



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 27 October 2020

location: by audio-visual link

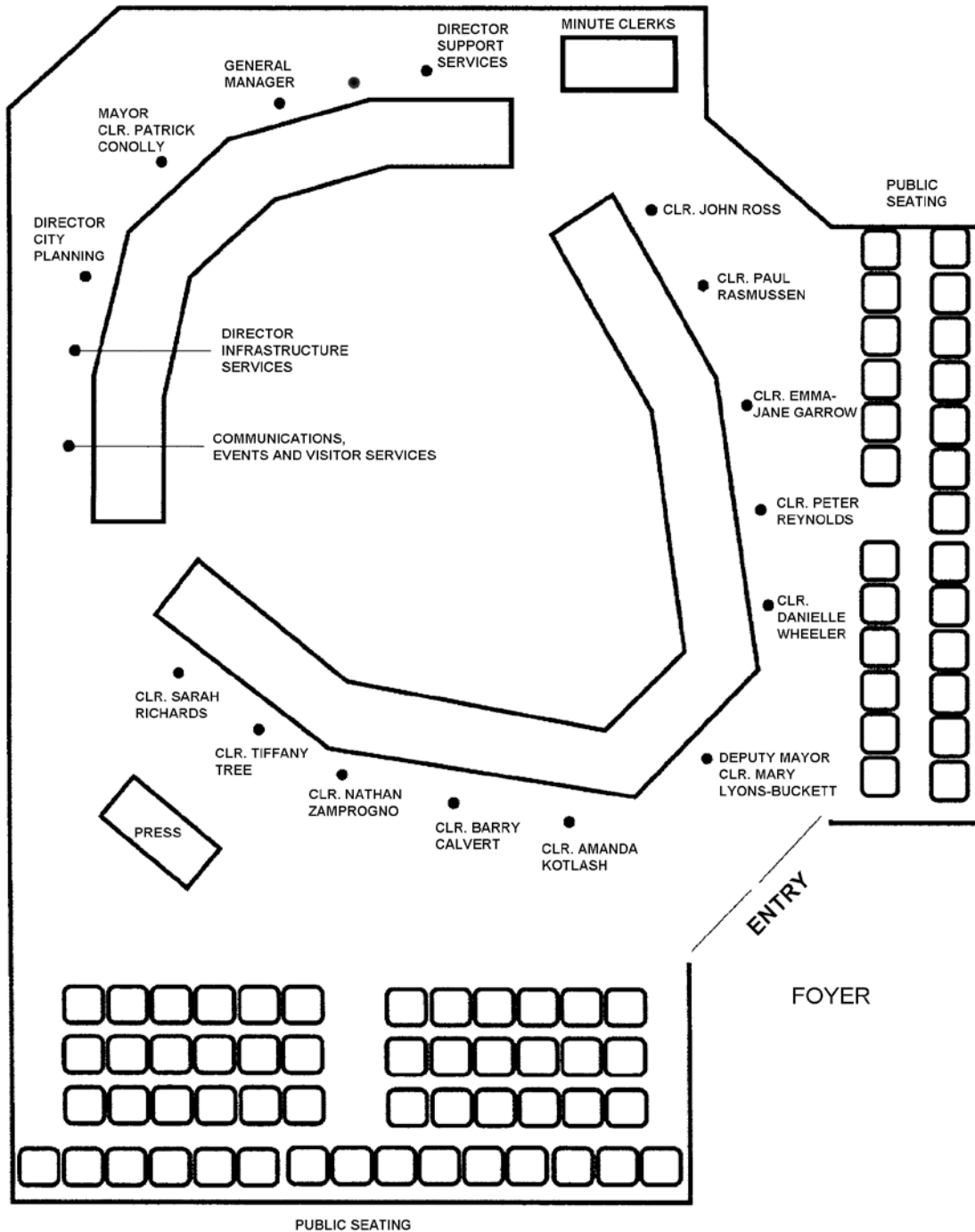
time: 6:30 p.m.



mission statement

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

Hawkesbury City Council



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PROCEDURAL MATTERS

Welcome

The Mayor, Councillor Barry Calvert will acknowledge the Indigenous Heritage.

The General Manager will address the Council meeting, mentioning:

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

Attendance

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

Apologies and Leave of Absence

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

Declaration of Interest

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

Acknowledgement of Official Visitors to the Council

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

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ordinary

section 1

confirmation of minutes

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mayoral minutes

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SECTION 2 – Mayoral Minutes

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

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

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

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

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

ordinary

section 3

reports
for determination

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SECTION 3 – Reports for Determination

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CITY PLANNING

Item: 205 **CP - Draft Flood Policy 2020 - (95498, 124414)**

Previous Item: MM1, Ordinary (13 December 2016)
 148, Ordinary (11 August 2020)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of the outcome of public exhibition of the draft Flood Policy 2020, and to recommend that Council adopt the Policy.

EXECUTIVE SUMMARY:

Council at its Ordinary Meeting on 11 August 2020 resolved to place the draft Flood Policy 2020 on public exhibition.

The purpose of the draft Flood Policy 2020 is to:

- Highlight Council's position in respect of the need for a collaborative approach across all levels of government to respond to issues associated with floodplain management across the Hawkesbury-Nepean Valley, and
- Set the information and development controls to be used for the preparation and assessment of Development Applications for land affected by the 1:100 Average Recurrent Interval * flood event to address the requirements of Clause 6.3 Flood planning of Hawkesbury Local Environmental Plan 2012.

*Note that 'Average Recurrent Interval' (ARI) is a measure of flood probability or chance of a flood occurring in any one year. A 1:100 ARI flood is a flood that occurs (or is exceeded) on average once every 100 years.

The draft Policy is an interim measure until the NSW State Government completes its review of flood related legislation, and Council finalises a new Development Control Plan Chapter relating to flooding.

The draft Policy was exhibited between 31 August 2020 to 28 September 2020, with three submissions received, which have been included as Attachment 1 to this Report.

The submissions related to:

- Hawkesbury Floodplain Risk Management Study and Plan 2012
- Clarification of elements of the policy
- Application to rezoning proposals
- Flood Planning Levels
- Use of Hazard Categories
- Flood Planning Area
- Terminology associated with Australian Rainfall and Runoff 2019
- Standard Instrument provisions
- Consideration to the provision of a Freeboard

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The exhibited policy has been amended in response to the submissions, and is now presented to Council for adoption.

RECOMMENDATION:

That Council:

1. Note the outcome of public exhibition of the draft Flood Policy 2020.
2. Adopt the draft Flood Policy 2020, attached as Attachment 2 to this report.
3. Rescind the existing PEA0124Z Development on Flood Liable Land Policy 2012 and PEL0005Z Regional Flood Mitigation in the Hawkesbury-Nepean Valley Policy 2011.

BACKGROUND

Currently, Council has two policies relevant to flood planning, being:

- Regional Flood Mitigation in the Hawkesbury-Nepean Valley Policy 2011
- Development on Flood Liable Land Policy 2012

Following a review of these Policies, the single Draft Flood Policy 2020 was developed combining and updating the relevant aspects of the two previous policies.

The amendments to the current policies are considered to be necessary given that:

- Since the Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley was adopted in 2011 there has been a number of other policies and studies completed, including:
 - Hawkesbury Floodplain Risk Management Study and Plan 2012 (Council)
 - Resilient Valley, Resilient Communities Hawkesbury-Nepean Valley Flood Risk Management Strategy 2017 (Infrastructure NSW)
- The current Development of Flood Liable Land Policy 2012 does not address the suitability of land use types in relation to the impacts of flooding. There is a reliance on meeting the controls of the Policy for permissibility, without consideration to the vulnerability of those using the development, or the scale or density of the development and impacts on the need for increased evacuation.
- There have also been a number of difficulties in the interpretation and application of the current Development of Flood Liable Land Policy 2012. In particular, Sub clause 4 to the Policy, which relates to considerations of the flood liability of access to and from land, is ambiguous and difficult to apply, especially in areas such as the MacDonald and Colo Valleys where the only access into the area is via low lying roads which are cut off early in a flood.

The draft Flood Policy 2020 has been prepared following a review of Council's current Development of Flood Liable Land Policy in order to provide up-to-date and relevant, best practice controls to meet the requirements of Clause 6.3 – *Flood planning of Hawkesbury Local Environmental Plan 2012*, and to clearly express how a proposed development's suitability is assessed in relation to the impacts of flooding.

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Flood Planning

In terms of flood planning, between Council and the NSW State Government there are numerous studies and proposals for changes to existing flood policies, as well as the introduction of new policies, including: *NSW State Government*

- Floodplain Development Manual (Under Review)
- NSW State Government Proposed Flood Package of legislative amendments (Under Development)

Regional

- Resilient Valley/Resilient Communities Regional Flood Strategy
- Regional Flood Study
- New Regional Flood Study (2D) (Under Development)
- Strategic Land use Framework for Hawkesbury Nepean Valley (Under Development)
- Strategic Road Planning – Flood Evacuation (Under Development)

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- Hawkesbury Floodplain Risk Management Study and Plan 2012 (Under Review)
- Macdonald River, Colo River, Webbs Creek, Greens Creek Flood Study and Floodplain Risk Management Study and Plan (Under Development)
- Hawkesbury Local Environmental Plan 2012 (Under Review)
- Hawkesbury Development Control Plan 2002 – Flood Chapter (Under Development)
- Development of Flood Liable Land Policy 2012 (Under Review)
- Regional Flood Mitigation in the Hawkesbury-Nepean Valley Policy 2011 (Under Review)

The relationship between the work being undertaken at State, Regional and Local levels is shown in Figure 1 below. Figure 1 highlights the complexity of flood planning, and that it will take a considerable period of time for the various State and Regional components to be finalised and aligned. Once this has occurred, local planning provisions associated with flood planning can be finalised.

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	FLOOD STUDIES AND STRATEGIES	Informs ⇒	LAND USE PLANNING
STATE	Floodplain Development Manual (Under Review)	Informs ⇒	Proposed Flood Package of Amendments (Under Development)
	Informs ↓		
REGIONAL	Resilient Valley/Resilient Communities Regional Flood Strategy Regional Flood Study New Regional Flood Study (2D) (Under Development)	Informs ⇒	Strategic Land Use Framework (Under Development) Strategic Road Planning (Evacuation) (Under Development)
	Informs ↓		
LOCAL	Hawkesbury Floodplain Risk Management Study and Plan 2012 (Under Review) Macdonald River and Colo River Flood Study and Floodplain Risk Management Study and Plan (Under Development)	Informs ⇒	Hawkesbury Local Environmental Plan 2012 (Under Review) Hawkesbury Development Control Plan (Under Development - New Flood Chapter) Development on Flood Liable Land Policy (Under Review) Policy on Regional Mitigation (Under Review)

**Figure 1 – Various Elements of Flood Planning in the Hawkesbury Nepean Valley
Review of Policies**

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Figure 2 below shows the steps in the development of Council's flood planning controls.



Figure 2 – Steps in the Development of Council's Flood Planning Controls

Floodplain Risk Management Advisory Committee

The draft Flood Policy 2020 has considered input at the Floodplain Risk Management Advisory Committee Meetings on 16 April 2020 and 25 June 2020. Feedback provided by the Committee included:

- Single Residential Uses should not be permitted within Hazard Category H4.
- Hazard Vulnerability Category H1 description sends conflicting message in relation to not driving through floodwaters.
- Evacuation of Sensitive Uses.
- Limitation on the amount of cut and fill permitted.
- Inclusion of map in the Policy to identify where the Policy applies
- Use of consistent terminology throughout the policy; in particular the words 'category', and classification'.
- Suggest use of the 'flood risk' definition from the Floodplain Development Manual.
- The relocation of 'boarding house' and 'hostel' to 'Sensitive Uses and Facilities' in Table 2 of the Policy.
- 'Sewage treatment plant' and 'biosolid treatment facilities' suitable within Hazard Category H1 subject to appropriate controls.
- Control relating to undercroft areas being enclosed needs to be clarified.
- Clarify that alterations, additions, rebuilding and redevelopment for existing development is for lawful uses and not in relation to changes to unapproved buildings and structures, by inserting the word 'lawful' where applicable.
- In relation to Emergency Management and the requirements for 'sheltering in place', the distance between a development and a community provided refuge needs to be a consideration.
- Clarify in the development controls and in Section 8 – Information Required who can prepare the engineering report.
- Clarify in Section 8 – Information Required who can prepare a flood study.
- Use of undercroft for parking and maximum height for raised construction.
- Include controls relating to uses listed as Earthworks to minimise impacts on the floodplain as the result of changes to topography
- Include clearer controls in relation to additions to, and expansion of, caravan parks.

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More recently, a further report was presented to the Floodplain Risk Management Advisory Committee Meeting on 24 September 2020, where it was resolved:

That the Floodplain Risk Management Advisory Committee endorse the draft Flood Policy 2020.

Location Plan

The draft Flood Policy 2020 will apply to the whole of the Hawkesbury Local Government Area as outlined in the policy.

Relevant Legislation

Legislation relating to flood planning is derived from a number of sources as outlined below:

Model Local Provisions for Standard Instrument Local Environmental Plans (2006)

The current model local provision clause for flood related development controls relates to a mapped 'flood planning area', rather than the 'flood planning level'.

This model local provision clause has similar objectives and considerations to the model local provision clause adopted by Hawkesbury Local Environmental Plan 2012.

Planning Circular PS07-003 – New guideline and changes to section 117 direction and Environmental Planning & Act Regulation on flood prone land (2007)

This Planning Circular, issued on 31 January 2007, provided advice on changes introduced, at that time, in relation to flood related development controls on residential land above the 1 in 100 year flood and up to the probable maximum flood.

The changes included amendment to the Environmental Planning and Assessment Regulation 2000 in relation to the provision of flood information on planning certificates, a revised ministerial direction regarding flood prone land and the introduction of a new guideline concerning flood related development controls in low flood risk areas.

Guideline on Development Controls in Low Flood Risk Areas – Floodplain Development Manual (2007)

The Guideline provides advice on appropriate flood related controls for residential and non-residential development in areas of flood prone land above the flood planning level for residential development (sometimes known as low risk areas).

In particular, the guideline prevents Councils from applying flood related development controls for residential development on land above the 1 in 100 year flood level unless 'Exceptional Circumstances' has been granted by the Department of Planning, Industry and Environment.

For this reason, the 1 in 100 year flood level was adopted by Hawkesbury Local Environmental Plan 2012 as the flood planning level.

Section 9.1 Ministerial Direction 4.3 – Flood Prone Land

The aim of Section 9.1 Ministerial Direction 4.3 – *Flood Prone Land* is to give effect to and ensure planning instruments are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).

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Hawkesbury Local Environmental Plan 2012

Clause 6.3 of Hawkesbury Local Environmental Plan 2012 provides the objectives, considerations and controls in relation to the development of land at or below the 'flood planning level'.

The 'flood planning level' is defined by Hawkesbury Local Environmental Plan 2012 to mean "*the level of a 1:100 ARI (average recurrent interval) flood event.*" 'Average recurrent interval' is a measure of flood probability or chance of a flood occurring in any 1 year. A 1:100 ARI flood is a flood that occurs (or is exceeded) on average once every 100 years.

Clause 6.3(3) of Hawkesbury Local Environmental Plan 2012 prevents the granting of development consent unless the consent authority is satisfied that:

- A development is compatible with the flood hazard of the land;
- A development will have no adverse impacts on flood behaviour;
- Measures to manage risk to life are in place;
- No adverse impacts on the environment will result; and
- No unsustainable social and economic cost to the community will result as a consequence of the proposed development.

Clause 6.3 of Hawkesbury Local Environmental Plan 2012 provides flood related development controls based on the 'flood planning level'. It is the model local provision clause developed for use in Standard Instrument Local Environmental Plans at the time that Hawkesbury Local Environmental Plan 2012 was drafted.

DISCUSSION

During exhibition of the Draft Flood Policy 2020, three submissions were received. The submissions are included as Attachment 1 to this Report, and the details of the submissions and Council Officer's responses are provided in the Table below:

Matters Raised in Submissions	Council Officer Response
Submission 1	
<p><i>It is encouraging that Council is now willing to address some of the flood planning actions that have been needed for a long time in an area that has one of the most significant flood risks in Australia. However, it is perplexing that Council's approach to the Draft Flood Policy does not follow the Council's own FRMSP and does not seem to provide any overall direction from the Council in relation to flood planning.</i></p> <p><i>Whilst it is understood that Council is proposing to review the FRMSP from 2012 it seems that the current Draft Flood Policy 2020 has disregarded the FRMSP and utilizes different flood hazard categories. The flood hazard categories used in the Draft Policy are sound, however, for ease of understanding by the community and users of the Policy, the introduction of six different categories may be over complicating the matter.</i></p> <p><i>The Draft planning control changes and Draft DCP contained within the FRMSP, using a matrix format,</i></p>	<p>Item 4 of the Hawkesbury Floodplain Risk Management Study and Plan 2012 relates to actions proposed in relation to town planning matters. These actions include:</p> <ul style="list-style-type: none">a) Advise DPI (Department of Planning and Industry) of principal planning recommendations of this Plan.b) Amend flood risk provisions of Council's existing DCP (Development Control Plan).c) Amend LEP (Local Environmental Plan) in accordance with Volume 3.d) Prepare maps to guide application of Codes SEPP (State Environmental Planning Policy).e) Revise S149 (now Section 10.7 of the Environmental Planning and Assessment Act, 1979 relating to Planning Certificates) notifications in accordance with Volume 3.f) Lodge application for 'exceptional circumstances' with DPI & OEH (Department of Planning and Industry and Office of Environment and Heritage).

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<p><i>was carefully prepared with the end users in mind. It would be wasteful of Council to ignore previous work of the FRMSP.</i></p>	<p>The Hawkesbury Floodplain Risk Management Study and Plan 2012 was adopted, in principle, by Council on 11 December 2012. However, Council's Resolution did not adopt <i>"the changes to Council's Planning Instruments"</i>, and further states that:</p> <p><i>"In this regard the review of the Planning Instruments will be via a separate statutory process that will further consider the recommendations in Volume two of the Plan, the recent changes to the planning Legislation and additional public consultation"</i>, and</p> <p><i>"That the Floodplain Risk Management Study and Plan be referred back to the Floodplain Risk Management Advisory committee for further consideration."</i></p> <p>It should also be noted that the Hawkesbury Floodplain Risk Management Study and Plan 2012 only applies to floodplain management relating to the flooding of the Hawkesbury River. It does not apply to other floodplains such as the Macdonald River, Colo River, Grose River, Webbs Creek etc.</p> <p>The Hawkesbury Floodplain Risk Management Study and Plan 2012 is currently under review with funding obtained through the Department of Planning, Industry and Environment Floodplain Management Grants Program. In addition, Council is currently undertaking a Flood Study and Floodplain Risk Management Study and Plan for the Macdonald River, Colo River, Webbs Creek and Greens Creek, also assisted by funds from the Floodplain Management Grants Program.</p> <p>One of the purposes of the Draft Flood Policy 2020 is to <i>"set the information and development controls to be used for the preparation and assessment of Development Applications for land affected by the 1:100 ARI flood event to address the requirements of Clause 6.3 Flood planning of Hawkesbury Local Environmental Plan 2012."</i></p> <p>The Draft Development Control Plan Chapter developed under Hawkesbury Floodplain Risk Management Study and Plan 2012 was compiled on the basis of flood risk precincts that do not readily translate to satisfy the requirements and considerations under Clause 6.3 – <i>Flood Planning of Hawkesbury Local Environmental Plan 2012.</i></p> <p>In addition, the preparation of the Draft Flood Policy 2020 has considered best practice in the form of the Australian Disaster Resilience Handbook</p>

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	<p>Collection prepared by the Australian Institute for Disaster Resilience, including:</p> <ul style="list-style-type: none"> • Handbook 7 – Managing the Floodplain: A Guide to Best Practice in Flood Risk Management in Australia; and • Handbook 7-3 Flood Hazard. <p>The Draft Development Control Plan Chapter developed under Hawkesbury Floodplain Risk Management Study and Plan 2012 was compiled on the basis of flood risk precincts that do not readily translate to satisfy the requirements and considerations under Clause 6.3 – Flood Planning of Hawkesbury Local Environmental Plan 2012.</p>
<p><i>The Policy fails to provide an overarching direction for Council.</i></p> <p><i>There is a real danger that the Hawkesbury issues may be overshadowed by other areas, such as Penrith, where the economic impact from business activity may overshadow the greater social and domestic impacts from flooding that occur in the Hawkesbury, i.e., the greater economic impacts of flooding are given priority over the existing and future large scale domestic impacts. In reality, it is likely that the impact in the Hawkesbury from flooding will impact more of the population for longer than any other region.</i></p>	<p>The purpose of the Policy for a collaborative approach ensures that Council has a voice in the development of future Strategies and Studies in the Regional context.</p>
<p><i>The second Policy purpose seems to dive directly into the detail of the assessment of development in flood prone areas. Whilst this is supported the Policy seems to ignore one of the basic Policy directions that is required, i.e., “Should new residential release be permitted in areas below the 1 in 100 year flood”.</i></p> <p><i>The Hawkesbury has significant areas that are zoned for residential development but are below the 1 in 100 year flood level. These areas should be assessed using a hazard and risk approach and should not be sterilized due to the flood impact unless the flood risk is so great that mitigation measures are not practicable.</i></p> <p><i>However, the Policy should provide a clear direction that new residential release and rezoning will not be permitted in areas below the 1 in 100 year flood level.</i></p>	<p>The Policy applies to development on land at or below the Flood Planning Level. It does not relate to the rezoning of land to enable increased residential development. Rezoning of flood affected land to residential zones is regulated by Section 9.1 Direction 4.3 under the Environmental Planning and Assessment Act 1979. In addition, any rezoning is required to be consistent with the Sydney Region Plan and the Western City District Plan. In particular, the Western City District Plan provides the planning principles to apply for local strategic planning and development decisions in the Hawkesbury-Nepean floodplain, including:</p> <ul style="list-style-type: none"> • <i>Avoiding intensification and new urban development on land below the current 1 in 100 chance per year flood event (1 per cent annual exceedance probability flood event).</i> <p>The draft Flood Policy 2020 is constructed to firstly assess the suitability of a land use in relation to the hazards imposed by flooding, based on impact on risk to life and damage to property. Further consideration is subsequently given to evacuation constraints. It is considered that the Policy will not</p>

