:*

- With term deposit rates having slipped lower in December, the best available levels are in the low 5% area across the 3-12 month range, with many banks only offering rates in the high 4% range. Therefore, locking in rates above 5% for as long as cashflow allows is recommended.*
- NAB, Suncorp (non-fossil fuel), and Bank of Queensland continue to be the most competitive among the large, highest rated and most widely used banks. Suncorp's 5.20% across the 9 to 12 month range is among the best rates available.*
- FRNs, whose quarterly interest rate is reset off of the 3 month bank bill rate, remain a good option for Council's long dated holdings providing cash flow allows. Continue to review new 3-5yr floating rate note offerings from highly rated banks, preferably Australian owned ADIs. Banks often come to market in the first quarter of new calendar years.*

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

#### **Restriction of Funds**

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

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**Table 9 – Restriction of Funds**

<b>Restriction Type</b>	<b>December 2023</b>	<b>%</b>	<b>November 2023</b>	<b>%</b>	<b>Monthly Change</b>
External Restrictions - S7.11 and S7.12 Developer Contributions	\$24,822,761	30.08%	\$25,078,296	28.57%	(\$255,535)
External Restrictions - Western Parkland City Liveability Program	\$402,420	0.49%	\$478,502	0.54%	(\$76,082)
External Restrictions - Bushfire and Flood Grants	\$9,951,970	12.06%	\$9,419,993	10.73%	\$531,977
External Restrictions - West Invest Program	\$10,844,081	13.14%	\$10,927,482	12.45%	(\$83,401)
External Restrictions - Other (e.g. domestic waste, sewerage, loans)	\$3,039,933	3.68%	\$6,752,959	7.69%	(\$3,713,026)
Internal Restrictions (e.g. election, workers compensation, Employee Leave Entitlements)	\$30,092,094	36.47%	\$31,216,080	35.56%	(\$1,123,986)
Unrestricted	\$3,367,741	4.08%	\$3,917,226	4.46%	(\$549,485)
<b>Total</b>	<b>\$82,521,000</b>	<b>100%</b>	<b>\$87,790,538</b>	<b>100%</b>	<b>(\$5,269,538)</b>

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

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

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

#### **COMMUNITY ENGAGEMENT**

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

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date:** 30 January 2024

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

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

Reliable Council

4.3 Build strong financial sustainability for now and future generations.

**FINANCIAL IMPACT**

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

**ATTACHMENTS**

There are no supporting documents for this report.

oooO END OF REPORT Oooo

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

#### 4.4.4. CS – Transfer of Road Closure – Irrigator Drive, North Richmond (95456, 112106, 145771)

**Previous Item:** 4.4.5, Ordinary (21 November 2023)

**Directorate:** Corporate Services

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#### PURPOSE OF THE REPORT

The purpose of this report is to obtain Council's approval for the proposed transfer of the closed portion of road reserve within the Redbank Development Area, being part of Irrigator Drive, North Richmond.

#### EXECUTIVE SUMMARY

From 1 July 2018, changes to the Roads Act, 1993 (the Act) mean that councils have the power to close council public roads. In September 2023, Redbank Communities requested Council close a section of road being part of Irrigator Drive, North Richmond due to a re-alignment of the road and footpath and transfer ownership to the adjoining owners of No. 42 Irrigator Drive, North Richmond, who have agreed to accept the transfer of land.

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

Council resolved at its meeting on 21 November 2023, to approve the proposed road closure of the area of unformed road reserve being part of Irrigator Drive, North Richmond. The road closure process has been completed and now the process to transfer the closed portion of road needs to be undertaken.

This report recommends that Council approves the transfer of the subject land to the owners of the adjoining property at No. 42 Irrigator Drive, North Richmond.

#### RECOMMENDATION

That:

1. Council approve the transfer of the road reserve being part of Irrigator Drive, North Richmond, which comprises an area of 23.07m<sup>2</sup>, as shown in Attachment 1 to the report, to Alvin Jesse Giongco Baylon and Lara Mae Baylon as owners of No. 42 Irrigator Drive, North Richmond, in exchange for the re-aligned road reserve as shown in Attachment 3 to the report.
2. Authority be given for any documentation in association with the matter to be executed under the Seal of Council.

#### BACKGROUND

On 24 September 2020, Development Application 0498/18 for a 254 residential lot subdivision, four open space lots, one residue lot and associated works at 382 Grose Vale Road, North Richmond was approved. Part of this development was to create Irrigator Drive, North Richmond. The approval

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

required construction of a footpath alongside Grose Vale Road, North Richmond. After an appeal in the Land and Environment Court the location of the footpath was revised and moved to inside the Redbank Development. This then required the footpath along Irrigator Drive to be relocated from the north to south side of Irrigator Drive, resulting in a shift in the road reserve by one metre and part of Irrigator Drive to be reconstructed in 2021. The shift of one metre left a residual piece of road reserve one metre wide which is no longer required for road purposes. Redbank Communities prepared a Road Closure Plan, Deposited Plan 1290601, which was registered on 31 March 2023. A copy of the Deposited Plan is attached as Attachment 1 to this Report. The area highlighted in yellow is the portion of the road reserve that has been closed.

In April 2023, Deposited Plan 1266754 was registered, creating part of Irrigator Drive and 16 residential lots. A copy of the Deposited Plan is attached as Attachment 2 to this report. The area highlighted in yellow is the portion of the road reserve that has been closed.

The residential lot adjoining the proposed road closure area was approved as part of Development Application 0498/18 on 24 September 2020. The relevant Deposited Plan (DP1290690) was registered on 13 April 2023. The Plan indicates the road closure Deposited Plan 1290601 is incorporated into Lot 1951. A copy of Deposited Plan 1290690 is attached to this report as Attachment 3, with the road closure area shown in yellow (23.07m<sup>2</sup>) and the realigned road reserve is shown in pink (approximately 55m<sup>2</sup>).

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

Council at its meeting on 21 November 2023 resolved:

*"That:*

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

Public exhibition took place between 5 December 2023 to 15 January 2024 through newspaper advertisement, direct mailing to adjoining owners, Council website on Your Hawkesbury Your Say and notification to public authorities. No submissions were received.

This report seeks to obtain Council' endorsement for the transfer of the closed portion of road reserve within the Redbank Development Area, being part of Irrigator Drive, North Richmond, with an area of 23.07m<sup>2</sup>, as referred to in Attachment 1 of this report, to the owners of No. 42 Irrigator Drive, North Richmond, for no compensation due to the new road reserve and footpath being provided for in re-alignment of Irrigator Drive, North Richmond. The area of road realignment is approximately 32m<sup>2</sup> larger than the road reserve being closed.

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

It should be noted that the applicant, Redbank Communities has been responsible for payment of the road closure costs, including but not limited to survey costs and Council administration fee. Any funds not spent at the conclusion of the matter will be refunded to Redbank Communities.

The procedure for closing and sale of a road is shown below:



In January 2024, Redbank Communities requested that Council transfer ownership of the closed road reserve to Alvin Jesse Giongco Baylon and Lara Mae Baylon, who are the adjoining owners. Mr and Mrs Baylon have advised Council that they will accept the transfer of land. The road closure process usually requires the land to be transferred to the adjoining owner as the land is often only useable by the adjoining owners. In this instance Redbank Communities no longer own the adjoining land, however, as the developer has funded the road closure process they have advised Council to transfer the closed road reserve to the new adjoining owner of 42 Irrigator Drive, North Richmond.

### DISCUSSION

Condition No. 126 of Development Consent 0498/18 required the applicant to dedicate splay corners at all intersections to Council and Clause 138 required the Applicant to dedicate any roads or road widening to Council. This leaves the ownership of the road reserve with Council. If Council were not to proceed with the sale of the closed road and transfer process, the land would remain in Council's name with a notation on title that the land is road reserve. The land would remain in Council's ownership for ongoing maintenance with the adjoining road reserve.

If Council agrees to the proposed transfer of the closed road reserve, the road misalignment resulting from the relocation of the footpath would be rectified with ownership being also being transferred to the adjoining owner.



