



ORDINARY MEETING

Date of meeting: 13 February 2024
Location: Council Chambers
Time: 6:30 PM

BUSINESS PAPER

ORDINARY MEETING

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ORDINARY MEETING
1. PROCEDURAL MATTERS
Meeting Date: 13 February 2024

1. PROCEDURAL MATTERS

Welcome

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

The General Manager will address the Council meeting, mentioning:

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

Attendance

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

Statement of Ethical Obligations

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

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

Apologies and Leave of Absence

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

Declaration of Interest

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

Acknowledgement of Official Visitors to the Council

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

ORDINARY MEETING

2. CONFIRMATION OF MINUTES

Meeting Date: 13 February 2024

2. CONFIRMATION OF MINUTES



ORDINARY MEETING

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

MINUTES

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1. PROCEDURAL MATTERS

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 30 January 2024, commencing at 6:30pm.

Welcome

The Mayor, Councillor Sarah McMahon acknowledged the Indigenous Heritage.

The Mayor acknowledged the Smoking and Welcome ceremony held prior to the commencement of the Council Meeting.

The General Manager addressed the Council meeting, mentioning:

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

ATTENDANCE

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

By Audio-Visual Link: Councillor Patrick Conolly

ALSO PRESENT: General Manager - Elizabeth Richardson, Director City Planning - Meagan Ang, Director Infrastructure Services - Will Barton, Director Corporate Services - Laurie Mifsud, Acting Manager Corporate Communication – David Catt, Manager Strategic Planning – Andrew Kearns and Administrative Support Coordinator – Melissa Ryan, Executive Assistant to Director Corporate Services – Amy Birks.

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

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

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

1 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Reardon that approval be granted to Councillor Conolly, to attend the Ordinary Council Meeting on 30 January 2024 by audio-visual link as he is unable to attend the meeting in person.

DECLARATIONS OF INTEREST

Councillor McMahon declared interests on Items 4.4.1. and 4.4.4.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

ORDINARY MEETING

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2. CONFIRMATION OF MINUTES

2 RESOLUTION:

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

A PROCEDURAL MOTION was moved by Councillor Reardon, seconded by Councillor Kotlash that a Condolence be moved.

The Procedural Motion was carried.

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3. CONDOLENCES

The Mayor, Councillor McMahon extended condolences to the family and friends of Addison Bhimjiani and Matthew Simpson, who lost their lives in a motor vehicle incident at McGraths Hill in January 2024.

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

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4. REPORTS FOR DETERMINATION

4.3. CITY PLANNING

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

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

3

RESOLUTION:

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

That Council:

1. Note the Draft Western Sydney Regional Affordable Housing Contribution Scheme prepared through the Western Sydney Planning Partnership.
2. Note that the regional approach to prepare the Draft Western Sydney Regional Affordable Housing Contribution Scheme:
 - a) Is an efficient way of councils meeting their local housing strategy assurance requirements set by the NSW Department of Planning and Environment
 - b) Fulfills actions for affordable rental housing set out in the Western City District Plan
 - c) Will use existing legislative provisions to contribute towards improving affordable rental housing supply.
3. Endorse the public exhibition of the Draft Western Sydney Regional Affordable Housing Contribution Scheme attached as Attachment 1 to the report in March 2024.
4. Report the results of the public exhibition to Council by mid-2024 with a recommendation on whether to endorse the Draft Scheme to apply in the Hawkesbury Local Government Area.

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

Against the Motion: Nil.

Absent: Nil.

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4.4. CORPORATE SERVICES

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

Directorate: Corporate Services

This Item was considered in Closed Session.

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

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

4

RESOLUTION:

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

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

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

Against the Motion: Nil.

Absent: Nil.

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

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

5 RESOLUTION:

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

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

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

Against the Motion: Nil.

Absent: Nil.

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

Previous Item: 4.4.5, Ordinary (21 November 2023)

Directorate: Corporate Services

Councillor McMahon declared a significant non-pecuniary interest in a property in the vicinity. She left the Chamber and did not take part in voting or discussion on the matter.

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

MOTION:

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

Refer to RESOLUTION

6

RESOLUTION:

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

That:

1. Council approve the transfer of the road reserve being part of Irrigator Drive, North Richmond, which comprises an area of 23.07m², as shown in Attachment 1 to the report, to Alvin Jesse Giongco Baylon and Lara Mae Baylon as owners of No. 42 Irrigator Drive, North Richmond, in exchange for the re-aligned road reserve as shown in Attachment 3 to the report.
2. Authority be given for any documentation in association with the matter to be executed under the Seal of Council.

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

Against the Motion: Nil.

Absent: Councillor McMahon.

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

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

7

RESOLUTION:

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

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

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

Against the Motion: Nil.

Absent: Nil.

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

Previous Item: 6.1.3, Ordinary (12 December 2023)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

8

RESOLUTION:

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

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

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

Against the Motion: Nil.

Absent: Nil.

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5. REPORTS OF COMMITTEES

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

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

9

RESOLUTION:

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

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

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

Against the Motion: Nil.

Absent: Nil.

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

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

10 RESOLUTION:

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

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

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

Against the Motion: Nil.

Absent: Nil.

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6. NOTICES OF MOTION

6.1.1. NM1 - Companion Animals

Ms Anne Robbie addressed Council, speaking for the recommendation in the business paper.

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

That Council:

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

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

That Council:

1. Continues to receive new information and updates on the improvements taking place at the Animal Shelter, including an update by March 2024, on the planned free microchipping and registration days.
2. Receives a briefing on the funding required to run a fair and effective subsidised desexing program (delivered by Council or by another animal welfare organisation or by some partnership arrangement) early in the budgetary process for 2024/2025.
3. Acknowledges the tremendous work done by animal welfare organisations in the Hawkesbury and thank them for their efforts in rehoming animals and reducing their pain and suffering.

For the Amendment: Councillors McMahon, Calvert, Conolly, Kotlash, Reardon and Veigel.

Against the Amendment: Councillors Djuric, Dogramaci, Lyons-Buckett, Sheather, Wheeler and Zamprogno.

Absent: Nil.

The Amendment was carried on the casting vote of the Mayor, Councillor McMahon.

ORDINARY MEETING

Minutes: 30 January 2024

MOTION:

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

Refer to RESOLUTION

11

RESOLUTION:

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

That Council:

1. Continues to receive new information and updates on the improvements taking place at the Animal Shelter, including an update by March 2024, on the planned free microchipping and registration days.
2. Receives a briefing on the funding required to run a fair and effective subsidised desexing program (delivered by Council or by another animal welfare organisation or by some partnership arrangement) early in the budgetary process for 2024/2025.
3. Acknowledges the tremendous work done by animal welfare organisations in the Hawkesbury and thank them for their efforts in rehoming animals and reducing their pain and suffering.

For the Motion: Councillors McMahon, Calvert, Conolly, Reardon, Sheather and Veigel.

Against the Motion: Councillors Djuric, Dogramaci, Lyons-Buckett, Wheeler and Zamprogno.

Absent: Councillor Kotlash.

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7. QUESTIONS FOR NEXT MEETING

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

There were no comments or further questions to the Question Taken on Notice at the Council Meeting on 12 December 2023.

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7.1.2. Questions With Notice - 30 January 2024

There were no comments or further questions to the Councillor Question with Notice listed in the Business Paper of 30 January 2024.

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Minutes: 30 January 2024

8. CONFIDENTIAL REPORTS

12 RESOLUTION:

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

That:

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

Item: 8.1.1. MM - Renewal of General Manager Contract

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

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

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

Item 4.4.1 – Investigation Report – Proposed Grose River Bridge Project

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

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

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

13 RESOLUTION:

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

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CORPORATE SERVICES

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

Directorate: Corporate Services

Councillor McMahon declared a less than significant non-pecuniary interest due to a future matter that will be in the vicinity and no further action is required.

MOTION:

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

Refer to RESOLUTION

14 RESOLUTION:

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

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

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

Against the Motion: Nil.

Absent: Nil.

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8.1. MAYORAL MINUTE

8.1.1. MM - Renewal of General Manager Contract

MOTION:

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

Refer to RESOLUTION

15 **RESOLUTION:**

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

That:

1. In accordance with the provisions of Clause 5.2 of the Contract of Employment of the General Manager, Elizabeth Richardson, Council offer Elizabeth Richardson a new contract of employment in the position of General Manager for a period of 3 years following the expiry of her current contract, namely commencing 31 May 2024, on the basis of an Annual Total Remuneration Package of \$387,500 at that time and Schedules A and B of the contract being in the same terms as contained in the current contract.
2. Authority be given to the Mayor to execute the General Manager's Contract of Employment on behalf of Council in line with the above terms.

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

Against the Motion: Djuric, Dogramaci, Lyons-Buckett, Wheeler and Zamprogno.

Absent: Nil.

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Minutes: 30 January 2024

Meeting terminated at 9.55pm.

Submitted to and confirmed at the Ordinary meeting on 13 February 2024.

.....
Mayor



Ordinary Meeting

End of Minutes

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

ORDINARY MEETING

3. MAYORAL MINUTES

Meeting Date: 13 February 2024

3. MAYORAL MINUTES

3.1.1. MM - Cost Shifting Onto Local Government (79353, 79633)

BACKGROUND

The pressure on councils to continue to provide services of appropriate standard to our communities is now extraordinary.

The unrelenting growth of cost shifting to councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable local government and risking the capacity of councils to deliver tailored, grassroots services to their communities and properly deliver and maintain vital local infrastructure.

Alarmingly, the latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW for the 2021/2022 financial year (www.lgnsw.org.au/costshifting) (included as Attachment 1 and Attachment 2 to the report) an amount of \$1.36 billion of expense has been passed on to councils to fund. This is an increase of \$540 million since the last report from the 2017/2018 financial year and represents lost services, lost opportunity and lost amenity for all our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across the State.

With councils having to fund this ongoing subsidy for the State Government each and every year it means our communities get less or go without. They go without better roads, they go without better parks, they go without important community services that only councils provide, and they and their ratepayers are effectively paying hidden taxes to other levels of government.

Councillors, our communities deserve better and this must stop. Prior to the most recent state election the then Minns Opposition wrote to LGNSW acknowledging that cost shifting had undermined the financial sustainability of the local government sector.

Now in 2024, it is important to councils and communities that the NSW Government urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

Council notes the engagement of the Independent Pricing and Regulatory Tribunal (IPART) to undertake a Review of NSW Council Financial Model, which was recommended by IPART in its report on the Review of the Rate Peg Methodology in August 2023. This recommendation was made due to feedback received from councils on the ongoing issues of financial sustainability. It is hoped that this review will result in sound, effective recommendations that are implemented in an efficient manner by the NSW Government.

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3. MAYORAL MINUTES

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As a result I move the following:

1. That Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year.
2. That a copy be placed on Council's website so that our communities can access it.
3. That Council write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

RECOMMENDATION

That:

1. Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year.
2. A copy of the cost shifting report be placed on Council's website so that our communities can access it.
3. Council write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.

ATTACHMENTS

- AT - 1** Full Report: Cost Shifting 2023: How State Costs Eat Council Rates - (*Distributed under separate cover*).
- AT - 2** Summary and Highlights: Cost Shifting 2023: How State Costs Eat Council Rates - (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

4. REPORTS FOR DETERMINATION

4.1. PLANNING DECISIONS

Nil reports.

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4. REPORTS FOR DETERMINATION
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4.2. GENERAL MANAGER

4.2.1. GM – 2024 National Assembly of Local Government – Conference Motions – (79351)

Directorate: General Manager

PURPOSE OF THE REPORT

The purpose of this report is to consider the submission of motions to the 2024 National General Assembly of Local Government to be held in Canberra, from Tuesday, 2 July to Thursday, 4 July 2024.

EXECUTIVE SUMMARY

The Australian Local Government Association (ALGA) is the peak organisation for Local Government. Each State Local Government Association and the Local Government Association of the Northern Territory are members of ALGA. Hawkesbury City Council is a member of the NSW peak body, Local Government NSW.

The National General Assembly is an annual conference convened by the ALGA. Information concerning the criteria for the submission of Conference motions has been distributed by the ALGA, however at the time of preparation of this report the costings and registration information for the Assembly have not been released.

A further report will be provided to Council once the additional information is available, for consideration of the attendance of nominated Councillors at the Assembly.

RECOMMENDATION

That Councillors provide any proposed motions for the 2024 National General Assembly of Local Government to the General Manager by Friday, 23 February 2024.

BACKGROUND

Convened annually by the Australian Local Government Association, the National General Assembly (NGA) of Local Government is the peak annual event for local government.

The Assembly provides the opportunity for councils to come together, share ideas, debate motions and unite and further build the relationship between local government and the Australian Government.

The Australian Local Government Association has called for motions to be considered at the National General Assembly of Local Government and asked councils to submit any motions electronically by Friday, 29 March 2024.

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Motions should be concise, practical and implementable and meet the guidelines for motions set out in the Australian Local Government Association's 2024 National General Assembly of Local Government Discussion Paper. The Discussion Paper contains essential information for councils considering submitting motions for debate to the 2024 National General Assembly of Local Government, and also contains information about the process for submission and consideration of proposed Conference motions and the criteria for motions. A copy of the Discussion Paper is attached as Attachment 1 to this report.

The theme of the 2024 Assembly is "*Building Community Trust*". The Discussion Paper refers to how the Assembly theme aims to "*explore the critical importance of trust in governments, between governments, its institutions, and its citizens. This trust is a fundamental block of nation's democracy*".

The Discussion Paper outlines that motions should consider:

- How all levels of government in Australia can build trust in each other and earn greater trust from the community.
- Practical opportunities for the Australian Government to leverage the trust that local communities have in their local council.
- Practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities.
- New program ideas that would help the local government sector to deliver the Australian Government's objectives.

To be eligible for inclusion in the National General Assembly Business Papers, and subsequent debate on the floor of the Assembly, motions must meet the following criteria set out in the Discussion Paper:

1. Be relevant to the work of Local Government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the National General Assembly.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome i.e. call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the National General Assembly to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.

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10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

To enable motions to be considered by Council and submitted to the Australian Local Government Association by the requested date, it is requested that any motions for consideration of Council be submitted to the General Manager by Friday, 23 February 2024, to be included for consideration by Council at the Council Meeting on Tuesday, 12 March 2024.

A separate report will be submitted to Council concerning the attendance of nominated Councillors at the Assembly.

In 2023, Council submitted motions to the National General Assembly of Local Government concerning the Warragamba Dam Wall, Inland Waterway Safety, Biosecurity Management and Grant Funding.

There is an expectation that should Council submit a motion, a Council representative is present at the 2024 National General Assembly to move and speak to the motion if required.

DISCUSSION

Any proposed Assembly Motions would need to be provided to the General Manager by Friday, 23 February 2024.

As set out in Attachment 1 to this report, proposed motions, when submitted to the National General Assembly, are required to contain sufficient background information to enable delegates, including those with no knowledge of the issue, to consider the issue.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Reliable Council

4.1 Provide representative, responsive and accountable governance.

4.2 Encourage an informed community.

FINANCIAL IMPACT

The matters raised in this report have no direct financial implications. If Council at a subsequent meeting resolve to approve the attendance of Councillors at the Assembly, that expenditure is proposed to be provided for in the Draft 2024/2025 Operational Plan.

Expenses for attendance at Conferences, and related travel expenses are provided for in the Council's Payment of Expenses and Provision of Facilities to Councillors Policy.

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ATTACHMENTS

AT – 1 Australian Local Government Association – 2024 National General Assembly of Local Government – Discussion Paper – (*Distributed under separate cover*).

oooO END OF REPORT Oooo

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4. REPORTS FOR DETERMINATION
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4.3. CITY PLANNING

4.3.1. CP – Windsor Liveability Project Update – (95498)

Previous Item: 5.1.5 Ordinary (21 November 2023)

Directorate: City Planning

PURPOSE OF THE REPORT

The purpose of this report is to advise Council of the outcome of the teleconference that was held between members of the Heritage Committee, the Council's project consultants and Council staff on 19 December 2023.

The report provides Council with an update to the progression of the Windsor Liveability Project, as well as the continued work of staff to update the Heritage Committee with regards to the Windsor Liveability Project.

EXECUTIVE SUMMARY

At its meeting on 21 November 2023, Council resolved (in part) that:

“Council arrange a teleconference between members of the Heritage Advisory Committee, the Liveability consultants and Council staff to provide advice in regard to the paving at Windsor.”

A number of key issues were raised by the Heritage Committee at the teleconference and work has been undertaken by Council Officers to progress the matters raised by the Committee.

A Heritage Committee meeting was held on 1 February 2024 where further information was provided to the Heritage Committee on the preferred option for paving substrate for the Liveability Project – Windsor Stage 1. This advice will also be considered by Council Officers when finalising the Liveability Project – Windsor Stages 1a and 2.

This report also addresses a process for a proactive flow of information on the Liveability Project between the Project Team and the Heritage Committee, and how consultation and further information dissemination will occur in the future stages of the Project.

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RECOMMENDATION

That Council note:

1. The information contained within the report regarding the Windsor Liveability Project.
2. The Heritage Committee's advice regarding the paving substrate for the Liveability Project – Windsor Stage 1.
3. That Council Officers will assess the tenders that are returned for the Liveability Project – Windsor Stage 1, inclusive of all viable substrate options.
4. That Council Officers will continue to provide information to the Heritage Committee for future stages, including Dharug representatives.

BACKGROUND

At its meeting on 21 November 2023, Council considered the minutes from the meeting of the Heritage Committee meeting on 2 November 2023.

In consideration of this item, Council resolved (in part) that:

“Council arrange a teleconference between members of the Heritage Advisory Committee, the Liveability consultants and Council staff to provide advice in regard to the paving at Windsor.”

In response to this resolution, a teleconference was held over Microsoft Teams on 19 December 2023, that was attended by members of the Heritage Committee, the Liveability Project Team and Council staff. During the teleconference, members of the Heritage Committee discussed a number of matters regarding the Liveability Project, along with providing advice in regard to the paving at Windsor as resolved by Council. The teleconference was recorded by Council and distributed by the Director City Planning to the Heritage Committee members on the 4 January 2024.

An outline of key issues raised by the Heritage Advisory Committee are outlined below:

- Concerns regarding the previous heritage advice that was provided to Council regarding the paving treatment, specifically in relation to buildings with awnings;
- Concerns regarding the concrete slab substrate (within the current scope of works for Stage 1 Windsor) under paving, and its relationship to potential rising damp issues and the potential impact on Heritage buildings
- Ensuring that the proposed paving treatment is adequate for Windsor
- Ensuring that the heritage of Windsor is respected, within design principles
- The differences between the paving substrate required for pedestrian traffic versus motor vehicle traffic.
- The Heritage consultants that have been used, and various reports and approvals that have been undertaken.
- Timeliness of information from the Heritage Advisory Committee as the project progresses.

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Members of the Heritage Committee expressed the desire to advise on a preferred substrate treatment for the paving in Windsor and as such, an undertaking was given by the Director City Planning that a Heritage Committee meeting would occur in February 2024 prior to the February 2024 Council meeting, which would consider a report on the paving substrate in Windsor.

Following the teleconference on 19 December 2023, a concept drawing for the Windsor Mall was received from a member of the Heritage Committee as a result of discussions that occurred. The concept drawing represented the discussion that had occurred including points around appropriate consolidated fill for substrate in pedestrian areas, concrete substrate for centre trafficable areas and also a delineation of street alignment with tactile treatment for greater historical interpretation. This information was circulated to the project team.