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<p><i>Similarly, there should also be a clear statement that Council will not permit the wholesale filling of such land to raise it above the flood level so that it can be rezoned for residential development.</i></p> <p><i>The above clear directions should be considered as the Hawkesbury has an existing significant deficit in flood evacuation capacity. This deficit will be exacerbated by development occurring, lawfully, within the undeveloped land that is currently zoned for residential development. The evacuation capacity and risk to life should be the paramount driver for Council's Flood Policy. Unfortunately, this Draft Policy falls short in this area.</i></p>	<p>unreasonably prevent development in areas where development controls can be imposed to mitigate flood risks.</p> <p>The draft Policy currently includes development controls that prevent the importation of fill onto properties within the H3 to H6 hazard categories, and allows fill only within the H1 to H2 categories to provide a level building platform for slab on ground construction within a drop edged beam.</p> <p>It is agreed that the evacuation capacity and risk to life considerations should be the driver for Council's floodplain management.</p> <p>The draft Policy is an interim policy until:</p> <ul style="list-style-type: none"> the <i>Hawkesbury</i> Floodplain Risk Management Study and Plan 2012 has been reviewed; the <i>flood</i> study and floodplain risk management study and plan for the Macdonald River, Colo River, Webbs Creek and Greens Creek has been completed; and a development control plan has been adopted in relation to floodplain risk management.
<p><i>There is only one FPL provided in the Policy. There should be consideration given to the use of separate and different FPL for residential development, commercial development, and Critical Infrastructure. The Policy attempts to do this, but, the use of hazard categories to achieve this is clumsy and imprecise.</i></p> <p><input type="checkbox"/> <i>Given the "NOTE" under the Category hazard table, the use of Category H1 should be deleted and not used. This is another example of the over complicated category listings that should be reduced in number.</i></p> <ul style="list-style-type: none"> <i>The basic premise of any development or redevelopment of land in the flood prone areas is that the flood risk should be reduced. The use of 6 categories and overly complicated controls does not seem to clearly state this premise.</i> 	<p><i>Hawkesbury Local Environmental Plan 2012</i> only provides for one Flood Planning Level. The controls in the draft Policy have been created around the defined Flood Planning level, that is the 1:100 ARI (average recurrent interval).</p> <p>Consideration of separate and different flood planning levels for residential, commercial and critical infrastructure will be undertaken as part of the review of the <i>Hawkesbury floodplain Risk Management Study and Plan 2012</i> and the <i>Macdonald River, Colo River, Webbs Creek and Greens Creek Flood Study and Floodplain Risk Management Study and Plan</i>.</p> <p>The "NOTE" in relation to Table 1 – <i>General Flood Hazard Vulnerability Thresholds</i> of the Schedule of Flood Related Development Controls relates to concerns raised in respect to Hazard Vulnerability Category H1 which specifies that 300mm of water is generally safe for vehicles, people and buildings, and may be confusing and contradictory to other sources of information, which provide messages to not drive into flood waters.</p> <p>The Hazard Vulnerability Categories are National Categories that were adopted from the Australian Disaster Resilience Handbook which is considered to be best practice in terms of flooding and flood risk management.</p>

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	<p>The flood hazard vulnerability thresholds from the national flood hazard guideline are based on the combination of depths and velocities derived from controlled laboratory research. It is only in this context that the Hazard Category H1 conditions are considered 'generally safe'. In real-life situations other hazards may be present, including road conditions or unseen obstacles.</p> <p>As a result, the Note had been attached to Table 1 – <i>General Flood Hazard Vulnerability Thresholds</i> of the Schedule of Flood Related Development Controls advising of the limitations of the hazard Category conditions and reinforcing the message not to drive through floodwaters.</p> <p>It is considered that the premise for allowing development or redevelopment of land in flood prone areas is that the flood risks are acceptable for the type of development or measures can be implemented to reduce the flood risk to an acceptable level for a particular land use. The Draft Flood Policy 2020 has considered the constraints and risks associated with each of the Hazard Categories, and for land use types considered to be appropriate in each of the Categories provide relevant development controls that reduce the risks to life and property from flooding impacts for flood events up to and including the 1 in 100 ARI event.</p>

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<p><i>Flood Certificates – The issue of Flood Certificates by Council is a crucial element of planning. However, the accuracy of such certificates will need to be carefully considered. As the flood study is currently being updated and various developments in the locality impact flood behavior, the information base of Council will need to be up to date which will take significant resources. If the information is not updated, then the liability of Council could be significant.</i></p>	<p>A council does not incur any liability under section 733 of the <i>Local Government Act 1993</i> for advice furnished in good faith relating to the likelihood of any land being flooded or the nature or extent of any such flooding. This applies to a range of planning and development decisions including the preparation or making of an environmental planning instrument, including a planning proposal, or a development control plan, or the granting or refusal of consent to a development application, or the determination of an application for a complying certificate, and the imposition of any condition in relation to development applications. It also applies to advice furnished in planning certificates and any other thing done or omitted to be done in the exercise of a council's functions under the <i>Local Government Act 1993</i> or any other Act. This indemnity applies to the council, councillors, and council staff.</p> <p>Council is, unless the contrary is proved, taken to have acted in good faith for the purposes of section 733 if the advice was furnished, or the thing was done or omitted to be done substantially in accordance with the principles contained in the Floodplain Development Manual (2005).</p> <p>Hawkesbury Floodplain Risk Management Study and Plan 2012 was developed in accordance with the Floodplain Development Manual (2005). Councils current flood data that is used for planning purposes is that adopted by the Hawkesbury Floodplain Risk Management Study and Plan 2012, the Macdonald River Flood Study and historical data relating to the Colo River.</p>
<p><i>The Policy should provide a link to the Australian Disaster Resilience Handbook Collection, Guideline 7-3 Flood Hazard" so that users can access this information and understand the context in relation to the Policy. This would assist Council staff in dealing with potential arguments with developers and residents.</i></p>	<p>The Schedule of Flood Related Development Controls has been amended to include a link to the <i>Australian Disaster Resilience Handbook Collection</i>.</p>
<p><i>Information required - The submission requirements for DA plans (a) should include the requirement for AHD levels shown on the access routes as well to demonstrate safe entry and egress.</i></p>	<p>The Schedule of Flood Related Development Controls can be amended to include a requirement that "all applications shall be accompanied by a survey plan showing land levels of driveways to Australian Height Datum".</p>
<p><i>Compatibility Table:</i></p> <ul style="list-style-type: none"> <i>Any structure permitted below the 1 in 100 year flood level should be constructed with flood compatible materials, e.g., no standard plasterboard, laminated beams etc. Ideally</i> 	<p>It is considered that the premise for allowing development or redevelopment of land in flood prone areas is that the flood risks are acceptable for the type of development or measures can be</p>

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<p><i>this type of flood compatible construction materials should be encouraged up to the 1 in 200 Year level</i></p> <ul style="list-style-type: none"> <i>Why is residential development (New) permitted in Categories H1, H2 & H3 at all? Whilst redevelopment should be controlled to reduce the flood risk, new development below the 1 In 100 year flood level should be discouraged. The Policy is unclear on this matter.</i> <i>The controls for any development below the 1 in 100 year flood level should require an area above the 1 in 200 year flood level for the storage of goods or hazardous material so that they will not be damaged or cause pollution of flood waters. This is addressed in the Council's existing FRMSP 2012 where it was shown that the greatest property damage risk is in the areas affected between the 1 in 100 and 1 in 200 year flood levels.</i> <i>It is appropriate that agricultural uses are permitted in all categories, however, the Policy should clearly state that the erection of ancillary structures in some categories (principally H5 & H6) should not be permitted and if constructed in any other category then flood compatible materials should be used.</i> 	<p>implemented to reduce the flood risk to an acceptable level for a particular land use. The Draft Flood Policy 2020 has considered the constraints and risks associated with each of the Hazard Categories, and for land use types considered to be appropriate in each of the Categories provide relevant development controls that reduce the risks to life and property from flooding impacts for flood events up to and including the 1:100 Average Recurrent Interval flood event.</p> <p>The development controls proposed within the Draft Flood Policy 2020 have been predominantly created to satisfy the requirements of Clause 6.3 – <i>Flood planning of Hawkesbury Local Environmental Plan 2012</i>.</p> <p>For the purposes of the Draft Flood Policy 2020 the hazard categories within the <i>Australian Disaster Resilience Handbook Collection, Guideline 7-3 Flood Hazard</i> have been adopted and provides a general classification for flood hazard, incorporating 6 flood hazard categories (H1 – H6). Handbook 7 and its associated guidelines are considered to be contemporary best practice in terms of flood risk management.</p> <p>The hazard classification system used within the current Hawkesbury Floodplain Risk Management Study and Plan 2012 comes from the Hazard Definition Tool developed specifically for the Hawkesbury River as part of the Regional Floodplain Management Study (Hawkesbury-Nepean Floodplain Management Strategy) in 2003.</p> <p>More recently, Infrastructure NSW has used the <i>Australian Disaster Resilience Handbook Collection</i>, hazard classifications for the Hawkesbury-Nepean Regional Flood Study.</p> <p>In addition, the Draft Flood Policy 2020 applies to all flood liable land within the Hawkesbury Local Government Area, not just the floodplain associated with the Hawkesbury River.</p> <p>The benefit of using the hazard categories within the <i>Australian Disaster Resilience Handbook Collection, Guideline 7-3 Flood Hazard</i> is that a consistent approach will be used for all flood prone land, not one that applies to the Hawkesbury River and another for other floodplains not covered by the Hawkesbury Floodplain Risk Management Study and Plan 2012 or the Hawkesbury-Nepean Valley Flood Risk Management Strategy.</p>

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	<p>It should also be noted that Submission 3 has been prepared by an experienced floodplain consultant, who states that:</p> <ul style="list-style-type: none"> • <i>The methodology for development assessment outlined in Council's accompanying document titled, 'Schedule of Flood Related Development Controls', is based on best practice that draws from Handbook 7 of the Australian Disaster Resilience Handbook Collection (2017). This is to be commended.</i> • <i>The methodology is based on assessing the compatibility of land uses relative to the flood hazard that the land is predicted to be exposed to in a 1% AEP (Annual Exceedance Probability) flood. The hazard categorisation that has been adopted (refer Figure 1 and Table 1) is in accordance with the Guideline 7-3 Flood Hazard of the Australian Disaster Resilience Handbook Collection (2017), which is current best practice and has been endorsed in the recent update to Australian Rainfall & Runoff (2019). This is supported.</i> • <i>The approach of determining the hazard to which the land may be exposed and applying specified planning controls is based on nationally standardised hazard categories is considered to be sound and a suitable process for development assessment.</i> <p>The Schedule of Flood Related Development Controls includes controls requiring that "all buildings and structures must be constructed using flood compatible building materials". In addition, for hazard Categories H3, H4, H5 and H6, where velocities are likely to be higher, "an engineering report, prepared by a suitably qualified and experienced structural engineer, must be provided to demonstrate that new buildings and structures are able to withstand forces from floodwater, impacts from debris, and buoyancy forces" is also required.</p> <p>The depths and velocities of floodwaters associated with Hazard Categories H1, H2 & H3 in the 1:100 ARI flood event are not sufficient to restrict new development, including new residential uses where risk to life and damage to property can be managed or mitigated.</p> <p>The Schedule of Flood Related Development Controls includes controls relating to the storage of</p>

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	<p>goods or hazardous materials within Hazard Categories H3, H4, H5 and H6.</p> <p>For Hazard Categories H5 and H6, the Schedule of Flood Related Development Controls states:</p> <p><i>Development is not permitted in a floodway area or flow path, other than:</i></p> <ul style="list-style-type: none"> • <i>open style fencing that does not impede floodwater flows; or</i> • <i>ancillary buildings or structures to agriculture or recreational uses where it is demonstrated that the development will not increase flood effects elsewhere, having regard to:</i> <ul style="list-style-type: none"> o <i>loss of flood storage,</i> o <i>changes in flood levels and velocities caused by changes to flow paths,</i> o <i>the cumulative impact of development within the floodplain, and</i> o <i>the development withstanding forces from floodwater, impacts from debris, and buoyancy forces.</i>
<p><i>The Clauses relating to the MacDonald or Colo Valley provide for shelter in place. Whilst this is supported there is discussion about food and fresh water but no mention of plans for sanitary facilities. As these areas may be cut off for some time and the potential for pollution of flood waters is great, this matter should be considered.</i></p>	<p>The Schedule of Flood Related Development Controls has been amended to include details for the provision of effluent disposal facilities to be provided when seeking approval for sheltering in place.</p>
<p><i>Many of the controls, e.g., H3.13, state “Any new buildings or structures must not block flow paths”. This is used in several areas throughout the Policy. However, the words “or redirect” should also be inserted to read; “Any new buildings or structures must not block, <u>or redirect</u>, flow paths”.</i></p>	<p>The Schedule of Flood Related Development Controls has been amended to include “Any new buildings or structures must not block, <u>or redirect</u>, flow paths”.</p>
<p><i>Section H4.1 - Should include “Single Residential Uses” in the list of not permitted development.</i></p>	<p>Table 2 of the Schedule of Flood Related Development Controls identifies that Single Residential Uses are not compatible with Hazard Category H4. As a result Single Residential Uses is to be included in Section H4.1. The Schedule has been amended accordingly.</p>
<p><i>Section H4.6 – Should include the words “non-habitable” when referring to ancillary structures in the H4 category as this may not be clear to the end user. The words non-habitable should be included for all references to ancillary structures within the Policy.</i></p>	<p>The Schedule of Flood Related Development Controls has been amended to include ‘non-habitable’ in association with ancillary buildings and structures.</p>

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<p><i>The Policy makes several references to Section 7.3 – Information Required. However, the Draft Policy document does not contain a Section 7.3. This should be clarified in the Policy and potentially void the exhibition period until that information is required.</i></p>	<p>The Draft Flood Policy 2020 and the Schedule of Flood Related Development Controls has been reviewed for errors and ambiguities and corrected and reformatted.</p>
<p>Submission 2</p>	
<p><i>The new flood area proposal by the Hawkesbury Council is totally wrong. People are making decision on something they have no knowledge of and ignoring the impact it will have on the Hawkesbury people. First the earlier council made the decision based on facts and open the land - now will be classified as flood zone - for housing, such as Hobartville. This area has and never will flood. The big floods in the Hawkesbury area has only occurred due to bad water management of our Dams and river. Commence (sic) sense and historical information should be included in any decisions and not just one person's number evidence from Surveying. Water run off of all the new housing in the Hawkesbury - in the last 20 years is another sample of miss management as there has been none. I am more than will as a Hawkesbury Resident to talk with the council or assist the council on changing the proposed new flood areas with an actual knowledge and a commence (sic) approach,</i></p>	<p>The Draft Flood Policy 2020 does not change the extent of the floodplain in the Hawkesbury Local Government Area.</p>
<p>Submission 3</p>	
<p><i>The terminology that is applied to define the frequency of a flood should be based on guidelines documented in Australian Rainfall & Runoff 2019 (ARR 2019) which recommends the use of percent annual exceedance probability (% AEP). Therefore, all references to "1 in 100 year" should be replaced with "1% Annual Exceedance Probability" or "1% AEP".</i></p>	<p>The recommendation of the <i>Australian Rainfall & Runoff 2019</i> is noted, however for the purposes of consistency, it is considered that the terminology used by the Hawkesbury Local Environmental Plan 2012 be adopted i.e. 1:100 ARI (average recurrent interval) flood event. References in the Draft Flood Policy 2020 and the Schedule of Flood Related Development Controls to the 1 in 100 year flood have been amended to read the 1:100 ARI flood.</p>
<p><i>Based on my reading of the Draft Flood Policy document, it is apparent that the key planning controls that are to be applied in the assessment of applications for development are actually contained within Council's accompanying document titled, 'Schedule of Flood Related Development Controls'. This document contains specific controls for application to the assessment of development proposals and in effect is the crux of the revised policy. However, this accompanying document is only mentioned once in the Draft Flood Policy</i></p>	<p>Noted. The Draft Flood Policy has been amended to provide a better connection between the Policy document and associated Schedule of Flood Related Development Controls.</p>

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<p><i>document that was exhibited. As a result, the revised methodology for assessing development and the planning controls that are to be applied are not apparent from reading the covering Draft Flood Policy document.</i></p> <p><i>Accordingly, it is suggested that an expanded commentary be provided in Section 5 of the Draft Flood Policy to highlight the revised methodology for development assessment and to provide better linkage to the accompanying document. Perhaps the accompanying document should be referenced as an appendix to the covering document.</i></p>	
<p><i>The 2nd bullet point indicates that the purpose of the policy is to:</i></p> <p align="center"><i>“set the information and development controls to be used for the preparation and assessment of Development Applications for land affected by the 1 in 100 year flood ...”</i></p> <p><i>This purpose or objective is not consistent with guidelines outlined in the NSW Government’s Floodplain Development Manual (2005) or with the provisions of the NSW Department of Planning, Industry and Environment’s “Standard Instrument”, which specify that flood related development controls should be applied to the Flood Planning Area (FPA). The FPA is the area below the flood planning level (FPL) and is generally a combination of the defined flood event (DFE) plus a freeboard. ...</i></p> <p><i>Therefore, while adoption of the 1% AEP event as the DFE is acceptable, the “purpose” of the Flood Policy should clearly set out that development controls are to be applied on land within the Flood Planning Area with suitable reference to definitions that define what the FPA is and how it is determined. As outlined above, this will result in development controls being applied to land outside the 1% AEP flood extent. Hence, the 2nd bullet point in the Draft Flood Policy under “Section 2 – Purpose” is incorrect.</i></p>	<p>The Flood Planning Level is defined by the Hawkesbury Local Environmental Plan 2012 as:</p> <p><i>‘the level of a 1:100 ARI (average recurrent interval) flood event.’</i></p> <p>This definition does not include provision of a freeboard. Whilst the use of a freeboard is common practice, Hawkesbury Floodplain Risk Management Study and Plan 2012 determined that a freeboard was not warranted given the variance of depth impacts between flood events, and as a consequence a freeboard was not adopted by the Hawkesbury Local Environmental Plan 2012.</p> <p>Consideration of the need for a freeboard will be investigated further as part of the current review of the Hawkesbury Floodplain Risk Management Study and Plan 2012 and the Macdonald River, Colo River, Webbs Creek and Greens Creek Flood Study and Floodplain Risk Management Study and Plan 2012.</p> <p>Hawkesbury Local Environmental Plan 2012 only provides for one Flood Planning Level. The controls in the Draft Policy have been created around the defined Flood Planning Level, i.e. the 1:100 ARI (average recurrent interval). Consideration of separate and different flood planning levels for residential, commercial and critical infrastructure will be undertaken as part of the review of the Hawkesbury Floodplain Risk Management Study and Plan 2012 and the Macdonald River, Colo River, Webbs Creek and Greens Creek Flood Study and Floodplain Risk Management Study and Plan.</p> <p>Clause 6.3 of <i>Hawkesbury Local Environmental Plan 2012</i> provides the objectives, considerations and controls in relation to the development of land at or below the ‘flood planning level’.</p>

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	<p>The 'flood planning level' is defined by Hawkesbury Local Environmental Plan 2012 to mean "<i>the level of a 1:100 ARI (average recurrent interval) flood event.</i>"</p> <p>Clause 6.3(3) prevents the granting of development consent unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> • a development is compatible with the flood hazard of the land; • a development will have no adverse impacts on flood behaviour; • measures to manage risk to life are in place; • no adverse impacts on the environment will result; and • no unsustainable social and economic cost to the community will result as a consequence of the proposed development.. <p>Clause 6.3 of <i>Hawkesbury Local Environmental Plan 2012</i> provides flood related development controls based on the 'flood planning level'. It is the model local provision clause developed for use in Standard Instrument Local Environmental Plans at the time that <i>Hawkesbury Local Environmental Plan 2012</i> was compiled.</p> <p>It is recognised that the current model local provision clause for flood related development controls relates to a mapped 'flood planning area', rather than the 'flood planning level'.</p> <p>Planning Circular PS07-003 – <i>New guideline and changes to section 117 direction and EP&A Regulation on flood prone land</i>, issued on 31 January 2007, provided advice on changes introduced, at that time, in relation to flood related development controls on residential land above the 1 in 100 year flood and up to the probable maximum flood.</p> <p>The changes included amendment to the <i>Environmental Planning and Assessment Regulation 2000</i> in relation to the provision of flood information on planning certificates, a revised ministerial direction regarding flood prone land and the introduction of a new guideline concerning flood related development controls in low flood risk areas.</p> <p>The Guideline provides advice on appropriate flood related controls for residential and non-residential</p>