**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**COMMUNITY ENGAGEMENT**

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

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

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

Great Place to Live

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

**FINANCIAL IMPACT**

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

**ATTACHMENTS**

**AT – 1** Road Closure Plan - Irrigator Drive.

**AT – 2** Deposited Plan 1266754.

**AT – 3** Deposited Plan 1290690.







**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**4.4.5. CS – Disclosure of Pecuniary Interests and Other Matters Return – (95496)**

**Directorate:** Corporate Services

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**PURPOSE OF THE REPORT**

The purpose of this report is to table the required Pecuniary Interest Return lodged by a Designated Person.

**EXECUTIVE SUMMARY**

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

**RECOMMENDATION**

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

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**BACKGROUND**

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

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

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

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

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

The purpose of this report is to table a Return submitted by a new designated persons under Section 4.21(a) of the Code.

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**DISCUSSION**

The following Return has been lodged under Section 4.21(a) of the Code:

Position	Return Date	Date Lodged
Waste Facility Coordinator	2 October 2023	2 January 2024

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

**COMMUNITY ENGAGEMENT**

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

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

Reliable Council

4.1 Provide representative, responsive and accountable governance.

**FINANCIAL IMPACT**

There are no financial implications applicable to this report.

**ATTACHMENTS**

There are no supporting documents for this report.

oooO END OF REPORT Oooo



**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**4.4.6. CS – Enhancing the Arts in the Hawkesbury Working Group Terms of Reference – (95496, 159584)**

**Previous Item:** 6.1.3, Ordinary (12 December 2023)

**Directorate:** Corporate Services

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**PURPOSE OF THE REPORT**

The purpose of this report is for the Council to adopt the revised Terms of Reference for the Enhancing the Arts in the Hawkesbury Working Group attached as Attachment 1 to this report.

**EXECUTIVE SUMMARY**

The Council resolved at its meeting on 12 December 2023 to re-establish the Enhancing the Arts in the Hawkesbury Working Group (Working Group) with revised objectives and an adopted Terms of Reference.

On review of the adopted Terms of Reference, Council staff have identified for consideration by the Council, amendments to be made to provide greater clarity to the Terms of Reference in line with the Council Resolution.

**RECOMMENDATION**

That Council adopt the revised Terms of Reference for the Enhancing the Arts in the Hawkesbury Working Group attached as Attachment 1 to this report.

---

**BACKGROUND**

Council at its meeting on 12 December 2023 considered a Notice of Motion regarding the Enhancing the Arts in the Hawkesbury Working Group and resolved as follows:

*"That Council:*

- 1. Re-establish the 'Enhancing the Arts in the Hawkesbury Working Group' (Working Group) with revised objectives and terms of reference.*
- 2. Appoint Councillors Calvert, Conolly, Lyons-Buckett, Wheeler and Zamprogno to the Working Group.*
- 3. For its initial project, the Working Group liaise with State Member for Hawkesbury, Robyn Preston MP, Federal Member for Macquarie Susan Templeman MP, community advocacy group the Hawkesbury Entertainers and Artists Regional Theatre Society (HEARTS), and other interested groups with a view to identifying potential performance space opportunities, and Council's role within the process.*
- 4. Adopt the Terms of Reference attached as Attachment 1 to the report with an amendment to Clause 5 a) (ii) as follows:*

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

- (ii) *Council staff members appointed by the General Manager of Hawkesbury City Council if requested."*

#### DISCUSSION

On review of the adopted Terms of Reference, Council staff identified amendments that could be made to the Terms of Reference to provide greater clarity in line with Council's resolution.

The following amendments have been made to the Terms of Reference for consideration by the Council:

**1. Context:**

- A reference to 'performance spaces' has been added in line with the objectives of re-establishing the Working Group.

**2. Purpose:**

- A focus on 'current and future opportunities' has been added in line with the objectives of re-establishing the Working Group.
- Instead of providing a report to the Council, the Working Group can request directly from the General Manager or his/her delegate, assistance of Council staff for the purpose of facilitating the administration of the meetings and for providing information to the Working Group.

**3. Roles and Authorities:**

- No amendments made.

**4. Term:**

- Voting members are appointed for the period of the Term of the Council.
- Following this period, Council's elected Councillors to the Working Group and the purpose of the Working Group shall be reviewed as per the annual appointment of Councillor delegates to committees and working groups and confirmed by Council resolution.

**5. Structure and Membership:**

- The Working Group will comprise of voting and non-voting members.
- Voting members will comprise of five nominated Councillors (or a number nominated by Council) inclusive of two Councillors to act as Chairperson and Deputy Chairperson.
- Non-voting members will attend the meetings of the Working Group by invitation or via a call for applications and may include Council staff, representatives of organisations, community advocacy groups or temporary community appointments.

**6. Appointment of Members**

- Clause 6(a)-(d) in the Terms of Reference have been updated to reflect the changes made in Clause 5.
- Clause 6(e) in the Terms of Reference has been updated to include that members of the Working Group shall cease to hold office 'at the end of the current Term of the Council' to reflect the changes made in Clause 4.



## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

#### 7. Procedures and General:

- The quorum for the Working Group has been updated to include only voting members.
- As the initial project for the Working Group has been resolved by the Council, Clause 7(f) has been included to provide clarity on how future projects will be identified and endorsed. The Working Group will identify future projects and will report to the Council for endorsement prior to commencement of the projects.

It is considered that the above amendments provide greater clarity to the Terms of Reference. A copy of the amended Terms of Reference is attached as Attachment 1 to this report.

#### COMMUNITY ENGAGEMENT

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

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

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

##### Great Place to Live

- 1.2 Encourage and enable our community to participate in a healthy lifestyle.
- 1.3 Increase the range of local partnerships and plan for the future.
- 1.5 Provide the right places and spaces to serve our community.
- 1.6 Build on a sense of community and wellbeing.
- 1.7 Encourage broad and rich celebration of our local culture and significant heritage.

##### Strong Economy

- 3.2 Increase the range of local industry opportunities and provide effective support to continued growth.
- 3.3 Promote our community as the place to visit, work and invest.
- 3.5 Celebrate our creativity and cultural expression.

##### Reliable Council

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

#### FINANCIAL IMPACT

There are no financial implications applicable to this report.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 30 January 2024

**ATTACHMENTS**

**AT - 1** Revised Terms of Reference for the Enhancing the Arts in the Hawkesbury Working Group

**ORDINARY MEETING**  
**4. REPORTS FOR DETERMINATION**  
**Meeting Date: 30 January 2024**

**AT - 1 Revised Terms of Reference for the Enhancing the Arts in the Hawkesbury Working Group**

**1. Context**

Considered in its broad meaning, the arts can include a range of activities and interests by groups and individuals including, but not limited to, all types of performance, singing, music, sound, dance, visual arts, public art, craft, design, architecture, performance spaces, literature, photography, film and digital creations.

There are numerous ways in which people in the Hawkesbury participate in the arts; as passive observers, audience members, appreciators, supporters, administrators, group members, students, teachers, creators and performers, professionals and businesses.

**2. Purpose**

The purpose of the Enhancing the Arts in the Hawkesbury Working Group (Working Group) is to provide constructive discussions and undertake research to advise Council on current and future opportunities, and the support and assistance needed for Council to enhance the arts in the Hawkesbury.

It will work on a project basis: researching, liaising with representatives of the State and Federal electorate offices, and advising Council of opportunities to seek external funding, facilitate local arts activities/events and encourage community participation.

When necessary, the Working Group will request from the General Manager or his/her delegate, assistance of Council staff for specific purposes such as facilitating the administration for the meetings or providing information to assist the Working Group.

**3. Roles and Authorities**

- a) The role of the Working Group is an advisory and practical support role.
- b) The Council retains responsibility for all budgetary considerations.
- c) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member involved with the Working Group.

**4. Term**

Voting members of the Working Group term shall be appointed for the period of the current Term of Council. Following this period, Council's elected Councillors to the Working Group and the purpose of the Working Group shall be reviewed as per the annual appointment of Councillor delegates to committees and working groups and confirmed by Council resolution.