On 22 December 2023, the Director City Planning also circulated a list of Heritage consultants that were involved with differing aspects of the Liveability Project to a member Councillor of the Heritage Committee.

DISCUSSION

A meeting of the Heritage Committee was held on Thursday, 1 February 2024, with Council Officers seeking clarification on the Heritage Committee's preference between a concrete paving substrate and a compacted granular fill paving substrate as based on discussions during the teleconference. Advice from the Heritage Committee meeting was that the compacted granular substrate is the preferred treatment which allows for the percolation of water through the substrate layer.

At this meeting, the Heritage Committee was also supplied with a list of the heritage reports and approvals that had been completed as part of the project.

The Windsor Stage 1 Tender has been advertised and closed with submissions received by Council. Tenderers are currently being shortlisted with post tender clarification now occurring, inclusive of alternate substrate options. The final tender assessment will be inclusive of an analysis of any issues relating to the various substrate options, including but not limited to, heritage impact, initial cost versus lifecycle maintenance, longevity of the material, asset lifespan, risk and construction issues. The additional information requested as part of tender clarification is expected to be received and initially assessed by mid-February 2024. The design team have proposed an indicative date for tender acceptance by mid-March 2024.

The Liveability Project - Windsor Stages 1a and 2 are currently in the early stages of scope development and finalisation. The advice received from the Heritage Committee on the preferred substrate option for Windsor Stage 1, will be taken into consideration for the finalisation of the scope development for Windsor Stage 1a and Stage 2. Information will be provided to the Heritage Committee on Windsor Stages 1a and 2, once scope development has been finalised to keep them informed. Engagement will also occur with the various business advisory groups as the Liveability project progresses in Windsor.

Development of the scope for Stage 2 – Windsor Mall will require additional consultation based on some areas of the Windsor Mall having both pedestrian and vehicular movement. Vehicle movement areas that are paved will require a suitable substrate that is capable of handling the associated load. As advised above, a sketch diagram was received by Council Officers from a Heritage Committee member regarding the Windsor Mall which will be considered when finalising the scope for Stage 2.

Discussions also occurred during the 19 December 2023 teleconference regarding Dharug heritage in Windsor, and its importance to the local community. It is intended that the Director City Planning will coordinate further consultation with Dharug representatives to ensure their involvement in the Liveability Project in Windsor moving forward. This will allow for the concerns raised during the teleconference with the Heritage Committee on 19 December 2023 to be addressed with the level of importance required.

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It should also be noted that Council Officers completed the regular update meeting in the last week of January 2024 with representatives from the Department Planning and Environment as part of the Western City Deal. Advice was received that the Hawkesbury Liveability project is under an element of scrutiny due to the outstanding works and the amount of funds still unspent against the total funding pool.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. This item relates directly to consultation with the Heritage Committee that was undertaken to obtain advice with regard to the paving in Windsor. Further consultation will be undertaken as the Liveability Project progresses.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.5 Provide the right places and spaces to serve our community.
- 1.6 Build on a sense of community and wellbeing.

Strong Economy

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

Reliable Council

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

FINANCIAL IMPACT

The matters raised in this report have no direct financial implications.

ATTACHMENTS

There are no supporting documents with this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

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4.3.2. CP - Bligh Park Community Services Request for Exclusive Use of Land - (95498)

Directorate: City Planning

PURPOSE OF THE REPORT

This report has been prepared to advise Council of a request that Bligh Park Community Services Incorporated has made to Council seeking exclusive use of the non-defined area surrounding Tiningi Community Centre and Youth Hall.

The report provides details of the existing arrangement between Council and Bligh Park Community Services Incorporated and the history both of this request and the management of site.

The report provides details of a proposal to fence the basketball half-court that is adjacent to Tiningi Community Centre and Youth Hall, including the financial and social equity considerations associated with this proposal, each option and asks Council to resolve its preferred option.

EXECUTIVE SUMMARY

Bligh Park Community Services Incorporated (BPCSI) delivers services from three Council-owned buildings that have been delegated by Council under Section 377 of the Local Government Act, being:-

- Bligh Park Neighbourhood Centre - 4 Sirius Road, Bligh Park;
- Out of School Hours and Vacation Care Centre - 1 Guardian Place Bligh Park, and;
- Tiningi Youth Centre and Hall - 139 Colonial Drive, Bligh Park.

Tiningi Youth Centre and Hall (Tiningi centres) are situated across two lots and have a basketball half-court adjacent to the Centre. BPCSI have requested that Council facilitate exclusive use of the non-defined area surrounding the Tiningi centres and have indicated that providing a fence around the basketball half-court would address the safety concerns that the organisation has in relation to members of the public being able to access that space whilst youth programs are being delivered.

BPCSI have indicated that if Council is unable to consent to these works being undertaken, the organisation will relinquish management of the building and that the organisation would not continue to operate youth services in the area.

Considerations regarding the fencing of the basketball half-court adjacent to the Tiningi centres, including the proposed financial and social equity impact of these works are included in this report for Council's consideration.

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RECOMMENDATION

That Council:

1. Note the matters in relation to Bligh Park Community Services Incorporated.
2. Fence the basketball half-court adjacent to the Tiningi Community and Youth Centre, subject to Bligh Park Community Services Incorporated funding these works.

BACKGROUND

Bligh Park Community Services Incorporated (BPCSI) is a not-for-profit organisation that provides services for the local residents of Bligh Park and South Windsor.

On its website BPCSI describes the organisation as follows:-

"Bligh Park Community Services Inc. (BPCSI), services the communities of Bligh Park and South Windsor in the Hawkesbury local government area (LGA). We have been providing a wide range of services to the local community for 20 years. Our services are provided to everyone, especially those who are socially or economically disadvantaged. Our Management Committee is elected from the membership each year. The committee decide on what services and additional facilities are available through the community centre".

BPCSI delivers services from three Council-owned buildings that have been delegated by Council under Section 377 of the Local Government Act, being:-

- Bligh Park Neighbourhood Centre - 4 Sirius Road, Bligh Park;
- Out of School Hours and Vacation Care Centre - 1 Guardian Place, Bligh Park, and;
- Tiningi Youth Centre and Hall (Tiningi centres) - 139 Colonial Drive, Bligh Park.

Following a Council resolution to in late 2016 to accept an offer for the sale of the Tiningi centres site there were changes to the Biodiversity Assessment Method, resulting in a Council resolution in August 2018 not to proceed with the sale of the sites. As such, BPCSI were notified that the site of the Tiningi centres would remain available for use until at least the end of 2019 and that Council was to receive information regarding the impacts of environmental legislation on the site and the level of use of the Tiningi Community Centre back at a later date for its consideration.

On 12 June 2019, BPCSI wrote to Council, advising that the prospective sale of Tiningi had impacted the Service's ability to attract long term hall hirers and that due to the associated loss of income the Management Committee wished to relinquish delegation to manage Tiningi Community Centre and Youth Hall, and Bligh Park Neighbourhood Centre and instead hire the buildings back off Council at the hire rate published in Council's (then current) annual fees and charges. The BPCSI Manager was advised that this arrangement could only be facilitated through a Licence Agreement at a rate that would include outgoings and would be at a higher rate than the hire rate charge to public users by BPCSI.

BPSCI then wrote to Council suggesting that BPCSI would continue to manage Tiningi Hall and Youth Centre if Council agreed to pay all expenses associated with Tiningi Hall, other than the administrative expenses, stating that BPCSI could then utilise the income from hirers to cover administrative costs. Council wrote to BPCSI on 13 October 2020 to confirm that the site would be available for use until 31 December 2023 to enable BPCSI to pursue long-term tenants and casual

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hirers for the Tiningi centres. Council also absorbed the maintenance charges ordinarily on-costed to BPCSI from 1 July 2019 until 13 October 2020 to the value of \$8,895 for both Tiningi centres to cover the time that BPCSI initially advised of the intent to relinquish management of the building, until the time that Council provided BPCSI with written confirmation that the Service would have continued use of the centre.

At the time of this report BPCSI has an outstanding balance of \$26,684 of outstanding charges related to maintenance and utilities for the Tiningi centres. The Service has not lodged a hardship application or entered into a payment plan with Council.

In August 2023, BPCSI wrote to Council asking for a letter to confirm that BPCSI had exclusive use of the half basketball court adjacent to Tiningi Youth Centre whilst the Youth Group was operating, stating this letter was requested in order to enable local police to 'move along' persons who either attempt to enter into conversation or 'play with' the younger children (12-13 years) who are on site that are deemed to be 'unsavoury' by BPCSI staff, or to remove older teens who are attempting to start fights. Council staff advised the Manager that whilst BPCSI has exclusive use of the buildings under delegation from Council, the public unfenced (and therefore un-defined) area surrounding the centres, including the basketball half-court were not exclusively for the use of the service and confirmed that staff would look to develop a process to facilitate this whilst service is in operation.

On 13 October 2023, Council staff phoned BPCSI to provide an update of the development of this process which was to involve creating a booking system for the half basketball court. The Manager of BPCSI then advised that they were seeking exclusive use of all of the entire land surrounding Tiningi Community Centre and Youth Hall. Council's staff advised that further investigations would be required.

The Manager of BPCSI wrote to Council on 18 October 2023 advising that BPCSI would be suspending all activities that are held in the Tiningi Youth Centre from 21 October 2023 due to the request for exclusive use of the grounds of the centres not being facilitated, advising that the services' policies state that the Centre must be put into 'lockdown' until any threat has passed and that there had been a number of instances where this had occurred in 2023. Council responded to this message which prompted a further request from the Manager of BPCSI that a fence be built around the centres to create an area which could then become a designated area for exclusive use of BPCSI.

On the 22 November 2023, a meeting between BPCSI and Council was held to further discuss this matter and determine exactly what the service was seeking to address the concerns regarding safety as raised in correspondence.

At this meeting, the Manager from BPCSI described a number of incidents where staff from the Service had locked-down the Centre due to the behaviour of persons in the centre's immediate surrounds and other incidents associated with a lack of building security; The Manager from BPCSI advised that the Police were not phoned on any of the occasions that these incidents occurred.

The Manager of BPCSI had already sought quotes to install a fence around the building, advising that the fence would cost approximately \$25,000 and that the service could fund construction of the fence.

Council committed to continuing to work through what options may be available to facilitate exclusive use of the non-defined area but that as the request is outside of standard practice, the matter may need to be formally considered by Council before progressing and confirmed that an update to BPCSI on the progression of this work would be provided.

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BPCSI emailed Council on 2 January 2024, stating that as no correspondence had been received from Council by 31 December 2023, the organisation wished to relinquish management of the Tiningi centres. Council responded to advise that options were being explored and the matter was to be reported to Council's 13 February 2024 meeting but if BPCSI wished to relinquish management that a letter from the President of the Management Committee would be required. Council then received a signed letter from the President of the Management Committee of BPCSI formally relinquishing delegated management of the Tiningi centres. This has subsequently been withdrawn (by email) pending Council's resolution at its 13 February 2024 meeting.

A copy of the signed letter from the President of BPCSI relinquishing the management of Tiningi Hall and Youth Centre is provided as Attachment 1 to this report.

DISCUSSION

The delegations of authority extended by Council under Section 377 of the Local Government Act 1993 to BPCSI are for Tiningi Community and Youth Centre. This delegation designates the building, not its surrounds. Whilst BPCSI also uses the area around the Centre to deliver programs, it is not a fenced area, hence it can be accessed by members of the public at any time.

As the area surrounding the centres is currently not definable, Council is not able to enter into a formal lease arrangement to designate is an area of exclusive use without first subdividing the land then developing a lease plan to define a leased area. Furthermore, this would not address the safety issues and the request to fence an as made by BCPSI in November 2023.

BPCSI has indicated that fencing the basketball courts adjacent to Tiningi Youth Hall as indicated at Figure 1 would address the safety concerns raised by the organisation.



Figure 1. Proposed area to be fenced.

Matters for Council's consideration are provided as below:-

- If the area is fenced, BPCSI have indicated that services will continue to provide youth services from the site;

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- The court is currently publicly available. A court hire process would need to be implemented, including out of hours access;
- Council requires community organisations operating services from Council-owned facilities to fund similar work requests;
- In discussions and written correspondence the Manager from BPCSI had indicated that the Service could fund a fence to the value of \$25,000;
- The estimate costs of fencing this area are:
 - 95m 1.8m fence - \$19,005
 - 2 x Pedestrian gates - \$3,000
 - Project Management 15% - \$2,850
 - Contingency 20% - \$3,800

TOTAL: \$28,655

Should Council resolve not to fence the basketball half-court, BPCSI have indicated the Service will relinquish management of the building.

Matters for Council's consideration should this eventuate are provided as below:-

- The centres would be hired through Council's building booking system.
- Estimate annual costs to Council are as below:-
 - Grounds maintenance - \$2,920
 - Staff costs – Booking, hirer access, inspections - \$5,980
 - Cleaning costs - \$23,608

TOTAL COST \$32,508 (annual)

- The income generated by hall hire of Tiningi Community and Youth Centres income would come to Council. BPCSI's past two years' income from the hall hire of the centres is provided below, indicating that minimally this is estimated to be close to cost-neutral to Council:-

INCOME (previous years as paid to BPCSI)

- 2020/2021 - \$30,919
- 2021/2022 - \$25,932

The following considerations are also applicable to the proposal.

BPCSI receive funding from the Department of Communities and Justice to deliver youth programs in Hawkesbury LGA. Should BPCSI decide to relinquish management of the buildings, the organisation will still hold funding from BPCSI to deliver these services in the Hawkesbury, noting that their ability to do so would be contingent on the organisation finding a site it deemed suitable for use. Youth services are not subject to licencing requirements and as such, youth programs can be provided from public space, community or commercial centre deemed fit by the service provider. In circumstances where an organisation is providing a service from a Council-owned building and upgrades to the building are required to meet licencing requirements, the organisation is responsible for funding these works.

Whilst the correspondence from the BPCSI states that Council is refusing to allow BPCSI to operate its youth services on the same terms Council extends to other community organisations delivering

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services from Council-owned buildings, there are other Council-owned unfenced community facilities in the Hawkesbury, including centres that run community and youth programs. When community organisations that manage a Council-owned community facility request improvements that are outside of programmed maintenance or renewal works, Council staff work with the services to facilitate the request subject to the service being able to fund the improvements and designating the funding to Council to undertake the works. This is the same approach that has been undertaken with BPCSI which, due to the changing nature of the request, has taken some time.

There are currently no outdoor purpose-built basketball courts in the LGA, with only one multipurpose court having basketball equipment. The basketball half-court proposed to be fenced would prevent members of the public from using the courts outside of a booking system. A booking system and access could be facilitated by BPCSI or Council and should the area be fenced, would be determined following negotiations.

The site has been subject to alternate uses and may be further considered for alternate uses in the future subject to considerations under Council's Property Policy.

BPCSI has indicated that Bligh Park Neighbourhood Centre (also managed by BPCSI) is not large enough to deliver the youth programs from. At the time of this report, youth programs continue to be delivered by BPCSI from Bligh Park Neighbourhood Centres and the Tiningi centres. The Tiningi centres site is one of three sites managed by the Service.

The Service currently has an outstanding account of fees with Council totalling \$26,684. The 2022 Financial Statements for BPCSI are provided at Attachment 2 to this report (2023 has not been provided by BPCSI – sourced from ACNC website).

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which may constitute a trigger for Community Engagement under Council's Community Engagement Policy. Should Council resolve to proceed with fencing the basketball half-court, Council would undertake a community engagement process to understand the level of use and determine the best way to manage the hiring of the court.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.2 Encourage and enable our community to participate in a healthy lifestyle.
- 1.5 Provide the right places and spaces to serve our community.
- 1.6 Build on a sense of community and wellbeing.

Reliable Council

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

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FINANCIAL IMPACT

There are direct costs associated with the matter considered in this report. The cost for fencing as provided for in this report is \$28,655 and is not provided for within Council's Adopted 2023/2024 Operational Plan. Should Council resolve to proceed with fencing the basketball half-court adjacent to the Tiningi Community and Youth Centre, it is recommended that Bligh Park Community Services Incorporated fund these works.

ATTACHMENTS

AT - 1 Signed letter from the Chair of Bligh Park Community Services Incorporated Management Committee

AT - 2 2022 Financial Statements

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Attachment 1 - Signed letter from the Chair of Bligh Park Community Services Incorporated Management Committee



Main Office: 4 Sirius Rd Bligh Park 2756
PO Box 5711 South Windsor 2756
Ph.: (02) 45725898
Email: manager@blighpark.org.au

The General Manager
Hawkesbury City Council
P O Box 146
WINDSOR NSW 2756

12 January 2024

Dear Ms. Richardson,

Re: Handing Back Management of Tiningi Hall and Tiningi Youth Centre Facilities

I refer to Ms. Murphy's (Manager of Bligh Park Community Services Inc.) email to you on the 2nd January 2024, advising that Bligh Park Community Services Inc. (BPCSI) would be handing back management of Tiningi Hall and Tiningi Youth Centre to Hawkesbury City Council (HCC).

This was in response to there being no communication regarding our pressing issues received from HCC, despite BPCSI advising repeatedly via phone, email and video conferencing, that a response to resolve the issues was time sensitive and needed to be received no later than 31st December 2023.

The Management Committee (MC) of BPCSI, delegated authority to Ms. Murphy to act as our representative in this matter. Ms. Murphy drafted and sent the email on 2 January 2024 under our instruction. The MC of BPCSI approved the contents of this correspondence prior to its dissemination and concur fully with it.

In an email to Ms. Murphy on the 3rd January 2024, Ms. Meagan Ang requested: *"please have the Chair of the Management Committee confirm the decision to relinquish management of the site in writing."*

As the President of BPCSI I confirm that the decision to relinquish management of Tiningi Hall and Tiningi Youth Centre was a decision made by the MC of BPCSI.

As Ms. Murphy has advised HCC, she was instructed by the BPCSI MC in this matter.

I would like to add, that rather than relinquish management of the Tiningi Hall and Tiningi Youth Centre on 2nd January 2024, Ms. Murphy suggested we relinquish management from 31st January 2024.

Ms. Murphy suggested this date as a professional courtesy to HCC, rather than an immediate relinquishment from 2nd January 2024 which would have inconvenienced and discommoded HCC staff and facility users.

If HCC seek to manage the site earlier than the 1st February 2024, we would be happy to accommodate this.

In closing, I must add that it is difficult to understand why the:

- Best attended (60 + registered participants):

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Meeting Date: 13 February 2024



Main Office: 4 Sirius Rd Bligh Park 2756
PO Box 5711 South Windsor 2756
Ph.: (02) 45725898
Email: manager@blighpark.org.au

- Most disadvantage youth population (30% Indigenous Australians, 10% young people living without a biological parent, 28% young people living in families below the poverty line):
- Most effective (in terms of school re-engagement, re-uniting families, reduction in contact with the juvenile justice system, reduced instances of vandalism and petty crime), youth program in the Hawkesbury LGA is being torn apart because HCC refuses to allow us to operate our Youth services on the same terms it extends to Richmond Community Services, North Richmond Community Services, and Glossodia Community Services. All of whom operate from HCC owned buildings under similar terms to BPCSI.

BPCSI have offered to find the money to fence the area, taking into consideration any special environmental needs, but HCC advise this is not an option.

The MC of BPCSI believes it has given HCC ample opportunity to provide circumstances/solutions that would allow the continuation of our youth services at the Tiningi facilities, which, unfortunately have not been forthcoming and leaves us no other alternative other than to hand back management of the facilities to HCC.