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	<p>development in areas of flood prone land above the flood planning level for residential development (sometimes known as low risk areas).</p> <p>In particular, the guideline prevents Councils from applying flood related development controls for residential development on land above the 1 in 100 year flood level unless 'Exceptional Circumstances' has been granted by the Department of Planning, Industry and Environment.</p> <p>For this reason, at that time, the 1:100 year flood level was adopted by <i>Hawkesbury Local Environmental Plan 2012</i> as the flood planning level. In addition, and for the same reasons, the development controls proposed by the Schedule of Flood Related Development Controls have been developed only in relation to land at or below the 1:100 ARI flood level to satisfy the considerations of Clause 6.3 of the <i>Hawkesbury Local Environmental Plan 2012</i>.</p>
<p><i>The 3rd paragraph states that:</i></p> <p><i>"This Policy applies to all Development Applications for any development in the Hawkesbury City Council Local Government Area on land that is subject to inundation in a 1 in 100 year flood event"</i></p> <p><i>This should be amended to make reference to the Flood Planning Area.</i></p>	<p>Given that the Hawkesbury Local Environmental Plan 2012 adopts the previous model provision relating to Flood Planning Levels, the purpose of the Policy and the controls will retain their reference to the Flood Planning Area. The use of a Flood Planning Area as opposed to the use of a Flood Planning Level will be investigated as part of the current review of the Hawkesbury Floodplain Risk Management Study and Plan and the current Combined Rivers Flood Study and Floodplain Risk Management Study and Plan.</p>
<p><i>The 4th paragraph makes reference to mapping showing the extent of flooding in the HCC LGA in the 1 in 100 year event. While it is acceptable to provide mapping showing the extent of inundation in the 1% AEP flood, it is more appropriate for mapping of the Flood Planning Area to be provided.</i></p>	<p>Noted. Please see comments above.</p>
<p><i>Section 5 of the Draft Policy contains the extent of any policy statements listed in the Draft Policy. These can be summarised as follows:</i></p> <p><i>(i) Hawkesbury City Council recognises that there is a need for regional flood mitigation measures to be implemented across the floodplains in the Hawkesbury LGA, but due magnitude of the flood risk, the measures that will need to be implemented to manage the risk are beyond the resources of Council. Hence, Council advocates the need for a collaborative approach across all of government to address the flood risk.</i></p>	

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<p>(ii) <i>That the development controls specified in Council's document titled, 'Schedule of Council's Development Controls' are to be applied when assessing development proposals on flood affected land to which Clause 6.3 - Flood planning of Hawkesbury Local Environmental Plan 2012.</i></p> <p><i>The following points arise from consideration of these policy statements:</i></p> <ul style="list-style-type: none"> <i>While it is acknowledged that flooding in the Hawkesbury River occurs as a consequence of broadscale regional flooding that is a function of rainfall and runoff in areas that extend well beyond the Hawkesbury City LGA, and that actions to manage flooding are currently being considered by government that involves major infrastructure upgrades in other LGAs, this should not prevent Council from adopting a policy that can be used to assess development on flood liable. Furthermore, the policy is touted as being "LGA wide" and flooding of many of the creeks and floodplains within the LGA will not be impacted by the major infrastructure works proposed elsewhere.</i> <i>Based on Item (ii) above, it appears that the Draft Flood Policy 2020 as exhibited is a cover statement for the actual policy which is more clearly articulated, at least in terms of specifying protocols and planning controls for development assessment, in Council's accompanying document titled, 'Schedule of Council's Development Controls'. This should be emphasised more clearly in the cover document.</i> 	<p>It is acknowledged that this aspect of the Draft Flood Policy does not prevent Council from adopting a Policy that can be used to assess development on flood liable, as evidenced by the Draft Flood Policy also providing development controls to assist in the assessment of the suitability of development in relation to flood impacts up to and including the 1:100 ARI flood event.</p> <p>Noted. The Draft Flood Policy has been amended to provide a better connection between the Policy document and associated Schedule of Flood Related Development Controls.</p>
<p><i>Consistent with the discussion presented above, the definition of Flood Planning Level provided on page 7 of the Draft Flood Policy is incorrect. The definition as provided states that the FPL is:</i></p> <p align="center"><i>'the level of the 1 in 100 year flood event'</i></p> <p><i>This is not correct. The FPL is an elevation equivalent to the peak level of the Defined Flood Event (typically the 1% AEP flood) plus a freeboard (typically 0.5 m for residential development). Refer to Appendix K of the NSW Government's Floodplain Development Manual (2005).</i></p>	<p>The Flood Planning Level is defined by <i>Hawkesbury Local Environmental Plan 2012</i> as:</p> <p align="center"><i>'the level of a 1:100 ARI (average recurrent interval) flood event.'</i></p> <p>This definition does not include provision of a freeboard. Whilst the use of a freeboard is common practice, Hawkesbury Floodplain Risk Management Study determined that a freeboard was not warranted given the variance of depth impacts between flood events, and as a consequence a freeboard was not adopted by the <i>Hawkesbury Local Environmental Plan 2012</i>.</p>

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<i>It is imperative that this definition be corrected in the Draft Flood Policy.</i>	The need for a freeboard, or not, will be further investigated as part of the current review of the Hawkesbury Floodplain Risk Management Study and Plan and the current Combined Rivers Flood Study and Floodplain Risk Management Study and Plan.

Should Council resolve to adopt the Draft Flood Policy 2020, the existing Development on Flood Liable Land Policy 2012 and Regional Flood Mitigation in the Hawkesbury-Nepean Valley Policy 2011 will be required to be rescinded.

Following consideration of the submissions, the Draft Flood Policy 2020 has been amended. The amended Draft Policy is provided in Attachment 2 to this report.

The 'Schedule of Flood Related Development Controls' is provided in Attachment 3 to this report.

COMMUNITY ENGAGEMENT

Public exhibition of the Draft Flood Policy 2020 was undertaken in accordance with Council's Community Participation Plan, including the exhibition of the Draft Policy for 28 days between 31 August 2020 to 28 September 2020.

Arrangements for public notification included:

- Public Notices in The Courier on 27 August 2020 and 10 September 2020
- Exhibition documentation provided on Your Hawkesbury Your Say from 27 August 2020
- Details and links on Hawkesbury City Council website
- Social Media posts and media release
- Correspondence advising of the exhibition sent to Council's database of development sector contacts on 27 August 2020.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

Our Community

- 1.1 Community safety is improved
 - 1.1.1 Meet the needs of our community through effective flood, fire and other disaster management plans that promote the protection of life, property and infrastructure.
 - 1.1.2 Make the Hawkesbury a friendly place where people feel safe.
- 2.3 Community partnerships continue to evolve
 - 2.3.1 Encourage and facilitate community partnerships.

Our Future

- 5.1 Strategic Planning Governance
 - 5.1.2 Council's decision making on all matters is transparent, accessible and countable.
 - 5.1.4 Encourage increased community participation in planning and policy development.

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FINANCIAL IMPACT

There are no financial implications of this proposed Draft Flood Policy 2020 and associated Schedule.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

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

ATTACHMENTS:

- AT - 1** Three Submissions.
- AT - 2** Draft Flood Policy 2020 - *(Distributed under separate cover)*.
- AT - 3** Schedule of Flood Related Development Controls - *(Distributed under separate cover)*.

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AT - 1 Three Submissions.



28/09/20

The General Manager
Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756
Via email: council@hawkesbury.nsw.gov.au

Attention: Strategic Planning

RE: Exhibition of Draft Flood Policy 2020

This is a submission to the draft Flood Policy 2020 that is on exhibition from 31 August 2020 to 28 September 2020. This submission provides general comments about the purpose and direction of the draft Policy and then comments on some more detailed aspects of the draft Policy. Most of the submission comments are in point form to enable easy reference to the issue.

General Comments

The policy purpose is stated to be:

- *Highlight Council's position in respect of the need for a collaborative approach across all levels of government to response to issues associated with floodplain management across the Hawkesbury-Nepean Valley, and*
- *Set the information and development controls to be used for the preparation and assessment of Development Applications for land affected by the 1 in 100 year flood event to address the requirements of Clause 6.3 Flood planning of Hawkesbury Local Environmental Plan 2012.*



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In December 2012 Council adopted the *Hawkesbury Floodplain Risk Management Study and Plan* (FRMSP) that was prepared for Council with the assistance of the Office of Environment and Heritage. The resolution of Council at the time was as follows:

That:

1. *Subject to any necessary minor editing and layout amendments the draft Hawkesbury Floodplain Risk Management Study and Plan, as exhibited, be adopted.*
2. *The adopted Hawkesbury Floodplain Risk Management Study and Plan be published on Council's website.*
3. *Council notes that the adoption of the Hawkesbury Floodplain Risk Management Study and Plan **does not adopt the changes to Council's Planning Instruments**. In this regard the review of the Planning Instruments will be via a separate statutory process that will further consider the recommendations in Volume two of the Plan, the recent changes to the planning Legislation and additional public consultation.*

As highlighted above, Council at the time did not adopt the recommended changes to Council's planning instruments (Recommendation No.4 of Table 3 of the Plan). This was disappointing at the time as land use planning is one of the principle actions to deal with flood risk.

It is encouraging that Council is now willing to address some of the flood planning actions that have been needed for a long time in an area that has one of the most significant flood risks in Australia. However, it is perplexing that Council's approach to the draft Flood Policy does not follow the Council's own FRMSP and does not seem to provide any overall direction from the Council in relation to flood planning.

Hawkesbury Floodplain Risk Management Study and Plan

Recommendation 4 of this plan was as follows:

- a) *Advise DPI of principal planning recommendation of this Plan*
- b) *Amend flood risk provisions of Council's existing DCP*
- c) *Amend LEP in accordance with Volume 3.*
- d) *Prepare maps to guide application of Codes SEPP.*
- e) *Revise S149 notifications in accordance with Volume 3.*
- f) *Lodge application for 'exceptional circumstances' with DPI and OEH.*

As Council specifically did not adopt this recommendation none of the recommendations were implemented at the time. As some time has passed since this Plan was adopted it is acknowledged

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that some of the processes have changed, particularly in relation to the *Resilient Valley, Resilient Communities – the Hawkesbury-Nepean Valley Flood Risk Strategy* was prepared. However, the undersigned was a member of the Local Government Reference Group for the preparation of the *Resilient Valley, Resilient Communities*, and notes that the FRMSP was used as a base reference document by Infrastructure NSW for the preparation of their Strategy.

Whilst it is understood that Council is proposing to review the FRMSP from 2012 it seems that the current draft Flood Policy 2020 has disregarded the FRMSP and utilizes different flood hazard categories. The flood hazard categories used in the draft Policy are sound, however, for ease of understanding by the community and users of the Policy, the introduction of six different categories may be over complicating the matter.

The draft planning control changes and draft DCP contained within the FRMSP, using a matrix format, was carefully prepared with the end users in mind. It would be wasteful of Council to ignore previous work of the FRMSP.

General Direction

The Policy fails to provide an overarching direction for Council.

In this regard, part one of the Policy purpose is simply a reinstatement of Council's existing Flood Policy that supports a collaborative approach. This approach is supported and it is imperative that Council pursues this direction. There is a real danger that the Hawkesbury issues may be overshadowed by other areas, such as Penrith, where the economic impact from business activity may overshadow the greater social and domestic impacts from flooding that occur in the Hawkesbury, i.e., the greater economic impacts of flooding are given priority over the existing and future large scale domestic impacts. In reality, it is likely that the impact in the Hawkesbury from flooding will impact more of the population for longer than any other region.

The second Policy purpose seems to dive directly into the detail of the assessment of development in flood prone areas. Whilst this is supported the Policy seems to ignore one of the basic Policy directions that is required, i.e., "Should new residential release be permitted in areas below the 1 in 100 year flood".

The Hawkesbury has significant areas that are zoned for residential development but are below the 1 in 100 year flood level. These areas should be assessed using a hazard and risk approach and

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should not be sterilized due to the flood impact unless the flood risk is so great that mitigation measures are not practicable.

However, the Policy should provide a clear direction that new residential release and rezoning will not be permitted in areas below the 1 in 100 year flood level. Similarly, there should also be a clear statement that Council will not permit the wholesale filling of such land to raise it above the flood level so that it can be rezoned for residential development.

The above clear directions should be considered as the Hawkesbury has an existing significant deficit in flood evacuation capacity. This deficit will be exacerbated by development occurring, lawfully, within the undeveloped land that is currently zoned for residential development. The evacuation capacity and risk to life should be the paramount driver for Council's Flood Policy. Unfortunately, this draft Policy falls short in this area.

Policy Format, layout and details

The following comments relate to specific wording or areas in the draft Flood Policy document:

- References to Table 2 within the Policy are unclear. It is assumed that table 2 is the "Schedule of Flood Related Development Controls" but the format and layout of the exhibition documents do not make this abundantly clear.

Definitions

- There is a typo in the definition for PMF
- Flood Planning Level – There is only one FPL provided in the Policy. There should be consideration given to the use of separate and different FPL for residential development, commercial development, and Critical Infrastructure. The Policy attempts to do this, but, the use of hazard categories to achieve this is clumsy and imprecise.
 - Given the "NOTE" under the Category hazard table, the use of Category H1 should be deleted and not used. This is another example of the over complicated category listings that should be reduced in number.
 - The basic premise of any development or redevelopment of land in the flood prone areas is that the flood risk should be reduced. The use of 6 categories and overly complicated controls does not seem to clearly state this premise.

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- Flood Certificates – The issue of Flood Certificates by Council is a crucial element of planning. However, the accuracy of such certificates will need to be carefully considered. As the flood study is currently being updated and various developments in the locality impact flood behavior, the information base of Council will need to be up to date which will take significant resources. If the information is not updated, then the liability of Council could be significant.
- The Policy should provide a link to the *Australian Disaster Resilience Handbook Collection, Guideline 7-3 Flood Hazard* so that users can access this information and understand the context in relation to the Policy. This would assist Council staff in dealing with potential arguments with developers and residents.

General comments

- Information required - The submission requirements for DA plans (a) should include the requirement for AHD levels shown on the access routes as well to demonstrate safe entry and egress.
- Compatibility Table;
 - Any structure permitted below the 1 in 100 year flood level should be constructed with flood compatible materials, e.g., no standard plasterboard, laminated beams etc. Ideally this type of flood compatible construction materials should be encouraged up to the 1 in 200 Year level (See FRMSP)
 - Why is residential development (New) permitted in Categories H1, H2 & H3 at all? Whilst redevelopment should be controlled to reduce the flood risk, new development below the 1 in 100 year flood level should be discouraged. The Policy is unclear on this matter.
 - The controls for any development below the 1 in 100 year flood level should require an area above the 1 in 200 year flood level for the storage of goods or hazardous material so that they will not be damaged or cause pollution of flood waters. This is addressed in the Council's existing FRMSP 2012 where it was shown that the greatest property damage risk is in the areas affected between the 1 in 100 and 1 in 200 year flood levels.
 - It is appropriate that agricultural uses are permitted in all categories, however, the Policy should clearly state that the erection of ancillary structures in some categories (principally H5 & H6) should not be permitted and if constructed in any other category then flood compatible materials should be used.
- The controls have said little about fencing in flood prone areas. Whilst there is some mention in the higher categories, fencing should be carefully controlled in all categories, particularly in areas of high velocity (regardless of depth), flood ways or other areas where debris may build up behind the fence. In these cases, the build-up or failure of the fence has a real potential to significantly impact surrounding or down-stream development.

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- [REDACTED]
- [REDACTED]
- The Clauses relating to the MacDonald or Colo Valley provide for shelter in place. Whilst this is supported there is discussion about food and fresh water but no mention of plans for sanitary facilities. As these areas may be cut off for some time and the potential for pollution of flood waters is great, this matter should be considered.
 - Many of the controls, e.g., H3.13, state *"Any new buildings or structures must not block flow paths"*. This is used in several areas throughout the Policy. However, the words "or redirect" should also be inserted to read; *"Any new buildings or structures must not block, or redirect, flow paths"*
 - Section H4.1 - Should include "Single Residential Uses" in the list of not permitted development.
 - Section H4.6 – Should include the words "non-habitable" when referring to ancillary structures in the H4 category as this may not be clear to the end user. The words non-habitable should be included for all references to ancillary structures within the Policy.
 - The Policy makes several references to Section 7.3 – Information Required. However, the draft Policy document does not contain a Section 7.3. This should be clarified in the Policy and potentially void the exhibition period until that information is required.

Thank you for providing the opportunity to comment on the draft Flood Policy 2020. Should you have any queries or questions please contact the undersigned.

Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

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Declaration

This submission is being made by N [REDACTED] Whilst I have clients within the Hawkesbury LGA none of those clients, at the time or writing, have interests in any flood prone land. This submission is made on my behalf, I am not representing any client or resident and I declare that I do not have any pecuniary or non-pecuniary conflicts of interest in this matter

[REDACTED]

[REDACTED]

[REDACTED]

7

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From: [Your Hawkesbury Your Say](#)
To: [REDACTED]
Subject: Anonymous User completed Flood Policy 2020 - Online Submission
Date: Sunday, 30 August 2020 9:47:49 AM

Anonymous User just submitted the survey Flood Policy 2020 - Online Submission with the responses below.

Your full name

[REDACTED]

Your email address

[REDACTED]

Your submission

The new flood area proposal by the Hawkesbury Council is totally wrong. People are making decision on something they have no knowledge of and ignoring the impact it will have on the Hawkesbury people. First the earlier council made the decision based on facts and open the land - now will be classified as flood zone - for housing, such as Hobartville. This area has and never will flood. The big floods in the Hawkesbury area has only occurred due to bad water management of our Dams and river. Commence sense and historical information should be included in any decisions and not just one persons number evidence from Surveying. Water run off of all the new housing in the Hawkesbury - in the last 20 years is another sample of miss management as there has been non. I am more than will as a Hawkesbury Resident to talk with the council or assist the council on changing the proposed new flood areas with a actual knowledge and a commence approach,

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

28th September 2020

Dear Mr Conroy,

HAWKESBURY CITY COUNCIL'S DRAFT FLOOD POLICY 2020
SUBMISSION ON BEHALF OF [REDACTED]

I refer to Hawkesbury City Council's Draft Flood Policy 2020 which was placed on public exhibition during September 2020. The Draft Policy has been prepared following a review of two existing Council policies, namely:

- the *Development of Flood Liable Land Policy 2012*; and,
- the *Regional Flood Mitigation in the Hawkesbury-Nepean Valley Policy 2011*.

I understand that the objective of the review is to provide best practice controls to meet the requirements of Clause 6.3 - Flood Planning of the *Hawkesbury Local Environmental Plan 2012*, and to articulate how a proposed development's suitability is assessed with reference to the impacts of flooding. The Draft Policy is an interim measure until the NSW State Government completes its review of flood related legislation, and Council finalises a new Development Control Plan Chapter which will be developed as part of its review of the Hawkesbury Floodplain Risk Management Study and Plan.

This submission has been prepared on behalf of [REDACTED] which has an interest in the management of floodplain lands due to its significant landholding on the [REDACTED]

The following is a summary of general and specific comments arising from my review of the Draft Flood Policy.

General Comments

- (i) The terminology that is applied to define the frequency of a flood should be based on guidelines documented in *Australian Rainfall & Runoff 2019* (ARR 2019) which recommends the use of percent annual exceedance probability (% AEP). Therefore, all references to "1 in 100 year" should be replaced with "1% Annual Exceedance Probability" or "1% AEP".
- (ii) Based on my reading of the Draft Flood Policy document, it is apparent that the key planning controls that are to be applied in the assessment of applications for development are actually contained within Council's accompanying document titled, '*Schedule of Flood Related Development Controls*'. This document contains specific controls for application to the assessment of development proposals and in effect is the crux of the revised policy. However, this accompanying document is only mentioned once in the Draft Flood Policy document that was exhibited. As a result, the revised methodology for assessing development and the planning controls that are to be applied are not apparent from reading the covering Draft Flood Policy document.

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Accordingly, it is suggested that an expanded commentary be provided in Section 5 of the Draft Flood Policy to highlight the revised methodology for development assessment and to provide better linkage to the accompanying document. Perhaps the accompanying document should be referenced as an appendix to the covering document.

- (iii) The methodology for development assessment outlined in Council's accompanying document titled, *'Schedule of Flood Related Development Controls'*, is based on best practice that draws from Handbook 7 of the *Australian Disaster Resilience Handbook Collection* (2017). This is to be commended.
- (iv) The methodology is based on assessing the compatibility of land uses relative to the flood hazard that the land is predicted to be exposed to in a 1% AEP flood. The hazard categorisation that has been adopted (refer *Figure 1 and Table 1*) is in accordance with the *Guideline 7-3 Flood Hazard* of the *Australian Disaster Resilience Handbook Collection* (2017), which is current best practice and has been endorsed in the recent update to *Australian Rainfall & Runoff* (2019). This is supported.
- (v) The approach of determining the hazard to which the land may be exposed and applying specified planning controls is based on nationally standardised hazard categories is considered to be sound and a suitable process for development assessment.

