



Hawkesbury City Council

extraordinary
meeting
business
paper

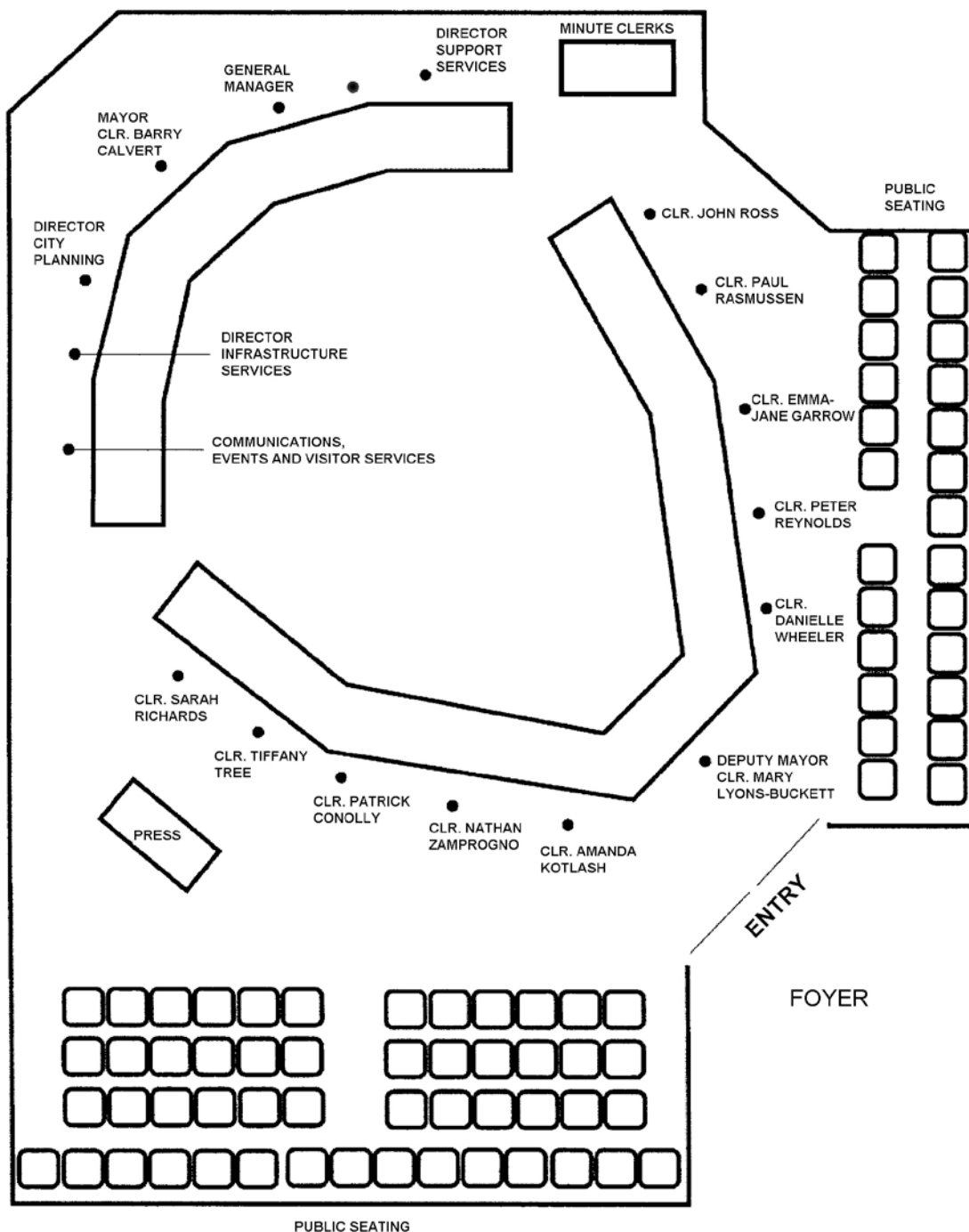
date of meeting: 18 February 2020
location: council chambers
time: 6:30 p.m.



mission statement

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

Hawkesbury City Council



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EXTRAORDINARY MEETING

Procedural Matters

Meeting Date: 18 February 2020

PROCEDURAL MATTERS

Welcome

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

The General Manager will address the Council meeting, mentioning:

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

Attendance

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

Apologies and Leave of Absence

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

Declaration of Interest

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

Acknowledgement of Official Visitors to the Council

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

EXTRAORDINARY MEETING

Procedural Matters

Meeting Date: 18 February 2020

ordinary

section 1

confirmation of minutes

EXTRAORDINARY MEETING
SECTION 1 - Confirmation of Minutes
Meeting Date: 18 February 2020

SECTION 1 - Confirmation of Minutes



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 10 December 2019

location: council chambers

time: 6:30 p.m.