Yours faithfully,


Garry Baldry
President Bligh Park Community Services Inc.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Attachment 2 - 2022 Financial Statements

**Bligh Park Community Services
Inc.
ABN 66 946 419 210**

Financial Statements
For the year ended 30 June 2022



Blue Wren Audit & Accounting
PO Box 4368
Winmalee 2777

Phone: 0492849092

Website: www.bluewrenaccounting.com.au

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc. ABN 66 946 419 210

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ORDINARY MEETING
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Bligh Park Community Services Inc. ABN 66 946 419 210

Committee's Report
For the year ended 30 June 2022

Your committee members submit the financial accounts of the Bligh Park Community Services Inc. for the financial year ended 30 June 2022.

Committee Members

The names of committee members at the date of this report are:

Garry Baldry - President

Andrew Bracken - Vice President & Secretary

Linda Husar - Treasurer

Principal Activities

The principal activities of the association during the financial year were: hall hire, OOSH (Out Of School Hours) child care, youth centre, counselling and advocacy services.

Significant Changes

No significant change in the nature of these activities occurred during the year.

Operating Result

The profit from ordinary activities amounted to

Year ended	Year ended
30 June 2022	30 June 2021
\$	\$
45,867	77,418

Auditor's Independence Declaration

A copy of the auditor's independence declaration as required under section 60-40 of the Australian Charities and Not for Profits Commission Act 2012 has been included.

Signed in accordance with a resolution of the Members of the Committee on this day of September 2022:

Garry Baldry

Linda Husar - Treasurer

The accompanying notes form part of these financial statements.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
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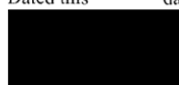
Bligh Park Community Services Incorporated ABN 66 946 419 210
Auditor's Independence Declaration

To THE DIRECTORS OF: Bligh Park Community Services Inc.

In accordance with the requirements of section 60-40 of the Australian Charities and Not-for-profits Commission Act 2012 I declare that, to the best of my knowledge and belief, during the year ended 30 June 2022 there have been :

- (i) no contraventions of the auditor independence requirements as set out in the Australian Charities and Not-for-profits Commission Act in relation to the Audit; and
- (ii) no contraventions of any applicable code of professional conduct in relation to the audit.

Dated this day of September 2022



Blue Wren Audit & Accounting
Ms Carla Sawyer, CA ANZ. R.C.A., Principal
PO Box 4368 Winmalee NSW 2777

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
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Bligh Park Community Services Inc. ABN 66 946 419 210

Income and Expenditure Statement
For the year ended 30 June 2022

	2022	2021
	\$	\$
Income		
Child care fees - BASC	72,200	115,444
Child care - vacation fees	12,998	14,354
CCS subsidy	245,011	225,770
DCJ govt grant funding (recurring)	257,183	250,703
Funding vacation care (non-recurring)		15,255
Grant income - Govt and Industry	184,773	41,030
Funding - Inclusion Support Subsidy ISS	14,214	15,709
Child care relief package COVID19		5,842
Childcare transition payment		13,592
BASC voucher income	21,865	
Fundraising and donations	2,090	1,816
Membership fees received	6	42
Hire income	35,267	46,381
Insurance recoveries	517	
Interest received	1,516	334
Other income	7,040	385
Business Grant NSW - COVID19	7,500	
Subsidies received - JobKeeper COVID19		129,000
Subsidies received - JobSaver COVID19	64,353	
Total income	926,534	875,657

The accompanying notes form part of these financial statements.

ORDINARY MEETING
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Bligh Park Community Services Inc. ABN 66 946 419 210

Income and Expenditure Statement
For the year ended 30 June 2022

	2022 \$	2021 \$
Expenses		
Advertising & promotion	500	500
Audit fees	3,266	3,500
Bad debts	1,441	
Bank fees & charges	525	650
Child care expenses	14,759	19,629
Cleaning & rubbish removal	21,879	25,143
Community development expenses	12,278	33,384
Depreciation	4,654	4,778
Electricity	3,929	6,411
General expenses	215	
Grant expenses - Stronger Communities	20,081	
Grant expenses - SSTF	31,659	6,811
Insurance	5,458	5,916
Long service and annual leave	25,030	19,260
Postage	306	302
Printing & stationery	3,609	4,170
Program expenses - Youth Project	6,310	4,616
Repairs & maintenance	5,905	4,764
Security	1,295	680
Staff training	3,179	2,689
Subscriptions	5,357	3,523
Sundry expenses	8,391	7,095
Superannuation	60,805	50,733
Telephone	4,537	7,803
Travel, accommodation & conference	3,758	1,738
Wages	621,103	574,138
Workers compensation insurance expense	10,318	10,006
Sundry rental expenses	117	
Total expenses	880,666	798,239
Net profit attributable to the association	45,867	77,418

The accompanying notes form part of these financial statements.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
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Bligh Park Community Services Inc. ABN 66 946 419 210

Balance Sheet as at 30 June 2022

	Note	2022 \$	2021 \$
Assets			
Current Assets			
Cash assets	2	443,512	561,510
Receivables		9,092	6,872
Total Current Assets		452,603	568,382
Non-Current Assets			
Property, plant and equipment	3	31,067	17,929
Total Non-Current Assets		31,067	17,929
Total Assets		483,670	586,311
Liabilities			
Current Liabilities			
Payables	4	8,382	10,795
Parent fee bonds		2,539	2,539
Current tax liabilities		20,417	40,918
Provisions	5	59,590	43,691
Advance payments - Grants & BASC vouchers		51,104	213,742
Accrued expenses		18,990	6,469
Total Current Liabilities		161,021	318,154
Non-Current Liabilities			
Provisions	5	66,925	57,794
Total Non-Current Liabilities		66,925	57,794
Total Liabilities		227,946	375,949
Net Assets		255,724	210,363
Members' Funds			
Retained profits		255,724	210,363
Total Members' Funds		255,724	210,363

The accompanying notes form part of these financial statements.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
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Bligh Park Community Services Inc. ABN 66 946 419 210

Statement of Cash Flows
For the year ended 30 June 2022

	2022 \$	2021 \$
Cash Flow From Operating Activities		
Receipts from grants and other revenue	399,923	795,484
Receipts from child care centres	329,348	378,401
Payments to Suppliers and employees	(832,055)	(782,637)
Interest received	1,516	334
Net cash provided by (used in) operating activities (note 2)	<u>(101,268)</u>	<u>391,582</u>
Cash Flow From Investing Activities		
Purchase of property, plant and equipment	<u>(16,730)</u>	<u>(8,799)</u>
Net cash used in investing activities	<u>(16,730)</u>	<u>(8,799)</u>
Net increase (decrease) in cash held	(117,998)	382,783
Cash at the beginning of the year	<u>561,510</u>	<u>178,727</u>
Cash at the end of the year (note 7)	<u><u>443,512</u></u>	<u><u>561,510</u></u>

The accompanying notes form part of these financial statements.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc. ABN 66 946 419 210

Statement of Changes in Equity for the year ended 30/06/2022

	Notes	Retained Earnings	Total
Balance at 01/07/2020		132,945	132,945
Comprehensive income			
Profit attributable to the members		77,418	77,418
Total comprehensive income for the year attributable to members of the entity		77,418	77,418
Balance at 30/06/2021		210,363	210,363
Comprehensive income			
Profit attributable to the members		45,867	45,867
Prior period adjustment		(506)	(506)
Total comprehensive income for the year attributable to members of the entity		45,361	45,361
Balance at 30/06/2022		255,724	255,724

The accompanying notes form part of these financial statements.

ORDINARY MEETING
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Bligh Park Community Services Inc. ABN 66 946 419 210

Notes to the Financial Statements
For the year ended 30 June 2022

Note 1: Summary of Significant Accounting Policies

Basis of Preparation

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Australian Charities and Not-for-profits Commission Act 2012. In the opinion of the committee the association is not a reporting entity because it is not reasonable to expect the existence of users who rely on the association's general purpose financial statements for information useful to them for making and evaluating decisions about the allocation of resources.

The financial report has been prepared in accordance with the Australian Charities and Not-for-profits Commission Act 2012, the basis of accounting specified by all Australian Accounting Standards and Interpretations, and the disclosure requirements of Accounting Standards AASB 101: Presentation of Financial Statements, AASB 107: Cash Flow Statements, AASB 108: Accounting Policies, Changes in Accounting Estimates and Errors, AASB 1031: Materiality and AASB 1054: Australian Additional Disclosures.

The association has not assessed whether these special purpose financial statements comply with all the recognition and measurement requirements in Australian Accounting Standards.

The financial report has been prepared on an accrual basis and is based on historical costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

(a) Income tax

The association is a registered charity and is exempt from income tax in accordance with Section 50-B of the Income Tax Assessment Act 1997.

(b) Property, Plant and Equipment (PPE)

Leasehold improvements and office equipment are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all PPE is depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

Leasehold improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

Capital expenditure in relation to capital specific grants received by the association are written off against the grant income and are not carried forward in the Balance Sheet as a Non-Current Asset.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc. ABN 66 946 419 210

Notes to the Financial Statements
For the year ended 30 June 2022

(c) Impairment of Assets

At the end of each reporting period, the entity reviews the carrying values of its tangible and intangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to the income statement.

(d) Employee Benefits

Provision is made for the association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits have been measured at the amounts expected to be paid when the liability is settled, plus related on-costs.

(e) Leases

For leases that have significantly below-market terms and conditions principally to enable the association to further its objectives (commonly known as peppercorn/concessionary leases), the association has adopted temporary relief under AASB 2018-8 and measures the right of use assets at cost on initial recognition.

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of twelve months or less.

(g) Revenue and Other Income

Revenue is measured at the fair value of the consideration received or receivable after taking into account any parent fees waived.

Revenue comprises of grant income, child care operations, hall hire, donations, bank interest, government subsidies and other income.

The association receives assets from the government and other parties for nil or nominal consideration in order to further its objectives. These assets are recognised in accordance with the recognition requirements of other applicable accounting standards (eg. AASB 9, AASB 16, AASB 116 and AASB 138).

On initial recognition of an asset, the association recognises related amounts (being contributions by owners, lease liability, financial instruments, provisions, revenue or contract liability arising from a contract with a customer).

The association recognises income immediately in profit or loss as the difference between initial carrying amount of the asset and the related amount.

Operating Grants, Donations and Bequests

When the association receives operating grant revenue, donations or bequests, it assesses whether the contract is enforceable and has sufficiently specific performance obligations in accordance with AASB 15.

When both these conditions are satisfied, the association:

- identifies each performance obligation relating to the grant
-

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc. ABN 66 946 419 210

Notes to the Financial Statements
For the year ended 30 June 2022

– recognises a contract liability for its obligations under the agreement

– recognises revenue as it satisfies its performance obligations.

Where the contract is not enforceable or does not have sufficiently specific performance obligations, the association:

– recognises the asset received in accordance with the recognition requirements of other applicable accounting standards (eg. AASB 9, AASB 16, AASB 116 and AASB 138)

– recognises related amounts (being contributions by owners, lease liability, financial instruments, provisions, revenue or contract liability arising from a contract with a customer)

– recognises income immediately in profit or loss as the difference between the initial carrying amount of the asset and the related amount.

If a contract liability is recognised as a related amount above, the association recognises income in profit or loss when or as it satisfies its obligations under the contract.

Capital Grant

When the association receives a capital grant, it recognises a liability for the excess of the initial carrying amount of the financial asset received over any related amounts (being contributions by owners, lease liability, financial instruments, provisions, revenue or contract liability arising from a contract with a customer) recognised under other Australian Accounting Standards.

The association recognises income in profit or loss when or as the association satisfies its obligations under the terms of the grant.

Interest revenue is recognised when received.

Hall hire income is recognised on an accruals basis upon invoicing at month end.

All revenue is stated net of the amount of goods and services tax (GST).

(h) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the assets and liabilities statement.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

Bligh Park Community Services Inc. ABN 66 946 419 210

Notes to the Financial Statements For the year ended 30 June 2022

(i) **Trade and Other Payables**

Trade and other payables represent the liability outstanding at the end of the reporting period for goods and services received by the association remain unpaid at the end of the reporting period. The balance is recognised as a current liability with the amounts normally paid within 30 days of recognition of the liability.

(j) **Key estimates and judgments**

Property, Plant and equipment - as indicated in Note 1(b), the association reviews the useful life of property, plant and equipment on annual basis.

Employee entitlements - as indicated at Note 1(d), employee benefits have been measured at the amounts expected to be paid when the liability is settled, plus related on-costs. The association exercises judgment in the classification of employment arrangements in order to assess any obligation for employee entitlements.

COVID19 related government subsidy income – this includes revenue received from government departments to support business during the COVID19 pandemic, including Cashflow boost income, Business Grant, Jobkeeper subsidy and Jobsaver subsidy. The association elected to participate in these schemes and the onus is on the association to establish that all eligibility requirements are met before applying for these schemes. Management exercises judgement in applying for these schemes and ensuring eligibility of the association to receive these payments.

(k) **Economic Dependence**

The association is dependent on government agencies for grant funding, including the Department of Communities and Justice. The association renewed its agreement for funding services with the Department of Communities and Justice for a five year term commencing 1st July 2020. As the date of this report the Committee has no reason to believe this government department will not continue to support the association.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc. ABN 66 946 419 210

Notes to the Financial Statements
For the year ended 30 June 2022

	2022	2021
Note 2: Cash assets		
Bank accounts:		
Cash at bank - Cheque a/c Bendigo	15,977	36,565
Petty cash - Bendigo a/c	1,781	1,729
Property account - Bendigo Bank	195,812	373,358
Child care account - Bendigo	28,116	19,305
Term Deposit - Bendigo	201,678	130,287
Other cash items:		
Cash on hand	148	266
	<u>443,512</u>	<u>561,510</u>
Note 3: Property, Plant and Equipment		
Leasehold improvements:		
- At cost	16,730	
- Less: Accumulated depreciation	(175)	
	<u>16,555</u>	
Plant and equipment:		
- At cost	73,182	72,120
- Less: Accumulated depreciation	(58,670)	(54,191)
	<u>14,512</u>	<u>17,929</u>
	<u>31,067</u>	<u>17,929</u>
Note 4: Payables		
Unsecured:		
- Trade creditors	6,402	8,115
- Other creditors	1,980	2,680
	<u>8,382</u>	<u>10,795</u>
	<u>8,382</u>	<u>10,795</u>

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
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Bligh Park Community Services Inc. ABN 66 946 419 210

Notes to the Financial Statements
For the year ended 30 June 2022

	2022	2021
Note 5: Provisions		
Current		
Employee entitlements*	59,590	43,691
	<u>59,590</u>	<u>43,691</u>
Non Current		
Employee entitlements*	66,925	57,794
	<u>66,925</u>	<u>57,794</u>
* Aggregate employee entitlements liability	126,515	101,485

Note 6: Events Subsequent to Reporting Date

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the association, the results or those operations or the state of affairs of the association in future financial years.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc. ABN 66 946 419 210

Statement of Cash Flows
For the year ended 30 June 2022

	2022	2021
Note 7. Reconciliation Of Net Cash Provided By/Used In Operating Activities To Net Profit		
Operating profit	45,867	77,941
Depreciation	4,654	4,778
Bad and doubtful debts	1,441	
Changes in assets and liabilities:		
(Increase) decrease in trade and term debtors	(2,836)	78,151
Increase (decrease) in trade creditors and accruals	(1,714)	1,624
Increase (decrease) in other creditors	(11,071)	27,548
Increase (decrease) in employee entitlements	25,030	(12,202)
Increase (decrease) in grants in advance	(162,639)	213,742
Net cash provided by (used in) operating activities	(101,268)	391,582

The accompanying notes form part of these financial statements.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
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Bligh Park Community Services Inc. ABN 66 946 419 210

Statement by Members of the Committee
For the year ended 30 June 2022

The Committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the Committee the Income and Expenditure Statement, Statement of Financial Position, Statement of Cash Flows, Statement of Changes in Equity and Notes to the Financial Statements:

1. Presents fairly the financial position of Bligh Park Community Services Inc. as at 30 June 2022 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that the association will be able to pay its debts as and when they fall due.
3. the financial statements and notes satisfy the requirements of the Australian Charities and Not-for-profits Commission Act 2012.

This statement is made in accordance with a resolution of the Committee and is signed for in accordance with subsection 60.15(2) of the Australian Charities and Not-for-profits Commission Regulation 2013 and on behalf of the Committee by:

Garry Baldry
President

Linda Husar
Treasurer

Dated this 7th day of September 2022.

The accompanying notes form part of these financial statements.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

Bligh Park Community Services Inc. ABN 66 946 419 210

Independent Auditor's Report to the Members

Report on the Audit of the Financial Report

Opinion

We have audited the financial report of Bligh Park Community Services Inc. (the association), which comprises the Statement by Members of the Committee, the Income and Expenditure Statement, Balance Sheet as at 30 June 2022, Statement of Cash Flows, Statement of Changes in Equity, a summary of significant accounting policies and the certification by members of the committee on the annual statements giving a true and fair view of the financial position and performance of the association.

In our opinion, the accompanying financial report has been prepared in accordance with Division 60 of the Australian Charities and Not-for-profits Commission Act 2012 (ACNC Act) and presents fairly, in all material respects, the financial position of the association as at 30 June 2022 and [of] its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements and the requirements of the Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2013.

Consistent with the prior year, we do not provide an opinion on the entities eligibility or verify the entitlement in relation to the COVID19 Commonwealth Government and State Government assistance, including Business Grant, Jobsaver and Jobkeeper subsidies.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of our report. We are independent of the association in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter – Basis of Accounting

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist the association to meet the requirements of Associations Incorporation Act 2009 and the requirements of the Australian Charities and Not-for-profits Commission Act 2012. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Emphasis of Matter – COVID19 government subsidy payments

We draw attention to Note 1(j) to the financial report, which describes the COVID19 related government subsidy income. Management exercises judgement in applying for these schemes and ensuring eligibility of the association to receive these payments. Our opinion is not modified in respect of this matter.

Other Matter - 2021FY Auditor opinion

The financial report of Bligh Park Community Services Inc. for the year ended 30 June 2021, was audited by another auditor who expressed an unmodified opinion on that report on 11th August 2021.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc. ABN 66 946 419 210

Independent Auditor's Report to the Members

Other Matter - Job Profit and Loss Statements

The audit report does not relate to the additional information presented in these financial statements, namely the detailed job profit and loss statements. These statements have been prepared from the accounting records of the association and we do not express an opinion thereon.