Specific Comments on the Cover Document

1. Section 2 – Purpose

The 2nd bullet point indicates that the purpose of the policy is to:

"set the information and development controls to be used for the preparation and assessment of Development Applications for land affected by the 1 in 100 year flood ..."

This purpose or objective is not consistent with guidelines outlined in the NSW Government's *Floodplain Development Manual* (2005) or with the provisions of the NSW Department of Planning, Industry and Environment's "Standard Instrument", which specify that flood related development controls should be applied to the Flood Planning Area (FPA). The FPA is the area below the flood planning level (FPL) and is generally a combination of the defined flood event (DFE) plus a freeboard.

The DFE is selected by council, typically through the floodplain risk management process outlined in the NSW Government's *Floodplain Development Manual* (2005). It is the basis for limiting the likelihood of exposure to flooding and associated risks to life and property damage. The Manual identifies the 1% AEP flood event, or an equivalent historic flood, as an appropriate starting point for determining the DFE for development controls, including for residential development. The Manual allows councils to select a rarer DFE (altering the FPL and the FPA) to address broad scale flood impacts in consideration of the social, economic, environmental and cultural consequences associated with floods of different probabilities.

The typical freeboard for residential development due to flooding from rivers or creeks is 0.5m. A lower freeboard or other approaches to freeboard may be used where the consequences to people and property of low probability flood events are assessed as minor through the floodplain risk management process.

Councils proposing a different FPL are required to demonstrate and document the merits of this approach through the floodplain risk management process.

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However, in some cases it may be appropriate to extend the FPA to include additional areas where low probability events have the potential for high consequences. These additional areas may include areas where new floodways develop in flood events rarer than the DFE (for example in the 1 in 500 AEP flood event) or where the scale of damages in more extreme events warrants additional development controls.

Therefore, while adoption of the 1% AEP event as the DFE is acceptable, the “purpose” of the Flood Policy should clearly set out that development controls are to be applied on land within the Flood Planning Area with suitable reference to definitions that define what the FPA is and how it is determined. As outlined above, this will result in development controls being applied to land outside the 1% AEP flood extent. Hence, the 2nd bullet point in the Draft Flood Policy under “Section 2 – Purpose” is incorrect.

2. Section 3 – Scope

- The 3rd paragraph states that:

“This Policy applies to all Development Applications for any development in the Hawkesbury City Council Local Government Area on land that is subject to inundation in a 1 in 100 year flood event”

This should be amended to make reference to the Flood Planning Area.

- The 4th paragraph makes reference to mapping showing the extent of flooding in the HCC LGA in the 1 in 100 year event. While it is acceptable to provide mapping showing the extent of inundation in the 1% AEP flood, it is more appropriate for mapping of the Flood Planning Area to be provided.

3. Section 5 – Policy

Section 5 of the Draft Policy contains the extent of any policy statements listed in the Draft Policy. These can be summarised as follows:

- (i) Hawkesbury City Council recognises that there is a need for regional flood mitigation measures to be implemented across the floodplains in the Hawkesbury LGA, but due magnitude of the flood risk, the measures that will need to be implemented to manage the risk are beyond the resources of Council. Hence, Council advocates the need for a collaborative approach across all of government to address the flood risk.
- (ii) That the development controls specified in Council’s document titled, ‘Schedule of Council’s Development Controls’ are to be applied when assessing development proposals on flood affected land to which Clause 6.3 - Flood planning of Hawkesbury Local Environmental Plan 2012.

The following points arise from consideration of these policy statements:

- While it is acknowledged that flooding in the Hawkesbury River occurs as a consequence of broadscale regional flooding that is a function of rainfall and runoff in areas that extend well beyond the Hawkesbury City LGA, and that actions to manage flooding are currently being considered by government that involves major infrastructure upgrades in other LGAs, this should not prevent Council from adopting a policy that can be used to assess development on flood liable. Furthermore, the policy is touted as being “LGA wide” and flooding of many of the creeks and floodplains within the LGA will not be impacted by the major infrastructure works proposed elsewhere.

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- Based on Item (ii) above, it appears that the Draft Flood Policy 2020 as exhibited is a cover statement for the actual policy which is more clearly articulated, at least in terms of specifying protocols and planning controls for development assessment, in Council's accompanying document titled, '*Schedule of Council's Development Controls*'. This should be emphasised more clearly in the cover document.


4. Section 7 – Definitions

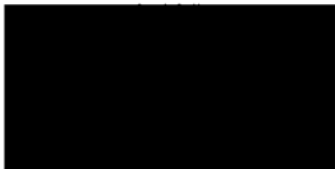
- (i) Consistent with the discussion presented above, the definition of Flood Planning Level provided on page 7 of the Draft Flood Policy is incorrect. The definition as provided states that the FPL is:

'the level of the 1 in 100 year flood event'

This is not correct. The FPL is an elevation equivalent to the peak level of the Defined Flood Event (typically the 1% AEP flood) plus a freeboard (typically 0.5 m for residential development). Refer to Appendix K of the NSW Government's *Floodplain Development Manual* (2005).

It is imperative that this definition be corrected in the Draft Flood Policy.

I trust that this letter suitably describes the concerns that exist with the Draft Flood Policy 2020 as exhibited. If you require further information or clarification of any item I would be happy to assist. Please do not hesitate to contact me on 



Principal Consultant
NSW Practice Lead – Water Resources

oooO END OF REPORT Oooo

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Item: 206 **CP - Draft Works in Kind Policy - (95498, 124414)**

Previous Item: 147, Ordinary (11 August 2020)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of the outcome of the public exhibition of the draft Works in Kind Policy, and to recommend that Council adopt the Policy.

EXECUTIVE SUMMARY:

The implementation of a Works in Kind Policy is a management action arising from the Developer Contributions Audit. The progress of this Audit Action has been monitored by the Audit Committee. In previous instances, the Audit Committee have confirmed that:

- It is their role to ensure that an Audit Action is completed
- Council sets the policy and strategic direction for the organisation
- It is not necessary for the Audit Committee to review and/or approve policy documents before they are presented to Council for endorsement.

The purpose of the Works in Kind Policy is to establish a framework for Works in Kind Agreements in satisfaction of requirements to pay development contributions in accordance with the provisions of the Environmental Planning and Assessment Act 1979, and Council's Contribution Plans that includes:

- a) Procedures for making an application and entering into a Works in Kind Agreement
- b) Details about how Council will assess and determine whether it will enter into a Works in Kind Agreement
- c) Ensuring that a fair, transparent, efficient and accountable framework governs the use of Works in Kind Agreements to facilitate the provision of public facilities, services and amenity outcomes that align with, or are consistent with Council's corporate and strategic planning context, including Council's Development Contribution Plans.

Council at its Ordinary Meeting on 11 August 2020 resolved to place the draft Works in Kind Policy on public exhibition.

The draft Policy was exhibited between 31 August 2020 to 28 September 2020, with two submissions received. The submissions related to:

- Framework for the application, assessment and determination of Works in Kind
- Dedication of Land
- Securities

Based on consideration of the exhibited policy, no amendments have been recommended, and the policy is now presented to Council for adoption.

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RECOMMENDATION:

That Council:

1. Note the outcome of public exhibition of the draft Works in Kind Policy.
2. Adopt the Works in Kind Policy, attached as Attachment 2 to this Report.

BACKGROUND

New development creates the need for additional public amenities and public services, such as roads, stormwater infrastructure, parks (active and passive), and community buildings. Section 7.11 of the Environmental Planning and Assessment Act 1979 provides that where a consent authority is satisfied that a proposed development will require the provision of, or increase the demand for, public amenities and public services, it may grant Development Consent subject to a condition requiring a reasonable dedication of land or the payment of reasonable monetary contributions towards the extension or augmentation of those amenities or services.

Specifically Section 7.11(3) states:

"If -

- (a) a consent authority has, at any time, whether before or after the date of commencement of this Part, provided public amenities or public services within the area in preparation for or to facilitate the carrying out of development in the area, and*
- (b) development for which development consent is sought will, if carried out, benefit from the provision of those public amenities or public services,*

the consent authority may grant the development consent subject to a condition requiring the payment of a monetary contribution towards recoupment of the cost of providing the public amenities or public services (being the cost as indexed in accordance with the regulations)."

Section 7.11(5) of the Environmental Planning and Assessment Act 1979 specifically provides that a consent authority may accept:

- "(a) the dedication of land in part or full satisfaction of a condition imposed in accordance with subsection (3), or*
- (b) the provision of a material public benefit (other than the dedication of land or the payment of a monetary contribution) in part or full satisfaction of a condition imposed in accordance with subsection (1) or (3)."*

A developer may seek to construct or provide public infrastructure or amenities in whole or part in lieu of making a monetary contribution – this is known as Works in Kind. Such Agreements can provide opportunities for developers to deliver infrastructure for the community earlier than Council would be able to achieve, as they are already constructing works on site.

Council's Internal Audits

The Internal Audit Report - Developer Contributions Review identified a number of required actions, including the following relevant to this matter:

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- 2.1.1 Prepare a Contributions, Voluntary Planning Agreements and a Works in Kind Agreement Policy and associated OMS considering the matters raised and suggestions made within this review.

Council's Audit Committee has previously considered the draft policy documents. In doing so, the Audit Committee have confirmed that:

- It is their role to ensure that the Audit Action is completed
- Council sets the policy and strategic direction for the organisation
- It is not necessary for the Audit Committee to review and/or approve policy documents before they are presented to Council for endorsement.

The following is an excerpt from the minutes of the Audit Committee meeting held on 4 December 2019:

"Discussions were also held in regard to the merit of Council policies being referred to the Audit Committee prior to being referred to Council. The Committee were of the opinion that there is no need for Council policies to be referred to the Audit Committee and that Council policies required Council approval and not the Audit Committee's approval. The Committee also indicated that Council policies that were required to be prepared following an internal audit such as the Delegations Policy could be monitored by the Committee through the outstanding Management Action reports that are submitted to the Committee.

The Director Support Services advised the Committee that when a Council Policy has been endorsed by Council the Audit Committee could, if it wished, have the Policy tabled at a subsequent Audit Committee meeting. He further noted that all endorsed policies are on Council's website.

The General Manager also confirmed that documents could be available for "sighting" by the Audit Committee when an associated management action was being considered by the Committee. Committee members also had the option of asking for a copy of the document.

The Chief Financial Officer noted that Operational Management Standards provide direction to Council staff on the operational approach to be taken in relation to a particular issue. The Standards are approved internally by either the General Manager or the relevant Director."

The minutes of the Audit Committee Meeting held on 4 December 2019 were subsequently:

- Received and noted by Council at its meeting on 18 February 2020
- Confirmed by the Audit Committee Meeting on 4 March 2020.

Draft Works in Kind Policy

As a consequence of the Internal Audit Report - Developer Contributions Review, the draft Works in Kind Policy was developed to establish a framework for Works in Kind Agreements in accordance with the provisions of the Environmental Planning and Assessment Act 1979. The draft Policy addresses material public benefits that are offered:

- a) In satisfaction of existing conditions requiring payment of Development Contributions (under Section 7.11(5) of the Environmental Planning and Assessment Act 1979)
- b) In conjunction with proposed development (so that the offset can be considered under Section 7.11(5) of the Environmental Planning and Assessment Act 1979)
- c) In return for a 'credit' against future contributions that would otherwise be payable (under Section 7.11(6) of the Environmental Planning and Assessment Act 1979).

Council has sole discretion to decide whether it will accept Works in Kind. However, it is intended that Council and all persons dealing with Council in relation to Works in Kind will follow this Policy and Procedure to the fullest extent possible.

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The draft Works in Kind Policy was presented to Council's Ordinary Meeting of 11 August 2020, where it was resolved:

"That Council place the Draft Works in Kind Policy attached as Attachment 1 to the report on public exhibition."

Location Plan

The Draft Works in Kind Policy will apply to the whole of the Hawkesbury Local Government Area.

Relevant Legislation

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Local Government Act 1993.

DISCUSSION

In developing the draft Works in Kind Policy, and to ensure that it is best practice, Officers have reviewed documents of a number of other Council's and noted the following common features:

- Clearly defined terms
- Identifies relevant legislative provisions
- Outlines a procedure for the consideration of such agreements, including:
 - Identification of need for agreement
 - Outlines the application process
 - Clear and transparent assessment and determination of the offer to undertake works on behalf of Council
 - Clear process for acceptance of the offer
 - Security provisions (separate irrevocable and unconditional bank guarantees)
 - Insurance provisions
 - Clearly defined responsibilities to obtain approvals
 - Process to verify construction works
- Process to formalise settlement of works in kind credit
- Ensures consistency and transparency regarding the value and quality of works carried out by third parties on behalf of Council.

During public exhibition of the draft Works in Kind Policy, two submissions were received. The matters raised in these submissions are discussed below, and the submissions included as Attachment 1.

Matters Raised in Submissions	Council Officer Response
Submission 1	
Framework for the application, assessment and determination of Works in Kind Concern has been raised that the Works in Kind Policy does not ensure the provision of infrastructure on time or to predetermined specifications: <i>"We believe the draft Policy should provide a more comprehensive and protected agreement framework setting out the application, assessment and determination process for the provision of community infrastructure that is to be constructed by a developer as a result of</i>	 Section 4.2 and 4.3 of the draft Policy provides the requirements for the application and assessment and determination of a Works in Kind Agreement. The draft Policy provides that a written application to undertake Works in Kind must be submitted to Council by the developer. The application must be supported with detailed documentation, including the following information:

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Matters Raised in Submissions	Council Officer Response
<p><i>development consent.</i></p> <p><i>In light of the examples of 'works in kind' community infrastructure provided in conjunction with development of land at Pitt Town, any future policy must provide for unrestricted agreement that infrastructure listed in Contribution Plans and associated Works Schedules are properly constructed on time and to predetermined specifications.</i></p> <p><i>We consider that at this point in time the exhibited draft document should not be adopted by Council and that further information and advice be sought to develop a more comprehensive draft Works in Kind Policy."</i></p>	<ul style="list-style-type: none"> a) A detailed description of the Works in Kind proposed to be undertaken supported by concept design drawings and a concept design report. b) One hard copy and one electronic copy of the concept design. c) An explanation as to whether the proposed Works in Kind is intended to be completed in full or to be partially completed. d) The estimated value of the Works in Kind produced by a qualified and practicing Quantity Surveyor, Civil Engineer or Surveyor with associate or higher membership of an accredited professional institution in Australia and with demonstrated relevant experience. The valuation should identify any variance between the cost estimate and the cost identified in the relevant Contributions Plan (noting the cost identified in the Contributions Plan is generally indexed in accordance with changes in the Consumer Price Index). e) A schedule identifying the components of the proposed Works in Kind that are in accordance with the Contributions Plan that applies to the site of the relevant development and those that are not. f) A program of works showing the timeframe for commencement, completion and handover of the proposed Works in Kind. g) Development approval (consent number and date of consent). <p>Council will assess an offer to undertake Works in Kind with due regard to the provisions in the Contributions Plan that applies to the site of the relevant development and determine the acceptability or otherwise of the offer. Council's Developer Contributions Steering Committee will lead the assessment of any Works in Kind offer.</p> <p>In assessing an offer to undertake Works in Kind, Council will consider the current legislation, ministerial directions, and the requirements of any current guidelines, circulars and the practice notes issued by the Department of Planning, Industry and Environment.</p>

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Matters Raised in Submissions	Council Officer Response
	<p>Council will also consider the following matters:</p> <ul style="list-style-type: none">a) The monetary value of the proposed Works in Kind and the amount of Works in Kind Credit sought by the developer.b) The design concept of the proposed Works in Kind.c) The overall benefit of the proposed Works in Kind to the current and future development in the area.d) The timing of completion of the Works in Kind.e) The feasibility of constructing the proposed Works in Kind within amounts budgeted in the Contributions Plan that applies to the site of the relevant development.f) Council's capacity to deliver the works and whether this would provide better value for money.g) Financial implications for Council in accepting the Works in Kind involving any effects on the implementation of Council's adopted works programs.h) Financial implications for Council in accepting the dedication of the Works in Kind in relation to ongoing management and maintenance of the Works in Kind. Particular regard will be given to works such as open space embellishment and drainage facilities, and it is advisable to discuss the scope of embellishments with Council prior to submission of the application for Works in Kind. <p>Council is ultimately responsible for these assets, and therefore needs to approve the proposed works before the developer commences any works and must ensure the works are carried out appropriately. This policy establishes what the developer needs to do if they want to carry out works in kind and their expectations throughout the process.</p> <p>It is entirely at Council's discretion whether it will accept the provision of works in kind, instead of a monetary contribution. Where Council does agree to accept works in kind, they must be the subject of a formal "Works in Kind Agreement" entered into by both the developer and the Council prior to commencement of works. The Agreement is a legally binding contract. The purpose of this policy</p>

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Matters Raised in Submissions	Council Officer Response
	<p>is to provide a framework for establishing when and how Council will enter into Works in Kind Agreements.</p> <p>Given the above, it is considered that the draft Policy adequately provides for the timely, cost effective and quality provision of infrastructure through Works in Kind agreements.</p>
<p>Dedication of Land</p> <p>Concern has also been raised in relation to accepting the dedication of land to satisfies a condition of development consent for a monetary contribution.</p> <p><i>“Considering that Council has exhibited a draft Works in Kind Policy we question the inclusion at Part 5, Policy Details, page 3 the ‘dedication of land’.</i></p> <p><i>Part 5.1.1 also includes an option in relation to land dedication.</i></p> <p><i>Part 5.1.2 states ‘This policy applies to works and/or land identified in a Contributions Plan that a developer offers, or has offered in exchange for a ‘credit’ or offset against Development Contributions (WIK Credit)’</i></p> <p><i>It is our understanding that a Works in Kind Policy should only relate to ‘works’ carried out by a developer which results in the provision of infrastructure for the community.</i></p> <p><i>The inclusion of ‘land dedication’ would appear to be unwarranted and add ambiguity to the draft ‘Works in Kind’ Policy.</i></p> <p><i>Again at Part 5.1.9 ‘dedicate land’ is mentionedPart 5.2 also lists AND/OR LAND DEDICATION. as well as Part 5.2.1.</i></p> <p><i>Part 5.3.2 lists Land Dedication and Part 5.3.3 further refers to land dedication</i></p> <p><i>It is our understanding that Section 7.11(5)(b) of the Act allows for the provision of a material public benefit as distinct and separate from the dedication of land or payment of a monetary contribution.</i></p> <p><i>We do not believe these references to Land Dedication should be included as part of a Works in Kind Policy.</i></p>	<p>Under the provisions of the Environmental Planning and Assessment Act 1979, Council can require development contributions toward the cost of providing services and facilities to meet the demand generated by the development. In order to require development contributions, Council must have a Contributions Plan in place which authorises contributions to be imposed as a condition of development consent. Council has a number of Contributions Plans that require contributions toward the provision of open space, recreation facilities, community facilities, roads, drainage and other community infrastructure.</p> <p>A Contributions Plan contains a Schedule of Works, which identifies the infrastructure to be provided and includes an estimate of the cost. The cost of providing the infrastructure is then shared across an area or type of development. For Council to levy a contribution, it must impose a condition of consent on the development requiring the development contributions. These contributions may be satisfied by the payment of money, the dedication of land free of cost, or both.</p> <p>In accordance with section 7.11(5)(a) and (b) of the Environmental Planning and Assessment Act 1979, Council may accept:</p> <ul style="list-style-type: none"> (a) the dedication of land in part or full satisfaction of a condition imposed in accordance with subsection (3), or (b) the provision of a material public benefit (other than the dedication of land or the payment of a monetary contribution) in part or full satisfaction of a condition imposed in accordance with subsection (1) or (3). <p>The most common form of a ‘material public benefit’ is the construction of works that have been identified in the Schedule of Works in the Contributions Plan and is known as ‘works-in-kind’.</p>

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Matters Raised in Submissions	Council Officer Response
<i>Part of our research on this draft 'works in kind' policy led us to reference other Local Government Council's examples of Works in Kind Agreements."</i>	However Section 7.11(5)(a) of the Environmental Planning and Assessment Act 1979 permits the dedication of land to satisfy a condition of development consent for the payment of a monetary contribution towards recouping the cost of providing the public amenities or public services. Whilst the dedication of land is not 'works', this process has been included in the draft Policy to provide a transparent and accountable process in which the dedication of land can be considered.
Submission 2	
Securities A submission requests 80% of the security be returned at the completion of the works and the remaining 20% be provided at the end of the defects period: <i>Submitter 2 is supportive of the draft WIKA policy. We would seek some clarity around the provision of S7.11 credits for WIK after physical completion but prior to expiry of the 12 months maintenance period. I would suggest a policy such as adopted in Ministerial WIKA for State Infrastructure. Where Credit for 80% of the value is available on Practical Completion, with the further 20% on satisfactory completion of the defects period."</i>	Section 4.5 of the draft Works in Kind Policy requires both a Primary Security, being the value of the Works in Kind and a Defect Security, being an additional amount equivalent to the agreed value of the Works in Kind. In this regard, the Primary Security will be refunded in full at the completion of the works, whilst the Defects Security will be retained until the end of the Defects Period.