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ORDINARY MEETING

Minutes: 10 December 2019

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 10 December 2019, commencing at 6:34pm.

Welcome

The Mayor, Councillor Barry Calvert acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

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

ATTENDANCE

PRESENT: Councillor Barry Calvert, Mayor, Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Emma-Jane Garrow, Amanda Kotlash, Paul Rasmussen, Peter Reynolds, Sarah Richards, John Ross, Tiffany Tree, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Strategic Planning Manager - Andrew Kearns, Manager Communications, Chief Financial Officer - Emma Galea, Events and Visitor Services - Suzanne Stuart, Manager Corporate Services and Risk - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor Conolly.

280 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Lyons-Buckett that the apology be accepted and that leave of absence from the meeting be granted.

Councillor Tree left the meeting at 9:57pm.

DECLARATIONS OF INTEREST

Councillor Lyons-Buckett declared interests on Items 227 and 236.

Councillor Rasmussen declared an interest on Item 230.

Councillor Richards declared interests on Items 229, 230 and 236.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

ORDINARY MEETING

Minutes: 10 December 2019

SECTION 1 - Confirmation of Minutes

281 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Lyons-Buckett that the Minutes of the Ordinary Meeting held on the 26 November 2019, be confirmed.

ORDINARY MEETING

Minutes: 10 December 2019

SECTION 2 – Mayoral Minutes

SUPPLEMENTARY REPORT

Item: 244 **MM - Rural Fire Service Control Centre - (80093)**

Mr Michael Scholz addressed Council, speaking for the recommendation.

MOTION:

RESOLVED on the motion of the Mayor, Councillor Calvert.

Refer to RESOLUTION

282 RESOLUTION:

RESOLVED on the motion of the Mayor, Councillor Calvert.

That Council:

1. 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. This Centre should:-
 - Be easily scaled up at times of emergency
 - Also include some consideration of the co-location of the various emergency services and allow for common parking, training facilities and administrative areas, including common technology and communications systems, thereby achieving economies of scale and efficiencies going forward
 - Facilitate ongoing co-operation between Council and the various emergency services.
2. Formally request staff to identify potential sites and initiate discussions with the relevant parties.
3. Fast track the relocation of Wilberforce Rural Fire Service facility to a new location, ideally within the next twelve months.
4. Thank Emergency Services staff and volunteers for their service during this time of crisis.

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

Against the Motion: Nil.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 10 December 2019

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 227 **CP - Update on General Amendments to Hawkesbury Local Environment Plan 2012 Planning Proposal - (95498, 124414)**

Previous Item: 41, Ordinary (31 March 2015)

Directorate: City Planning

Councillor Lyons-Buckett declared a pecuniary interest in this matter as a relative owns a business within the tourism sector which is the subject of potential change of permissible use within the zoning as part of the Local Environmental Plan amendments. She left the Chamber and did not take part in voting or discussion on the matter.

Mr William Sneddon addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

283 RESOLUTION:

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

That this matter be deferred to the first Council Meeting in 2020.

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

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

Against the Motion: Nil.

Absent: Councillors Conolly and Lyons-Buckett.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 228 **CP - Proposed Exhibition of Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Cattai Catchment Area - (95498, 124414)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

284 RESOLUTION:

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

That:

1. The Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Contribution Area 4 attached as Attachment 1 to the report, be publically exhibited in accordance with Council's Community Participation Plan.
2. Following the exhibition of the Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Contribution Area 4, a further report be prepared for Council's consideration of any submissions. In the event that no public submissions are received, the Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Contribution Area 4 will take effect at the expiration of the exhibition period.

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

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

Against the Motion: Councillor Ross.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 229 CP - Redbank Voluntary Planning Agreement Child Care Milestones - (79351, 112157)

Previous Item: 294, Ordinary (11 December 2018)
124, Ordinary (29 May 2018)
118, Ordinary (27 June 2017)
99, Ordinary (24 June 2014 - *deferred* 1 July 2014)
54, Ordinary (25 March 2014)
223, Ordinary (12 November 2013)

Directorate: City Planning

Councillor Richards declared a less than significant non-pecuniary conflict of interest in this matter as she lives in Redbank, but only rents there and no further action is required.

MOTION:

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

Refer to RESOLUTION

285 RESOLUTION:

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

That Council:

1. Note the traditional sequence of events for approving, constructing and operating a Child Care Centre
2. Agree to amend the relevant Voluntary Planning Agreement Milestones, in relation to the proposed Child Care Centre, as follows:

	Reference	Activity	Current Milestone	Proposed Amended Milestone
A.	Refer Schedule 2, Item 1.6b, Page 4 of 9, Milestone 1	Identify in both a DA and CC a portion of land to enable the full construction of a Child Care Centre.	601 st Urban Lot - Amended 27/6/17	No change - Milestone not reached
B.	Refer Schedule 2, Item 4.2, Page 9 of 9, Milestone 2	Assist and ensure a third party, being an approved child care operator, can construct and establish a Child Care Centre within the Redbank development	601 st Urban Lot	901st Urban Lot

3. Seek the agreement of the Developer and RMS as parties to the Redbank Voluntary Planning Agreement, to the amendment of the second milestone in relation to the proposed Child Care Centre.