Responsibilities of the Committee for the Financial Report

The committee is responsible for the preparation and fair presentation of the financial report in accordance with the financial reporting requirements of the Associations Incorporation Act 2009 and the requirements of the Australian Charities and Not-for-profits Commission Act 2012 and for such internal control as the committee determines is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the committee is responsible for assessing the association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the committee either intends to liquidate the association or to cease operations, or has no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the committee.
- Conclude on the appropriateness of the committee's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the association's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the association to cease to continue as a going concern.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc. ABN 66 946 419 210

Independent Auditor's Report to the Members

- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the committee regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Signed on this day of September 2022



Ms Carla Sawyer, CA ANZ, R.C.A., Principal
Blue Wren Audit & Accounting
P.O. Box 4368, Winmalee NSW 2777

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc
 PO BOX 5711
 SOUTH WINDSOR NSW 2756
 ABN: 66 946 419 210
 Email: finance@blighpark.org.au

Job Profit & Loss Statement

July 2021 To June 2022

Account Name	Year To Date
BRP	Bushfire Resilience Program
Income	
Grants	\$133,191
Total Income	\$133,191
Expense	
Superannuation	\$9,881
Wages & Salaries	\$93,822
Travel - payroll	\$1,009
BRP - USB	\$126
BRP- Management Costs	\$28,353
Total Expense	\$133,191
Net Profit/(Loss)	\$0
CD	Community Development
Income	
DCJ Funding - TEI	\$257,183
Workers Comp Claim	\$517
Total Income	\$257,700
Expense	
Stationery & Printing	\$427
Postage	\$100
Office Telephones / Fax	\$109
Mobile Phones	\$432
Internet Services	\$764
Bank Charges	\$57
Photocopier R&M +Supplies	\$178
Superannuation	\$16,580
Wages & Salaries	\$168,853
Workers' Compensation Ins	\$4,455
Training & Development	\$20
Travel - payroll	\$2,538
Travel - non payroll	\$53
Annual Leave Entitlements	\$854
Long Service Leave Entitlement	\$3,487
Staff Uniforms	\$308
OH & S Issues	\$202
Planning & Team Building Days	\$691
Volunteer Expenses	\$1,160
Memberships/Subscriptions	\$924
Sundry Expenses	\$180
Electricity	\$908
Cleaning	\$3,522
Security	\$195
Building Amenities	\$5
Youth Holiday Programmes	\$504

This report includes Year-End Adjustments.

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ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc
 PO BOX 5711
 SOUTH WINDSOR NSW 2756
 ABN: 66 946 419 210
 Email: finance@blighpark.org.au

Job Profit & Loss Statement

July 2021 To June 2022

Account Name	Year To Date
Youth Equipment	\$814
Youth Consumerables	\$4,114
Youth General Prog Expenses	\$826
CD Equipment	\$1,220
CD General Prog Expenses	\$1,366
CD Community Craft	\$1,655
CD- Community Garden	\$356
CD/Festival Expenses All	\$2,394
CD - Food Program	\$885
NAIDOC Day Exp	\$760
Total Expense	\$221,895
Other Income	
Interest Income	\$7
Total Other Income	\$7
Other Expense	
Mgt Fee charged	\$36,000
Total Other Expense	\$36,000
Net Profit/(Loss)	-\$188

MA Management & Administrative

Income	
Grants	\$20,000
Business Cash Boost	\$7,500
Jobsaver Payments	\$64,353
Fundraising & Donations	\$2,090
Membership Fees	\$6
Other Income	\$6,680
Total Income	\$100,630
Expense	
Audit Fees	\$3,266
Stationery & Printing	\$551
Postage	\$196
Donations	\$215
Office Telephones / Fax	\$109
Mobile Phones	\$395
Internet Services	\$1,160
Bank Charges	\$31
Photocopier R&M +Supplies	\$188
Superannuation	\$6,976
Wages & Salaries	\$82,815
Workers' Compensation Ins	\$1,500
Travel - payroll	\$158
Annual Leave Entitlements	\$11,994
Long Service Leave Entitlement	\$2,157
Planning & Team Building Days	\$1,276
Other Staff Expenses	\$3,470

This report includes Year-End Adjustments.

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ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc
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Job Profit & Loss Statement

July 2021 To June 2022

Account Name	Year To Date
Volunteer Expenses	\$122
Advertising & Promotion	\$500
Memberships/Subscriptions	\$1,309
Insurances	\$5,458
Furniture & Equipment	\$36
Sundry Expenses	\$52
Staff & Committee Amenities	\$32
Depreciation	\$4,654
Cleaning	\$17
Maintenance & Repairs	\$11
CD Equipment	\$109
Website Expense	\$790
Stronger Communities Grant expe	\$20,081
Total Expense	\$149,629
Other Income	
Interest Income	\$1,505
Mgt Fee Received	\$105,000
Total Other Income	\$106,505
Net Profit/(Loss)	\$57,505

OOSH BA Before and After School

Income	
CCS B & A	\$202,690
BASC Voucher Income	\$15,865
Inclusion Support Subsidy (ISS)	\$9,453
B & A Fees	\$72,200
Total Income	\$300,209
Expense	
Stationery & Printing	\$426
Postage	\$10
Office Telephones / Fax	\$82
Mobile Phones	\$182
Internet Services	\$509
Bank Charges	\$2
Merchant Fees	\$363
Photocopier R&M + Supplies	\$425
Computer Expenses	\$23
Photocopy contract	\$756
Superannuation	\$21,474
Wages & Salaries	\$213,032
Workers' Compensation Ins	\$4,091
Training & Development	\$608
Annual Leave Entitlements	\$3,050
Long Service Leave Entitlement	\$3,487
Staff Uniforms	\$237
OH & S Issues	\$497
Planning & Team Building Days	\$143

This report includes Year-End Adjustments.

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ORDINARY MEETING
4. REPORTS FOR DETERMINATION
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Bligh Park Community Services Inc
 PO BOX 5711
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Job Profit & Loss Statement

July 2021 To June 2022

Account Name	Year To Date
Other Staff Expenses	\$476
Memberships/Subscriptions	\$2,355
Furniture & Equipment	\$484
Cleaning	\$3,976
Maintenance & Repairs	\$720
CD General Prog Expenses	\$55
B&A Craft & Materials	\$238
B&A Consumables	\$6,748
B&A General Prog Expenses	\$1,097
B&A Equipment	\$1,057
Bad Debts	\$1,259
Total Expense	\$267,861
Other Income	
Interest Income	\$3
Total Other Income	\$3
Other Expense	
Mgt Fee charged	\$36,000
Total Other Expense	\$36,000
Net Profit/(Loss)	-\$3,650

OOSH Building OOSH Building

Income	
Government Rebates	\$233
Total Income	\$233
Expense	
OH & S Issues	\$279
Electricity	\$1,965
Cleaning	\$5,132
Maintenance & Repairs	\$2,376
Security	\$710
Water rates & Usage	\$49
Total Expense	\$10,512
Net Profit/(Loss)	-\$10,279

OOSH VC Vacation Care

Income	
CCS Vac Care	\$42,321
BASC Voucher Income	\$6,000
Inclusion Support Subsidy (ISS)	\$4,761
Vacation Care Fees	\$12,998
Total Income	\$66,080

Expense

This report includes Year-End Adjustments.

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ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc
 PO BOX 5711
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 Email: finance@blighpark.org.au

Job Profit & Loss Statement

July 2021 To June 2022

Account Name	Year To Date
Stationery & Printing	\$14
Office Telephones / Fax	\$27
Mobile Phones	\$69
Internet Services	\$255
Bank Charges	\$36
Merchant Fees	\$36
Photocopier R&M + Supplies	\$299
Photocopy contract	\$324
Superannuation	\$4,358
Wages & Salaries	\$48,494
Workers' Compensation Ins	\$273
Training & Development	\$440
Memberships/Subscriptions	\$769
Cleaning	\$330
Maintenance & Repairs	\$55
Youth Consumerables	\$52
VC Craft & Materials	\$269
VC Consumables	\$1,404
VC Equipment	\$540
VC General Prog Expenses	\$3,106
VC Bus Hire	\$300
Total Expense	\$61,449
Other Income	
Interest Income	\$0
Total Other Income	\$0
Other Expense	
Mgt Fee charged	\$8,000
Total Other Expense	\$8,000
Net Profit/(Loss)	-\$3,369
PRAD Property Administration	
Income	
Casual Hire	\$1,358
Administration Fee	\$927
Total Income	\$2,286
Expense	
Superannuation	\$1,536
Wages & Salaries	\$14,087
Total Expense	\$15,623
Net Profit/(Loss)	-\$13,337
PRNC Neighbourhood Centre	
Income	

This report includes Year-End Adjustments.

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4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Bligh Park Community Services Inc
 PO BOX 5711
 SOUTH WINDSOR NSW 2756
 ABN: 66 946 419 210
 Email: finance@blighpark.org.au

Job Profit & Loss Statement

July 2021 To June 2022

Account Name	Year To Date
Casual Hire	\$1,461
Regular Hire	\$5,715
Total Income	\$7,176
Expense	
Internet Services	\$64
Furniture & Equipment	\$39
Electricity	\$1,055
Cleaning	\$3,895
Maintenance & Repairs	\$434
Security	\$390
Bad Debts	\$182
Total Expense	\$6,059
Net Profit/(Loss)	\$1,117

PRTN Tiningi Hall

Income	
Casual Hire	\$6,598
Regular Hire	\$19,207
Telephone & Fax	\$127
Total Income	\$25,932
Expense	
Internet Services	\$382
Sundry Expenses	\$27
Cleaning	\$5,006
Maintenance & Repairs	\$2,309
Building Amenities	\$63
Total Expense	\$7,787
Net Profit/(Loss)	\$18,145

SSTF Social Sector T Fund

Income	
Grants	\$11,583
Total Income	\$11,583
Expense	
Social Sector Grant Expense	\$11,583
Total Expense	\$11,583
Net Profit/(Loss)	\$0

SSTF2 SSTF2

Income

This report includes Year-End Adjustments.

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ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

Job Profit & Loss Statement

July 2021 To June 2022

Bligh Park Community Services Inc

PO BOX 5711

SOUTH WINDSOR NSW 2756

ABN: 66 946 419 210

Email: finance@blighpark.org.au

Account Name	Year To Date
Grants	\$20,000
Total Income	\$20,000
Expense	
Social Sector Grant Expense	\$20,076
Total Expense	\$20,076
Net Profit/(Loss)	-\$76

This report includes Year-End Adjustments.

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oooO END OF REPORT Oooo

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

4.3.3. CP – NSW Government's Proposed Changes to Create Low and Mid-rise Housing - (95498)

Directorate: City Planning

PURPOSE OF THE REPORT

The purpose of this report is to:

- Provide Council with information regarding the NSW State Government's proposed changes to create low and mid-rise housing;
- Outline the proposed changes' alignment with Council's strategic planning, and;
- Seek Council's endorsement to the lodging of a draft submission provided as Attachment 3 to this report in response to the proposed changes to planning legislation to create low and mid-rise housing.

EXECUTIVE SUMMARY

The Department of Planning, Housing and Infrastructure (formerly the Department of Planning and Environment) announced in November 2023 that the NSW Government is attempting to address the housing crisis with new planning rules to fast track low and mid-rise housing. The associated Media Release 'Department of Planning Infrastructure and Environment New planning rules to fast track low and mid rise housing' is provided as Attachment 1 to this report.

Following this, a document "Explanation of Intended Effect: Changes to create low and mid-rise housing" was released in December 2023, provided as Attachment 2 to this report. The Department of Planning, Housing and Infrastructure is seeking submissions from councils on the proposed changes by Friday, 23 February 2024

To facilitate such development, the NSW Government proposes standards that would deem councils unable to refuse development proposals in Station and Town Centre Precincts where such proposals will create low and mid-rise housing beyond that which is permitted with consent in Local Environmental Plans or beyond standards that are established in Development Control Plans.

A draft submission is now provided for Council's consideration as Attachment 3 to this report. The draft submission states (in part) that:-

- Council does not support the application of the Policy to the Hawkesbury Local Government Area, and;
- Council will work with the Department and our community to provide a further, more informed submission that reflects the current challenges and future aspirations for development in the Hawkesbury.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

RECOMMENDATION

That Council endorse the draft submission attached as Attachment 3 to the report, to the NSW Government's proposed policy changes to create low and mid-rise housing in the Hawkesbury Local Government Area.

BACKGROUND

The Department of Planning, Housing and Infrastructure (formerly the Department of Planning and Environment) announced in November 2023 that the NSW Government is attempting to address the housing crisis with new planning rules to fast track low and mid-rise housing.

Following this, a document "Explanation of Intended Effect: Changes to create low and mid-rise housing" was released in December 2023, provided as Attachment 2 to this report. The Department of Planning, Housing and Infrastructure is seeking submissions from councils on the proposed changes by Friday, 23 February 2024.

Council Officers have reviewed the proposal and prepared a draft submission which is provided for Council's consideration as Attachment 3 to this report.

Key Issues

The proposed changes include a suite of proposals intended to encourage more low and mid-rise housing options. The changes are proposed to enable more diverse, well designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport. The changes are proposed to give NSW households more choice and promote vibrant, sustainable and liveable communities.

The changes that are proposed would affect Station and Town Centre Precincts, meaning lots that are within:

- 800 metres of a rail station;
- Walking distance to land zoned E2 Commercial Centre or SP5 Metropolitan Centre; or
- Walking distance to land zoned E1 Local Centre or MU1 Mixed use (only in circumstances where the zone contains a wide range of frequently needed goods and services, such as full line supermarkets, shops and restaurants).

To facilitate such development, the NSW Government proposes setting standards for non-refusal that will apply wherever development occurs in Station and Town Centre Precincts that will overrule Council's LEP or DCP provisions. The non-refusal standards allow LEP/DCPs greater permissibility but not more restrictive. The specific intentions of this approach are that if a development:

- Complies with the standard, a consent authority (for example, Council) must not refuse consent on those grounds.
- Does not comply with the standard, it will be assessed under the relevant LEP or DCP standard.

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Non-Refusal Standards

The proposed policy provides the following 'non-refusal standards':

Mid-rise housing:

- Within 400 metres of the Station and Town Centre Precincts:
 - Maximum building height: 21m
 - Maximum Floor Space Ratio: 3:1
- Between 400 meters and 800 meters of the Station and Town Centre Precincts:
 - Maximum Building height: 16m
 - Maximum Floor Space Ratio: 2:1

The non-refusal standard applies to any residential flat building or shop top housing development on land in station and town centre precincts (with the exception of land zoned R2). It is also being proposed to turn off minimum site area and width standards in Council LEPs.

Low-rise Housing:

- Multi dwelling housing (terraces)
 - Maximum Building height: 9.5m
 - Maximum Floor Space Ration: 0.7:1
 - Minimum Site Area: 500m²
 - Minimum Lot Width 18m
 - Minimum Car Parking: 0.5 space per dwelling
- Multi dwelling housing
 - Maximum Building height: 9.5m
 - Maximum Floor Space Ration: 0.7:1
 - Minimum Site Area: 600m²
 - Minimum Lot Width 12m
 - Minimum Car Parking: 1 space per dwelling
- Manor Houses
 - Maximum Building height: 9.5m
 - Maximum Floor Space Ration: 0.8:1
 - Minimum Site Area: 500m²
 - Minimum Lot Width 12m
 - Minimum Car Parking: 0.5 space per dwelling
- Dual occupancies
- Proposed to be permitted in all Low-Density Residential zones across NSW.
 - Maximum Building height: 9.5m
 - Maximum Floor Space Ration: 0.65:1
 - Minimum Site Area: 450m²
 - Minimum Lot Width 12m
 - Minimum Car Parking: 1 space per dwelling

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Flooding:

It is noted that the exhibited 'Explanation of Intended Effect' includes the following with respect to flooding:

"Council's current flooding controls will continue to apply to all development where the low and mid-rise reforms are proposed to ensure that flood risk is appropriately managed. In areas of particularly high flood risk; such as the Hawkesbury-Nepean Valley, the Department will work with Councils to exclude the relevant areas from the application of the proposed reforms."

Infrastructure Contributions:

Additionally, the exhibited Explanation of Intended Effect includes:

- All residential development that intensifies land use are subject to the Housing and Productivity Contribution which accommodates the provision of state and regional infrastructure such as roads, parks, hospitals, and schools. It does not affect how Council collects local contributions.

The Department are seeking feedback from Council on a preferred approach to identifying and addressing additional infrastructure needs that arise because of the proposed changes.

DISCUSSION

In accordance with the attached draft submission, Council Officers note that Council is unable to provide the Department with a comprehensive response to the '*Explanation of Intended Effect: Changes to create low and mid-rise housing*' that reflects the level of detail requested by the Department, the infrastructure deficiencies that exist within the subject zones, and the natural constraints that require consideration, particularly in response to proposed development intensification. Council officers have requested an extended timeframe beyond the 23 February 2024 to provide a further response to the proposed changes that will include case studies that reflect how the application of the proposed Policy will impact the Hawkesbury area.

Council considers that the proposed Policy is inconsistent with Council's existing planning policies and desired future character of the towns and villages that make up the Hawkesbury. Whilst the Policy may have merit in urban areas, the proposal to permit dual occupancies and six-storey development is incompatible and inconsistent with good planning outcomes in peri-urban locations where the infrastructure to support existing, let alone growing populations simply does not exist.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy, however it is noted that it would be Council's preference that the NSW Government undertook more extensive community engagement with respect to these proposed changes.

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CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

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

Strong Economy

3.4 Support the revitalisation of our town centres and growth of our business community.

Reliable Council

4.1 Provide representative, responsive and accountable governance.

4.7 Encourage informed planning, balanced growth and community engagement.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ATTACHMENTS

AT - 1 New planning rules to fast track low and mid rise housing - Media Release - Department of Planning Infrastructure and Environment

AT - 2 Explanation of Intended Effect: Changes to create low and mid-rise housing - (*Distributed under separate cover*).

AT - 3 Draft Submission on Proposed changes to low and mid-rise housing - Hawkesbury City Council (*Distributed under separate cover*).

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4. REPORTS FOR DETERMINATION
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Attachment 1 - New planning rules to fast track low and mid rise housing - Media Release - Department of Planning Infrastructure and Environment

1/30/24, 11:52 AM

New planning rules to fast track low and mid rise housing | Planning

A NSW Government website

[News \(/news\)](#) > New planning rules to fast track low and mid rise housing

New planning rules to fast track low and mid rise housing

28 Nov 2023

The Minns Government is confronting the housing crisis with bold reforms to create tens of thousands of new, well-located, low-and mid-rise homes.

The Government is announcing changes that will fast-track a greater diversity of homes like residential flat buildings of 3-6 storeys, terraces, townhouses, duplexes and smaller 1-2 storey apartment blocks in suburbs where they are not currently allowed.

The reforms create capacity for industry to deliver up to an estimated 112,000 new homes across the Greater Sydney region, Hunter, Central Coast and Illawarra-Shoalhaven.

This represents 30 per cent of the number of homes NSW needs to meet under its Housing Accord target of 377,000 new homes by 2029.

Currently, each local council has its own rules for what kind of homes can be built in their area. In many local government areas, these rules do not allow the types of homes that we need for the next generation, housing close to transport, infrastructure and social amenity.

In October the Government identified a significant gap in the approval of density, with terraces and 1-2 storey unit blocks allowed under R2 zoning in only two of 32 Local Environmental Plans (LEPs) – that's just six per cent of the LEPs across Sydney.

R2 is a zone for land which is made up of low density housing.

This 'missing middle' has meant that low rise density has been ignored in the face of a growing housing crisis.

Additionally, sixty percent of R3 zones across Sydney (where multi dwelling housing is appropriate and should be encouraged) presently prohibit residential flat buildings of any scale.

Details of the Government's proposed changes include allowing:

- dual occupancies (two separate homes on a single lot), such as duplexes, in all R2 low density residential zones across all of NSW.
- terraces, townhouses and two storey apartment blocks near transport hubs and town centres in R2 low density residential zones across the Greater Sydney region, Hunter,

<https://www.planning.nsw.gov.au/news/new-planning-rules-fast-track-low-and-mid-rise-housing#:~:text=The Government is announcing changes,t...> 1/2

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

1/30/24, 11:52 AM

New planning rules to fast track low and mid rise housing | Planning

Central Coast and Illawarra (the Six Cities region).