**5. Structure and Membership**

The structure and membership of the Working Group shall be as follows:

- a) Voting members of the Working Group will comprise of five nominated Councillors (or a number nominated by the Council) inclusive of two Councillors to act as Chairperson and Deputy Chairperson.
- b) Non-voting members of the Working Group will comprise of the following:

## ORDINARY MEETING

### 4. REPORTS FOR DETERMINATION

Meeting Date: 30 January 2024

- (i) Council staff with specialist skills and knowledge appointed by the General Manager or his/her delegate if requested by the Working Group;
  - (ii) Representatives of organisations or community advocacy groups invited to address the Working Group from time to time on matters relevant to the agenda.
  - (iii) Temporary community appointments, with relevant arts expertise and experience and an ability to develop and implement arts projects, following the calling of applications via a prescribed process if required for a specific project.
- c) The Working Group shall, at its first meeting following appointment, elect a Councillor delegate appointed under Clause 5(a) to be the Chairperson of the Working Group, and elect a Councillor delegate appointed under Clause 5(a) to be the Deputy Chairperson, who shall act in the absence of the Chairperson.
- d) Each member of the Working Group entitled to vote shall only have one vote except that of the casting vote of the Chairperson in the case of equality of votes.

### 6. Appointment of Members

- a) Five Councillors (or a number nominated by the Council) will be appointed to the Working Group in accordance with practices and procedures of the Council.
- b) Council staff will be appointed to the Working Group by the General Manager on request by the Working Group.
- c) The Working Group may invite representatives of organisations or community advisory groups to address the Working Group from time to time on matters relevant to the agenda.
- d) The Working Group may call for applications via a prescribed process inviting nominations from members of the community for temporary community appointments to the Working Group if required for a specific project.
- e) Members of the Working Group shall cease to hold office:
  - (i) If the Working Group is dissolved by the Council;
  - (ii) At the end of the current Term of the Council;
  - (iii) Upon written resignation or death;
  - (iv) If absent without prior approval of the Working Group for three consecutive meetings; or
  - (v) If the Council by resolution determines that the member has breached Hawkesbury City Council's Code of Conduct (as it is in force from time to time).
- f) For the purposes of Clause 6(e)( v), the Code of Conduct is to be taken to apply to non-voting members on the Working Group as referred to in Clause 5(b) in the same way as the Code of Conduct applies to Councillors.

### 7. Procedures and General

- a) Ordinary meetings of the Working Group shall be held as required.
- b) No meeting of the Working Group shall be held unless three clear days' notice has been given to all members.

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 30 January 2024

- c) The rules governing meetings and the procedures of the Working Group shall, so far as they apply, be those covered by the Hawkesbury City Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council.
- d) A quorum of the Working Group shall be constituted by half plus one member being present at meetings, relevant to the number of voting members on the Working Group for any given project at any given time.
- e) Any voting or non-voting members having a pecuniary interest in any matters being discussed by the Working Group shall declare such interest at the meeting of the Working Group and refrain from voting or discussion thereon.
- f) Any future projects identified by the Working Group will be reported to and endorsed by the Council prior to commencement.
- g) The Working Group will report its findings to the Council upon completion of a project or upon request for an update from the Council.
- h) Any recommendations or reports of the Working Group shall, as far as adopted by the Council, be resolutions of the Council, provided that recommendations or reports of the Working Group shall not have effect unless adopted by the Council.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

**4. REPORTS FOR DETERMINATION**

**Meeting Date:** 30 January 2024

**4.5. INFRASTRUCTURE SERVICES**

Nil reports.

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date:** 30 January 2024

**5. REPORTS OF COMMITTEES**

**5.1.1 ROC - Local Traffic Committee - 15 January 2024 - (95495, 80245)**

**Directorate:** Infrastructure Service

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**PURPOSE OF THE REPORT**

The purpose of this report is to present the Minutes of the Local Traffic Committee, held on 15 January 2024.

**EXECUTIVE SUMMARY**

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

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

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

**RECOMMENDATION**

That the Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Local Traffic Committee meeting held on 15 January 2024.

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**DISCUSSION**

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

- General Traffic Matter - Item 4.1.1 - Proposed Signposting and Line Marking for Development at 16 Dight Street, Richmond - S960003/19 - Hawkesbury
- Special Event Matter - Item 4.2.1 - Mountain Lagoon Endurance Ride Weekend - May 2024 - Mountain Lagoon and Upper Colo (Hawkesbury)

**ATTACHMENTS**

**AT - 1** Minutes of the Local Traffic Committee held on 15 January 2024.

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date: 30 January 2024**

**AT - 1 Minutes of the Local Traffic Committee held on 15 January 2024**

**1. AGENDA**

**Welcome**

Minutes of the Meeting of the Local Traffic Committee held remotely on Monday, 15 January 2024 commencing at 3pm.

**ATTENDANCE**

**Present:** Councillor Sarah McMahon, Mayor Hawkesbury City Council  
Ms Felicity Findlay, Office of Member for Hawkesbury  
Inspector Mark Harvey, NSW Police Force

**Apologies:** Ms Melissa Monroe, Transport for NSW (TfNSW)

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

**Apologies**

RESOLVED on the motion of Councillor Sarah McMahon, seconded by Ms Felicity Findlay, that the apologies be accepted.

**Declaration of Interests**

There were no Declarations of Interest made.

**2. CONFIRMATION OF MINUTES**

The Committee resolved on the Motion of Councillor Sarah McMahon, seconded by Inspector Mark Harvey, that the Minutes from the previous meeting held on Monday, 13 November 2023 be confirmed.

**3. BUSINESS ARISING**

There was no business arising from the previous minutes.



**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date: 30 January 2024**

**4. REPORTS FOR DETERMINATION**

**4.1. GENERAL TRAFFIC**

- 4.1.1. LTC - Proposed Signposting and Line marking for Development at 16 Dight Street, Richmond - S960003/19 - (Hawkesbury) - (80245, 73621, 123265) )

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**INTRODUCTION:**

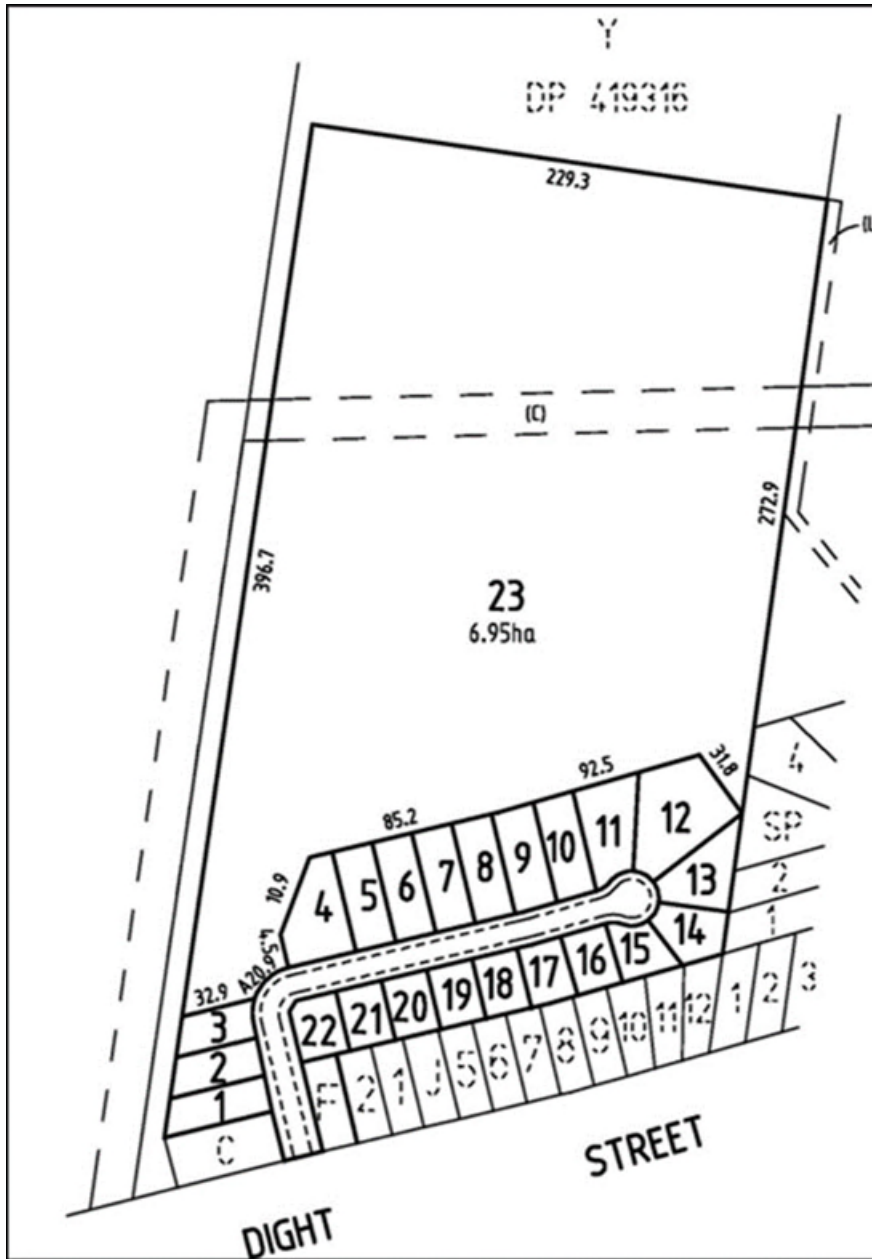
Development Consent No. S960003/19 has been granted to construct road and drainage works to create 22 Residential and 1 Residue Lot at No. 16 Dight Street, Richmond, (Lot 1 DP 1281749) as outlined in Figures 1 and 2.