Following consideration of the submissions, the matters raised in the submissions do not warrant amendments to the draft Works in Kind Policy. The draft Policy is provided in Attachment 2 to this Report.

COMMUNITY ENGAGEMENT

Public exhibition of the draft Works in Kind Policy was undertaken in accordance with Council's Community Participation Plan, including the exhibition of the draft Policy for 28 days between 31 August 2020 and 28 September 2020.

Arrangements for public notification included:

- Public Notices in the Courier on 27 August 2020 and 10 September 2020
- Exhibition documentation provided on Your Hawkesbury Your Say from 27 August 2020
- Details and links on Hawkesbury City Council website
- Social Media posts and media release
- Correspondence advising of the exhibition sent to Council's database of development sector contacts.

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CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

Our Leadership

- 1.2 Communication and engagement - Encourage an informed community and enable meaningful engagement.
 - 1.2.1 Provide open and clear lines of communication with the community that use the most current forms of digital technology.
 - 1.2.2 Council's communication will be enhanced to ensure community awareness and understanding of the role Council plays in everyday life in the Hawkesbury.

Our Future

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

FINANCIAL IMPACT

There are no financial implications of this proposed Draft Works in Kind Policy and associated Procedure.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

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

ATTACHMENTS:

AT - 1 Two Submissions.

AT - 2 Draft Works in Kind Policy - *(Distributed under separate cover)*.

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AT - 1 Two Submissions

28th September 2020.

General Manager
Hawkesbury city council
366 George Street
Windsor, 2756.

WORKS IN KIND POLICY – DRAFT.

Dear Mr Sir,

Once again we offer a submission on behalf of the Pitt Town Residents Group in response to the exhibition of the draft Works in Kind Policy [REDACTED]

We do not support adoption by Council of this draft Policy.

We believe the draft Policy should provide a more comprehensive and protected agreement framework setting out the application, assessment and determination process for the provision of community infrastructure that is to be constructed by a developer as a result of development consent.

In light of the examples of 'works in kind' community infrastructure provided in conjunction with development of land at Pitt Town, any future policy must provide for unrestricted agreement that infrastructure listed in Contribution Plans and associated Works Schedules are properly constructed on time and to predetermined specifications.

Considering that Council has exhibited a draft Works in Kind Policy we question the inclusion at Part 5, Policy Details, page 3 the 'dedication of land'.

Part 5.1.1 also includes an option in relation to land dedication.

Part 5.1.2 states *'This policy applies to works and/or land identified in a Contributions Plan that a developer offers, or has offered in exchange for a 'credit' or offset against Development Contributions (WIK Credit)*

It is our understanding that a Works in Kind Policy should only relate to 'works' carried out by a developer which results in the provision of infrastructure for the community.

The inclusion of 'land dedication' would appear to be unwarranted and add ambiguity to the draft 'Works in Kind' Policy.

Again at Part 5.1.9 'dedicate land' is mentionedPart 5.2 also lists **AND/OR LAND DEDICATION**. as well as Part 5.2.1.

Part 5.3.2 lists Land Dedication and Part 5.3.3 further refers to land dedication

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Submission 1

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It is our understanding that Section 7.11(5)(b) of the Act allows for the provision of a material public benefit as distinct and separate from the dedication of land or payment of a monetary contribution.

We do not believe these references to Land Dedication should be included as part of a Works in Kind Policy.

Part of our research on this draft 'works in kind' policy led us to reference other Local Government Council's examples of Works in Kind Agreements.

We note that Blacktown City Council offers a comprehensive Works in Kind Procedure, a Works in Kind Agreement Policy and a somewhat noteworthy example of a Works in Kind Agreement Template.

Camden Council also provides an inclusive Works in Kind Agreements Policy framework setting out applications, assessments and determinations.

We consider that at this point in time the exhibited draft document should not be adopted by Council and that further information and advice be sought to develop a more comprehensive draft Works in Kind Policy.

Yours Faithfully

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]r

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Submission 2

██████████ is supportive of the draft WIK policy. We would seek some clarity around the provision of S7.11 credits for WIK after physical completion but prior to expiry of the 12 months maintenance period. I would suggest a policy such as adopted in Ministerial WIK for State Infrastructure. Where Credit for 80% of the value is available on Practical Completion, with the further 20% on satisfactory completion of the defects period.

oooO END OF REPORT Oooo

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Item: 207 **CP - Local Heritage Assistance Program 2020/2021 - Preparation of Maintenance Plans and Minor Maintenance/Conservation Works to Heritage Listed Properties within the Hawkesbury LGA - (95498, 124414)**

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to consider and determine applications for funding under the Hawkesbury Local Heritage Assistance Program 2020/2021.

EXECUTIVE SUMMARY:

The Local Heritage Assistance Program is funded each year by Council and NSW Heritage. For the 2020/2021 Financial Year, the \$40,000 program budget is funded by \$30,000 from Council, and \$10,000 from NSW Heritage. Council's contribution has increased by \$10,000 from previous years funding allocation of \$20,000 based on consideration of advice from the Heritage Advisory Committee.

The program has a different theme each year with this years program being focused on the Preparation of Maintenance Plans and Minor Maintenance/Conservation Works to Heritage Listed Properties within the Hawkesbury Local Government Area.

In July 2020, Council invited owners/managers of heritage listed properties to apply for funding to undertake Preparation of Maintenance Plans and Minor Maintenance/Conservation Works to Heritage Listed Properties within the Hawkesbury Local Government Area.

Council received a total of 24 applications under the program, and is able to approve 21 applications, an increase from 15 approved in the previous year. This represents the largest number of applications funded under the Local Heritage Assistance Program to date.

This report recommends that Council approve financial assistance for a total of 21 applicants that satisfy the relevant criteria as outlined below.

RECOMMENDATION:

That:

1. Council approve grant funding under Section 356 of the *Local Government Act 1993* for each of the following 21 successful applicants under the terms of the Local Heritage Assistance Program 2020/2021.

Heritage Listed Property	Grant Funding
7 Francis Street, Richmond	\$1,214
250A Wollombi Road, St Albans	\$2,000
14 George Road, Wilberforce	\$2,000
5 Moses Street, Windsor	\$2,000
113 Windsor Road, McGraths Hill	\$1,625
122 Windsor Street, Richmond	\$2,000
206 George Street, Windsor	\$2,000

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Heritage Listed Property	Grant Funding
2 Little Church Street, Windsor	\$1,300
7 Catherine Street, Windsor	\$1,936
353 Pitt Town Bottoms Road, Pitt Town Bottom	\$2,000
2 Catherine Street, Windsor	\$1,925
104 Bathurst Street, Pitt Town	\$2,000
518 Tizzana Road, Ebenezer	\$2,000
194-196 George Street, Windsor	\$2,000
26 Wharf Street, St Albans	\$2,000
94 Bathurst Street, Pitt Town	\$2,000
25-29 Bosworth Street, Richmond	\$2,000
19 Upper MacDonald Road St Albans	\$2,000
22 Buckingham Street, Pitt Town	\$2,000
1349 Upper MacDonald Road, Upper MacDonald	\$2,000
496 Wilberforce Road, Wilberforce	\$2,000
TOTAL	\$40,000

2. The successful and unsuccessful applicants for the Local Heritage Assistance Program 2020/2021 be advised accordingly.

BACKGROUND

The Hawkesbury Community Strategic Plan 2017-2036 recognises the importance of conservation and promotion of the Hawkesbury's heritage and history for current and future generations.

The Hawkesbury Heritage Strategy 2019-2021 provides an effective framework for Council to achieve its commitment to conservation and management of unique and diverse heritage assets and character within the Hawkesbury.

In order to promote awareness and positive attitude of the community to heritage and encourage and assist the conservation and restoration of the Hawkesbury's significant heritage, each year, Council assisted by the NSW Office of Environment & Heritage runs a Local Heritage Assistance Program.

A total of \$40,000 joint funding is budgeted for the 2020/2021 Local Heritage Assistance Program which is comprised of \$30,000 from Council, and \$10,000 from NSW Heritage.

The Local Heritage Assistance Program has a different theme each year, with this years program focussed on Preparation of Maintenance Plans and Minor Maintenance/Conservation Works to Heritage Listed Properties within the Hawkesbury Local Government Area in accordance with the Heritage Strategy 2019-2021.

In July 2020, all owners and managers of locally listed properties within the Hawkesbury Local Government Area were advised in writing of the Local Heritage Assistance Program 2020/2021, and encouraged to apply for funding. Application forms and guidelines on how to apply for funding assistance were made available on Council's website during the funding application period. A public notice on the Local Heritage Assistance Program 2020/2021 was placed in The Courier.

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As with previous years funding programs, the funding available for any one applicant/property has been set at \$2,000.

Funding is offered on a dollar for dollar basis (\$1 of private funding for each \$1 of grant funding) to enable funded works to be undertaken.

Any expenditure in excess of the amount granted under the program will need to be met by applicants. It should be noted that the funding allocation amounts were aimed at encouraging minor works that do not require formal approval from Council. This is due to time constraints imposed by NSW Heritage for Council to complete the grant funding program, and also to enable as many properties as possible to be beneficiaries of the funding.

Applications for Funding

In total, 24 applications were received for funding under the Local Heritage Assistance Program 2020/2021. Table 1 below summarises the applications received, and the grant funding sought.

Table 1: Summary of Applications Under the Local Heritage Assistance Program 2020/2021

Heritage Listed Residential Property	Proposal	Total project cost (\$)	Financial Assistance Sought	Applicant's Contribution
7 Francis Street, Richmond	Repair and paint the existing front picket fencing and gate	\$4,500	\$2,000	\$2,500
250A Wollombi Road, St Albans	Repoint all stone walls of kitchen building and main house chimney	\$4,000	\$2,000	\$2,000
250A Wollombi Road, St Albans	Replace fence around Bailey's Cemetery	\$4,000	\$2,000	\$2,000
14 George Road, Wilberforce	Repairs to verandah roof	\$12,966.80	\$2,000	\$10,966.80
5 Moses Street, Windsor	Repair and fix five memorials St Matthews Anglican graveyard, Windsor	\$4,400	\$2,000	\$2,400
113 Windsor Road, McGraths Hill	Supply and install new timber pole , new mains, disconnect and reconnect power supply	\$3,250	\$1,625	\$1,625
122 Windsor Street, Richmond	Supply and installation of 2 150mm Inline German Blauberg Sub-Floor ventilation fans to avoid damping and protect from deterioration the building.	\$4,000	\$2,000	\$2,000

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Heritage Listed Residential Property	Proposal	Total project cost (\$)	Financial Assistance Sought	Applicant's Contribution
206 George Street, Windsor	Repaint exterior walls.	\$6,000	\$2,000	\$4,000
2 Little Church Street, Windsor	Repair and/or replace damaged pickets and rails, fill holes and paint picket fence.	\$2,600	\$1,300	\$1,300
439 Cattai Road, Cattai	Remove all skirting boards, and joinery from three bedrooms, hallway and store. Also remove existing hardwood strip flooring to gain access to under floor to three bedrooms and hallway and dismantle staircase and remove floor boards and joinery either side of fireplace near kitchen.	\$78,278.60	\$2,000	\$76,278.60
7 Catherine Street, Windsor	Repair water damaged section of cornices within the bedrooms, kitchen and dining areas and cracking to back wall internal corner.	\$3,872	\$1,936	\$1,936
98 The Terrace, Windsor	Incomplete application	Incomplete application		
353 Pitt Town Bottoms Road, Pitt Town Bottom	Remove cladding timbers from both gable ends of slab barn and replace, support upright pole, also replace missing cladding and install additional post from pole onsite to support loft.	\$19,789	\$2,000	\$17,789
2 Catherine Street, Windsor	Replace old tin roof of timber slab barn with new galvanised roof sheets.	\$3,850	\$1,925	\$1,925

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Heritage Listed Residential Property	Proposal	Total project cost (\$)	Financial Assistance Sought	Applicant's Contribution
104 Bathurst Street, Pitt Town	Prepare surfaces and paint all barge timber eaves, fascia boards, windows and doors and architraves.	\$4,400	\$2,000	\$2,400
518 Tizzana Road, Ebenezer	Installation of gutter guard on the northern end of the building to prevent premature corrosion relating to leaf litter.	\$5,032.43	\$2,000	\$3,032.43
194-196 George Street, Windsor	Prepare, fix and repaint the rendered portion of the front facade above the awning.	\$4,041.40	\$2,000	\$2,041.40
26 Wharf Street, St Albans	Replace the existing galvanised fence and the other star-picket-barbed-wire fence with a hard wood split post of two-rail fence.	\$4,000	\$2,000	\$2,000
94 Bathurst Street, Pitt Town	Prepare surfaces and paint balustrades, deck, fence, gate and rest of the house	\$10,900	\$2,000	\$8,900
25-29 Bosworth Street, Richmond	Repair of Back Verandah heritage Decking	\$7,570	\$2,000	\$5,570
19 Upper MacDonald Road, St Albans	Replace damaged weather boards with hardwood weather boards and repair the prisoners' exercise yard roof.	\$4,200	\$2,000	\$2,200
22 Buckingham Street, Pitt Town	Replace the existing old timber picket fencing with new timber picket fencing and paint the fence.	\$29,450	\$2,000	\$27,450
1349 Upper MacDonald Road, Upper MacDonald	Repair the original fabric of the slab hut	\$4,635	\$2,000	\$2,635
496 Wilberforce Road, Wilberforce	Minor repairs to a roof and verandah	\$4,059	\$2,000	\$2,059
TOTAL		\$229,794.23	\$44,786	\$185,008.23

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Assessment of Applications for Funding

Applications were evaluated by a panel comprised of Council's Heritage Advisor and relevant Council Officers. The following criteria were used in the evaluation:

- the eligibility of the subject site and the proposal
- the applicant's ability to demonstrate technical and financial responsibility in relation to the project and demonstrated ability to complete the project within **six months** from the date of funding confirmation
- the degree to which the applicant is financially contributing to the project given the limitations of the funding available
- projects of demonstrated heritage value to the community
- projects which are highly visible to the public
- the urgency of repairs required to preserve the heritage item from further deterioration
- whether the applicants had received Local Heritage Assistance Funding in the previous three years.

Following this process, the assessment panel after careful consideration has determined that 21 projects are considered suitable to approve, with funding to match the budget of the program. These 21 projects are included within the recommendation.

Implementation

Subject to endorsement by Council, all applicants will be advised in writing of the determination of their application. Applicants will be required to enter into an Agreement with Council which includes provisions for acceptance of the offer of funding, permission to commence work, time limits, claims for payment, and any special conditions relating to the project. As part of this process, to ensure that successful applicants undertake their respective projects in an informed manner, it is intended that the Heritage Advisor will undertake a site visit of each approved applicant before works commence.

On completion of the work an inspection will be carried out by Council Officers and Council's Heritage Advisor to ensure that the work has been carried out in accordance with the Agreement. Upon satisfactory completion of the works and approval of Council's Heritage Advisor and Council Officers, the approved grant amount will be forwarded to the applicant.

Relevant Legislation

Local Government Act 1993.

DISCUSSION

The special character of the Hawkesbury derives from its unique historical background and the expression of this background in its interrelationship of buildings and places of heritage significance, their settings and landscapes. These irreplaceable and precious heritage items not only provide a window to the past and to the very origins of European Settlement in Australia, but also add character, appeal and interest to the Hawkesbury area. Therefore, Council is continuing with its leadership role in protecting and conserving Hawkesbury's heritage, promoting and encouraging the Community's participation and interest in heritage conservation and protection of significant heritage items within the Hawkesbury Local Government Area.

In order to continue with Council's leadership role in promoting, protecting and conserving the Hawkesbury's heritage, Council promotes and implements certain programs in relation to heritage

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conservation, and the Local Heritage Assistance Program is one of those to support and encourage the Community in conservation and protection of Hawkesbury's unique heritage.

Continuing with the Local Heritage Assistance Program in future years is a key to promoting and supporting the Hawkesbury's heritage and making the Community aware of the importance of heritage conservation.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

The Local Heritage Assistance Program 2020/2021 is consistent with the following Focus Area, Direction and Strategy within the Community Strategic Plan 2017-2036.

Our Community

2.5 Cultural development and heritage

- 2.5.3 Recognise, conserve and promote the areas of history and heritage for current and future generations.

Conformance to Heritage Strategy

Funding for Minor Improvements/Conservation works to heritage listed properties within the Macquarie Towns of Windsor, Richmond, Pitt Town and Wilberforce and the implementation of the Fund is consistent with Recommendation 5 *Introduce a local heritage fund to provide small grants to encourage local heritage projects* of the Hawkesbury Heritage Strategy 2019-2021.

FINANCIAL IMPACT

A total of \$40,000 joint funding is budgeted for the 2020/2021 Local Heritage Assistance Program which is comprised of \$30,000 from Council, and \$10,000 from NSW Heritage.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

The proposal is aligned with Council's long-term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal will enable Council to continue to provide and maintain service levels to meet established community expectations as budgeted for in the Long-Term Financial Plan.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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SUPPORT SERVICES

Item: 208 **SS - Investment Report - September 2020 - (95496)**

Previous Item: 150, Ordinary (10 March 2020)

Directorate: Support Services

PURPOSE OF THE REPORT:

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

EXECUTIVE SUMMARY:

This report indicates that Council held \$57.65 million in investments at 30 September 2020 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

RECOMMENDATION:

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

BACKGROUND

Council held \$57.65 million in investments as at 30 September 2020. Details on the composition of the Investment Portfolio, and its compliance with Council's Investment Policy are provided below. Details include the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, the percentage of the total portfolio, exposure to credit ratings bands and the spread of maturities.

1. Composition of Investment portfolio

Tables 1 to 3 below provide details regarding the \$57.65 million in investments held as at 30 September 2020.

Table 1 - Summary of Council's Investment Portfolio as at 30 September 2020

Product Type	Face Value	% of Total
At Call Deposits	\$8,900,000	15.4%
TCorp Cash Fund	\$2,129,913	3.7%
Term Deposits - Fixed Rate	\$46,620,000	80.9%
Grand Total	\$57,649,913	100.0%

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

Long Term Credit Rating	Face Value	% of Total
AA-	\$53,020,000	92.0%
BBB	\$2,500,000	4.3%
NSW TCorp Cash Fund	\$2,129,913	3.7%
Grand Total	\$57,649,913	100.0%

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Table 3 – Fixed Term Deposits

Institution	Long Term Rating	Short Term Rating	Maturity	Rate	Face Value
ANZ	AA-	A-1+	04-Nov-20	1.50%	\$2,000,000
			09-Dec-20	1.25%	\$1,000,000
			09-Dec-20	1.50%	\$2,000,000
			27-Jan-21	0.90%	\$1,500,000
			07-Jul-21	0.80%	\$3,000,000
Bank of Queensland	BBB+	A-2	11-Aug-21	0.90%	\$2,500,000
Commonwealth Bank of Australia	AA-	A-1+	21-Jul-21	0.67%	\$2,000,000*
			26-Aug-21	0.69%	\$1,000,000*
National Australia Bank	AA-	A-1+	14-Oct-20	1.52%	\$2,000,000
			14-Oct-20	1.51%	\$1,000,000
			22-Oct-20	1.53%	\$620,000
			20-Nov-20	1.45%	\$1,500,000
			12-Jan-21	1.55%	\$1,500,000
			13-Jan-21	1.30%	\$1,000,000
			13-Jan-21	1.04%	\$1,000,000
			10-Feb-21	1.50%	\$1,000,000
			19-Feb-21	1.50%	\$1,000,000
			05-Mar-21	1.30%	\$2,000,000
			29-Apr-21	1.10%	\$1,000,000
			26-May-21	1.02%	\$1,500,000
			03-Jun-21	0.99%	\$3,000,000
			22-Sep-21	0.70%	\$1,000,000
Westpac	AA-	A-1+	22-Feb-21	1.50%	\$1,000,000
			17-Mar-21	1.31%	\$3,000,000
			07-Apr-21	1.00%	\$1,000,000
			21-Apr-21	1.00%	\$1,000,000
			29-Apr-21	1.00%	\$1,000,000
			06-May-21	0.95%	\$1,500,000
			26-May-21	0.95%	\$500,000
			03-Jun-21	0.91%	\$1,000,000
			18-Jun-21	0.92%	\$1,500,000
			22-Sep-21	0.67%	\$1,000,000*
Grand Total					\$46,620,000

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

2. Compliance to Investment Policy

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

Table 4 – Exposure Limits to credit ratings bands

Long-Term Credit Rating	Exposure of Entire Portfolio		
	Actual	Maximum	Compliant
AAA to AA- or Major Bank and below	96.3%	100%	Yes
A+ to A- and below	4.3%	50%	Yes
BBB+ to BBB and below	4.3%	30%	Yes
BBB- and below	0%	5%	Yes
TCorp Cash Fund	3.7%	20%	Yes

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Table 5 – Term to Maturity

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

3. Portfolio Return

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

Table 6 – Portfolio Return

30 September 2020	Weighted Average Return (Running Yield)
Hawkesbury City Council – Investment Portfolio	0.09%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.01%
Performance Relative to Benchmark	0.08%

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

Relevant Legislation

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

Investment Certification

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

DISCUSSION

Council's investments and returns achieved are driven and impacted by economic and market conditions. Council's Investment Advisor has reviewed Council's investments as at 30 September 2020 and has advised as follows:

- *"Council's portfolio monthly return is around 0.08% above the Bloomberg AusBond Bank Bill benchmark. This return excludes at Call Accounts and the NSW TCorp Cash Fund. While Council's investment performance has fallen in recent times it has maintained an excellent return over the benchmark index and relative to comparable councils.*
- *Council is not close to any of its individual policy limits. Exposures to individual entities and to credit limits in general have been well managed such that there is additional capacity to add exposures to any of the existing names if an opportunity arises, or to absorb any downgrades of any entities without breaching policy limits. Amicus generally recommends its clients*

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operate with “buffers” between policy limit maximums and minimums to provide flexibility and avoid breaches which is the strategy adopted by Hawkesbury City Council.