- mid-rise apartment blocks near transport hubs and town centres in R3 medium density zones and appropriate employment zones. This will mean more housing just a short 10-minute walk (800m) from transport hubs, shops and amenities.

The Government will introduce a State Environmental Planning Policy (SEPP) to enact these changes while simultaneously encouraging councils to add these types of dwellings to their own planning rules.

If a local government's planning rules match – or go further than – this new NSW Government policy, the State Government changes will not apply.

The Government has previously written to councils, asking them to review local policy settings to allow for more housing in low and medium density zones across their local government area.

National Housing Accord targets were set at the National Cabinet with all three levels of Government represented.

The plans will go on public exhibition for public feedback from next week.

Minister for Planning and Public Spaces Paul Scully said:

“Sydney is one of the least dense cities in the world but fewer than half of councils allow for low and mid-rise residential buildings in areas zoned for such homes.

“We’re confronting a housing crisis so we need to change the way we’re plan for more housing, we can’t keep building out we need to create capacity for more infill, with more diverse types of homes.

“Diversity of housing allows people to stay in their communities and neighbourhoods through different stages of their life, with family and friends able to live nearby. More housing choice means more options for everyone – renters, families, empty nesters.

“Density done well means townhouses, apartments and terraces clustered near shops, high streets and parks.

“We already have great examples of these types of homes. Sydney has grown using these housing types. Look at homes in Wollstonecraft, Waverton, Erskineville, parts of Wollongong or Newcastle. They’re great places to live, we just need more of them.”

Updated 28 November, 2023

<https://www.planning.nsw.gov.au/news/new-planning-rules-fast-track-low-and-mid-rise-housing#:~:text=The Government is announcing changes,t...> 2/2

oooO END OF REPORT Oooo

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4.4. CORPORATE SERVICES

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

Previous Item: 4.2.2, Ordinary (20 June 2023)

Directorate: Corporate Services

PURPOSE OF THE REPORT

The purpose of this report is to inform Council of its financial position as at 31 December 2023 and to seek adoption of proposed changes required to the Budget within the Adopted 2023/2024 Operational Plan.

EXECUTIVE SUMMARY

Council is required to review its progress in achieving the financial objectives set out in its Operational Plan, within two months of the end of each quarter. The Responsible Accounting Officer must submit to Council a budget review statement that shows the revised estimate of the income and expenditure for that year, referencing the estimate of income and expenditure included in the Adopted Operational Plan.

The Responsible Accounting Officer has revised Council's income and expenditure for the 2023/2024 financial year and recommends revising estimates in line with Council's financial performance as at the end of December 2023, and as projected for the remainder of the financial year. This report and the relevant attachment provide information on Council's financial performance and financial position for:

- The second quarter of the 2023/2024 financial year; and
- The resulting financial position including the Budget variations proposed.

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

RECOMMENDATION

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

BACKGROUND

Clause 203 of the Local Government (General) Regulation 2021 stipulates that the Responsible Accounting Officer of a council must prepare and submit to the Council a Budget Review Statement within two months after the end of each quarter (except the June quarter).

The Integrated Planning and Reporting (IP&R) Framework outlines that Councils are required to present a summary of the Council's financial position at the end of each quarter. It is the mechanism

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whereby Councillors and the community are informed of the Council's progress against the Original Budget and the last revised budget along with recommended changes and reasons for major variances.

The Quarterly Budget Review Statement is the mechanism stipulated by the Local Government (General) Regulation 2021 for councils to revise the adopted Operational Plan for the year to reflect the actual financial performance as at the end of each Quarter and projected to the end of the financial year. This review ensures Council's Budget remains current and relevant throughout the financial year and provides early indication of progress in achieving financial targets.

In revising estimates, a conservative approach has been taken. Unfavourable trends relating to income outside of Council's control are proposed to be adjusted to reflect the anticipated performance up to the 30 June 2024. Unfavourable trends relating to expenditure outside of Council's control are also proposed to be adjusted for the same period.

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

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

Relevant Legislation

Local Government Act, 1993

Local Government (General) Regulation, 2021

DISCUSSION

1. Favourable Adjustments:

- *Increase in Interest Income earned on Investment Portfolio (\$375K)* – Interest rates obtained for investments during the financial year are higher than projected at the time of developing the Original Budget. Additionally, the value of the Portfolio is higher than projected due to changes in the timing of project delivery and unbudgeted income relating to Western Sydney Infrastructure Grants Program.
- *Decrease in Net Changeover costs for Plant and Leaseback Vehicles (\$208K)* – Due to delays in supply in vehicles, orders have been deferred, creating a favourable variance, which was offset by increase in the purchase price of some plant.

2. Unfavourable Adjustments:

- *Reduced Income from Development Engineering Inspections (\$237K)* – In line with current trends observed, this income has been reduced by the shortfall between the Budget and Actuals as at the end of December 2023. Resourcing has been increased from grant funding to increase the service level and hence income.
- *Parking Patrol Program (\$124K)* – Income from carparking infringements was \$77K lower than projected as at the end of December 2023, which was offset by reduced processing costs of \$19K. Additional costs of \$65K above the YTD Budget was also incurred, with the objective to recover income levels. As Council does not receive the income from NSW Revenue until payment is made by the party fined, there is a lagging trend between additional resources and increased income.

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- *Net Increase to Operating Costs of Companion Animal Shelter (\$96K)*– Due to the increase in the number of animals held at the Shelter, additional resourcing and vet fees have been incurred.

3. Adjustments with No Bottom Line Impact

- *Meet and Greet Yards at Companion Animal Shelter (\$40K)* – To provide a dedicated space for prospective owners to meet with companion animals at the shelter, it is proposed that \$40K is expended, funded from bequests made in previous years to the Companion Animal Shelter.

4. Grant Funded Works and Programs

Several adjustments relating to grant funding successfully secured by Council, and adjustments in relation to the expected timing of delivery of the grant funded projects are included in this Quarterly Budget Review Statement. These adjustments have a nil effect on the Budget position, as amounts included for income have a corresponding amount for expenditure. The securing of grant funding assists Council to undertake works otherwise not funded through Council's available funds.

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

- Western Sydney Infrastructure Grants Program, totaling \$80.3M across multiple years funded by the New South Wales State Government. The six remaining deeds have been executed and the adjustments in the Quarterly Review have been made to reflect the anticipated costs incurred for the 2023/2024 financial year, including:
 - *North Richmond Community Precinct (\$100K)* - The North Richmond Community Precinct project is designed to respond to population growth and act as a meeting and cultural space, social and recreational hub and much needed fit for purpose emergency evacuation centre for our community residing west of the Hawkesbury River. Works include but are not limited to, a Branch Library and technology space, a performing arts and multipurpose art studio space, an indoor sports stadium as well as an emergency evacuation centre. When complete, the Precinct will become a meeting place with the social, recreational and emergency infrastructure to enhance community connections, social cohesion and resilience.
 - *Tamplin Field, Hobartville (\$541K)* - With the Hawkesbury LGA prone to natural disasters, seeing sporting fields closed for extended periods, the need for a weatherproof sports field has been identified. A weatherproof field will enable high profile sports to be catered for, including Premier League soccer. The upgrade at Tamplin Field will also include lighting, fencing, carparking and amenities.
 - *Richmond Swimming Centre (\$111K)* - The upgrade to the current facility will transform the Centre into a modern and versatile aquatic space. Upgrades will feature a new 8 lane 50m pool, accessibility upgrades to make the pools accessible to community members who are less mobile, an interactive splash park as well as increased shade and picnic facilities.
 - *Oasis Aquatic and Fitness Centre (\$273K)* - West Invest funding will be used to implement the Master Plan, expanding the facility's outdated designs to include better amenities for patrons. Some of the works include the provision of a children's splash park, new shallow-depth program pool including accessibility ramp, covered deck area and additional car parking. With these works there are many benefits to the community in increasing the diversity in additional fitness programs and increased capacity for larger numbers. It will deliver a more contemporary, inclusive and accessible aquatic and leisure destination for Hawkesbury residents and draw in clientele from neighbouring LGAs.

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- *Turnbull Oval, North Richmond (\$491K)* - The provision of a new grandstand and associated facilities will address a need for a facility of this nature within the North Richmond area. The project will provide improvements to the grandstand and amenities by including additional change rooms to cater to females, upgraded kitchen and kiosk facility, a clubhouse/gym and lighting upgrades. The upgrades to this facility will not only cater for local sporting competitions but will identify the area as having the facilities capable of hosting events of a state standard.
- *Rickabys Creek Cycleway (\$210K)* - The WestInvest funding will enable Council to finalise route design and construct a second bridge over Rickabys Creek to provide a shared path crossing linkage between the shared path from Richmond to the off road cycleway from Rickabys Creek to Windsor. The creation of an off road shared path and crossing point will greatly improve the safety of this route and increase its utilisation.
- *Black Spot Program (\$1.5M)* – Council was successful in achieving funding for three projects under the Australian Government's Black Spot Program, which is administered by Transport for New South Wales. The scope of works for the three projects includes:
 - *Rifle Range Road, Bligh Park (\$200K)* - The funds will be used to install traffic calming in school zones, slow point and a raised threshold on Rifle Range Road at Bligh Park.
 - *Terrace Road, North Richmond (\$940K)* - Funds will be used to install a roadside barrier, vehicle activated signs, curve markers and other traffic facilities at Terrace Road, North Richmond.
 - *Drummond and Mileham Streets, South Windsor (\$350K)* - Funding will be utilised to make safety improvements to the roundabout at the junction of Drummond and Mileham Streets in South Windsor.
- *Safe and Secure Water Program (\$135K)* – Council successfully applied for funding under the State Government's Safe and Secure Water Program to develop and exhibit an Integrated Water Cycle Management Strategy (IWCMS). The IWCMS is designed to develop a 30 year strategy for the provision of appropriate , affordable, cost effective and sustainable water services that meets community needs and protect public health and the environment.
- *Central Coast Council remediation of landslide caused by flood (\$4M)* – An additional contribution will be received from Central Coast Council towards the remediation costs based on a Disaster Funding Recovery Arrangement Essential Public Assets Reconstruction approval.

Also included in this Quarterly Review are adjustments in relation to the expected delivery of projects funded by grants, with completion expected in the next financial year:

- Disaster Recovery Funding Arrangements - Flood Recovery (\$29.7M)
- Multisport Community Funding for Fernadell Park (\$3.0M)
- Places to Play - Woodbury Reserve (\$112K)
- Places to Swim - Macquarie Park (\$639K)
- West Invest Community Grants Program (\$15.8M)
- Western Parklands Liveability Project (\$3.1M)
- Accelerated Infrastructure Fund Vineyard (\$2.04M)

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- Priority Community Infrastructure Program - Woodbury Reserve (\$3.0M)
- Essential Community Sports Program Deerubbin Amenities (\$900K)
- Local Roads and Community Infrastructure Program (\$1.4M)

5. Reserve Funded Adjustments

The following major adjustments are within internally or externally restricted funds, and consequently have nil impact on Council's overall position:

S.7.11 Reserves

- Pitt Town - increase reserve - Fernadell Park – use of grant funds first, \$4.2M
- Pitt Town - decrease reserve - adjusted in line with interest projection, \$131K
- Vineyard - increase reserve – timing of detailed design Menin & Chapman Roads, \$1.9M
- Vineyard - increase reserve – timing of traffic signals Boundary, Brockleback Roads, \$430K
- Vineyard - increase reserve – timing of Stormwater Basin 1, \$2.9M
- Vineyard - increase reserve – timing of Roundabout Commercial & Harkness Roads, \$270K
- Vineyard - increase reserve – timing of Boundary Road incl intersection, \$900K

Vineyard Low Cost Loan Initiative

- Decrease reserve - acquisition of land for Road Network Vineyard, \$960K
- Increase reserve - timing of acquisition of Stormwater Drainage Network Vineyard, \$6.65M

Redbank Voluntary Planning Agreement Community Facilities Reserve

- Increase reserve - timing of North Richmond Community Precinct, \$953K

Section 64 Sewer Reserve

- Increase reserve - deferral of Nutrient Offset works, \$1.1M

Multi-Year Reserve

- Decrease reserve - install Electric Vehicle Chargers at the Administration Building, \$30K
- Increase reserve - timing of Colbee Park Plan of Management, \$438K
- Increase reserve - timing of Signage Program delivery, \$501K
- Increase reserve - timing of Greens Road construction – design only for 2023/2024, \$2.2M
- Increase reserve - timing of for East Kurrajong Rd (Coorang to Putty), \$225K
- Increase reserve - timing of Kurmond Shops Carpark – design only for 2023/2024, \$160K

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- Decrease reserve - accessibility upgrades at Administration Building, \$665K

Domestic Waste Management Reserve (total adjustments increase reserve by \$380K)

- Decrease reserve - adjust for increase in Plant Running Costs, \$101K
- Increase reserve - adjust for new Bulky Waste Kerbside Contract, \$541K

Waste Management Facility Reserve (total adjustments decrease reserve by \$2.3M)

- Decrease reserve - timing of Construction of Cell 6, \$1M
- Decrease reserve - removal of bulky waste, \$105K
- Decrease reserve - collection and disposal of bulky waste, \$120K
- Decrease reserve - Leachate System design and equipment, \$750K
- Decrease reserve - General Waste Processing Pilot, \$270K
- Increase reserve - adjust for savings in employee costs, \$267K

Sewer Reserve (total adjustments increase reserve by \$1.5M)

- Increase reserve - deferral of Nutrient Offset works, \$1M
- Increase reserve - timing of upgrade to Pump Station J, \$460K
- Increase reserve - timing of upgrade to Pump Station K, \$230K
- Increase reserve - adjusted in line with interest projection, \$124K
- Decrease reserve - reactive repair of broken pipeline at McGraths Hill Plant, \$200K

6. Staff Establishment

As reported to Council at its Ordinary Meeting 21 November 2023, Council's staffing numbers in terms of Full Time Equivalents (FTE) as at the 30 September 2023 was 358.6. There has been an decrease of 0.2 to 358.4 as at the 31 December 2023. The following position has been adjusted:

- 0.2 FTE decrease in Administration Support Officer (previously known as Council Committee Clerk)

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

COMMUNITY ENGAGEMENT

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

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CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Reliable Council

4.3 Build strong financial sustainability for now and future generations.

FINANCIAL IMPACT

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

Performance against Financial Sustainability Benchmarks

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

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

Financial Sustainability Ratio	Benchmark	Original Budget 23/24	Amended Budget 23/24 After Carry Overs and Sep QBRs	Amended Budget 23/24 After Dec QBRs
Operating Performance	>= 0	0.05	0.39	0.24
Own Source Revenue	> 60%	62.9%	33.3%	41.3%
Asset Renewal	> 100%	132.6%	671.7%	488.7%
Infrastructure Backlog	< 2%	2.1%	7.6%	10.0%
Asset Maintenance	> 100%	102.1%	151.4%	156.9%
Debt Service	0%-20%	4.3%	2.4%	2.9%

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

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

ATTACHMENTS

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

oooO END OF REPORT Oooo

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

4.4.2. CS – Proposed Road Closure Part of 111 and 112 Horans Lane, Grose Vale – (95496,159585)

Directorate: Corporate Services

PURPOSE OF THE REPORT

The purpose of this report is to obtain Council's endorsement to close a section of Council owned, unconstructed and unused public road located within 111 and 112 Horans Lane, Grose Vale.

EXECUTIVE SUMMARY

From 1 July 2018, changes to the Roads Act 1993 (the Act) mean that councils have the power to close council public roads. In August 2023, the owner of 112 Horans Lane, Grose Vale contacted Council to commence the road closure process of the Quarter Sessions Road that runs through the properties at 111 and 112 Horans Lane as they wish to purchase the land.

The unconstructed and unused public road is Council owned and Council is required to carry out the road closure process. Pursuant to Section 32E(2)(b) of the Roads Act, once the road is closed, its ownership will transfer to Council and Council will then complete the sale of the closed road and receive payment for the land.

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

RECOMMENDATION

That:

1. Council publicly exhibit and notify adjoining owners of the proposed road closure located within 111 and 112 Horans Lane, Grose Vale as shown in the location plan attached as Attachment 1, to this report.
 2. At the expiration of the public exhibition period outlined in Part 1, the following action be taken:
 - a) Should any submissions be received regarding the proposed road closure, a further report be submitted to Council, or
 - b) Should no submissions be received:
 - i. Council approve the road closure as shown in Attachment 1 to this report, being part of the closed portion of the road reserve located within 111 and 112 Horans Lane, Grose Vale.
 - ii. Authority be given for the Road Closure Plan, and any documentation in association with the matter to be executed under the Seal of Council.
-

ORDINARY MEETING

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BACKGROUND

In June 2023, correspondence was received from the owner of 112 Horans Lane, Grose Vale, requesting Council to close the Quarter Sessions Road that runs through the subject property. A small portion of the Quarter Sessions Road also runs through an adjoining owner's property on 111 Horans Lane, Grose Vale and they are aware of the road closure application and process. The reason for the road closure request is that in 2022, there was a development application lodged to subdivide the property which was rejected due to issues with the existing road reserve through the site.

The Road Closure Plan is attached as Attachment 1 to this report. The Road Closure Plan shows Lots 21 and 22, formally Quarter Sessions Road 6.095 wide. Proposed Lot 21 (part of 112 Horans Lane, Grose Vale) is approximately 4,400m² and proposed Lot 22 (part of 111 Horans Lane, Grose Vale) is approximately 116m². These areas are an approximate only, as mentioned on the Plan due to no physical formation and no dimensions being available.

Act 4 William IV No.11 Roads - Quarter Sessions Roads

Quarter Sessions roads were created by decisions of the Court of Quarter Sessions under the provisions of Act 4 William IV No.11 1883. These provisions were continued in the Public Roads Act 1897 and Public Roads Act 1902. Provision for the opening of a Quarter Sessions road ceased on 18 October 1968. The Roads Act 1993 provides that any road that was a Quarter Sessions road immediately before 1 July 1993 is now dedicated as a public road. When closed, these roads do not vest in the adjoining owner. A road opened or made under Act 4 William IV No.11 and closed after 18 October 1968 vests in the appropriate road authority, either the Crown for Crown roads, or the local council for public roads pursuant to Section 145(3) of the Roads Act 1993.

Correspondence received from the Department of Planning and Environment on 13 September 2023 indicated that the road status investigation revealed it was not a Crown road.

Road Closure Process

On 1 July 2018, legislative changes were introduced that require councils to close council roads. The Department of Planning and Environment no longer has the authority to determine Council road applications.