The development will provide for a new road connecting to Dight Street. The new road (Road 1) will form a T-Junction intersection with Dight Street and be controlled with a roundabout. The works associated with the roundabout intersection has been previously assessed as part of Stage 1 and approved under CC0065/97 and not part of this assessment.

Stage 2 of the works extends from the boundary of new Lot 1 and Lot 2 to the end of the cul-de-sac and includes a bend in the road and is part of the road network for consideration as part of this assessment.



**Figure 1: Site Locality Plan**



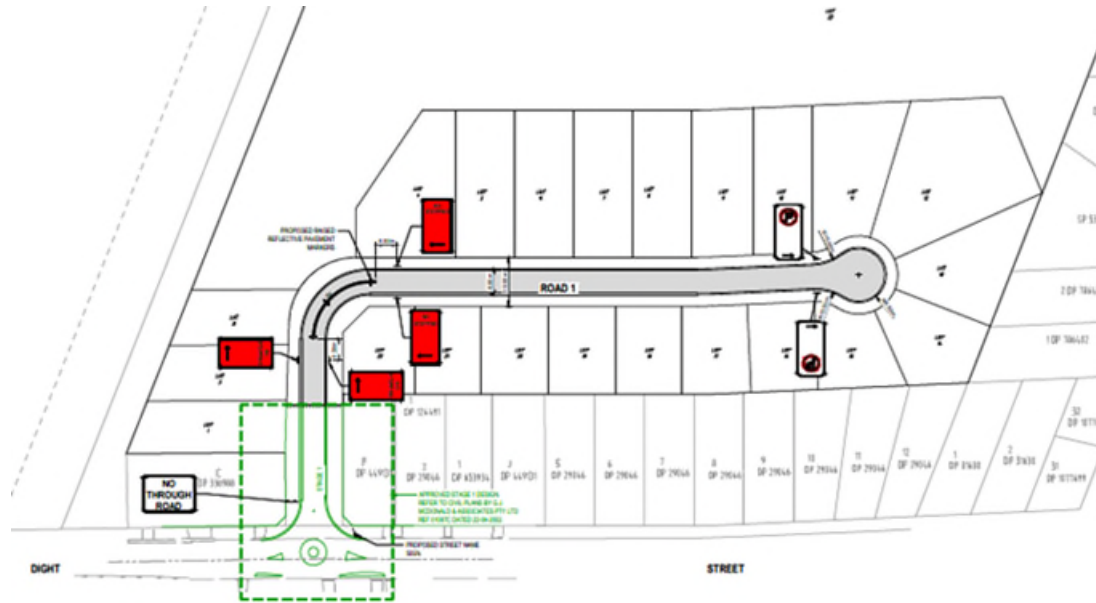
**Figure 2: Road and Lot Layout**

**DISCUSSION:**

The proposed road will connect to Dight Street, as outlined in Figure 3. The proposed road is listed below with its corresponding road width between kerbs.

- Road 1 - Local Road 8m Carriageway with a cul-de-sac radius of 8.5m (Full Road Width Construction – Extent from the boundary of Lot 1 and Lot 2 to the end of the cul-de-sac).

<p style="text-align: center;"><b>ORDINARY MEETING</b></p> <p style="text-align: center;"><b>5. REPORTS OF COMMITTEES</b></p> <p style="text-align: center;"><b>Meeting Date:</b> 30 January 2024</p>
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### Figure 3: Road Layout and Road Number

The new road (Road 1) will form a T-Junction intersection with Dight Street and be controlled with a roundabout. The works associated with the roundabout intersection has been previously assessed as part of Stage 1 and approved under CC0065/97 and not part of this assessment.

Stage 2 of the works extends from the boundary of new Lot 1 and Lot 2 to the end of the cul-de-sac and includes a bend in the road and is part of the road network for consideration as part of this assessment.

The bend in Road 1 due to its limited radii, will be treated with double centre lines (BB), No Stopping zones and curve advisory signs to ensure vehicular movement is not restricted. The cul-de-sac turning head is to be sign posted with a No Parking zone.

Details of the proposed signage and line marking is outlined in the plan prepared by Telford Civil – (Project No.23074 – DWG No. 710 – Issue B), which excludes the provision of the W1-1 curve advisory signs, with this requirement to be included in the recommendation.

Swept/Turning path diagrams (Attachments 2 to 6) have been provided for the 8.8m design vehicle (Service Vehicle-MRV Truck) and the 12.5m check vehicle (SU-HRV Truck). The swept paths for the 12.5m HRV Truck has shown an encroachment over the BB line at the Bend with the 8.8m MRV Truck clearing the BB and kerb line. The purpose of the check vehicle is to ensure that there are no physical barriers prohibiting the manoeuvre. On this basis, the manoeuvres are acceptable, taking into consideration the road dimensions, geometry, grades, and kerb returns are in accordance with the relevant standards.

The design plans have been prepared by Telford Civil – (Project No.23074) and Certification provided by Hawkesbury City Council. The certification indicates compliance of the road design, and that all relevant standards and road widths can accommodate the proposed line marking treatments in accordance with the relevant standards.

The signage and line marking plan prepared by Telford Civil – (Project No.23074 – DWG No. 710 – Issue B) has been submitted to the Local Traffic Committee for concurrence and approval in accordance with the Development Consent conditions for the extent of works along Road 1 between the boundary of Lot 1 and Lot 2 to the end of the cul-de-sac.

## ORDINARY MEETING

### 5. REPORTS OF COMMITTEES

Meeting Date: 30 January 2024

#### Summary:

The Signage and Line marking plan prepared by Telford Civil – (Project No.23074 – DWG No. 710 – Issue B) for the extent of works along Road 1 between the boundary of Lot 1 and Lot 2 to the end of the cul-de-sac, and associated with the Development Application S960003/19, be implemented with the following exclusions and amendments:

- Exclusion of works associated with Stage 1, previously assessed under CC0065/07, which relates to the roundabout at the intersection of Road 1 and Dight Street, Richmond.
- The Signage and Line marking plan prepared by Telford Civil – (Project No.23074 – DWG No. 710 – Issue B) be amended to include W1-1 signs at the approaches to the bend in Road 1.

#### **RECOMMENDATION TO COMMITTEE:**

The Signage and Line marking plan prepared by Telford Civil – (Project No.23074 – DWG No. 710 – Issue B) for the extent of works along Road 1 between the boundary of Lot 1 and Lot 2 to the end of the cul-de-sac, and associated with the Development Application S960003/19, be implemented with the following exclusions and amendments:

1. Exclusion of works associated with Stage 1, previously assessed under CC0065/07, which relates to the roundabout at the intersection of Road 1 and Dight Street, Richmond.
2. The Signage and Line marking plan prepared by Telford Civil – (Project No.23074 – DWG No. 710 – Issue B) be amended to include W1-1 signs at the approaches to the bend in Road 1.