- *The Reserve Bank of Australia has taken significant actions in recent months to keep interest rates low and support Authorised Deposit-Taking Institutions (ADIs) in response to the economic disruptions caused by COVID-19 related shutdowns. The risk of default of any ADI is likely a longer-term issue in a scenario of loan losses due to mortgage defaults caused by high unemployment and falling house prices. In this scenario, transparency is key and so it is advised Council should restrict its investments to entities which are rated at investment grade by the major credit ratings agencies seeking the best rates available and be also mindful that total exposures are within Council's policy limits.*

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

- *Invest in the best Term Deposit rates available up to one to two years within the capacity of Policy limits. The yield curve is currently flat so there is very little premium for increasing the term of investments. CBA's Term Deposit rates improved in September (now comparable to the highest rates offered by Non-Majors for terms up to one year) and CBA's rates for regular and Green Term Deposits are the same, making CBA Green Term Deposits an attractive investment. Council has purchased some Green Term Deposits which is a positive (issued by CBA and Westpac).*
- *Take limited exposures (perhaps no more than 5% of the total portfolio per entity) to issuers outside the Major Banks in short dated Term Deposits if rates are attractive. This is a very low risk strategy given the steps taken by the Reserve Bank of Australia to ensure no Authorised Deposit Taking Institutions will fail due to liquidity reasons in the short term.*
- *Be prepared to invest in longer dated Floating Rate Notes from the Major Banks. There is a possibility of a correction in the equity markets in the next few months. If this occurs, this is likely to cause an increase in credit margins (as was the case in March). This should be a buying opportunity and Amicus recommends (subject to market conditions and events at the time), Council consider investing in Major Bank Floating Rate Notes if trading margins above 100 basis points can be achieved.*
- *Amicus encourages Council to proceed opening a Cash Management Accelerator account with Macquarie Bank (A+ rated) as the interest rate remains competitive at 0.90% in comparison to other at call accounts in the market.*
- *Investing in the bonds issued by Northern Territory Treasury Corporation (rated Aa3 by Moody's) is worth considering as the rebate of the advisor fee would translate to a higher yield for Amicus investors.*
- *With current Term Deposit rates well below the average of Council's average annual yield (0.95% vs 1.62%), then investment returns will fall in the coming months and so we recommend Council actively pursue the strategies outline above to mitigate the inevitable impact on absolute returns."*

Council is also discussing the process for preparing to take advantage of Floating Rate Notices and bonds, and as recommended by the Investment Advisor.

During the reporting period, the investment portfolio increased by \$0.5 million reflecting funds received, payments made, and redemption of invested funds and lodging of new term deposits, which is driven by cash flow requirements.

As advised in the Investment Report for the month of August 2020, Council has been monitoring its cash flow position closely in light of the delayed due date for the first rates instalment to 30 September 2020. The deferral of the rates due date from 31 August to 30 September 2020 resulted in the majority of the

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cash flow that would normally be received in August, being received in September instead. Overall for the first three months of 2020/2021 there is a cash flow shortfall of \$1.9M compared to the year before. However this difference is manageable and will not have any significant impact on the delivery of Actions and projects within the 2020/2021 Operational Plan.

Restriction of Funds

Council's total investment portfolio as at 30 September 2020 included funds that are restricted as to what they can be expended on.

Table 7 – Restriction of Funds

Restriction Type	Amount	%
External Restrictions - S7.11 and S7.12 Developer Contributions	\$12,005,115	20.82%
External Restrictions - Western Parkland City Liveability Program	\$3,604,623	6.25%
External Restrictions - Bushfire and Flood Grants	\$765,700	1.33%
External Restrictions - Other (e.g. domestic waste, sewerage)	\$4,956,510	8.60%
Internal Restrictions (e.g. election, workers compensation, Employee Leave Entitlements)	\$16,576,353	28.75%
Unrestricted	\$19,741,612	34.25%
Total	\$57,649,913	100.00%

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

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

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

Liveability, Fire and Flood Funding

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

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

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

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COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

Our Leadership

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

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

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

FINANCIAL IMPACT

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

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

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

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
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Item: 209 **SS - Installation of Mosaic Art on Deerubbin Centre Building - (95496)**

Previous Item: 224, Ordinary (26 November 2019)

Division: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to seek Council endorsement of the installation of the mosaic artwork on the external wall of the Deerubbin Centre.

EXECUTIVE SUMMARY:

The report recommends Council endorse the installation of a community-created mosaic on an external wall of the Deerubbin Centre. This Project was endorsed by Council's Access and Inclusion Advisory Committee at its meeting 24 October 2019 and subsequently reported to Council on 26 November 2019. The report provides details of the Project's progress and seeks Council endorsement of the installation of the artwork on the Deerubbin Centre.

RECOMMENDATION:

That Council endorse the installment of the community-created mosaic artwork as outlined in the report on the external wall of the Deerubbin Centre.

BACKGROUND

In 2019, Michelle Hookham successfully obtained funding to assist with the delivery of the Be & Co Project (Belonging and Becoming) through a Nepean Blue Mountains Primary Health Network funding grant as it addresses a void in existing local services.

Be & Co is a project established by Michelle Hookham, a private mental health and homeopathy provider. Be & Co hosts a fortnightly social event in the Rex Stubbs Memorial Garden outside of the Deerubbin Centre, George Street, Windsor.

Be & Co was co-designed by persons with a lived experience of mental health issues and local service providers and is overseen by a clinician with the critical skill of delivering mental-health interventions in both individual and group settings. The activities of Be & Co have been supported by Council as the Project offers the community access to a range of services in a non-clinical setting, whilst creating social connections which are central to sustained wellbeing.

Be & Co commenced in March 2019 and has had 53 events to date. There are 115 members of the public that have attended events. Of these, 15 are regular participants. In addition, there are 44 organisations or health professionals that have attended these events, including those that are project partners. The Transition to Work Program that operates from Old Hawkesbury Hospital provides a barista service at each event and during its operation Be & Co has seen 59 young people upskilled in hospitality.

In 2019 Ms Hookham approached Council with a proposal to create a mosaic with Be & Co participants which would then be installed in the vicinity of the Rex Stubbs Memorial Garden where Be & Co hosts its social events.

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This Project was endorsed by Council's Access and Inclusion Advisory Committee at its meeting 24 October 2019 with the minutes of this meeting subsequently reported to the Council Meeting on 26 November 2019, when Council resolved (in part) that:

"In relation to Item 2 of the Minutes regarding the mosaic art installation, Council endorse the recommendation of the Hawkesbury Access and Inclusion Advisory Committee, namely that:

- a) The Committee endorse the proposal received to install the mosaic art piece on the external wall of the Deerubbin Centre*
- b) Council provide an in principle agreement to the mosaic art piece being installed on the external wall of the Deerubbin Centre*
- c) Once project funding is secured, a further report be prepared for the consideration of Council that provides further details of mosaic design to seek Council approval prior to the commencement of the project."*

Ms Hookham applied for funding under Round Three of Council's 2019/2020 Community Sponsorship Program to deliver the mosaic project as an activity at the Be & Co social events. At Council's Ordinary Meeting on 30 June 2020, Council resolved to fund the Project to the amount of \$2,600.

Due to the COVID-19 Pandemic restrictions, creation of the mosaic art piece did not commence until 3 September 2020.

The Community Sponsorship funding enabled Ms Hookham to engage an artist who has been working with Be & Co participants, to create the mosaic artwork. 40 people have contributed 500 hours to the creation of the mosaics with a combination of face to face and online Be & Co sessions. Many regular Be & Co participants have contributed to the artwork, along with service providers and volunteers. Be & Co has also held online sessions for residents of the Fitzgerald Aged Care Facility to enable them to take part in mosaic art workshops during the COVID-19 Pandemic restrictions.

The original design proposed three circular modules, 80 cm diameter, 60 cm diameter and 40 cm diameter. The overall design reflected the local area using the river as a central, linking motif, with a patchwork of fields surrounding it.

The original proposal was that the Project artwork would be created in three modular pieces that could be added to over time, however due to the significant interest and large number of participants Ms Hookham is now seeking Council's permission to add one additional module. The design concept for this module will be the same as the other three circles.

Figure 1 below, displays the original mosaic design. Figure 2 shows the new proposed design with an additional module as proposed by the lead artist. Figure 3 shows two modules, one in construction phase and one completed.

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Figure 1: Original Mosaic Design

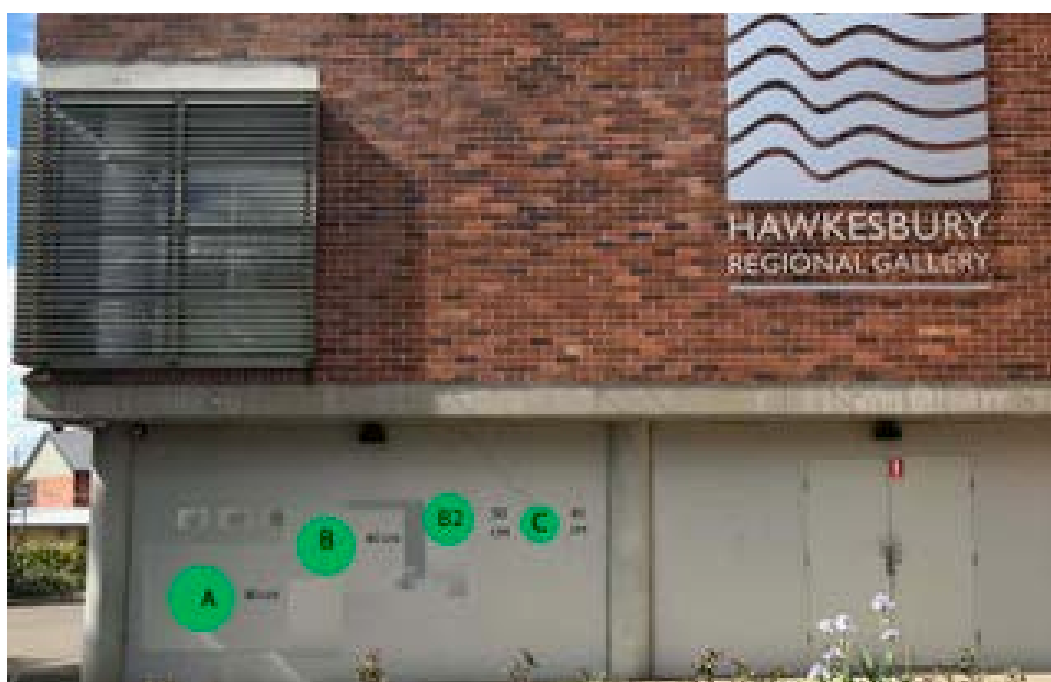


Figure 2: Proposed Mosaic Design

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Figure 3: Construction of Mosaic Modules

Should Council approve the installation of the proposed mosaic design as displayed in Figures 2 and 3, it is proposed that this will be installed on 16 November 2020, with the launch of the project scheduled for 26 November 2020. It is proposed to install the mosaic art piece on the ground floor external wall of the Deerubbin Centre, adjacent to the Rex Stubbs Memorial Garden.

Council has previously provided an in principle agreement to the mosaic art piece being installed on the external wall of the Deerubbin Centre. This Project is consistent with actions within Council's adopted Disability Inclusion Action Plan, including:

- Support a range of community events that contribute to developing positive attitudes and behaviour towards people who live with disabilities.

DISCUSSION

The proposal to install the mosaic art work detailed in this report has previously been endorsed by Council. The development of the mosaic artwork has proven to be an effective means for Be & Co to maintain connections between community members and help to improve the wellbeing of isolated and vulnerable residents, even during the COVID-19 Pandemic restrictions.

Council staff have had input into the development of this artwork including agreed methods of installation and creative design input. The artwork will be owned by Council and included on the asset register.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

Our Community

- 2.3 Community partnerships continue to evolve - Increase the range of local partnerships and plan for the future
 - 2.3.3 Advocate and facilitate constructive and productive partnerships with residents, community groups and institutions.

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2.4 Community wellbeing and local services - Build on a sense of community and wellbeing

2.4.1 Work in partnership with government and community organisations to improve services and facilities for disadvantaged and vulnerable groups, and to build stronger and more facilities.

FINANCIAL IMPACT

There are no financial implications applicable to this report. Once installed, maintenance of the artwork would be funded through Council's building maintenance budget.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

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

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Ooo

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Item: 210 **SS - Naming of Reserve and Ovals at Freemans Reach Road, Freemans Reach - (95496, 112106)**

Previous Item: 173, Ordinary (8 September 2020)

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of the process to formally name the Reserve (known as 'The Breakaway') located at Freemans Reach Road, Freemans Reach, and the two Ovals within the Reserve.

EXECUTIVE SUMMARY:

Council resolved at its meeting on 8 September 2020 for a report to be prepared to advise of the process to officially name the two Ovals located on the Reserve that is known as 'The Breakaway', Freemans Reach after Charlie and George Greentree.

The currently unnamed Reserve is located in the vicinity of 'The Breakaway' Rural Place, as gazetted by the Geographical Names Board in 1983.

This report recommends that Council publicly advertise the official name of the Reserve as 'The Breakaway' together with naming the two Ovals within the Reserve as 'The Charlie Greentree Oval' and 'The George Greentree Oval' for a period of 28 days.

RECOMMENDATION:

That Council:

1. In accordance with the requirements of the Geographical Names Act 1966, the following proposed names be publicly exhibited for a period of 28 days:
 - (a) The following land parcels be named 'The Breakaway':
 - a. Lot 4 in Deposited Plan 165153
 - b. Lot 3 in Deposited Plan 165153
 - c. Lot 91 in Deposited Plan 525429
 - d. Lot 92 in Deposited Plan 525429
 - e. Lot 1 in Deposited Plan 999867
 - f. Lot 8 in Deposited Plan 231633
 - g. Lot 2 in Deposited Plan 165153
 - h. Lot 7 in Deposited Plan 231633
 - i. Lot 1 in Deposited Plan 165153
 - (b) The Oval located on Lot 1 in Deposited Plan 165153 be named as 'The Charlie Greentree Oval' and the Oval located on Lot 2 in Deposited Plan 165153 and Lot 7 in Deposited Plan 231633 be named as 'The George Greentree Oval'.
2. The matter be reported back to Council following the public exhibition process.

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BACKGROUND

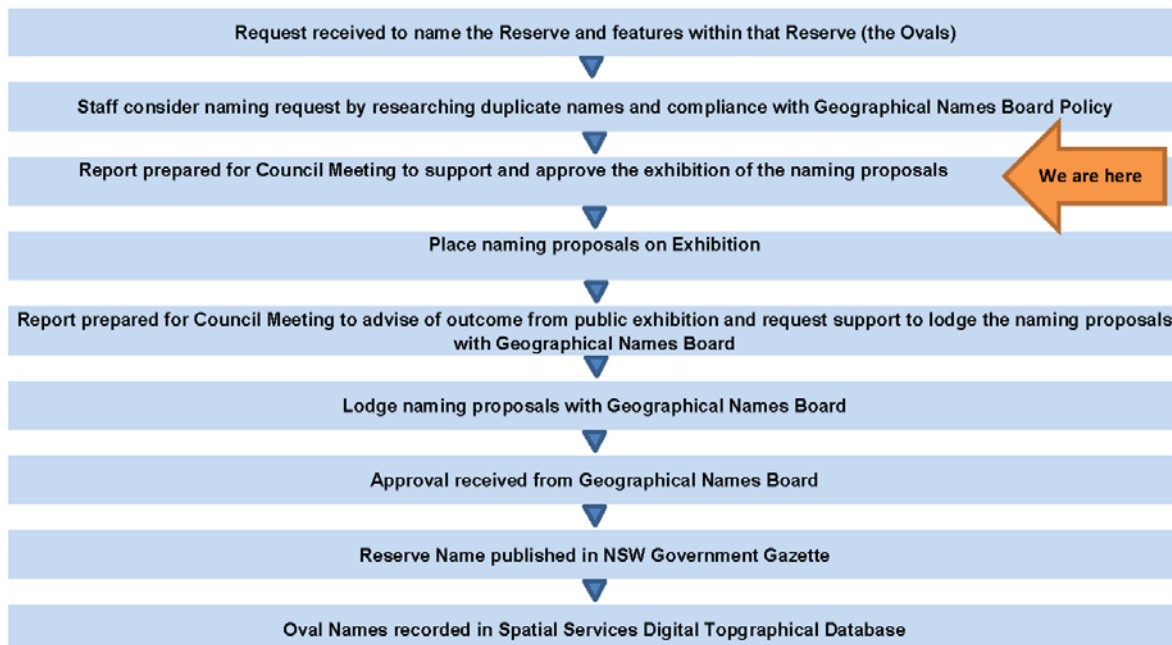
The Geographical Names Board have advised that the name 'The Breakaway' was gazetted as a Rural Place on 27 May 1983. Rural places mean a place, site or precinct in a rural landscape, generally small in area, the name of which is in current use.

The gazetted Rural Place name, 'The Breakaway' is not located within the subject Reserve. The Reserve has therefore not been officially named. This report seeks to officially name the Reserve as 'The Breakaway'.

Council at its meeting on 8 September 2020 considered a Notice of Motion regarding the naming of the two Ovals located at the Reserve known as 'The Breakaway', Freemans Reach Road, Freemans Reach. Council resolved that:

- "1. Council prepare a report regarding the process to officially name the two Ovals at what is known as 'The Breakaway', Freemans Reach, after Charlie and George Greentree, either, collectively, as 'THE GREENTREE OVALS' or individually name each oval as 'THE CHARLIE GREENTREE OVAL' and 'THE GEORGE GREENTREE OVAL'.*
- 2. The report regarding the process to officially name the two Ovals at what is known as The Breakaway, Freemans Reach, after Charlie and George Greentree, either, collectively, as 'THE GREENTREE OVALS' or individually name each oval as 'THE CHARLIE GREENTREE OVAL' and 'THE GEORGE GREENTREE OVAL' be provided to a future Council Meeting."*

The process to name Reserves is outlined below:



Reserve Name

The land at Freemans Reach that has been 'informally' known as 'The Breakaway' for many years, consists of the following nine parcels of land:

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1. Lot 4 in Deposited Plan 165153
2. Lot 3 in Deposited Plan 165153
3. Lot 91 in Deposited Plan 525429
4. Lot 92 in Deposited Plan 525429
5. Lot 1 in Deposited Plan 999867
6. Lot 8 in Deposited Plan 231633
7. Lot 2 in Deposited Plan 165153
8. Lot 7 in Deposited Plan 231633
9. Lot 1 in Deposited Plan 165153

Although the area is known as 'The Breakaway' it has not officially named 'The Breakaway'. The geographical Names Board has advised that it is possible to have the name 'The Breakaway' as both a Rural Place and as a Reserve. Therefore, this report seeks to officially name the Reserve as 'The Breakaway'. Attachment 1 of this report shows the location of the area to be named. This would occur prior to the naming of the Ovals.

Oval Names

Located at 'The Breakaway' are two Ovals used for public recreation, but mainly used for cricket by the Freemans Reach Cricket Club.

The Notice of Motion considered by Council at its meeting on 8 September 2020 proposed naming the Ovals either:

1. Both collectively as 'The Greentree Ovals, or
2. Individually as 'The Charlie Greentree Oval' and 'The George Greentree Oval'.

Attachment 2 of this Report shows the proposed location of the Ovals being named.

Clause 9.10 of the Geographical Names Board of NSW Policy provides for the Board to name features within Reserves, such as pavilions, gardens and buildings. There is no formal approval for the naming of features. Council can apply to have the name of the Ovals recorded in the Spatial Services Digital Topographical Database maintained by the Geographical Names Board of New South Wales. If approved, the names would then be shown on relevant maps.

This report recommends that Council apply for the names of the individual Ovals at 'The Breakaway' to be 'The Charlie Greentree Oval' and 'The George Greentree Oval'. This would provide clarity for visitors to the Ovals for which Oval they are playing on.

The Notice of Motion considered by Council on 8 September 2020 contained the following information supporting the naming of the Ovals:

History of Charlie and George Greentree in Freemans Reach Cricket Club:

'Charlie Greentree was a resident of Freemans Reach and Farmer on the Banks of the Hawkesbury River next to the Breakaway Ovals. The Greentree Family itself have been an integral part of Freemans Reach for many generations. In fact, the first Greentree passed away here in 1805. Charlie himself was heavily involved in the development of the area known as 'The Breakaway' after the huge and destructive floods of the early 1960's, as a representative of both the farming and cricket communities.

Charlie was a 3rd generation member of the Freemans Reach Cricket Club after his Father and Grandfather. Although his own cricket career was cut short after contracting Polio as a teenager, he remained involved and a member of the Freemans Reach Cricket Club for nearly 70 years until his passing.