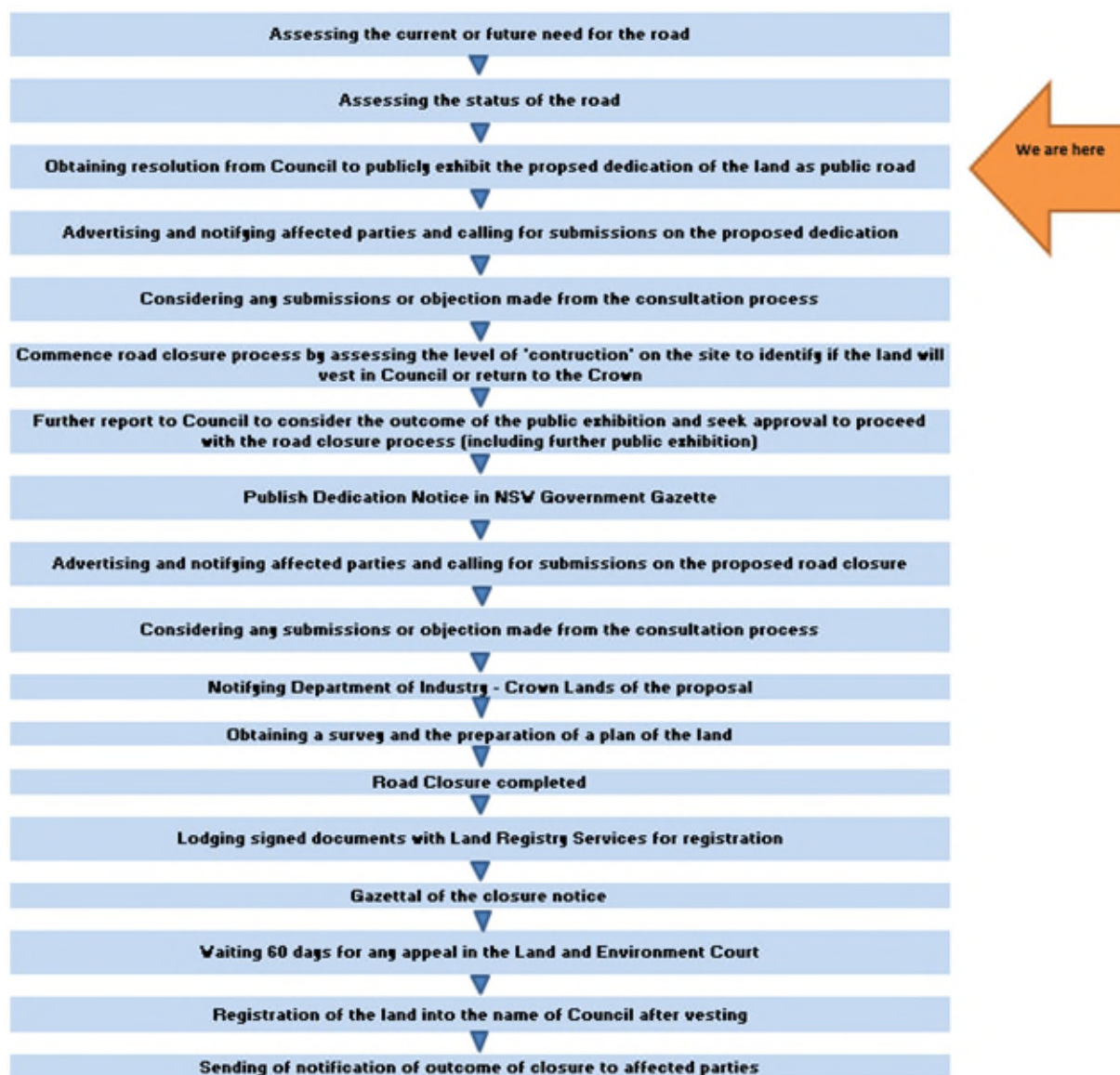
Section 38A of the Roads Act 1993 provides that a council may propose the closure of a council public road for which it is the roads authority if:

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

The road closure satisfies all of the above requirements.

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The procedure for the closing of a road involves:



Construction

The road is unformed and unconstructed. The subject portion of public road does not contain any utility services. The road has not been used as a public road and Council has not undertaken maintenance and repairs to the road.

NSW Crown Lands have confirmed that the road will be vested in Council after closure. After the road closure plan is registered, Council will complete the sale and receive any compensation payable for the purchase of the closed portion of the road.

To progress the matter further, a resolution of Council is required to proceed with the road closure. Once Council endorses the proposed road closure, consultation will be carried out in accordance with the Act which includes inviting submissions from neighbouring owners, the public and prescribed authorities. If any submissions are received, the matter will be reported back to Council for further consideration.

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If no submissions are made, the road closure plan will be registered by NSW Land Registry Services, allowing Council to then sell the closed portion of road to adjoining owners. The sale would be the subject of a future Council report.

DISCUSSION

On 7 September 2022, DA0317/22 was lodged for a subdivision of 112 Horans Lane, Grose Vale, however, it was rejected at lodgement due to issues with an existing road reserve through the site. Due to this, the land owner of 112 Horans Lane, Grose Vale has requested Council close and have removed all reference of this unmade road on their title so that they may submit a new development application.

Discussions have been held with the owner of 111 Horans Lane, Grose Vale, who has expressed an interest in purchasing proposed Lot 22.

If Council were not to proceed with the closure and sale of the closed road and transfer process, the land would remain in Council's name with a notation on title that the land is road reserve. The land would remain in Council's ownership with ongoing maintenance within the adjoining road reserve.

If Council agrees to the proposed closure and transfer, the result would be ownership being transferred to the adjoining owners and they would then be responsible for any maintenance. The owner of 112 Horans Lane would also be able to proceed with resubmitting their development application for a subdivision.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. The community engagement process proposed in this report meets the criteria for the minimum level of community engagement required under Council's policy.

Section 38B of the Roads Act 1993 requires consultation to be carried out in order for Council to close a council public road. The consultation must notify the public of the proposal and call for submissions. In accordance with the Act, the following will be contacted:

- Public notification on Your Hawkesbury Your Say
- Direct mailing to adjoining land owners
- Notification to prescribed authorities
- Notification to Department of Crown Lands

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

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

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FINANCIAL IMPACT

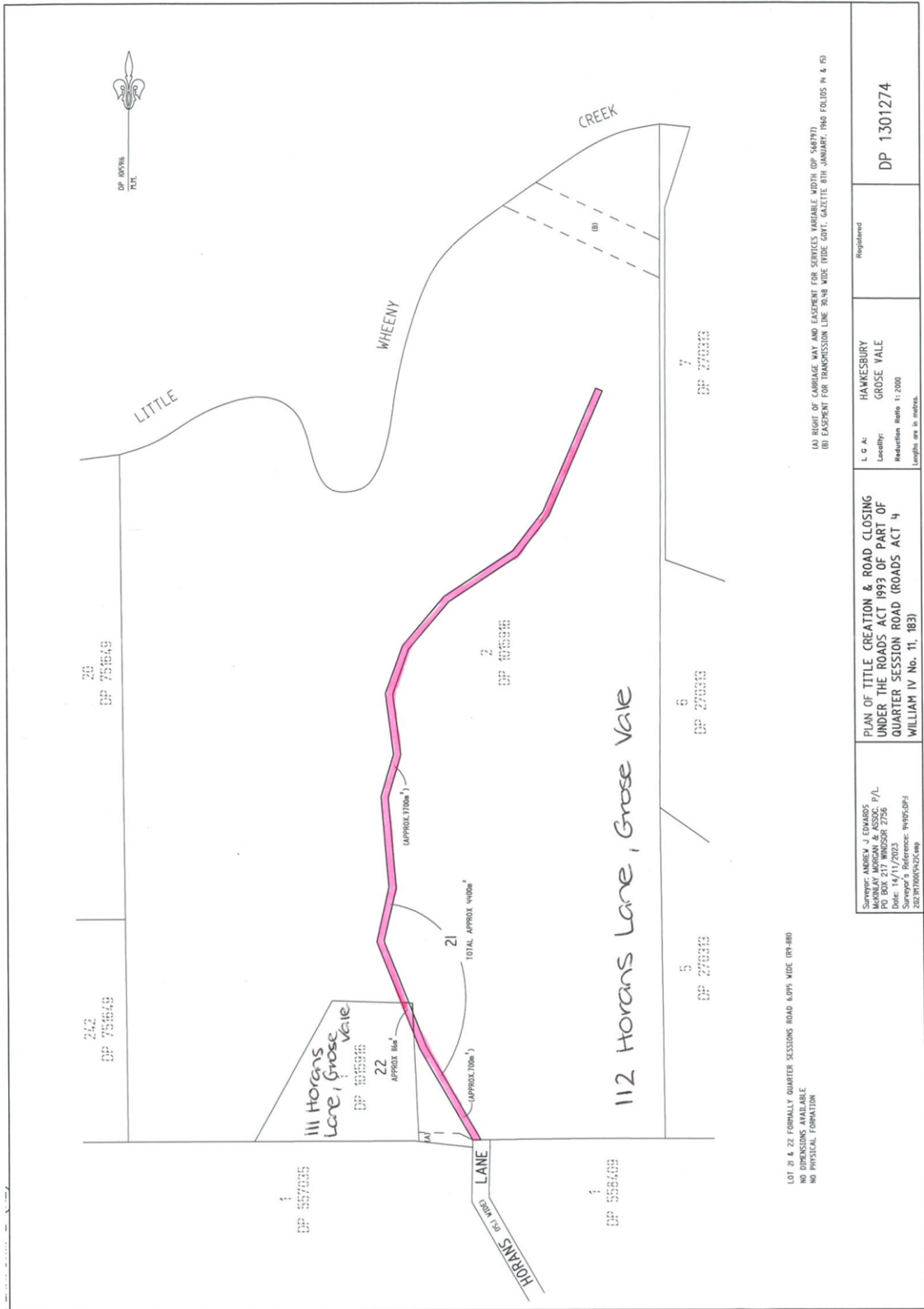
The matters raised in this report do not have direct financial implications. The expenditure applicable in regard to this matter will be borne by the applicant.

ATTACHMENTS

AT - 1 Road Closure Plan

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Attachment 1 - Road Closure Plan



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4.5. INFRASTRUCTURE SERVICES

4.5.1. IS - Restoration of Thomas James Bridge, Settlers Road, Wisemans Ferry - (95495)

Directorate: Infrastructure Service

PURPOSE OF THE REPORT

The purpose of this report is to:

- Provide a detailed update on progress of the restoration of the convict-build Thomas James Bridge and the stabilisation and repair of Settlers Road, Wisemans Ferry,
- To highlight to Council and the community the innovative and collaborative approach taken to the restoration to prioritise the recovery and restoration of normality of our community, and
- To seek Council's determination on the variation of contract T00157 - *Remedial Works at Thomas James Bridge*.

EXECUTIVE SUMMARY

Settlers Road, Wisemans Ferry, including the Thomas James Bridge, are assets jointly owned by Hawkesbury City Council (Council) and Central Coast Council (CCC), owing to the fact the boundary between the two Local Government Areas is the centre of the road.

Both the Bridge and Settlers Road were catastrophically damaged during the flood events of 2022 but Council implemented various management options to retain a degree of access for the MacDonald Valley Community, including full-time traffic control, a 5t weight limit on the Bridge and closure regime triggered by rainfall volumes. Through this strategy, Council has been able to largely maintain a degree of regular and reliable access for light vehicles since those disasters.

In approaching the restoration of these two assets, and that the community which would experience the greatest impact from the restoration was Council's, Council approached CCC with a proposal that it would lead the restoration of both the Thomas James Bridge (the Bridge Works) and Settlers Road landslip (Landslip Works), with CCC providing input through a collaborative working group and funding for the Landslip Works via the Disaster Recovery Funding Arrangements. In due course both Councils executed a Memorandum of Understanding in March 2023 to give effect to this proposal; for Council to drive forward the restoration works in support of its community's recovery and prioritising the restoration of normality.

The restoration of the Bridge and its abutments promised to have significant impacts on the MacDonald Valley Community, owing to the constrained site, the extent of the damage and the underlying instability of the area generally. Notwithstanding, Council approached the procurement of the restoration contract through an open tender, pursuant to Section 55 of the Local Government Act, and in such a way as to invite tenderers to submit with their tender how they could respond to the challenge of maintaining access during the reconstruction period. In due course, and following Council's normal procurement practices, Delaney Civil (Delaney) were awarded the contract, T00157 under the delegation of the General Manager.

The tender submitted by Delaney offered to maintain access around the construction site, for the duration of the reconstruction period, subject to two conditions being met:

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1. The costs of the activities associated with temporary access were deemed eligible under the DRFA, and
2. The contract was varied to provide for early works to clear a portion of the landslide, which was to be funded under DRFA via CCC.

Subsequently these two conditions were met, including CCC securing DRFA funding, and work commenced in September 2023 on the early works component of the Landslip Works, followed by the Bridge Works in December.

During this period, Council, CCC and TfNSW had jointly overseen the final design for the landslip remediation and reconstruction solution and this was completed in December 2023, with funding under DRFA also approved to complete these works.

Despite the Bridge Works and Landslip Works being two separate projects, their proximity lead to significant inter-dependencies and subsequent contractual, cost and time risks for both projects. For example, if the projects were to be treated as two separate project and a second contractor were to be awarded the Landslip Works, that contractor would have effective control of the only access to the Bridge Works, and having the potential to give effect to the frustration of the Bridge Works, which would have significant implications for Council financially and reputationally. On the other hand, there are also significant opportunities by way of the relationships already built by Delaney with and their support of the local community, which may go unrealised if the contract weren't varied and a second contractor were to deliver the Landslip Works.

With this final funding now approved, to mitigate the risks and realise the opportunities present, Council has sought a further variation, pursuant to the requirements of the contract, from Delaney Civil, to complete the landslip remediation and reconstruction works. The detail of this variation is included in Confidential Attachment 1.

Given the values of the initial contract and subsequent variations, both Councils have undertaken value-for-money assessments throughout the project life to-date, obtaining independent assessment of rates and productivity. Furthermore, as uncertainties over aspects of the project, such as quantities of landslip debris requiring removal, have been confirmed, Council has been successful in renegotiating the contract rates, in some instances reducing these by 25% on the tendered rate. The design proposal upon which the variation is based has been reviewed and endorsed by the consulting design engineers and the variation itself has been assessed by an independent quantity surveyor and both councils. Further negotiations were undertaken and a revised lump sum variation was submitted by Delaney Civil in mid-January 2024 which has been assessed as providing value-for-money.

It is now recommended, for the reasons outlined in this report and consistent with Confidential Attachment 1, that Council accepts Delaney's variation.

RECOMMENDATION

That Council:

1. Receive and note the report on the Restoration of the Thomas James Bridge, Settlers Road, Wisemans Ferry.
2. Accept the variation by Delaney Civil Pty Ltd to contract T00157 - *Remedial Works at Thomas James Bridge* for the purpose of undertaking the restoration of the Settlers Road Landslip, as outlined in Confidential Attachment 1 to this report.

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BACKGROUND

Hawkesbury City Council (Council) and Central Coast Council (CCC) share a common boundary being the centre of Settlers Road, between the northern most ramp of the eastern ramps of Wisemans Ferry and the intersection of Settlers Road and Old Great Northern Road, Lower Macdonald, including the Thomas James Bridge.

The Bridge and segment of Settlers Road east of the Bridge were catastrophically damaged in the March and July 2022 natural disaster events, with significant collapse of the sandstone retaining walls on the approaches to the Bridge and the collapse of the natural slope above and to the north of Settlers Road. Since that time, Settlers Road has had various measures implemented, constraining its operation but preserving the asset to permit light vehicles to use the road and Bridge under weight limits and traffic control.

The events which caused the damage were declared natural disasters (March 2022 - AGRN1012 and July 2022 - AGRN 1025) and the damaged assets, for the purposes of the Disaster Recovery Funding Arrangements, are essential public assets and thus their restoration and/or reconstruction are eligible for funding under the DRFA.

Both Councils have been working together, along with Transport for NSW and various consulting specialists on the restoration works and these works commenced in September 2023.

Location Plan



Relevant Legislation

- Local Government Act 1993

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DISCUSSION

Project Update

The project has been progressing for approximately three months, commencing in mid-September 2023 and shutting down for a short period over the Christmas-New Year break.

To date, the early works on both the Bridge Works and Landslip Works have been completed and a temporary access road, including stabilisation works, have been completed to facilitate access by the public throughout the project. Importantly, it has been possible to achieve unrestricted access in respect of vehicle masses, however length restrictions remain.

Bridge Works

The design for the reconstruction of the Bridge includes the construction of a new reinforced concrete retaining wall, faced with the existing sandstone blocks and replacement bridge elements. To facilitate this design solution, the sandstone retaining walls must be deconstructed and the fill material excavated and disposed, prior to the construction of the new retaining wall and importation and placement of structural fill.

Progress to date includes:

- Excavation and batter/escarpment stabilisation for the temporary road;
- Construction of the temporary road;
- The removal of the bridge superstructure and decking has been completed;
- Deconstruction and cataloguing of the convict-built sandstone works is well progressed on the eastern abutment with over half the block courses removed, catalogued and transported for off-site storage;
- Excavation of failed colluvial (fill) material on the eastern abutment; and
- Electricity distribution poles have been relocated

The works are forecast to continue for the remainder of this year, with the current program having practical completion being achieved in January 2025.

Throughout the works, Council has complied with the various approvals, particularly the requirements to have a suitably qualified and experienced archaeological excavation specialist on-site during all works.

Landslip Works

At the commencement of the early Landslip Works, the final design had not yet been confirmed, however common to all options was the need to make the site safe for workers and the public and the removal of the colluvial (debris and unconsolidated landslide material) which had collapsed onto Settlers Road, reducing its width by two thirds. The final design has now been confirmed, with a final batter profile of 3.5 to 1 batter on the upper extent of the landslip slope.

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Progress to date includes:

- Scaling and grubbing of the various slope faces;
- The breakup, under geotechnical direction, of large rock boulders on the upper slope and removal of at-risk material;
- Removal and disposal of approximately 14,800m³ of colluvium

It is expected that the remaining works will take a further six months and will, subject to the endorsement of Council, recommence in February 2024.

Contractual Matters

The Bridge Works and Landslip Works are two discrete projects, but with strong interdependencies; progress and activities of each have a high likelihood of impacting the other.

The contract associated with the remediation of Thomas James Bridge was awarded to Delaney Civil following an open tender undertaken by HCC, which was conducted in accordance with the requirements for tendering under Section 55 of the Local Government Act.

Through the tender process, each tenderer was required to develop solutions for and demonstrate to what extent general traffic could be accommodated through the site during the reconstruction of the Bridge. Ultimately, through the usual tender evaluation methodology, Delaney Civil were the successful tenderer. Importantly, the tender included provisional items for colluvium clearing works, anticipating that some early works on the Landslide may be required.

In their tender bid, Delaney Civil demonstrated the greatest value-add for the community, being a continuation of the present, at that time, traffic control arrangements allowing for contra-flow movements 24/7 for the duration of the construction. This was, however, dependent on achieving a sufficient amount of clearing of colluvial material from the Settlers Road slip site and a determination of the costs associated with this being deemed eligible under the DRFA, by Transport for NSW.

Due to the fact that both the bridge and landslip site were within close proximity of each other and needed to be undertaken somewhat in parallel or closely coordinated/stages, it was determined that the best approach would be to increase the Delaney Civil scope of works via variation to their contract to include these early clearing works, provided that a review was undertaken to determine that the rates proposed presented value-for-money; a task which was undertaken and ultimately determined to be the case that the proposal did offer value-for-money. Further details of this process are outlined in Confidential Attachment 1.

As well as the unit rates having been determined as being reasonable, the following additional factors were considered in arriving at this conclusion:

- Limiting contractor movements to one principal contractor - mitigating WHS risk and risk associated with possible third-party delays (i.e. two separate contractors could potentially delay each other, resulting in compensable implications for each contractor) resulting in costs which would not be eligible under the DRFA and for which both councils would be liable.
- Reduction in traffic control requirements - Should the work have been divided, and two separate contractors appointed, it was expected that traffic control costs would have increased by between 50%-100%, a potential increase cost of \$250k over the life of the project(s).
- In the event works were divided and staggered, this would increase the duration to resolve natural disaster impacts, lengthening the timeframe the community is impacted, increasing

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overall safety risk exposure in addition to the added risk should another natural disaster event occur prior to the restoration works being completed.