#### **COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Sarah McMahon, seconded by Ms Felicity Findlay.

Support for the recommendation: Unanimous support

The Signage and Line marking plan prepared by Telford Civil – (Project No.23074 – DWG No. 710 – Issue B) for the extent of works along Road 1 between the boundary of Lot 1 and Lot 2 to the end of the cul-de-sac, and associated with the Development Application S960003/19, be implemented with the following exclusions and amendments:

1. Exclusion of works associated with Stage 1, previously assessed under CC0065/07, which relates to the roundabout at the intersection of Road 1 and Dight Street, Richmond.
2. The Signage and Line marking plan prepared by Telford Civil – (Project No.23074 – DWG No. 710 – Issue B) be amended to include W1-1 signs at the approaches to the bend in Road 1.

## **4.2. SPECIAL EVENTS**

- 4.2.1. LTC - Mountain Lagoon Endurance Ride Weekend - May 2024 - Mountain Lagoon and Upper Colo (Hawkesbury) - (80245, 85005, 82375)

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An application has been received from Zone One of The NSW Endurance Riders' Association seeking approval (in traffic management terms) to conduct the Mountain Lagoon Endurance Ride Weekend on Saturday, 11 and Sunday, 12 May 2024, in and around the Mountain Lagoon and Upper Colo area.

## ORDINARY MEETING

### 5. REPORTS OF COMMITTEES

Meeting Date: 30 January 2024

The event organiser has advised:

- This is the seventh year for this event.
- Based at Mountain Lagoon, the event comprises of an offering of several different length ridden horse endurance events.
- The event is using the same ride base and similar tracks as the previous events since 2018.
- The Ride Base will be at 70 Sams Way, Mountain Lagoon (previously known as 1315 Mountain Lagoon Road, Mountain Lagoon) which is bounded by both Mountain Lagoon Road and Sams Way. Access to the course will be from Sams Way.
- Parking will be available at the Ride Base.
- The course is similar to other events held in this area.
- Both competitive and non-competitive events will be held over the weekend. On Saturday non-competitive introductory and training rides of shorter distances of 10 km, 20 km and 40 km will be held. On Sunday a competitive 80 km event will be held along with the non-competitive rides of shorter distances of 10 km, 20 km and 40 km.
- The event is timed and not a race.
- The event will commence at 7am on Saturday, 11 May 2024 and conclude at 5pm on Sunday, 12 May 2024.
- Approximately 200 Participants are expected for the event.
- Route for the Rides are:

#### 80 Kilometre Ride:

##### First Leg = 40 Kilometres:

- Commence from the Ride Base located at 70 Sams Way and enter the course by turning left onto Sams Way,
- Travel along Sams Way and turn left into Mountain Lagoon Road,
- Travel along Mountain Lagoon Road and turn left at Comleroy Road,
- Travel along Comleroy Road and turn right into Gees Arm Fire Trail North,
- Travel along Gees Arm Fire Trail North to the turn-around point and return along Gees Arm Fire Trail North and turn right into Comleroy Road,
- Travel along Comleroy Road to the Upper Colo Road junction and turn left into Upper Colo Road,
- Travel along Upper Colo Road to the Fire Shed and turn left to enter the Wards Track,
- Travel along Wards Track through the National Park and turn left into Males Ridge Track and then into Gaspers Track,
- Travel along Gaspers Track and follow the T3 Track into Sams Way,
- Travel along Sams Way back to the Ride Base.

##### Second Leg = 40 Kilometres:

- Commence from the Ride Base located at 70 Sams Way and enter the course by turning left onto Sams Way,
- Travel along Sams Way and turn left into Mountain Lagoon Road,
- Travel along Mountain Lagoon Road and turn right into No.1350 Mountain Lagoon Road,
- Go through to the rear of the property and turn right into the National Park and travel along the boundary fence heading west,
- Follow the boundary to No. 1228 Mountain Lagoon Road and cut through the adjacent property back to Mountain Lagoon Road and turn left,
- Travel along Mountain Lagoon Road and turn left into North Wheeny Creek Fire Trail,
- Travel along North Wheeny Creek Fire Trail to the end and turn-around and return along North Wheeny Creek Fire Trail and turn right into Mountain Lagoon Road,
- Travel along Mountain Lagoon Road and turn left into Tootie Creek Fire Trail,

## ORDINARY MEETING

### 5. REPORTS OF COMMITTEES

Meeting Date: 30 January 2024

- Travel along Tootie Creek Fire Trail to the end and turn-around and return along Tootie Creek Fire Trail and turn left into Mountain Lagoon Road,
- Travel along Mountain Lagoon Road and turn left into Long Ridge Fire Trail,
- Travel along Long Ridge Fire Trail to the turn-around point and follow Long Ridge Fire Trail to the rear of No. 31 Bean Lane and go through the property to Bean Lane,
- Travel along Bean Lane to No 32 Bean Lane and go through to the rear of the property and follow the trail through private property to Sams Way.
- Turn left into Sams Way and travel along Sams Way back to the Ride Base.

#### 40 Kilometre Ride:

- Same route as the second leg of the 80 Kilometre ride

#### 20 Kilometre Ride:

- Commence from the Ride Base located at 70 Sams Way and enter the course by turning left onto Sams Way,
- Travel along Sams Way and turn left into Mountain Lagoon Road,
- Travel along Mountain Lagoon Road and turn right into No.1350 Mountain Lagoon Road,
- Go through to the rear of the property and turn right into the National Park and travel along the boundary fence heading west,
- Follow the boundary to No. 1228 Mountain Lagoon Road and cut through the adjacent property back to Mountain Lagoon Road and turn left,
- Travel along Mountain Lagoon Road and turn right into Tootie Creek Fire Trail,
- Travel along Tootie Creek Fire Trail to the end and turn-around and return along Tootie Creek Fire Trail and turn left into Mountain Lagoon Road,
- Travel along Mountain Lagoon Road and turn left into Long Ridge Fire Trail,
- Travel along Long Ridge Fire Trail to the turn-around point and follow Long Ridge Fire Trail to the rear of No. 31 Bean Lane and go through the property to Bean Lane,
- Travel along Bean Lane to No 32 Bean Lane and go through to the rear of the property and follow the trail through private property to Sams Way.
- Turn left into Sams Way and travel along Sams Way back to the Ride Base.

#### 10 Kilometre Ride:

- Commence from the Ride Base located at 70 Sams Way and enter the course by turning left onto Sams Way,
  - Travel along Sams Way and turn left into Mountain Lagoon Road,
  - Travel along Mountain Lagoon Road and turn right into No.1350 Mountain Lagoon Road,
  - Go through to the rear of the property and turn right into the National Park and travel along the boundary fence heading west,
  - Follow the boundary to No. 1228 Mountain Lagoon Road and cut through the adjacent property back to Mountain Lagoon Road and turn left,
  - Travel along Mountain Lagoon Road and turn right into Long Ridge Fire Trail,
  - Travel along Long Ridge Fire Trail to the turn-around point and follow Long Ridge Fire Trail to the rear of No. 31 Bean Lane and go through the property to Bean Lane,
  - Travel along Bean Lane to No 32 Bean Lane and go through to the rear of the property and follow the trail through private property to Sams Way.
  - Turn left into Sams Way and travel along Sams Way back to the Ride Base
- Where the course covers trafficable roads, as with the previous event, the following will be in place:
    - A Marshall is to be in place to stop horses crossing whilst vehicles pass,

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date: 30 January 2024**

- At any junction where horses cross or access roads that are main access gates, the Marshall is to notify Traffic of the conditions ahead,
- Signage shall be in place stating the following: Horses on Road, Horses crossing. In areas where the road narrows or is windy; Drive Slowly Horses on Road is to be provided.
- Road Inventory
  - Comleroy Road – Unsealed,
  - Mountain Lagoon Road – Sealed/Unsealed,
  - Sams Way – Unsealed,
  - Upper Colo Road – Sealed/Unsealed,
  - Roads on private property and within the National Park,
  - The Colo River will not be crossed as part of the route.

Refer to Attachments 1 to 4 for details of the event course maps.

### **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 this event may impact minor traffic and transport systems and there is a low scale disruption to the non-event community.