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

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

Against the Motion: Councillor Ross.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 230 **CP - Redbank Voluntary Planning Agreement and Grose River Crossing - (95498, 79351)**

Previous Item: 294, Ordinary (11 December 2018)
 124, Ordinary (29 May 2018)
 118, Ordinary (27 June 2017)
 99, Ordinary (24 June 2014 - *deferred* 1 July 2014)
 54, Ordinary (25 March 2014)
 223, Ordinary (12 November 2013)

Directorate: City Planning

Councillor Rasmussen declared a pecuniary interest in this matter as he owns land affected by the proposed Grose River Crossing bridge. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Richards declared a less than significant non-pecuniary conflict of interest in this matter as she lives in Redbank, but only rents there and no further action is required.

MOTION:

A MOTION was moved by Councillor Tree, seconded by Councillor Zamprogno.

That:

1. The report be received and noted.
2. Council confirm its "In Principle" support for the proposed "Alternative Route" based on:
 - a) The fact that it does not involve any loss of public open space
 - b) The contribution it will make towards providing an alternative flood route for local residents
 - c) The offer of Roads and Maritime Services to acquire and fund land required for the alternative route.
3. Council staff work with the Developer and Roads and Maritime Services to draft a Memorandum of Understanding to confirm way forward, the key features of such a document to include:
 - a) Limiting Redbank's financial contribution to the cost of original "Navua" alignment (Grose River Road from Grose Vally Road to Springwood Road, via Navua Reserve) less expenditure (surveys, studies, plans, applications etc) to date
 - b) Finalising a new design, new costings, approval process, supporting documentation and revised timetable
 - c) Confirmation that Roads and Maritime Services will both acquire and fund the acquisition of land required for the revised crossing/alignment
 - d) Confirmation that Roads and Maritime Services will commence acquisition after July 2020.
4. Council staff initiate discussion with Roads and Maritime Services and other relevant State Agencies to establish a process for ensuring that the balance of the route between Grose Vale Road and Springwood is above the 1:100 flood level.
5. Council staff advise the community of the points outlined in points 1-4 above and confirm that subject to the execution of the Memorandum of Understanding Council will be working with the Developer and Roads and Maritime Services to:

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- a) Develop detailed documentation including plans, studies, and a Draft Amended Voluntary Planning Agreement
- b) Submit a relevant application and formally notify the local community, seeking community feedback
- c) Arrange for the “Independent” assessment and determination of the application and Draft Amended Voluntary Planning Agreement.

AMENDMENT:

An AMENDMENT was moved by Councillor Ross, seconded by Councillor Wheeler.

That this matter be deferred to the next Council Meeting.

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

For the Amendment: Councillors Calvert, Lyons-Buckett, Garrow, Reynolds, Ross and Wheeler.

Against the Amendment: Councillors Kotlash, Richards, Tree and Zamprogno.

Absent: Councillors Conolly and Rasmussen.

The amendment was carried.

MOTION:

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

Refer to RESOLUTION

286 RESOLUTION:

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

That this matter be deferred to the next Council Meeting.

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

For the Motion: Councillors Calvert, Garrow, Kotlash, Reynolds, Ross, Wheeler.

Against the Motion: Councillors Richards and Zamprogno.

Absent: Councillors Lyons-Buckett, Conolly, Rasmussen and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

GENERAL MANAGER

Item: 231 **GM - Nominations for the Local Government Representatives for the Local Land Services Board - (79351, 137929)**

Division: General Manager

MOTION:

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

Refer to RESOLUTION

287 RESOLUTION:

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

That the nomination of a number of representatives to the Local Land Services Board be considered.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

Council nominated Councillors Kotlash and Rasmussen as Council's representatives to the Local Land Services Board.

ORDINARY MEETING

Minutes: 10 December 2019

CITY PLANNING

Item: 232 CP- Draft Hawkesbury Local Strategic Planning Statement (LSPS) 2040 - Post Exhibition Report - (95498, 124414)

Previous Item: 170, Ordinary (24 September 2019)

Directorate: City Planning

Mr Leslie Sheather and Mr Andrew Thomas addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

288 RESOLUTION:

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

That Council:

1. Receive the report on the outcome of public exhibition of the Draft Hawkesbury Local Strategic Planning Statement 2040.
2. Endorse the proposed Actions to amend the Draft Hawkesbury Local Strategic Planning Statement as outlined in - Attachment 1 to this report.
3. Thank respondents for their valuable input received through their submissions.