- Public Safety Assurance – having a single principal contractor in control of all works along of Settlers Road enables greater care and control of site conditions and traffic control ensuring works are undertaken in a coordinated approach and vehicle movements appropriately controlled.

Accordingly, the Contract T00157 was varied to include the early Landslip Works and this work was completed at the end of November, enabling the Bridge Works to proceed, as planned, without further constricting traffic flow.

Throughout December and early January, the final design for the Landslip Works was completed and endorsed by Transport for NSW and both Councils. For the reasons stated above, Delaney Civil was again requested to provide pricing for a variation to complete the Landslip Works and Council has now received a lump sum variation. The details of this are contained within Confidential Attachment 1.

Further value-for-money assessment has been undertaken by both Councils, with an independent quantity surveyor engaged to review and assess the reasonableness of the rates. Additionally the rates have been compared with the already assessed rates which had been subject to their own assessment including comparison to panel contract rates.

Significantly, for Council, the fact the variation is a lump sum sees much of the financial risk transfer to Delaney Civil, which, of all the parties, are best placed to understand these risks, given they are predominantly driven by uncertainty of material quantities and daily productivity. This is a significant advantage for Council.

Given that the independent assessment of the variation has determined it to be reasonable, and for the reasons outlined relating to WHS risk, financial risk, traffic control costs, time considerations and public safety assurance, it is recommended that Council accepts Delaney Civil's proposed variation to T00157 - *Remedial Works at Thomas James Bridge*, for the completion of the Landslip Works.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which require community consultation under Council's Community Engagement Policy. Community consultation has been a hallmark of this project, with Council establishing a Community Advisory Group to oversee the development of the community engagement plan and provide direct input into various decisions relating to access, timing of works, etc. Consisting of the Mayor, Council staff and representatives of the Community, this Advisory Group has been a success, given the feedback from the Community members of the Group and general feedback from the Community.

With the project now underway, the activities of the Advisory Group have wound down, however it still remains in place should the need arise to engage further with the community in response to any unforeseen events.

Additionally, Council has hosted a number of online and in-person community information sessions throughout the project with attendances at each of between 20 and 80 and circulates a weekly update to a distribution list of approximately 300 recipients.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.1 Enable a shared responsibility for community resilience, community safety and disaster management.
- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.
- 1.6 Build on a sense of community and wellbeing.

Protected Environment and Valued History

- 2.1 Value, protect and enhance our historic built environment as well as our relationship to Aboriginal and non-Aboriginal history.

Strong Economy

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

Reliable Council

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

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. Detailed cost estimates are contained in Confidential Attachment 1, however as an indicator of the value of the works (that is the works under contract plus traffic control, design, supervision and project management costs) for the Bridge Works and Landslip Works combined is \$33 million, provided for through the Disaster Recovery Funding Arrangements and, should Council elect to proceed, the Adopted 2023/2024 Operational Plan will be amended as part of the next Quarterly Budget Review.

ATTACHMENTS

AT - 1 Confidential - T00157 Remediation Works at Thomas James Bridge, Variation Evaluation - Settlers Road Landslip Works (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

4.5.2. IS – Proposed Site for the Hawkesbury Fire Control Centre – (95495)

Directorate: Infrastructure Service

PURPOSE OF THE REPORT

The purpose of this report is to seek Council's endorsement of the new proposed site for the Hawkesbury Fire Control Centre and to proceed with the design, approvals and acquisition of land for the project.

EXECUTIVE SUMMARY

Council had previously endorsed a site, 295 Sackville Road, Wilberforce, for the construction of a new Fire Control Centre for the Hawkesbury District. Following detailed investigations, this site was determined to no longer be suitable due to the ecological impacts the development would have on critically endangered fauna, flora and plant communities.

With that site no longer being suitable, Council and NSW Rural Fire Service (NSW RFS) staff identified and analysed a number of alternative sites from Council's Land Register, each being discounted due to constraints and site characteristics which were incompatible with the proposed development.

With all of Council's existing landholdings being unsuitable, officers from Council and NSW RFS returned to a previously identified site, 6 McKinnons Road, Wilberforce, adjacent to the Hawkesbury SES Headquarters.

This site had previously been considered in a site feasibility study undertaken by NSW Public Works, but had been discounted owing to:

- The need to acquire land and the understanding at that time that the former site at 295 Sackville Road, Wilberforce was suitable without any need for acquisition arising,
- The distance from the site to the Hawkesbury RFS District Air Operations, which currently operates at Woodlands Reserve, and
- Concerns raised at the time that co-locating RFS with SES may impact on car parking and access.

Council Officers met with representatives from the Hawkesbury RFS District and Greater Sydney Area Command to discuss, in particular, the proximity to the Air Operations and the co-location of the two agencies. The advice from the NSW RFS was that these were not considered to be significant constraints, and in the case of co-location, was consistent with the NSW Government's Policy.

Following this confirmation, the NSW RFS reviewed the previously completed feasibility study and confirmed that the site at 6 McKinnons Road, Wilberforce was suitable and further, that the RFS was supportive of the site performing as an emergency services precinct.

As the land is privately owned, an acquisition process will be required to be followed. Council Officers have undertaken initial discussions with the owners of the land and, subject to Council resolving to endorse this site, will formally commence the acquisition process.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

RECOMMENDATION

That Council:

1. Receive and note the report on the proposed site for the Hawkesbury Fire Control Centre;
2. Endorse 6 McKinnons Road, Wilberforce as the site for a new Emergency Services Precinct, incorporating the new Hawkesbury Fire Control Centre;
3. Commence the acquisition, in whole or part, of 6 McKinnons Road, Wilberforce for the purpose of developing the new Emergency Services Precinct, including the Hawkesbury Fire Control Centre; and
4. Delegate authority to the General Manager to negotiate with the property owner of 6 McKinnons Road, Wilberforce, the acquisition of either the whole or part of 6 McKinnons Road, Wilberforce, with a further report to be brought to a future Council meeting on the outcomes of those negotiations.

BACKGROUND

Pursuant to Section 37(3) of the Rural Fires Act, Council is responsible for the provision of facilities, that is a Fire Control Centre (FCC), to enable the Fire Control Officer of a rural fire district to exercise their functions. The current FCC, located at 8 Macquarie Road, Wilberforce, no longer serves as a fit-for-purpose centre to adequately support the Fire Control Officer and their staff in exercising the functions so prescribed in the Rural Fires Act. This has been readily acknowledged and indeed was the basis of a recommendation (Recommendation 61) of the NSW Government's inquiry into the 2019/2020 Black Summer Bushfires relating to FCC's. Council has previously committed to the development of a new, fit-for-purpose FCC and emergency services precinct and maintains this commitment for the benefit of its community and volunteer emergency services personnel.

The initial site selection for the FCC was informed by a Site Feasibility Study undertaken by NSW Public Works in 2021, which considered two sites - 295 Sackville Road, Wilberforce and 6 McKinnons Road, Wilberforce (immediately to the north of Hawkesbury SES) - and concluded that both sites were feasible, but owing to a number of factors including the need to acquire land, relative proximities to the Hawkesbury Air Operations at Woodlands Reserve and concerns over co-locating RFS and SES, the Woodlands Reserve site was the preferred option, under the condition that planning approval could be obtained under Part 5 of the Environmental Planning and Assessment Act 1977 (EP&A Act). Council and NSW Rural Fire Service (RFS) progressed the various investigations and development of the FCC design, until it became apparent that the FCC development would require development approval pursuant to Part 4 of the EP&A Act, that is a development application, and that owing to this, the clearing of native vegetation would trigger the requirements of the Biodiversity Offset Scheme. In due course ecological studies determined that the proposed development on the Woodlands Reserve site would constitute "serious and irreversible impacts" on a threatened species and/or ecological community and for this reason, the site was dismissed.

Further investigations have since been undertaken on various sites (detailed below) and the McKinnons Road site has been selected, with the agreement of RFS, as, subject to endorsement by Council, the new site for the Hawkesbury FCC and an emergency services precinct.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

Relevant Legislation

- Local Government Act, 1993
- Environmental Planning and Assessment Act, 1997
- Rural Fires Act, 1997
- Land Acquisition (Just Terms Compensation) Act, 1991

DISCUSSION

Site Considerations

Council has previously considered two reports relating to this item:

- At its Ordinary Meeting of 10 December 2019, Council considered and resolved, inter alia, to *"Initiate formal discussions with the State Government and its various emergency agencies to explore the possibility of establishing a purpose built facility to service the needs of the emergency agencies..."*, and
- At its Ordinary Meeting of 23 November 2021, Council considered and resolved, inter alia, to *"Endorse the site of the new Fire Control Centre at the Woodlands Reserve location off Sackville Road at 295, Sackville Road, Wilberforce (Ironbark Drive, opposite Woodlands Oval)"*

Following the elimination of the site at 295 Sackville Road, Wilberforce, Council and RFS considered a number of other sites from Council's land register, including the northern end of the same site, known as the Woodlands Park Pony Club, however dismissed each in turn due to constraints and site characteristics which were incompatible with the proposed development of the FCC. Site assessments of varying degrees of diligence were undertaken on:

- 295 Sackville Road, Wilberforce (North) - Woodlands Park Pony Club
- Woodlands Park, 245 Sackville Road, Wilberforce
- 277 Putty Road, Wilberforce - Truck Stop
- 743 Putty Road, East Kurrajong - former landfill site

With these sites each being dismissed, it was determined that Council did not have any suitable landholding within its existing land register for the new FCC and that to fulfill its obligations under the Rural Fires Act, would have to acquire land for the purpose.

Underlying this, as mentioned above, Council has previously considered and adopted a position of co-locating emergency services agencies for the purpose of delivering better whole-of-community outcomes through jointly owned/shared facilities, utilities and services, maintaining emergency services agencies in close proximity to support better and faster decision making during emergencies and the creation of redundancies within the Local Emergency Management Committee context - alternative and flexible Emergency Operations Centres for natural and man-made disasters.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

Furthermore, the NSW Government Inquiry into the 2019/2020 Bushfires concluded the same and recommended that:

Recommendation 61

That, in order to improve cross-agency communication and coordination during bush fires, the NSW RFS review Fire Control Centres (FCCs) in areas that were heavily affected by fire. The results should be combined with the Emergency Operations Centre (EOC) Facilities Review to identify areas that would benefit from a purpose-built FCC, enabling co-location with the EOC.

To further substantiate the case for the establishment of an emergency services precinct, following the various flood events of 2022, the Local Emergency Management Committee identified a need for alternative accommodation for Fire & Rescue NSW (FRNSW) and Ambulance NSW (ANSW) during floods of a magnitude that result in the bridges across the Hawkesbury River to be closed. While a temporary arrangement has been made for these two agencies to co-locate in a local church, it remains to be seen whether this will be suitable in the longer term and for all-hazards.

The proposed site, 6 McKinnons Road, Wilberforce, has already been subjected to due diligence investigations through the 2021 work undertaken by NSW Public Works. As previously mentioned, the site was determined to be feasible and it was only the presence of some operational constraints and the need to acquire the land which promoted the Woodlands Reserve site ahead of it.

Council has met with officers from NSW RFS (both the Hawkesbury Rural Fire District and Greater Sydney Area Command) to discuss these two matters, particularly the earlier expressed concerns with respect to operational constraints, and as a product of these meetings the RFS has confirmed that:

- In general, it is the NSW Government's intent to support the co-location of emergency services agencies,
- The distance between the McKinnons Road site and the Hawkesbury Air Operations Base, is not a significant barrier and can be managed adequately by RFS, and
- Through effective design and consultation with both agencies (RFS and SES), concerns over congestion and absence of car parking can be overcome

Accordingly, and following a review of the initial site feasibility study, NSW RFS provided their support for the McKinnon's Road site in December 2023.

Additionally, Council has met with officers from NSW SES to discuss the intent of developing the site adjoining the Hawkesbury SES as an emergency services precinct incorporating the FCC. The Hawkesbury SES have been supportive of this initiative.

Planning Considerations

The advice contained within the site feasibility study undertaken by Public Works in 2021, had outlined a planning approval pathway under the then State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP), however in doing so, did not conclude whether that approval could be determined with or without consent, the answer to this question revolving on interpretation. Subsequently Council formed the view that the development of the FCC on the Woodlands Reserve site would require consent.

Subsequently the Infrastructure SEPP has been repealed and replaced with the State Environmental Planning Policy (Transport and Infrastructure) 2021 (SEPPTI). In respect of this matter however, there has been no material legislative change with the assent of the SEPPTI.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

Division 6 of Chapter 2 of the SEPPTI deals with, inter alia, emergency services facilities and specifically cl2.52 allows for:

Development for the purpose of an emergency services facility may be carried out by or on behalf of a public authority (other than the NSW Rural Fire Service) without consent in a prescribed zone.

The Hawkesbury Local Environmental Plan 2012 identifies the zoning for 6 McKinnons Road, Wilberforce as RU1 Primary Production, which, for the purposes of cl2.52 of the SEPPTI is a prescribed zone, and an "emergency services facility" is defined by cl2.49 to mean:

a building or place (including a helipad) used in connection with the provision of services by an emergency services organisation, including a police station and related training facilities.

The key change between the former site at Woodlands Reserve and the proposed site at 6 McKinnons Road, is the intention to develop a broader emergency services precinct, as opposed to the standalone development of the FCC which was the case at the Woodlands Reserve site. This change means that the underlying development of the precinct is, subject to further legal advice, considered to be permitted without consent pursuant to cl2.52 of the SEPPTI.

Acquisition Considerations

As the site at 6 McKinnons Road, Wilberforce is in private ownership, and subject to Council endorsing this site, Council must acquire the land, either in whole or part, and thus undertake an acquisition process pursuant to the Land Acquisition (Just Terms Compensation) Act 1991. This process has commenced and will be subject to a further report to Council. The expenditure related to this will have an unbudgeted financial impact, the details of which are outlined in Confidential Attachment 1.

COMMUNITY ENGAGEMENT

While the issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy, there is significant public interest in the progress of this development. Accordingly, Council will produce regular communications for the general public's benefit and information, while the RFS will provide more detailed project information to its members on a regular basis.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.1 Enable a shared responsibility for community resilience, community safety and disaster management.
- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.
- 1.5 Provide the right places and spaces to serve our community.

Reliable Council

- 4.1 Provide representative, responsive and accountable governance.
- 4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

FINANCIAL IMPACT

The matters raised in this report have direct financial implications as the purchase of the land is not provided for in the Adopted 2023/2024 Operational Plan. The expenditure related to this will have an unbudgeted financial impact, the details of which are outlined in Confidential Attachment 1.

ATTACHMENTS

AT - 1 Hawkesbury Fire Control Centre – Acquisition Costs - *(Distributed under separate cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

4.5.3. IS – Quarter 2 – 2023/2024 Capital Projects Report – (95495)

Previous Item: 4.5.2, Ordinary (21 November 2023)

Directorate: Infrastructure Services

PURPOSE OF THE REPORT

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

Capital projects included in this report for 2023/2024 financial year period are managed through the Infrastructure Recovery (Flood Recovery Team), Project Delivery and Western Sydney Infrastructure Grants Program (formerly WestInvest) teams.

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

EXECUTIVE SUMMARY

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

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

This report also considers the future of the sealing of Packer Road, Blaxlands Ridge, with the project now forecast, based on a market response, to exceed a total project cost of \$4.7 million.

RECOMMENDATION

That Council:

1. Receive and note the Quarter 2 - 2023/2024 Capital Projects Report,
 2. Note the tender evaluation for T00163 Packer Road Sealing, Blaxlands Ridge as outlined in Confidential Attachment 1 to this report,
 3. Does not enter into a contract for the delivery of the Packer Road Sealing, and
 4. Identifies feasible road safety treatment alternatives for Packer Road, Blaxlands Ridge, through the 2024/2025 Capital Works Program
-

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

BACKGROUND

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

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

This is the second quarterly Capital Projects Report compiled, providing Council a quarterly update on the major Capital projects.

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

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

In recent years, and particularly with the increased level of grant funding, this value has increased substantially, however the majority of our projects, by number, remain relatively small, lack the complexity and impact of those larger projects funded by the Western Sydney Infrastructure Grants and similar programs and accordingly are of relatively low interest to the broader community.

DISCUSSION

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

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

A full financial on the Capital Works Program is included in this Business Paper as part of the Quarter 2 Quarterly Budget Review Statement.

PROJECT DELIVERY

Capital Works Program Status Summary

Council's Capital Works Program has progressed well in Quarter 2 with several completed design and construction projects. In addition, Council have completed design projects for the 2024/2025 Capital year in advance, which will go some considerable way in addressing what has been a historical delay point in the capital delivery pipeline.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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Council continues to see inflated construction costs as we progress through the 2023/2024 financial year which is resulting in either reduced scope of delivery, or the deferral of projects not yet progressed to procurement and the ongoing review of the capital program with updated market rates, particularly for our road assets.

Buildings

Building Capital projects included in the 2023/2024 financial year program of works are in various phases including planning, design, procurement and delivery which consists of minor and major asset renewal and upgrades.

In the reporting period, Council has completed the following projects:

- Stage 1 Administration Building Upgrade – Refurbishment and services upgrade
- Administration (three) Switch Board Upgrades (Mechanical and Main Switchboards)
- Hawkesbury Leisure and Learning Centre Car Park Upgrade
- Freemans Reach Amenities
- Wilberforce Outdoor Seating Upgrade
- Johnson Wing Compliance Upgrade

Several projects are currently being designed for planned delivery in this financial year as well as in the next financial year.

The following projects are currently in construction phase:

- St Albans School of Arts
- Maraylya Hall Refurbishment
- Animal Shelter Upgrades
- Other miscellaneous building upgrades.

Status update of Council's key strategic building projects is provided below.

Hawkesbury Fire Control Centre

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

The project has progressed with a new site having been identified, at 6 McKinnons Road, Wilberforce, as part of a broader emergency services precinct. This is the subject of a more detailed report contained within this Business Paper.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

Wilberforce Rural Fire Brigade Station

Planning work for the relocation of the Wilberforce Brigade Station to the Council's Wilberforce Depot site has continued and is being undertaken by NSW Public Works. The location, within the site, for the Station has been adjusted to minimise construction costs, with the new location being at the western end of the site, adjacent to Putty Road. This has resulted in delays to the project. It was forecast that the final design of the new Station would be finalised in the December Quarter, however this was not achieved by the consulting designers and is expected to be delivered in the next quarter.

Open Space

Open Space capital projects included in the 2023/2024 financial year program of works are mainly going through design phase with few projects being constructed.

Recently completed projects include:

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

Notable projects in design stage include:

- Macquarie Park Upgrade
- Freemans Reach Playground
- Peel Park, North Richmond and Colonial Reserve, Bligh Park Pump tracks
- Deerubbin Park New Amenities
- Yarramundi Reserve Upgrade
- Wilberforce Playground

The following projects are currently in Construction:

- Cattai Creek Track and Access Driveway
- Pound Paddock Shelter Improvements, North Richmond
- Soccer Field Lighting, Bensons Lane
- South Windsor Netball Courts surface renewal

Community and Local Infrastructure Repair Program (CLIRP) and OLG

Council has commenced the design of the following projects under this grant program:

- Argyle Bailey Memorial Reserve
- Howe Park Bank Stabilisation (2)
- Rickaby's Creek Pedestrian Bridge Repair
- Churchills Wharf Reserve

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

- Governor Phillip Park (2) Embankment Stabilisation.