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document Set ID No: 8670917):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Transport for NSW – TfNSW),
4. Event outline referred to as a Traffic Management Plan for the 2019 event,
5. Event Course Maps,
6. Copy of Insurance Policy which is valid to 01 January 2024,
7. Copy of the application to the NSW Police Force,
8. Copies of correspondence forwarded to the NSW Ambulance Service, NSW Rural Fire Service, Fire and Rescue NSW and SES.

### **RECOMMENDATION TO COMMITTEE:**

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <https://www.hawkesbury.nsw.gov.au/your-council/events/traffic-management-for-special-events>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Mountain Lagoon Endurance Ride Weekend event in and around the Mountain Lagoon and Upper Colo area, planned for Saturday, 11 and Sunday, 12 May 2024 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 the Roads and Maritime Services - RMS (formerly RTA).

## ORDINARY MEETING

### 5. REPORTS OF COMMITTEES

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

**Prior to the event:**

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event.
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating Traffic Control Plans (TCPs) to Council for acknowledgement and Transport for NSW – TfNSW (formerly RTA/RMS) for concurrence. The TCPs should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 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 ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4h. the event organiser is to obtain approval from the NSW National Parks and Wildlife Service (NSW Department of Planning, Industry and Environment) for the use of Wollemi National Park; a copy of this approval to be submitted to Council;



## ORDINARY MEETING

### 5. REPORTS OF COMMITTEES

Meeting Date: 30 January 2024

- 4i. the event organiser is to obtain written approval from Councils for the use of a Council Park/Reserve;
- 4j. the event organiser is to obtain approval from the NSW Department of Planning, Industry and Environment (formerly NSW Department of Industries - Lands) for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the respective Land Owners for the use of their land as part of the route for the event; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4m. the event organiser is to 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;
- 4n. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4o. 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:**

- 4p. access is to be maintained for businesses, residents and their visitors;
- 4q. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4r. 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);
- 4s. the riders are to be made aware of and are to follow all the general road user rules whilst riding on public roads;
- 4t. 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);
- 4u. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4v. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,

## ORDINARY MEETING

### 5. REPORTS OF COMMITTEES

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- 4w. the event organiser is to ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

#### COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Sarah McMahon, seconded by Ms Felicity Findlay.

Support for the recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <https://www.hawkesbury.nsw.gov.au/your-council/events/traffic-management-for-special-events>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Mountain Lagoon Endurance Ride Weekend event in and around the Mountain Lagoon and Upper Colo area, planned for Saturday, 11 and Sunday, 12 May 2024 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 the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

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

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

## ORDINARY MEETING

### 5. REPORTS OF COMMITTEES

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organiser prior to preparing the TMP and prior to the event.

- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating Traffic Control Plans (TCPs) to Council for acknowledgement and Transport for NSW – TfNSW (formerly RTA/RMS) for concurrence. The TCPs should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 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 ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4h. the event organiser is to obtain approval from the NSW National Parks and Wildlife Service (NSW Department of Planning, Industry and Environment) for the use of Wollemi National Park; a copy of this approval to be submitted to Council;
- 4i. the event organiser is to obtain written approval from Councils for the use of a Council Park/Reserve;
- 4j. the event organiser is to obtain approval from the NSW Department of Planning, Industry and Environment (formerly NSW Department of Industries - Lands) for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the respective Land Owners for the use of their land as part of the route for the event; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4m. the event organiser is to 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;
- 4n. 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

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
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correspondence to be submitted to Council;

- 4o. 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:**

- 4p. access is to be maintained for businesses, residents and their visitors;
- 4q. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4r. 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);
- 4s. the riders are to be made aware of and are to follow all the general road user rules whilst riding on public roads;
- 4t. 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);
- 4u. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4v. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4w. the event organiser is to ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

**4.3. FOR INFORMATION**

There were no reports for Information.

**5. GENERAL BUSINESS**

There was no general business.

The next Local Traffic Committee meeting is proposed to be held on Monday, 12 February 2024 at 3.00pm.

The meeting terminated at 3:10pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date: 30 January 2024**

**5.1.2. ROC - Audit, Risk and Improvement Committee - 1 December 2023 - (158054, 95496)**

**Directorate:** Corporate Services

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**PURPOSE OF THE REPORT**

The purpose of this report is to present the Minutes of the Audit, Risk and Improvement Committee, held on 1 December 2023.

**EXECUTIVE SUMMARY**

The Audit, Risk and Improvement Committee considered nine items and a General Business item at its meeting on 1 December 2023.

The nine items and General Business item have no policy or financial implications for Council and therefore, they are presented for information only.

**RECOMMENDATION**

That Council receive and note the Minutes of the Audit, Risk and Improvement Committee Meeting held on the 1 December 2023.

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**DISCUSSION**

The Minutes of the Audit, Risk and Improvement Committee meeting held on 1 December 2023 are attached as Attachment 1 to this report.

The Audit, Risk and Improvement Committee met on 1 December 2023 and discussed the following items:

- Item 1 - 2023/2024 Internal Audit Program Update
- Item 2 - Status of Internal Audit Management Actions
- Item 3 - Fraud and Corruption Prevention Internal Audit Report
- Item 4 - Finance Reports and Audited Financial Statement for the Year ended 30 June 2023
- Item 5 - Enterprise Risk Management Update
- Item 6 - Cyber Security Quarterly Update – December 2023
- Item 7 - Fraud Control
- Item 8 - Internal Audit Function
- Item 9 - Recommendations of ICAC Operation Galley and ICAC Operation Tolosa
- General Business A - In Camera Sessions

**ATTACHMENTS**

**AT - 1** Minutes of the Audit, Risk and Improvement Committee - 1 December 2023.

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date: 30 January 2024**

**AT - 1 Minutes of the Audit, Risk and Improvement Committee - 1 December 2023**

**1. PROCEDURAL MATTERS**

Minutes of the Meeting of the Audit, Risk and Improvement Committee held in Council Committee Rooms, Windsor, on Friday, 1 December 2023, commencing at 11:08am.

**ATTENDANCE**

**Present:** Mr Michael Quirk (Chairperson)  
Ms Rachel Harris (Audio-Visual Link)  
Mrs Rhonda Wheatley (Audio-Visual Link)  
Councillor Mary Lyons-Buckett, Hawkesbury City Council

**Apologies:** Mr Kenneth Leung, NSW Audit Office

**In Attendance:** Mr James Winter, Grant Thornton - (Audio-Visual Link)  
Ms Penelope Corkill, Centium - (Audio-Visual Link)  
Ms Elizabeth Richardson, Hawkesbury City Council  
Mr Laurie Mifsud, Hawkesbury City Council  
Ms Vanessa Browning, Hawkesbury City Council  
Ms Donna McCue, Hawkesbury City Council  
Ms Shyamali Senevirathna, Hawkesbury City Council  
Ms Rachel Ridges, Hawkesbury City Council  
Ms Melissa Ryan, Hawkesbury City Council

Member	27/3/2023	30/6/2023	29/9/2023	1/12/2023
Mr Michael Quirk (Chairperson)	✓	✓	✓	✓
Ms Rachel Harris	✓	✓	✓	✓
Mrs Rhonda Wheatley	✓	✓	✓	✓
Councillor Mary Lyons-Buckett	✓	✓	✓	✓

**Key: A = Formal Apology ü= Present X = Absent - no apology**

**APOLOGIES**

Apologies from Mr Kenneth Leung were noted.

**DECLARATION OF INTERESTS**

There were no Declarations of Interests made.

**2. CONFIRMATION OF MINUTES**

RESOLVED on the motion of Mrs Rhonda Wheatley and seconded by Mr Michael Quirk that the Minutes of the Audit, Risk and Improvement Committee held on 29 September 2023, be confirmed.

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date: 30 January 2024**

**3. REPORTS FOR DETERMINATION**

**3.1.1. ARIC – 2023/2024 Internal Audit Program Update – (158054, 121470, 95496, 79351)**

**Directorate:** Corporate Services

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**OFFICER'S RECOMMENDATION:**

That the update on the 2023/2024 Internal Audit Program be received and noted.

**DISCUSSION:**

- The Director Corporate Services provided an update on the 2023/2024 Internal Audit Program.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the update on the 2023/2024 Internal Audit Program be received and noted.