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He served as both Vice President and Patron for many years and was a long term major sponsor of Freemans Reach Cricket Club both financially and also supplying tractors and equipment for any projects undertaken by the Club.

His main contribution though will always be his input and influence in the development of 'The Breakaway'.

Sadly, Charlie passed away on the 4th of May 2019 and is deeply missed by his family and the Hawkesbury cricket community.

Supplementary commentary by Clr Sarah Richards:

In addition, George Greentree (Charlie's son) has also made a significant contribution to the Freemans Reach Cricket Club and Hawkesbury Cricket.

George has been with the club since 1966, when as a 6 year old, he played with the Under 13's. George ended up playing for 29 years, winning multiple premierships and district bowling awards. George was the captain of his team every year from Under 13's until retirement from Second Grade. This resulted in being the captain, coach or manager in 27 premiership sides.

George started coaching the Under 13's as he had just finished playing juniors himself and has coached every year from Under 10's to First Grade since 2002. He also coached teams in the Hawkesbury District Cricket Association representative sides from Under 10's to Under 16's. He was the manager of the open age Martin Shield team for 8 years. He is also on the grading committee and served on the judiciary.

George became the Freemans Reach Cricket Club Secretary at the age of 14 and was the Secretary for 21 consecutive years. He has since been the President of the club for the past 25 consecutive years.

George was made a life member of the Freemans Reach Cricket Club in 1995 and has since been made a life member of the Hawkesbury District Cricket Association. He is currently the Senior Vice President and administrator of Hawkesbury District Cricket Association and has served on their board for over 30 years. Presently, George is also still coaching First Grade.

George also won the NSW Volunteer of the Year Award for the Western Sydney Region and has run 'Pink Stump' days for several years raising money for the Jane McGrath foundation. He is also well known for getting many players home safely from nights out after cricket, being a reliable 'taxi driver' to take players home at 3am!

In essence, George Greentree really has dedicated his life to cricket in the Hawkesbury and to the local kids and adults who play.'

Council staff have undertaken the necessary duplicate names and compliance checks associated with the naming proposal. The proposed Reserve and Oval names are considered appropriate for public exhibition and receipt of submissions prior to lodgement of an application to the Geographical Names Board of New South Wales.

COMMUNITY ENGAGEMENT

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

It is proposed that Council undertake the following community engagement process in compliance with Council's Community Engagement Policy and the NSW Address Policy and User Manual. The consultation required is for a period of 28 days and involves the following:

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- Advertisement in the local press
- Advertisement on Council's web page and social media site

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

- 2.2 Participation in recreational and lifestyle activities is increased - Encourage and enable our community to participate in a healthy lifestyle
- 2.2.2 Encourage active participation in a range of sporting and recreational pursuits.
- 2.5. Cultural Development and Heritage - Enable broad and rich celebration of our local culture and significant heritage
- 2.5.3 Recognise, conserve and promote the areas history and heritage for current and future generations.

Our Assets

- 4.3 Places and Spaces - Provide the right places and spaces to serve our community
- 4.3.2 Provide a variety of quality active recreation spaces including playgrounds, sporting fields, pool, stadium and multipurpose centres to enhance our community's health and lifestyle.

FINANCIAL IMPACT

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

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

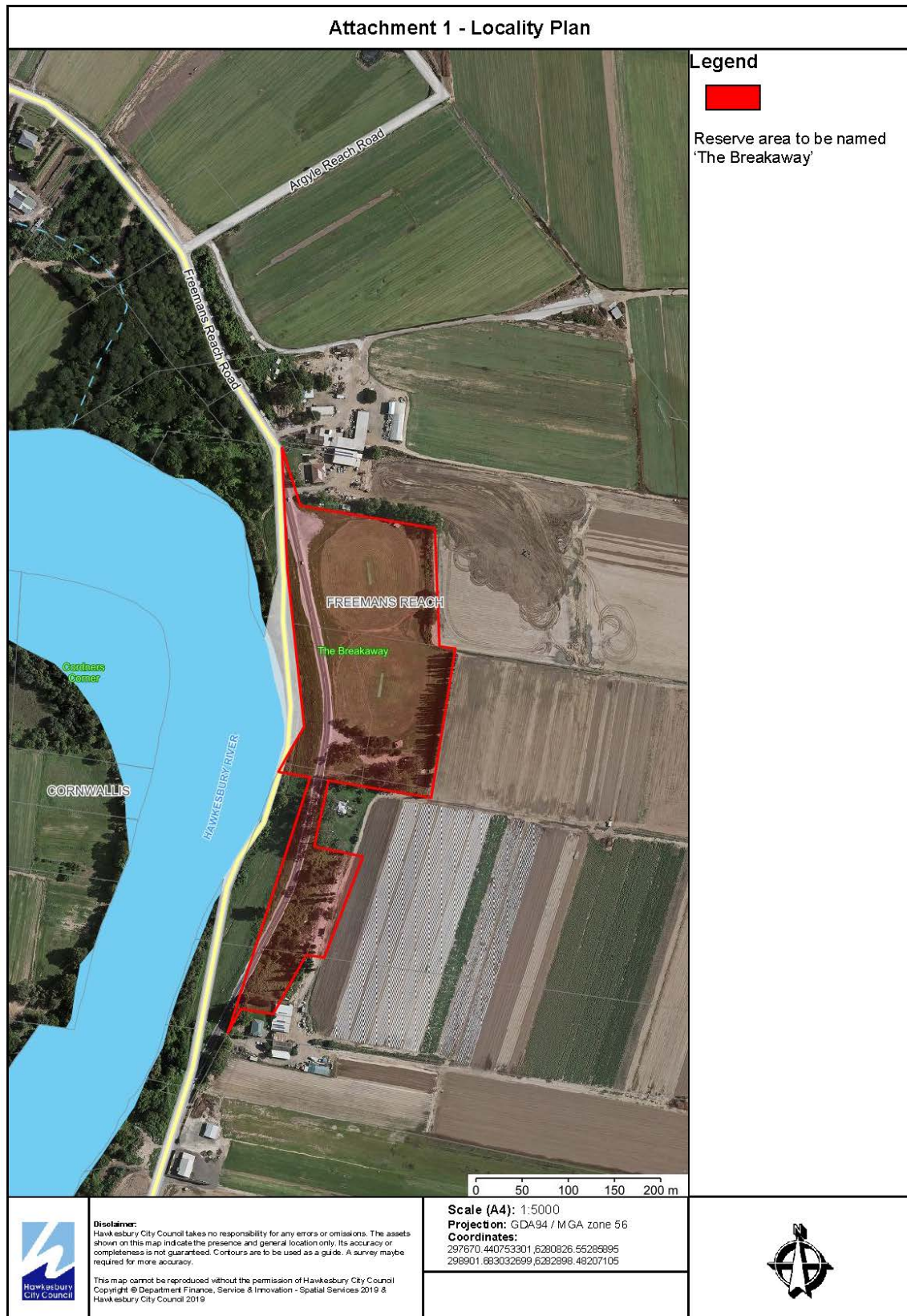
This matter is not specifically aligned with any Fit For The Future Strategies.

ATTACHMENTS:

- AT - 1** Locality Plan - 'The Breakaway'.
- AT - 2** Oval Naming Plan - 'The Breakaway'.

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AT - 1 Locality Plan - 'The Breakaway'



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AT - 2 Oval Naming Plan - 'The Breakaway'



oooO END OF REPORT Oooo

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of committees

ORDINARY MEETING

SECTION 4 – Reports of Committees

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SECTION 4 – Reports of Committees

Item: 211 **ROC - Hawkesbury Access and Inclusion Advisory Committee - 25 June 2020 (124569, 96328)**

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Hawkesbury Access and Inclusion Advisory Committee, held on 25 June 2020.

EXECUTIVE SUMMARY:

Item 1 contained within the minutes of the Hawkesbury Access and Inclusion Advisory Committee has policy or financial implications to Council. This therefore requires specific consideration by Council, the details of which are discussed in the report below.

In relation to Item 2 and General Business, as they have no policy or financial implications for Council, they are presented for information only.

RECOMMENDATION:

That in relation to the Minutes of the Access and Inclusion Advisory Committee Meeting held on the 25 June 2020:

1. Council receive and note the Access and Inclusion Advisory Committee minutes in respect to Item 2 and General Business.
 2. In regard to Item 1 Committee Recommendation 3, Council consider doubling the current allocation of \$180,000 to \$360,000 in the 2021/2022 Operational Plan to enable two major amenity upgrades per annum.
-

DISCUSSION

The Hawkesbury Access and Inclusion Advisory Committee considered staff reports on a range of matters as shown in the attached minutes Attachment 1. The following item requires specific consideration by Council.

Item: 1 Access Improvements to Council Public Amenities – (124569, 96328)

A report was provided to the Committee to advise of a number of works, both scheduled and proposed for 2020/2021 and asked the Committee for their input to prioritise expenditure in 2020/2021.

Council's Building Services Manager presented to the Committee an audit of public amenities and proposed upgrades. The Committee was asked to consider select one of the nominated sites for replacement, or to recommend Council utilise funds to refurbish a number of alternate sites across the region.

ORDINARY MEETING
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The Committee considered this matter and resolved the following:

"That:

- 1. The information be received and noted.*
- 2. The Committee endorsed replacement of amenities at Beaumont Avenue, North Richmond, installation of new amenities at Bona Vista Drive and a refurbishment of the amenities at Church Street Reserve.*
- 3. The Committee request that Council make financial provisions in future budgets to double the financial allocation to enable two major amenity upgrades per annum."*

Officer's Comment

Subsequent to this report, works to upgrade Church Street Reserve amenities have commenced. Within Council's current long term Financial Plan there is provision for \$180,000 per annum, to replace or refurbish public amenities. The Committee has requested Council consider doubling the allocation to total \$360,000 in the 2021/2022 Operational Plan. Accordingly, it is considered that Council could resolve as follows:

"In regard to Item 1 Committee Recommendation 3, Council consider doubling the current allocation of \$180,000 to \$360,000 in the 2021/2022 Operational Plan to enable two major amenities upgrades per annum."

ATTACHMENTS:

AT - 1 Minutes of the Hawkesbury Access and Inclusion Advisory Committee 25 June 2020.

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AT - 1 Minutes of the Hawkesbury Access and Inclusion Advisory Committee 25 June 2020

Minutes of the Meeting of the Hawkesbury Access and Inclusion Advisory Committee held by Audio-Visual link, on 25 June 2020, commencing at 4:00pm.

ATTENDANCE

Present: Councillor Barry Calvert, (Chair) Hawkesbury City Council
Councillor John Ross, Hawkesbury City Council
Ms Jessica Brunskill, Community Representative
Mr David Gearin, (Deputy Chair) Community Representative
Ms Jennifer Moses, Community Representative

Apologies: Ms Terri Mottram, Community Representative

In Attendance: Ms Meagan Ang, Hawkesbury City Council
Mr Lachlan McClure, Hawkesbury City Council

RESOLVED on the motion of Mr Gearin and seconded by Councillor Ross that the apology be accepted.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Mr Gearin and seconded by Councillor Ross that the Minutes of the Hawkesbury Access and Inclusion Advisory Committee held on the 27 February 2020 be confirmed.

Ms Ang requested that Item 2 on the Agenda be brought forward to enable Mr McClure to speak to the Item; Councillor Calvert confirmed Item 2 to be brought forward.

SECTION 3 - Reports for Determination

Item: 1 **HAIAC - Access Improvements to Council Public Amenities 2020/2021 - (124569, 96328)**

Directorate: Support Services

OFFICER'S RECOMMENDATION:

That:

1. The information be received and noted.
2. The Hawkesbury Access and Inclusion Advisory Committee make recommendation on which identified site should be replaced in the 2020/2021 period, or make recommendation that selected sites be refurbished.

DISCUSSION:

- Councillor Ross enquires if there is an intention to install electronic latches and timers on upgraded amenities and if so if it is beneficial to install at the time of construction.
- Mr McClure confirmed that this would cost approximately \$2,000 per amenity. Mr McClure advised he would enquire with the responsible sections (property and parks) will provide an update to the Committee.

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- Accessible toilets will have basin internally and baby change table.
- Mr McClure confirmed that he would follow up to have the allocated disability parking spaces at the accessible playground opposite Hawkesbury Oasis marked with lines.
- Councillor Ross identifies that ramp to the Visitors Information Centre is not access compliant. Mr McClure advised he will put this on a priority of works in the building program 2020/2021.
- Councillor Ross requests that the shade structure outside the Visitors Information Centre be inspected, and that the gardens be tidied.
- Council uses the National Asset Management system to assess all of its assets. Assets are rated assets 1 to 5 with the amount of money required to bring the asset up to standard also affects the rating. This NAMs rating is used across all Council assets.
- The amenities presented for the Committee's consideration are those which are considered as intended as an accessible facility.
- The audit categorised amenities as high or use / low use, with the frequency of use is being based on the opinion of the 'owner' of the asset.
- Mr Gearin comments that there are toilets at Bilpin Oval that may be assessed as low use due to the poor condition of toilets and the lack of physical access to the toilets.
- Councillor Calvert asks the Committee for a consensus preference regarding the prioritisation of works; the Committee agreed that Council should prioritise large projects in high usage locations.
- Mr McClure advised that the Bilpin amenities will be replaced in 2020/2021. Councillor Ross notes that signage is required as well as improved access to the toilet as there is significant tourism activity in the area.
- Committee suggests including signage on Bell Line of Road to indicate public toilets available.
- Councillor Calvert asks if there are other suggestions for localities other than those that have been presented to the Committee. Councillor Ross indicates that Colo River is an optimum location. Mr McClure indicates this location would require a pump out or septic replacement. Mr McClure will provide an update to later Committee meeting to advise if that is possible.
- Mr Gearin noted that what has been helpful for the Committee to know is that it's also the building condition that influences the priority of works and that this extra knowledge has been helpful for the Committee to know.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Moses and seconded by Mr Gearin.

That:

1. The information be received and noted.
2. The Committee endorsed replacement of amenities at Beaumont Avenue, North Richmond, installation of new amenities at Bona Vista Drive and a refurbishment of the amenities at Church Street Reserve.
3. The Committee request that Council make financial provisions in future budgets to double the financial allocation to enable two major amenity upgrades per annum.

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Item: 2 **HAIAC - Access and Inclusion Checklist - (124569, 96328)**

Directorate: Support Services

OFFICER'S RECOMMENDATION:

That:

1. The information be received and noted
2. The Hawkesbury Access and Inclusion Advisory Committee review the additional criteria provided and determine what should be included in an updated Access and Inclusion Checklist
3. Council staff update the Access and Inclusion Checklist in accordance with Committee determination.

DISCUSSION:

- Ms Moses suggests the checklist be broken down to improve checklist for usability with criteria tailored to specific needs. Checklists could then be produced in easy read format and in multiple mediums.
- The Committee did not have any issue with the proposed content reported and suggest that a working group be established to draft tailored checklists.
- Councillor Ross provides the example of considering the needs of a shopkeeper and that checklists should be produced to reflect primary considerations, the secondary considerations.
- Ms Moses, Ms Brunskill and Ms Ang nominate to sit on a working group to develop tailored checklists.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Brunskill and seconded by Mr Gearin

That:

1. The information be received and noted.
2. The working to develop tailored checklists for the endorsement of the Committee prior to publication.

SECTION 4 - General Business

- Councillor Ross notes that he was disappointed that the table used to record the Audit of Council amenities wasn't available, noting that if made available this would assist to enable the Committee with the information available. Ms Ang confirms that this will be included in future reports
- The Dementia Friendly Working Group was discussed and Councillor Ross was elected as the Councillor Representative that will serve as Chair of this Working Group.
- Ms Ang is to advise the Committee of the closing date for the Access and Inclusion Award.

The meeting terminated at 5.57pm

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 27 October 2020

Item: 212 **ROC - Hawkesbury Tourism Advisory Committee - 23 September 2020 - (95498, 140396)**

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Hawkesbury Tourism Advisory Committee, held on 23 September 2020.

EXECUTIVE SUMMARY:

The Hawkesbury City Council Tourism Report Card was presented to the Tourism Committee at the meeting. Due to the loss of a quorum the discussion on the status of actions within the report card was not completed. At this stage there are no policy or financial implications for Council. The minutes are presented for information only.

RECOMMENDATION:

That Council receive and note the Minutes of the Hawkesbury Tourism Advisory Committee Meeting held on the 23 September 2020.

DISCUSSION

The Committee considered the staff report on the Hawkesbury City Council Tourism Report Card as shown in the attached minutes (Attachment 1). A discussion on the actions is yet to be concluded however at this stage there are no policy or financial implications for Council, they are presented for information only.

Following a discussion on the report card matter, the Hawkesbury Tourism Advisory Committee resolved that:

"The members of the Tourism Advisory Committee review the actions in Council's Tourism Strategy to enable discussion at the next meeting regarding next steps to be discussed in relation to uncompleted actions."

Officer Comment

A word version of the tourism actions within the report card were sent to the members of the committee inviting them to review, add comments in preparation for the next meeting on 28 October 2020.

ATTACHMENTS:

AT - 1 Minutes of the Hawkesbury Tourism Advisory Committee on 23 September 2020.

ORDINARY MEETING
SECTION 4 – Reports of Committees
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AT - 1 Minutes of the Hawkesbury Tourism Advisory Committee on 23 September 2020

Minutes of the Meeting of the Hawkesbury Tourism Advisory Committee held by Audio-Visual link, on 23 September 2020, commencing at 9:14am.

Present: Councillor Emma-Jane Garrow, Chairperson
 Councillor Paul Rasmussen, Hawkesbury City Council
 Councillor Sarah Richards, Hawkesbury City Council (left the meeting at 10am)
 Ms Sophie Devine, Community Representative
 Mr Ian Knowd, Community Representative
 Mr Albert Stafford, Stafford Consulting
 Mr Tony Jeffcott, Community Representative (joined the meeting at 9:14am and left at 9:20am)

Apologies: Nil.

In Attendance: Mr Peter Conroy, Hawkesbury City Council
 Ms Linda Perrine, Hawkesbury City Council
 Ms Suzanne Stuart, Hawkesbury City Council
 Ms Amanda Kearney, Hawkesbury City Council
 Ms Jodie Tillinghast, Hawkesbury City Council

Member	30/11/2018	04/11/2019	03/08/2020	23/09/2020
Mr Martin Boetz	✓	x	x	x
Ms Sophie Devine	✓	x	✓	✓
Ms Vanessa Hanna	✓	✓	Resigned	-
Mr Tony Jeffcott	✓	✓	✓	✓
Mr Ian Knowd	A	✓	✓	✓
Mr Declan O'Connor	A	x	x	x
Mr Venecia Wilson	✓	x	✓	x
Mr Albert Stafford			✓	✓
Councillor Emma-Jane Garrow	✓	✓	✓	✓
Councillor Paul Rasmussen	✓	A	✓	✓
Councillor Sarah Richards	✓	✓	✓	✓

Key: A = Formal Apology

✓ = Present

x = Absent - no apology

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Paul Rasmussen and seconded by Councillor Sarah Richards that the Minutes of the Hawkesbury Tourism Advisory Committee held on the 3 August 2020, be confirmed.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 27 October 2020

SECTION 3 - Reports for Determination

Item: 1 **HTAC - Hawkesbury City Council Tourism Report Card - (95498, 79351, 140396)**

Previous Item: 3 August 2020

Directorate: City Planning

OFFICERS RECOMMENDATION:

1. That the report card is noted.
2. That the members of the Tourism Committee review the actions in the Council's Tourism Strategy to enable discussion at the next meeting regarding next steps.

DISCUSSION:

The Director City Planning was in attendance at the meeting and worked through the Report Card which outlined the status of actions in relation to:

- Regional Strategic Alliance
- Council's Tourism Strategy
- Business Support Initiatives
- Destination NSW Tourism Management Plan

The members of the committee proceeded to discuss the actions within Council's Tourism Strategy noting completed actions and actions still to be completed. Discussion ensued on each action yet to be completed with the aim of developing a clearer understanding of the intended outcome and if it is something that would need to be considered as part of the development of a new Tourism Strategy.

The discussion on the actions is yet to be concluded and it was agreed that a word version of the Tourism Strategy actions be sent to Committee members for them to add their notes / comments.

Agreed actions

- Members of the steering Committee to send comments to Council staff on the Tourism Strategy actions so they can be compiled and form the basis discussion at the next meeting.
- New skins to be laid over the visitor signs at Bell Bird Lookout at Kurrajong Heights and the Botanist Way signs near Ham Common toilets.
- Update the information in the civic signage outside the Visitor Information Centre.
- Gather further information on the impacts of the Bushfires and COVID 19 on businesses.
- Add all members of the Tourism Committee to the business newsletter database.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Paul Rasmussen, seconded by Mr Albert Stafford.

That:

1. That the report card is noted.

ORDINARY MEETING
SECTION 4 – Reports of Committees
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2. That the members of the Tourism Committee review the actions in the Council's Tourism Strategy to enable discussion at the next meeting regarding next steps be discussed in relation to uncompleted actions.

Item: 2 **HTAC - Previous Actions - (95496, 140396, 79351)**

Previous Item: (3 August 2020)

Directorate: City Planning

The item was deferred to the next Tourism Committee Meeting to be held on 28 October 2020, 10am as there was insufficient Committee members to make a quorum.