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

Roads - Transport

Roads and Transport projects includes renewal and upgrade of Council's road pavement, footpath, drainage, kerb and gutter and miscellaneous civil works.

Recently completed projects include:

- Install intersection island, Oakville Road, Oakville
- Roundabout, George and Brabyn Streets, Windsor
- East Kurrajong Road, East Kurrajong
- James Meehan Street, Windsor
- St Albans Road-Flex Barrier and VMS, St Albans
- Various Locations Kerb and Gutter across LGA
- Macquarie and Day Street Intersection, Windsor
- Rehabilitate Old Stock Road, Oakville
- Slopes Road, North Richmond
- Drainage - Upper Macdonald Rd, Lower Macdonald
- Comleroy Road, Kurrajong
- Peel Parade, Kurrajong
- Spinks Road, Glossodia
- Hereford Street and School-Concrete Invert Drain
- Crooked Lane, North Richmond

The following projects are currently in Construction:

- Crooked Lane, North Richmond
- Kurmond Road, Kurmond
- Grose Vale Road, Kurrajong
- Dickson Lane, South Windsor
- Scheyville Road, Maraylya
- Grose Vale Road, North Richmond

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

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- Ian Street, Glossodia - Upgrade drainage system
- Maddens Road, North Richmond
- Windsor Street, Windsor
- Railway Road South, Mulgrave
- Grose Vale Road, Kurrajong
- Mitchell Street, Glossodia
- Blaxlands Ridge Road, Kurrajong
- Mayne Street, Wilberforce

Sealing of Packer Road, Blaxlands Ridge

Council had previously committed to the sealing of the full length of Packer Road, Blaxlands Ridge, through the development of the Special Rate Variation in 2016/2017. This project had been intended to be completed in 2020/2021, however was delayed by a number of factors including the successive natural disasters and the Covid pandemic, as well as extended timelines for investigation and design to ensure that the upgraded road remains within the road reserve and meets road design standards.

Council increased the budget available for the project from \$2.3 to \$3.8 million in 2023/2024 on the basis of a pre-tender estimate of the final design. Council invited tenders, receiving nine conforming tenders. A detailed tender evaluation is included at Confidential Attachment 1.

On the basis of the market response, the total project budget is now estimated as \$4.8 million, including approvals, project management and contract costs. The increased cost of these works warrants a review of the decision to proceed with this project, given that Council is facing an ongoing backlog in renewing existing road assets which are in a poor condition or approaching the end of their useful life. And while this is the subject of more detailed work in the development of Council's Asset Management Strategy, it is clear on the current data, that there is insufficient funding available to address this backlog which will have consequences in respect of increasing maintenance demand and a lowering of service levels. To proceed with the sealing of Packer Road would compound this, applying funds to the upgrading of an asset, when existing assets are already in a poor condition, requiring renewal, as outlined in previous briefings to Councillors.

Should Council resolve to remove the sealing of Packer Road, the following four road renewal projects would be able to remain in the Program (and vice versa, if Packer Road were to be retained, these renewal projects would not be delivered):

- Walker Street, South Windsor
- Dowling Place, South Windsor
- Pecks Road, North Richmond and
- East Kurrajong Road, East Kurrajong

This is a difficult decision, however the reality is that on the current funding, Council must determine whether to expand its road asset base or review the underlying viability of projects, particularly those road projects which result in the upgrading of the network. Should Council resolve to not proceed with the sealing of Packer Road, more feasible alternative road safety treatments would be identified and assessed through the 2024/2025 Capital Works Program.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

Hawkesbury Waste Management Facility

Cell 6 Waste Facility Separable Portion 1, the construction of Cell 6, has been completed and Separable portion 2, design and construct leachate and recycling water pipelines has commenced. The project is expected to be completed by June 2024.

Stormwater

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

Projects in design:

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

WESTERN SYDNEY INFRASTRUCTURE GRANTS

Program Status Summary

The Western Sydney Infrastructure Grants Program (formerly WestInvest) for Hawkesbury City Council comprises 10 projects, all of which have received approval and execution of deeds from the Program Office.

Council has established a dedicated project team to deliver the program of works. The project team has been assembled and necessary governance framework including the provision of working group, project control group, program control committee and executive steering committee have been established. Projects are now, largely, in planning and design phase.

Table 1 below provides current financial snapshot of the program. As the majority of the projects are either in planning or in design phase, forecast expenditure is relative less compared to the program value.

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4. REPORTS FOR DETERMINATION
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Table 1 –Western Sydney Infrastructure Grant Program Financial Summary

Projects	Project Lifecycle Budget	Total Actuals YTD FY23/24	Total Forecast FY23/24
Woodbury Reserve Upgrade	\$9,316,136	\$134,342	\$749,342
Fernadell Park Recreation Facilities	\$9,870,794	\$328,416	\$781,416
Cycleway over Rickaby's Creek	\$4,695,810	\$8,081	\$208,081
Kurrajong-Kurmond Cycleway	\$5,219,367	\$47,591	\$365,591
Oasis Aquatic and Fitness Centre Improvements	\$6,716,000	\$8,943	\$272,943
Richmond Swimming Pool Upgrade	\$30,319,853	\$10,332	\$110,332
Tamplin Field Redevelopment	\$9,795,000	\$24,527	\$540,527
North Richmond Community Precinct Upgrade	\$26,770,000	\$16,700	\$116,700
Getting around and Discovering the Hawkesbury- Wayfinding	\$2,445,400	\$67,050	\$196,050
Turnbull Oval Upgrade	\$8,545,000	\$5,711	\$491,711
Westinvest General	-	\$37,037	\$337,037
Grand Total	\$113,693,360	\$688,730	\$4,169,730

Project Status Summary

North Richmond Community Precinct

North Richmond Community Precinct project is one of the significant projects for Council which is highest in the value. Council have engaged specialist project management firm to project manage this project on behalf of Council.

A design brief is being prepared to engage a Principal Design Consultant. Council have also commenced additional investigations into options available to increase the long-term viability of the operation of the facility.

Oasis Aquatic and Fitness Centre

Site investigations for the various components of the site improvement works has started. Council has also engaged an architect to prepare concept plans for the upgrade.

Richmond Swimming Pool Redevelopment

Council is currently undertaking site investigation works. Because of the specialist nature of the project, Council is also gathering lesson learnt information from other Councils who have delivered similar projects in recent time. This will assist council to devise appropriate procurement and delivery strategy.

ORDINARY MEETING

4. REPORTS FOR DETERMINATION

Meeting Date: 13 February 2024

Fernadell Park and Community Centre, Pitt Town

Council has progressed the landscape design of the project to 80%. Concept design of the Community Centre is near completion.

Consultation of stakeholders has been undertaken as per Council's stakeholder engagement plan. Council intends to undertake public exhibition of the concept plan of Community Centre once it is finalised.

Tamplin Field Redevelopment

Council is currently undertaking site investigation works. Concept plan is also being developed by landscape architects and sporting facility experts.

Stakeholder consultation is being carried out with facility users and Hawkesbury Sports Council a per Council's stakeholder engagement plan.

Turnbull Oval

Council is currently undertaking site investigation works. Concept plan is also being developed by landscape architects and sporting facility experts.

Stakeholder consultation is being carried out with facility users and Hawkesbury Sports Council a per Council's stakeholder engagement plan.

Woodbury Reserve Upgrade

Construction of the BMX Pump Track has started. Construction of Mountain Bike Trails is to commence soon.

The concept plan for the precinct works, utilising the recently adopted Masterplan is being finalised. Procurement of the design and construction of the skate park will be initiated once the concept plan for the entire precinct is finalised.

Wayfinding Signage Stage 3

Site investigation and signage audit for 11 Town Centres and 23 LGA Entry Gate sign locations have been completed and the design is being finalised.

Cycleway Bridge over Rickaby's Creek

Site investigation and concept design are progressing.

Kurrajong to Kurmond Cycleway

Site investigation and concept design are progressing.

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

The minutes from the 22 November 2023 Executive Steering Committee meeting are attached to this report.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

INFRASTRUCTURE RECOVERY

Program Status Summary

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

To date, 52 projects with a total value of \$51M have been completed. A total \$135M of funding has been approved for sealed roads and landslip repairs with \$41M still to be approved by Transport for NSW.

Table 2 - Infrastructure Recovery FY2023/24 Financial Summary

Estimated Program Lifecycle Budget	Full Year Budget FY2023/24	Total Actuals YTD FY2023/24	Total Forecast FY2023/24
\$135,000,000	\$73,191,469	\$35,900,626	\$67,184,464

Thomas James Bridge

The restoration of Thomas James Bridge and the adjoining landslip on Settlers Road are subject to a separate report in this Business Paper.

Cornwallis Restoration

Infrastructure NSW has advised that it has secured the State Government portion of funding for flood repairs at Cornwallis, including the repair of the flood mitigation system and the replacement of the missing section of Cornwallis Road.

Following the development of an initial design for the reinstatement of Cornwallis Road and the Bakers Lagoon drain, NSW Public Works has been working closely with adjoining landholders to facilitate a design which sees the reinstatement of the privately owned river bank, including completing further geotechnical investigations and proof of concept for construction methodology. With this work largely complete, Council is working with the NSW Government to develop an appropriate approach to procurement of the works and the management of the contract, given the potential for significant financial risks.

It is expected that over the coming Quarter, Council, NSW Public Works and the NSW Reconstruction Authority will finalise this approach to contracting and move into the procurement stage.

COMMUNITY ENGAGEMENT

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

Each project and/or program is subject to its own community consultation or community engagement process in line with Council's Community Engagement Policy.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 13 February 2024

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

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

Great Place to Live

- 1.1 Enable a shared responsibility for community resilience, community safety and disaster management.
- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.

Protected Environment and Valued History

- 2.1 Value, protect and enhance our historic built environment as well as our relationship to Aboriginal and non-Aboriginal history.
- 2.2 Value, protect and enhance our natural land-based environment with an emphasis on using local resources and key partnerships.

Strong Economy

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

Reliable Council

- 4.1 Provide representative, responsive and accountable governance.
- 4.2 Encourage an informed community.
- 4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ATTACHMENTS

- AT - 1** Detailed Status Report Major Capital Projects (*Distributed under separate cover*).
- AT - 2** Minutes of Executive Steering Committee Meetings (*Distributed under separate cover*).
- AT - 3** Confidential Tender T00163 Director Report - Packer Road Upgrade (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING

5. REPORTS OF COMMITTEES

Meeting Date: 13 February 2024

5. REPORTS OF COMMITTEES

Nil reports.

ORDINARY MEETING
6. NOTICES OF MOTION
Meeting Date: 13 February 2024

6. NOTICES OF MOTION

6.1.1. NM1 - Disaster and Emergency Management Committee

Submitted by: Councillor Lyons-Buckett

NOTICE OF MOTION

That:

1. Council hold a meeting of the Disaster and Emergency Management Committee in March 2024.
2. A report be prepared for that meeting containing the following :
 - a) Status of outstanding resolutions from previous meetings including:
 - Update on the Pitt Town Evacuation Route
 - Update on riverbank stabilisation matters
 - Update on the Molino Stewart study of drainage schemes that operate on the floodplain between Agnes Banks and Wilberforce
 - Progress on the review of the Hawkesbury Flood Study.
3. At that meeting, provide an update on the progress of the Floodplain Management Sub-Committee and minutes of meetings held to date, specifically outlining:
 - An update of the progress of the MacDonald Valley Flood Study
 - A summary of how the sub-committee has facilitated broader community consultation and participation in Floodplain Risk Management initiatives through informing and liaising with member community groups.
4. Provide a list of prioritised works related to disaster and emergency management which have been put forward or are intended to be put forward for grant funding opportunities.

ORDINARY MEETING

6. NOTICES OF MOTION

Meeting Date: 13 February 2024

NOTE BY MANAGEMENT

It is intended that a Disaster and Emergency Management Committee meeting be held following the Floodplain Management Committee meeting which is scheduled for 21 February 2024. The meeting agenda for the Floodplain Management Committee Meeting is as follows:

- Item 3.1.1 – Review of the Hawkesbury Floodplain Risk Management Study and Plan – assessment of preferred management options (presentation from WMA Water)
- Item 3.1.2 – McDonalds Valley, Colo River, Webbs Creek, Green Creek Flood Risk Management Study and Plan – Draft Flood Study (Presentation from Rhelm)
- Item 3.1.3 – Flood Risk Management Projects Updates and Project Program

In accordance with this Notice of Motion, the proposed meeting agenda for this Disaster and Emergency Management Committee would include an update from the Floodplain Risk Management Committee in addition to the following items:-

- Update on the Pitt Town Evacuation Route;
- Update on riverbank stabilisation matters, and;
- Update on the Molino Stewart Study of drainage schemes that operate on the floodplain between Agnes Banks and Wilberforce.

ATTACHMENTS

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

6. NOTICES OF MOTION

Meeting Date: 13 February 2024

6.1.2. NM2 - Companion Animals

Submitted by: Councillor Wheeler

NOTICE OF MOTION

That Council:

1. By March 2024, enters into a Memorandum of Understanding (MOU) with Animal Welfare League (AWL) Hawkesbury to provide \$5,000 interim funding to support AWL's existing desexing, microchipping and registration program. The MOU is to include a time limit, geographical constraint (Hawkesbury LGA only) and socio-economic thresholds (eg healthcare holder, pensioner). This MOU will enable increased desexing prior to the 2024/2025 financial year and allow Council to assess if it is more effective and feasible to support AWL's program or begin its own.
2. Receive a briefing on the operating procedures at the Companion Animal Shelter, including measures in place to reduce hoarding, on-selling and adoption by people previously found guilty of animal welfare abuses.
3. Receive a briefing on the Community Cat Program Trial, with the view to considering participation in this or a similar scientific trial, including how Council could work with local rescues, veterinarians and other parties, and tolerance for a Trap, Neuter, Return program in the LGA.

BACKGROUND

Subsidised desexing and microchipping

The Hawkesbury LGA is currently in the middle of a cat crisis, with rescue organisations and foster carers overwhelmed by kitten numbers, strays and dumping of cats and kittens, some in awful circumstances. There are also issues with dog and puppy numbers, especially "staffy" breeds and crosses. Animal Welfare League runs a highly successful subsidised desexing and microchipping program in the Hawkesbury and Penrith LGAs for healthcare card holders and other low income households. Penrith City Council provides \$5,000 funding per annum for this program. To date, Hawkesbury City Council has not contributed. The remaining funding is raised through volunteer fundraising. The program aims to desex, microchip and register 1,000 cats by 30 June 2024. By January, more than 800 animals had already been spayed, chipped and registered under the program. Hawkesbury Council lags behind microchipping and registration rates, with the Your Council website stating that only 28.2% of animals are microchipped and registered, compared to 46.9% in other LGAs within our grouping.¹

Companion Animal Shelter Operations

Council is one of few LGAs operating its own animal shelter, at considerable cost. An extensive review was conducted in the previous term of Council and operational improvements were made. Council is now in a position to receive further information about processes at the shelter, including those that affect animal welfare outcomes, and should be kept apprised of further improvements and policy updates required, funding needed, and possible programs that could improve animal welfare improvements.

ORDINARY MEETING
6. NOTICES OF MOTION
Meeting Date: 13 February 2024

Community Cat Programs

Research shows that Council pounds, rescue groups and animal welfare shelters took in 179,615 cats and kittens in 2018/2019. Of these animals, 5% were reclaimed by owners, 65% rehomed and 28% killed. Council-operated pounds killed 46% of all cats and kittens admitted.²

Domestic cats can be categorised into three main groups:

- Owned or pet cats (cared for by a specific person or people)
- Semi-owned or community/colony cats (cared for by people but not residing at a particular property)
- Unowned or stray cats (indirectly depending on humans but with no-one directly feeding them, including abandoned cats).

Most cats entering shelters are semi-owned or colony cats. The people who feed them do not consider themselves to be owners.³ Desexing programs generally deal with pet cats and can be extremely effective if free or heavily subsidised desexing is provided for those with limited resources.³ However, they do not address those cats who are “semi-owned”, ie those cats who do not live with one specific person, may roam, and are fed by more than one household. These cats commonly live in colonies, with female cats capable of producing up to four litters of kittens each year. Health outcomes vary, with high levels of inbreeding, disease and injury in some colonies. Current programs run by animal welfare organisations may use “trap, neuter, return” (TNR) systems, while Council is more likely to hold animals for adoption, release them to rescue organisations or euthanise if it is determined that the animal cannot be rehomed. Socialising colony and stray cats can take many months and may not be successful. Councils are being asked to consider TNR as an alternative, but valid concerns about the impacts of cats on wildlife, as well as calls for cat containment and nuisance cat complaints, make TNR a contentious position. Council needs further information from cat and ecology experts to properly consider this program. It may be possible to include an ecology study, as has been done at some sites.

The Australian Pet Welfare Foundation has been running the Australian Community Cat Program which uses TNR since 2019. Their 2023 findings include:

- Targeted desexing programs are critical
- Animal Management Officers increase effectiveness and efficiency
- Community engagement and cat ambassadors can rapidly increase the scale of the program
- 7,500 kittens were not born in QLD due to the program, and euthanasia decreased by 57-85%.⁴

Further information about Trap, Neuter, Return can be found here: <https://kb.rspca.org.au/wp-content/uploads/2019/01/Cats-Trap-Neuter-Release-%E2%80%93-RSPCA-Research-Report-March-2011.pdf>. It is not the intention of this Motion to advocate for TNR, merely to call for Councillors to discuss participating in a trial.

1. <https://www.yourcouncil.nsw.gov.au/council-data/hawkesbury/2021/services/> accessed 06FEB2024

2. Chia et al, *Animals*2023, 13(11), 1771

3. <https://theconversation.com/australian-shelters-and-pounds-kill-50-000-mostly-healthy-cats-and-kittens-in-a-year-theres-a-way-to-prevent-this-pointless-killing-201947> accessed 06FEB2024

ORDINARY MEETING
6. NOTICES OF MOTION
Meeting Date: 13 February 2024

4. Rand J, Australian Community Cat Program Mid-year Report Sep 2023

ATTACHMENTS

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

7. QUESTIONS FOR NEXT MEETING

Meeting Date: 13 February 2024

7. QUESTIONS FOR NEXT MEETING

Nil reports.

ORDINARY MEETING
8. CONFIDENTIAL REPORTS
Meeting Date: 13 February 2024

8. CONFIDENTIAL REPORTS

8.1. GENERAL MANAGER

Nil reports.

8.2. CITY PLANNING

Nil reports.

8.3. CORPORATE SERVICES

Nil reports.

ORDINARY MEETING

8. CONFIDENTIAL REPORTS

Meeting Date: 13 February 2024

8.4. INFRASTRUCTURE SERVICES

Attachment 1 to Item 4.5.1. - T00157 Remediation Works at Thomas James Bridge, Variation Evaluation - Settlers Road Landslip Works

REASON FOR CONFIDENTIALITY

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

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(d) of the Act as it relates to details concerning commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

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

Attachment 1 to Item 4.5.2. – Hawkesbury Fire Control Centre – Acquisition Costs

REASON FOR CONFIDENTIALITY

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

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

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

ORDINARY MEETING
8. CONFIDENTIAL REPORTS
Meeting Date: 13 February 2024

Attachment 3 to Item 4.5.3. - Tender T00163 Report - Packer Road Upgrade

REASON FOR CONFIDENTIALITY

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Specifically, the matter is to be dealt with pursuant to Section 10A(2)(d) of the Act as it relates to details concerning commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

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



Ordinary Meeting

End of Business Paper

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