**3.1.2. ARIC – Status of Internal Audit Management Actions – (158054, 121470, 95496, 79351)**

**Directorate:** Corporate Services

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**OFFICER'S RECOMMENDATION:**

That the Audit, Risk and Improvement Committee receive and note the following reports:

1. Internal Audit Management Actions Summary Report as at 27 October 2023 as outlined in Attachment 1 to this report.
2. Incomplete Internal Audit Management Actions Report as at 27 October 2023 as outlined in Attachment 2 to this report.
3. Recently Completed Internal Audit Management Actions Report as outlined in Attachment 3 to this report.
4. Approved Requests for Due-Date Extensions for Internal Audit Management Actions items, as outlined in Attachment 4 to this report.

**DISCUSSION:**

- The Director Corporate Services provided an overview of the status of Internal Audit Management Actions
- Mr Michael Quirk noted in Attachment 2 of the report, the incomplete actions from the Child Protection Compliance Internal Audit. The Director Corporate Services and General Manager noted these actions are in progress. Mr Michael Quirk requested that the relevant Manager

## ORDINARY MEETING

### 5. REPORTS OF COMMITTEES

Meeting Date: 30 January 2024

provide an update on the outstanding Management Actions for the Child Protection Compliance Internal Audit, at the next Audit, Risk and Improvement Committee Meeting.

- Mrs Rhonda Wheatley noted that the due dates of the Fire Safety, Sewer and Swimming Pool Inspections Management Actions have been pushed out and asked for an update surrounding this work at the next Audit, Risk and Improvement Committee Meeting.
- Mr Michael Quirk asked if the Records Creation and Management Responsibilities Management Action has been completed. The Director Corporate Services noted it will be presented at a Senior Leadership Team Meeting before the end of the year.

#### COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rachel Harris.

That the Audit, Risk and Improvement Committee receive and note the following reports:

1. Internal Audit Management Actions Summary Report as at 27 October 2023 as outlined in Attachment 1 to this report.
2. Incomplete Internal Audit Management Actions Report as at 27 October 2023 as outlined in Attachment 2 to this report.
3. Recently Completed Internal Audit Management Actions Report as outlined in Attachment 3 to this report.
4. Approved Requests for Due-Date Extensions for Internal Audit Management Actions items, as outlined in Attachment 4 to this report.

#### 3.1.3. ARIC – Fraud and Corruption Prevention Internal Audit Report – (158054, 121470, 95496, 79351)

Directorate: Corporate Services

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#### OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the Fraud and Corruption Prevention Internal Audit Report attached as Attachment 1 to this report.

#### DISCUSSION:

- Ms Penelope Corkill provided an overview of the Fraud and Corruption Prevention Internal Audit Report.
- Mrs Rhonda Wheatley discussed the following comments on the findings:
  - 'No fraud or corruption has been identified in the past five years.'
  - 'Seemingly strong legislative controls are in place on Development Applications.' – The State Government is looking to change this process, therefore this could change post Audit.



## ORDINARY MEETING

### 5. REPORTS OF COMMITTEES

Meeting Date: 30 January 2024

- Workforce screening – there needs to be a good focus on bringing the right people into the organisation.
- Exit interviews – there needs to be more emphasis on exit interviews and a review by the General Manager and People and Development on what is said in exit interviews.
- Ms Rachel Harris queried the dates for the recommendations to be implemented. The Director Corporate Services confirmed the dates will be delivered on.
- The Chief Financial Officer will provide updates for the development and implementation of the pressure testing framework management action.
- Mrs Rhonda Wheatley discussed running expenditure reports. The Chief Financial Officer confirmed that Senior Staff within the Financial Services Branch check the Account Payable Payment EFTs, and monthly variance reports are checked against budgets and a Quarterly Review process is undertaken.

#### COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rachel Harris.

That the Audit, Risk and Improvement Committee receive and note the Fraud and Corruption Prevention Internal Audit Report attached as Attachment 1 to this report.

#### 3.1.4. ARIC – Finance Reports and Audited Financial Statement for the Year ended 30 June 2023 – (158054, 95496, 79351)

Directorate: Corporate Services

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#### OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the report regarding the September 2023 Quarterly Budget Review Statement, the September 2023 Investment Report, and the Audited Financial Statements for the year ended 30 June 2023.

#### DISCUSSION:

- The Chief Financial Officer and Mr James Winter provided an overview of the Finance Reports and Audited Financial Statement for the Year ended 30 June 2023.
- Mr Michael Quirk asked if the Quarterly Budget Variations table in Attachment 2 of the report can be presented clearer for the next Committee Meeting or removed and just note the important ones.
- Ms Rachel Harris noted the increase in employee expenses. The Chief Financial Officer noted there was an issue with staff starting dates not being correct in the previous year. This issue has now been fixed.
- Ms Rachel Harris noted the outstanding rates. The Chief Financial Officer noted these are property debts and when the property is sold the debt will be settled.

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date: 30 January 2024**

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rachel Harris.

That the Audit, Risk and Improvement Committee receive and note the report regarding the September 2023 Quarterly Budget Review Statement, the September 2023 Investment Report, and the Audited Financial Statements for the year ended 30 June 2023.

**3.1.5. ARIC – Enterprise Risk Management Update – (95496, 159583)**

**Directorate:** Corporate Services

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**OFFICER'S RECOMMENDATION:**

The Audit, Risk and Improvement Committee receive and note the Enterprise Risk Management update report.

**DISCUSSION:**

- The Director Corporate Services provided an overview of the Enterprise Risk Management Update and indicated that the previous Manager Governance and Manager Enterprise Risk Systems have left Council since the September 2023 Audit, Risk and Improvement Committee meeting.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Ms Rachel Harris and seconded by Mrs Rhonda Wheatley.

The Audit, Risk and Improvement Committee receive and note the Enterprise Risk Management update report.

**3.1.6. ARIC – Cyber Security Quarterly Update – December 2023 (158054, 121470, 95496, 79351, 79352)**

**Previous Item:** 3.1.8, ARIC, (30 June 2023), 3.1.3, ARIC, (29 September 2023)

**Directorate:** Corporate Services

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**OFFICER'S RECOMMENDATION:**

That the update on Information Technology Cyber Security be received and noted.

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date: 30 January 2024**

**DISCUSSION:**

- The Manager Information Services provided an overview of the Cyber Security Quarterly Update.
- The Manager Information Services attended the Local Government Internal Audit Network Meeting on 24 November 2023. Parkland Councils have been provided a resource, Virtual Chief Information Security Officer. The Manager Information Services and Senior Network Administrator met with the Virtual Chief Information Security Officer and will commence working together in January 2024 to assist with developing a framework and roadmap and finding a suitable compliance standard.

**OFFICER'S RECOMMENDATION:**

RESOLVED on the motion of Ms Rachel Harris and seconded by Mrs Rhonda Wheatley.

That the Audit, Risk and Improvement Committee receive and note both the Information Technology Cyber Security update and the Cyber Security Corporate Policy attached as Attachment 1 to the report.

**3.1.7. ARIC – Fraud Control – (158054, 95496)**

**Directorate:** Corporate Services

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**OFFICER'S RECOMMENDATION:**

That:

- The status of the implementation of Council's Fraud Control Action Plan be received and noted.
- The Audit, Risk and Improvement Committee receive a further report on the status of the implementation of Council's Fraud Control Action Plan by 30 June 2024.

**DISCUSSION:**

- The Director Corporate Services provided an overview of the Fraud Control report.
- Mr Michael Quirk noted it would be good to wrap up the management actions associated with this item so the focus can be on the Fraud and Corruption Prevention Internal Audit.
- Ms Rachel Harris noted the risk assessment has been done on particular high risk areas.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mrs Rhonda Wheatley and seconded by Ms Rachel Harris.

That:

1. The status of the implementation of Council's Fraud Control Action Plan be received and noted.

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date: 30 January 2024**

2. The Audit, Risk and Improvement Committee receive a further report on the status of the implementation of Council's Fraud Control Action Plan by 30 June 2024.