SECTION 4 - General Business

No General Business was discussed at the meeting.

The meeting terminated at 10:23am.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 27 October 2020

Item: 213 **ROC - Local Traffic Committee - 12 October 2020 - (80245, 95495)**

Directorate: Infrastructure Services

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Local Traffic Committee, held on 12 October 2020. The Local Traffic Committee is not a Committee of Council but a Statutory Committee.

EXECUTIVE SUMMARY:

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

RECOMMENDATION:

That Council receive and note the Minutes of the Local Traffic Committee Meeting held on the 12 October 2020:

DISCUSSION

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

- Special Event Traffic – Cancellation/Rescheduling of 2020 Special Events due to the COVID-19 Pandemic
- Special Event Traffic – Hawkesbury Show 2021 – Hawkesbury Showground, Clarendon
- General Matter – Local Traffic Committee 2021 Calendar

ATTACHMENTS:

AT - 1 Minutes of the Local Traffic Committee held on 12 October 2020.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 27 October 2020

AT - 1 Minutes of the Local Traffic Committee held on 12 October 2020

Minutes of the Meeting of the Local Traffic Committee held remotely on Monday, 12 October 2020.

ATTENDANCE

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

Apologies: Nil

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

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

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the Motion of Councillor Peter Reynolds, seconded by Mark Rusev, that the Minutes from the previous meeting held on Monday, 14 September 2020 be confirmed.

Item 1.2 Business Arising

There was no Business Arising.

SECTION 2 - Reports for Determination

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

Previous Item: LTC 20 April 2020 – Item 2.1
LTC 14 September 2020 – Item 2.1

REPORT:

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

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

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The following event has been rescheduled:

1. Light Up Windsor Event 2020: 05 December 2020 – **Rescheduled**. The event will be transformed into a Christmas Trail where they will be lighting up buildings in the Windsor Town Centre. The event will have reduced road closures resulting in only Thompson Square Road being closed between George Street and The Terrace. The road closures will be implemented between 7pm and 11:30pm on 11,12,13,18,19 and 20 December 2020. The original Event details were considered by the LTC on 10 August 2020 and supported. The conditions outlined in the initial approval are applicable with the changes to the rescheduled event being the dates and times of the event and the Road Closure details as outlined in Attachment 1. It is recommended that the changed operating details for the Light Up Windsor Event 2020 be supported.

RECOMMENDATION TO COMMITTEE:

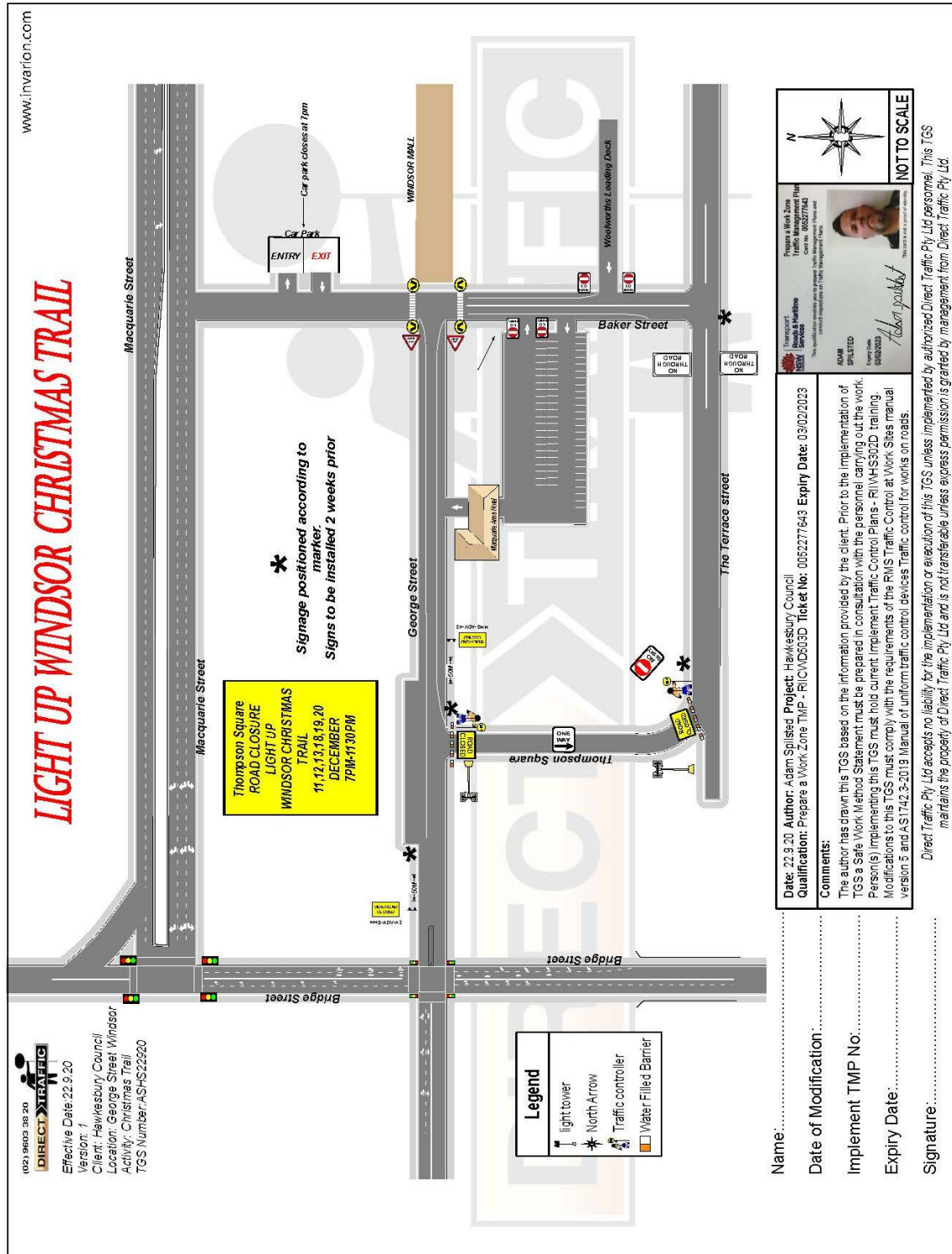
That the information be received.

APPENDICES:

AT - 1 Light Up Windsor Christmas Trail

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 27 October 2020

AT - 1 Light Up Windsor Christmas Trail



ORDINARY MEETING
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COMMITTEE RECOMMENDATION:

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

Support for the Recommendation: Unanimous support

That the information be received.

**Item: 2.2 LTC - Hawkesbury Show 2021 - Hawkesbury Showground, Clarendon -
(Hawkesbury) - (80245, 74207, 123265)**

REPORT:

An application has been received from the Hawkesbury District Agricultural Association seeking approval (in traffic management terms) to conduct the Hawkesbury Show on 23 to 25 April 2021 within the Hawkesbury Showground, Clarendon.

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

The event organiser has advised:

- The Hawkesbury Show is a major community event, featuring agricultural displays, rides, show bags, sideshows, business promotions and arts and craft shows that have been held at the showground for over 130 years. The event in 2020 was cancelled due to COVID-19.
- The times for operation are proposed from 9am to 11:30pm for both Friday, 23 and Saturday, 24 April, and 9am to 5pm for Sunday, 25 April 2021.
- It is expected that the exhibitors and workers will start to arrive at the site from 7am daily and will come and go until 11:30pm on Friday and Saturday nights. The final pack-down of the Show will occur after the Sunday closing time of 5pm, with vehicular movements expected to continue up to 8pm.
- The showground is located on Racecourse Road, with the Hawkesbury Racecourse and the Clarendon Railway Station located opposite.
- The event is expected to attract approximately 3,500 participants
- The event is expected to attract approximately 60,000 visitors over the three days it will operate.
- It is estimated approximately 26% of the total number of visitors will attend the show on Friday, 42% will attend the show on Saturday and 32% will attend the show on Sunday.
- It is anticipated that most visitors (an estimated 85%) will travel by car. They will park within the Hawkesbury Showground car parking area, the UWS Hawkesbury Campus/Clarendon paddock, the Hawkesbury Equestrian Centre, or in the road reserve areas of Hawkesbury Valley Way and Racecourse Road and walk to one of the pedestrian entry gates.
- Patrons travelling by train will use the Gate 1 access – which is located at the northern point of the Showground.

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- Two dedicated “pedestrian crossing points” are to be established in Racecourse Road and one across the vehicular access to the Racecourse.
- The majority of the visitors will park within the Hawkesbury Showground in the dedicated “Hawkesbury Showground Car Park” adjacent to the western boundary of the showground; access through Gate 5. This will prevent the queuing of vehicles along Racecourse Road.
- It is expected that approximately 20,000 vehicles will travel to this area during the three days of the Show.
- Parking is available for more than 20,000 vehicles each day.
- ‘Free Parking’ signs are to be located at Hawkesbury Valley Way, Racecourse Road and adjacent to Gate 5 directing vehicular traffic into the Hawkesbury Showground.
- It is expected that there will be some impact on traffic during the opening hours and for 1 to 2 hours before and after closing times. The impact generally will be in the form of minor traffic delays in the vicinity of the site, as vehicles enter and leave the event, and negotiate the intersections with adjoining roads, with moderate delays expected during peak traffic times.
- During the event, entry/exit (Gates 4 and 5) for vehicular parking within the Hawkesbury Showground and the Western Sydney University land are to be clearly signposted in Hawkesbury Valley Way, Blacktown Road and Racecourse Road. A temporary ‘round-a-bout’ is to be created adjacent to gate 4 and 5 to facilitate traffic movement into and out of the Hawkesbury Showground.
- Traffic from the internal car park of the Showground will be directed onto Blacktown Road.
- Traffic departing the Hawkesbury Racecourse car park during peak periods will be directed right onto Racecourse Road to Hawkesbury Valley Way.
- On the recommendation of the Hawkesbury Local Area Command and to prevent significant vehicular traffic congestion whether entering or leaving Racecourse Road between Hawkesbury Valley Way and the Clarendon Railway Crossing, it is proposed to provide a temporary fence around the ‘triangle’ Reserve Land located in this area. This will prevent the unauthorised parking of motor vehicles in this area. Police have indicated that during the 2019 event, vehicular traffic in either negotiating to park their vehicles or on leaving this area were causing a major traffic impact and delays to the free flow of traffic. The concrete pedestrian path adjacent to Hawkesbury Valley Way will not be obstructed or the required sight distance for vehicles exiting Racecourse Road.
- Mobile VMS Units will be erected along Hawkesbury Valley Way, Blacktown Road, and Kurrajong Road notifying motorists of the event parking and alternative routes to the showground via Racecourse Road off Blacktown Road.
- Certified Traffic Controllers are to be used at all intersecting points with additional Traffic Controllers being available as required to direct traffic.
- Application has been made with Transport for NSW – TfNSW (formerly RTA/RMS) for the following speed limit reductions to improve safety around the event precinct;
 - Hawkesbury Valley Way, speed reduction from 70/80km/h to 40km/h: between Percival Street and Hobart Street.
 - Racecourse Road, speed reduction from 60km/h to 40km/h: between Hawkesbury Valley Way and Rickaby Street.
 - Blacktown Road, speed reduction from 80km/h to 60km/h: between Bourke Street and Racecourse Road.

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Discussion

Racecourse Road intersects with Hawkesbury Valley Way near the northern boundary of the showground site, and intersects with Blacktown Road approximately 3.5 kilometres to the south. Racecourse Road is a minor distributor rural road of approximately 3.5 kilometres in length with the full length being sealed. The event organiser has indicated that a high proportion of traffic is expected from the Hawkesbury Valley Way intersection. Both Hawkesbury Valley Way and Blacktown Road are state roads.

Considerable pedestrian movements are expected along Racecourse Road. It is likely that visitors to the Show may park in the road reserve areas of Racecourse Road and Hawkesbury Valley Way as well as the parking areas within the Showground, Clarendon Paddocks and the Hawkesbury Equestrian Centre.

Traffic congestion is likely to be concentrated in Hawkesbury Valley Way, from where the majority of vehicles will queue to enter Racecourse Road, and in Racecourse Road, as vehicles queue to enter parking areas. To improve traffic and pedestrian safety around the event precinct, the event organiser has applied to Transport for NSW – TfNSW (formerly RTA/RMS) for the following speed limit reductions:

- Hawkesbury Valley Way, speed reduction from 70/80km/h to 40km/h: between Percival Street and Hobart Street.
- Racecourse Road, speed reduction from 60km/h to 40km/h: between Hawkesbury Valley Way and Rickaby Street

It is likely that some vehicles, to avoid the congestion at Hawkesbury Valley Way, will travel towards the showground along Racecourse Road from the Blacktown Road intersection.

Delays are likely to occur when vehicles are leaving the site during peak times, as vehicles queue to enter Hawkesbury Valley Way from Racecourse Road. The majority of traffic will be directed from the main internal dedicated parking area within the showground, exiting onto Blacktown Road through the University of Western Sydney, Hawkesbury Campus property. To enable the exit into Blacktown Road to work effectively, an application has been made to Transport for NSW – TfNSW (formerly RTA/RMS) by the event organiser for the speed limit in Blacktown Road to be reduced from 80km/h to 60km/h between Bourke Street and Racecourse Road during the event.

It would be appropriate to classify the event as a “Class 1” special event under the “Traffic and Transport Management for Special Events” guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS) as the event may impact on major traffic and transport systems which includes the Speed Zone reductions and traffic control on the nominated State roads, and there may be significant disruption to the non-event community.

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

The event organiser has submitted the following items in relation to the event: Attachment 1 (ECM Document Set ID No: 7230385):

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. Transport Management Plan – referred to in the application as Traffic Management Plan (TMP) and Traffic Control Plans (TCP),
5. Copy of Insurance Policy which is valid to 31 May 2021.
6. Copy of the Road Occupancy License Application and Speed Zone Authorisation Application forms submitted to Transport for NSW – TfNSW (formerly RTA/RMS).

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RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Hawkesbury Show 2021 planned for 23 to 25 April 2021, within the Hawkesbury Showground, Clarendon, be classified as a "Class 1" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser and the event organiser is to ensure that Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted which includes the crossing points across Racecourse Road in the vicinity of Gate 1 to the Showground and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to the event. The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the application including the TMP and the associated TCP is to be submitted to Transport for NSW – TfNSW (formerly TMC) for authorisation as this is a Class 1 event.

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- 4e. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) as this is a "Class 1" event which will have a traffic impact on both Hawkesbury Valley Way and Blacktown Road (state roads) as well as the proposed temporary speed reductions required for the following roads;
- Hawkesbury Valley Way, speed reduction from 70/80Kph to 40Kph: between Percival Street and Hobart Street,
 - Racecourse Road, speed reduction from 60Kph to 40Kph: between Hawkesbury Valley Way and Rickaby Street,
 - Blacktown Road, speed reduction from 80Kph to 60Kph: between Bourke Street and Racecourse Road.
- a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4f. as the event requires traffic control on public roads and the provision of the Crossing Points, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4h. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4i. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4j. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4k. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4l. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4o. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4p. in accordance with the submitted TMP and associated TCP, appropriate advisory signs -

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including temporary speed restriction signs (subject to Transport for NSW – TfNSW (formerly TMC and RTA/RMS) requirements), shall be placed at the event organiser's expense after all the required approvals are obtained from the relevant authorities - and traffic control devices are to be placed during the event, (including the crossing point), under the direction of a traffic controller holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);

- 4q. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and
- 4r. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

APPENDICES:

AT - 1 Special Event Application - (ECM Document Set ID No. 7230385) - *see attached*

COMMITTEE RECOMMENDATION:

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

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Hawkesbury Show 2021 planned for 23 to 25 April 2021, within the Hawkesbury Showground, Clarendon, be classified as a "Class 1" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser and the event organiser is to ensure that Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted which includes the crossing points across Racecourse Road in the vicinity of Gate 1 to the Showground and the following conditions:

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Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to the event. The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the application including the TMP and the associated TCP is to be submitted to Transport for NSW – TfNSW (formerly TMC) for authorisation as this is a Class 1 event.
- 4e. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) as this is a "Class 1" event which will have a traffic impact on both Hawkesbury Valley Way and Blacktown Road (state roads) as well as the proposed temporary speed reductions required for the following roads;
- Hawkesbury Valley Way, speed reduction from 70/80Kph to 40Kph: between Percival Street and Hobart Street,
 - Racecourse Road, speed reduction from 60Kph to 40Kph: between Hawkesbury Valley Way and Rickaby Street,
 - Blacktown Road, speed reduction from 80Kph to 60Kph: between Bourke Street and Racecourse Road.
- a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4f. as the event requires traffic control on public roads and the provision of the Crossing Points, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4h. the event organiser is to advertise the event in the local press stating the entire 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);

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- 4i. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4j. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4k. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4l. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4o. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4p. in accordance with the submitted TMP and associated TCP, appropriate advisory signs - including temporary speed restriction signs (subject to Transport for NSW – TfNSW (formerly TMC and RTA/RMS) requirements), shall be placed at the event organiser's expense after all the required approvals are obtained from the relevant authorities - and traffic control devices are to be placed during the event, (including the crossing point), under the direction of a traffic controller holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4q. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and
- 4r. 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.

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SECTION 4 – Reports of Committees
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Item: 2.3 LTC - Local Traffic Committee 2021 Calendar - (Hawkesbury) - (80245)

REPORT:

The current format for the Local Traffic Committee (LTC) meetings is to meet on the second Monday of the month, commencing at 3pm in the Large Committee Room, Council Offices at 366 George Street, Windsor.

Proposed is a list of dates, outlined below, for 2021 in the current Monday format (second Monday of the month) with the exception of June which is proposed to be held on the third Monday due to the Queen's Birthday public holiday on 14 June 2021.

- 11 January 2021
- 08 February 2021
- 08 March 2021
- 12 April 2021
- 10 May 2021
- 21 June 2021 (third Monday due to Queen's Birthday Holiday on 14 June 2021)
- 12 July 2021
- 09 August 2021
- 13 September 2021
- 11 October 2021
- 08 November 2021

RECOMMENDATION TO COMMITTEE:

That the 2021 Local Traffic Committee Meetings be undertaken from January to November on the second Monday of the month with the exception of June which will be undertaken on the third Monday.

APPENDICES:

There are no supporting documents for this report.

COMMITTEE RECOMMENDATION:

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

Support for the Recommendation: Unanimous support

That the 2021 Local Traffic Committee Meetings be undertaken from January to November on the second Monday of the month with the exception of June which will be undertaken on the third Monday.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 27 October 2020

SECTION 3 - Reports for Information

There were no Reports for Information.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Monday, 9 November 2020 at 3pm in the Large Committee Room.

oooO END OF REPORT Oooo

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 27 October 2020

ordinary

section 5

notices of motion

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 27 October 2020

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 27 October 2020

SECTION 5 – Notices of Motion

Item: 214 **NM1 - Headspace in the Hawkesbury - (79351, 133879)**

Submitted by: Councillor Richards

NOTICE OF MOTION:

That Council:

1. Note that the drought, 2019/2020 bushfires, floods and the COVID-19 pandemic (among other factors) have placed unique pressures on the mental health of young people in the Hawkesbury.
2. Write to the Nepean Blue Mountains Primary Health Network (NBMPHN) seeking their advice regarding the need to establish a headspace in the Hawkesbury.
3. Receive this feedback from the NBMPHN and then enter into discussions with the NBMPHN regarding funding and location options.
4. Note that the Katoomba headspace service in the Blue Mountains LGA offers outreach services for young people in the Hawkesbury.

BACKGROUND

- Headspace acts as a one-stop-shop for young people who need help with mental health, physical health, alcohol and other drugs or work and study support.
- It assists those aged 12-25 years old.
- Headspace – National Youth Mental Health Foundation is funded by the Australian Government Department of Health.
- Currently, there are 110+ Headspace locations in Australia. Locations in Western Sydney include Penrith, Katoomba, Lithgow, Mount Druitt, Castle Hill, Parramatta and Liverpool.
- For more information on headspace, please visit <https://headspace.org.au/>.

NOTE BY MANAGEMENT

- The Nepean Blue Mountains Primary Health Network attended Hawkesbury Youth Interagency on 20 October 2020 to consult with youth services regarding a possible Headspace in the Hawkesbury
- Discussions centred around the level of need and possible models for operation in the Hawkesbury that included co-location with Non-Government-Organisations, working in schools and varied outreach opportunities to reflect the size and transport access issues experienced by young people in the Hawkesbury.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 27 October 2020

Item: 215 **NM2 - Bilpin Visitor Information Centre - (79351, 138879)**

Submitted by: Councillor Richards

NOTICE OF MOTION:

That Council:

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

NOTE BY MANAGEMENT

Council has previously considered a Notice of Motion in relation to the proposed Hawkesbury and Blue Mountains World Heritage Centre at its meeting on 14 July 2020, at which time Council resolved as follows:

'That:

1. *Council provide its support for an investigation into the revitalised concept of the Hawkesbury/Blue Mountains World Heritage Centre Proposal, as outlined in the historical information attached to the report written by Councillor Sarah Richards and Mr Lionel Buckett.*
2. *The matter be referred to a Councillor Briefing Session.'*

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING
Confidential Reports
Meeting Date: 27 October 2020

CONFIDENTIAL REPORTS

No Confidential Reports.



ordinary
meeting

end of
business
paper

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