**3.1.8. ARIC - Internal Audit Function - (158054, 121470, 95496, 79351)**

**Directorate:** Corporate Services

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**OFFICER'S RECOMMENDATION:**

That the Audit, Risk and Improvement Committee note that a review is in progress of the resourcing requirements of the Internal Audit Function and that the Chair of the Audit, Risk and Improvement Committee will be consulted on the resourcing requirements and the Executive Leadership Team will review a further report on the options for this Function and resourcing needs.

**DISCUSSION:**

- The Director Corporate Services noted that the Executive Leadership Team will review the resourcing requirements of the Internal Audit Function in early 2024, when the Office of Local Government release the finalised version of the Guidelines.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the Audit, Risk and Improvement Committee note that a review is in progress of the resourcing requirements of the Internal Audit Function and that the Chair of the Audit, Risk and Improvement Committee will be consulted on the resourcing requirements and the Executive Leadership Team will review a further report on the options for this Function and resourcing needs.

**3.1.9. ARIC - Recommendations of ICAC Operation Galley and ICAC Operation Tolosa - (158054, 80928)**

**Directorate:** Corporate Services

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**OFFICER'S RECOMMENDATION:**

That the report regarding the recommendations of ICAC Operation Galley and ICAC Operation Tolosa be received and noted.

**DISCUSSION:**

- The Director Corporate Services provided an overview of the recommendations of ICAC Operation Galley and ICAC Operation Tolosa.
- Mr Michael Quirk thanked staff for the comprehensive report on the recommendations of the ICAC Reports.

**ORDINARY MEETING**  
**5. REPORTS OF COMMITTEES**  
**Meeting Date: 30 January 2024**

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rachel Harris.

That the report regarding the recommendations of ICAC Operation Galley and ICAC Operation Tolosa be received and noted.

**4. GENERAL BUSINESS**

**A. In Camera Sessions**

- Mr Michael Quirk noted that prior to this meeting he had In Camera Sessions with Ms Penelope Corkill and the Chief Financial Officer. Mr Michael Quirk finds real value in these sessions and will progress this next year to include other members of the Audit, Risk and Improvement Committee.

The meeting terminated at 12:28pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**6. NOTICES OF MOTION**  
**Meeting Date: 30 January 2024**

**6. NOTICES OF MOTION**

**6.1.1. NM1 - Companion Animals**

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**Submitted by:** Councillor Wheeler

**NOTICE OF MOTION**

That Council:

1. Notes that the \$29 adoption programs for cats and dogs have been very effective at rehoming stray and surrendered animals from the Hawkesbury Companion Animal Shelter but that these programs run at a significant cost to Council;
2. Reviews the operating policies at the Shelter to ensure that there is a limit on the number of reduced-fee cats and dogs able to be rehoused to the same address and/or person, to prevent hoarding, cruelty and on-selling;
3. By March 2024, provides Councillors with a briefing detailing the costs and feasibility of running at least two free annual microchipping and registration days in the LGA;
4. Allocates \$5,000 to a subsidised desexing program in the Hawkesbury, operated either by Council or the Animal Welfare League (AWL), to be funded by a quarterly review variation, and include an amount of at least \$10,000 in the 2024/2025 budget;
5. Acknowledges the work done by Animal Welfare League Hawkesbury and other rescue organisations in the Hawkesbury and promotes the subsidised desexing and microchipping programs across our social media platforms to help increase uptake.

**NOTE BY MANAGEMENT:**

The following advice is provided in relation to the Notice of Motion:

- The Hawkesbury Companion Animal Shelter has been operating at capacity in terms of dogs throughout 2023. The capacity issues have also affected the Shelter for cats/kittens since early December 2023, with several days at maximum capacity for both dogs and cats, which as a result meant that new stray animals could not be accepted by the Shelter. This was also compounded with kitten season being in full force.
- The \$29 rehoming fee for kittens was introduced as an emergency effort to accelerate rehoming and make room for the next batch of arrivals. As the kitten influx has levelled out, the \$99 adoption fee has returned. Dog adoption fees have been kept at \$99 and only reduced to \$49 if the animal has been resident at the Shelter, for longer than five months.
- In relation to cost, if the adoption fee is set at higher levels then adoption rates drop dramatically. Prospective customers simply head to another provider which does offer reduced fees. Additionally, Hawkesbury animals represent only a quarter of the animals at the Shelter, most animals are attracting a daily rate paid by their home Council. Partner Councils also contribute towards veterinary fees, for the animal as well as desexing prior to adoption.

## ORDINARY MEETING

### 6. NOTICES OF MOTION

**Meeting Date:** 30 January 2024

- Recently, Council has begun implementation of new Shelter management software. This software allows for Shelter staff to track all animals adopted from the facility to ensure people/households are not 'over-adopting'. Further, Shelter staff have developed a process where if Shelter staff are suspicious regarding the motivations of a customer, the circumstances are to be escalated to management and adoption can be refused if deemed appropriate.
- Planning for annual free microchipping days is currently underway. These days could be held at the Shelter, and potentially upcoming Council events, and promoted in due course.
- Planning for Council run subsidised desexing initiatives is currently underway. An analysis of the Animal Welfare League program could be undertaken in order to evaluate the cost versus animals desexed in comparison to a Council run program. However, there are greater opportunities to promote animal adoption and Council's animal services more broadly if the Companion Animal Shelter runs its own program.
- It is also worth noting that Council has recently managed a procurement exercise with local veterinary clinics to standardise fees paid for desexing, as well as other veterinary services. This action was undertaken in order that Shelter staff could accurately calculate Shelter expenditure regarding these services, to ensure veterinary clinics were being paid a fair fee for their services and to enable budgetary planning to enable the introduction of programs such as subsidised desexing.

**ORDINARY MEETING**

**7. QUESTIONS FOR NEXT MEETING**

**Meeting Date:** 30 January 2024

**7. QUESTIONS FOR NEXT MEETING**

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

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The following question was raised from Councillors regarding matters on the Council Meeting Business Paper of 12 December 2023. This question was taken on notice and the response is provided below:

#	Councillor	Question	Response
1	Wheeler	How long would the habitat mapping take?	Based on advice from the Department of Climate Change, Environment, Energy and Water (formerly Department of Planning and Environment) with respect to another Council who has undertaken this mapping, it is expected to take approximately 18 months for such a project.

**oooO END OF REPORT Oooo**



**ORDINARY MEETING**  
**7. QUESTIONS FOR NEXT MEETING**  
**Meeting Date: 30 January 2024**

**7.1.2. Questions With Notice - 30 January 2024**

Questions - 30 January 2024

#	Councillor	Question	Response
1	Wheeler	What are the funding arrangements for and likely continuance of the Community Hubs through 2024?	<p>The Community Hubs Program was funded from bushfire recovery funding provided under joint Commonwealth/ State Disaster Recovery Arrangements until December 2023. Flood disaster relief funding can extend the program to June 2024, although it should be noted that this does not cover the Bowen Mountain Hub. There have also been recent staff movements within the Community Planning and Partnerships Branch that will impact upon the full delivery of the Program between January - June 2024.</p> <p>Ongoing funding beyond June 2024 is subject to further grant opportunities, or consideration of funding from Council.</p>

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**8. CONFIDENTIAL REPORTS**  
**Meeting Date: 30 January 2024**

**8. CONFIDENTIAL REPORTS**

**8.1. MAYORAL MINUTE**

**8.1.1. MM – Renewal of General Manager Contract**

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**REASON FOR CONFIDENTIALITY**

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

*Specifically, the matter is to be dealt with pursuant to Section 10A(2)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).*

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

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**ORDINARY MEETING**  
**8. CONFIDENTIAL REPORTS**  
**Meeting Date: 30 January 2024**

**8.2. GENERAL MANAGER**

Nil reports

**8.3. CITY PLANNING**

Nil reports

**8.4. CORPORATE SERVICES**

Attachment 1 to Item 4.4.1 – Investigation Report – Proposed Grose River Bridge Project

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**REASON FOR CONFIDENTIALITY**

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

*Specifically, the matter is to be dealt with pursuant to Section 10A(2)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).*

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

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**8.5. INFRASTRUCTURE SERVICES**

Nil reports



## Ordinary Meeting

## End of Business Paper

This business paper has been produced electronically to reduce costs, improve efficiency and reduce the use of paper. Internal control systems ensure it is an accurate reproduction of Council's official copy of the business paper.