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

Against the Motion: Councillors Richards and Tree.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 233 **CP - Draft Voluntary Planning Agreements Policy - (95498, 124414)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

289 RESOLUTION:

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

That Council approve the public exhibition of the draft Voluntary Planning Agreements Policy for a period of two months.

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

Against the Motion: Nil.

Absent: Councillors Conolly, Kotlash and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 234 **CP - Draft On-Site Sewage Management Policy - (95498, 96330)**

Previous Item: 31, Ordinary (11 March 2003)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

290 RESOLUTION:

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

That:

1. Council receive and note the report.
2. Council place the Draft On-Site Sewerage Management Policy on public exhibition for two months.
3. Following the public exhibition of the draft On-Site Sewerage Management Policy, a further report be prepared for Council's consideration.

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

Against the Motion: Councillor Ross.

Absent: Councillors Conolly and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

SUPPORT SERVICES

Item: 235 **SS - A New Risk Management and Internal Audit Framework for Local Councils in NSW - Discussion Paper - (95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

291 RESOLUTION:

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

That Council:

1. Receive and note the information provided within this report regarding the Discussion Paper on the New Risk Management and Internal Audit Framework for Local Councils in NSW.
2. Forward to the Office of Local Government, a submission on the Discussion Paper on the New Risk Management and Internal Audit Framework for Local Councils in NSW based on the comments in Attachment 1 to this report and summarised as follows:

The Office of Local Government is requested to:

- Note that it is debatable whether the proposed Audit, Risk and Improvement Committee should be involved in the remuneration of the Chief Audit Executive.
- Release the Model Terms of Reference for the proposed Audit, Risk and Improvement Committee, for comment.
- Give consideration to Councillors being part of the Audit, Risk and Improvement Committee.
- Note that the proposed requirement for the independent Committee members to be prequalified via the applicable NSW Government's Prequalification Scheme may exclude current Committee members from being eligible. It is suggested that existing Committee members are also prequalified.
- Review the exclusion of individuals that have worked in *any* Council in the last three years. It is suggested only individuals that have worked in the specific council are excluded.
- Note that the application of the NSW Government remuneration scheme fees and charges would place significant cost pressures on councils.
- Mandate a term of four years aligned with Council term.
- Review the proposed requirement for the Audit, Risk and Improvement Committee to be assessed by an external party at least once each Council term.
- Release the proposed Model Charter for endorsement by the Audit, Risk and Improvement Committee and adoption by Council.

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- Review the proposed timeframe of 10 working days applicable to remedial actions and responses to be submitted to the Audit committee, to be “the next available Audit Risk and Improvement Committee meeting”.
- Clarify whether the submission of Minute of the Audit, Risk and Improvement Committee to Council addresses the requirement to advise Council of progress regarding the implementation of corrective actions.
- Review the Audit, Risk and Improvement Committee being able to approve, as opposed to endorse, plans, scope of assignments and tools to be used by Internal Auditors.
- Review the inconsistent use of terminology when referencing the applicable Australian Standards and/ or the International Professional Practices Framework.
- Note that there is no community representation provided for in the Committee composition.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 236 **SS - 2019/2020 Community Sponsorship Program - Round 1 - (95496, 96328)**

Previous Item: 068, Ordinary (30 April 2019)

Division: **Support Services**

Councillor Lyons-Buckett declared significant non-pecuniary conflict of interest in this matter as she is the Chairperson of the Facilitative Committee Running the event connections In the Park, which is a mental Health Week initiative. She left the Chamber and did not take part in the voting or discussion on the matter.

Councillor Richards declared a significant non-pecuniary conflict of interest in this matter as she is on the Hawkesbury District Health Service Community Board of Advice and assists with fundraising for Hawkesbury Helping Hands as Director of Windsor RSL. She left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

292 RESOLUTION:

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

That Council:

1. Approve payments for Section 356 Financial Assistance to the organisations and individuals listed and at the level recommended in the tables in this report.
2. Approve the execution of Council's standard Sponsorship Agreement for applications 8, 9, 10, 12, 15, 16, 17 and 18.
3. Respond to applications 11 and 13 with advice that the applications were not successful in accordance with the Community Sponsorship Program assessment criteria.

For the Motion: Councillors Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Ross, Wheeler and Zamprogo.

Against the Motion: Nil.

Absent: Councillors Lyons-Buckett, Conolly, Richards and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 237 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

293 RESOLUTION:

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

That the Clause 4.21(a) Pecuniary Interest Return be received and noted.

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

Against the Motion: Nil.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 10 December 2019

SECTION 4 – Reports of Committees

Item: 238 **ROC - Heritage Advisory Committee - 31 October 2019 - (124414, 80242)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

294 RESOLUTION:

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

That:

1. The Minutes of the Heritage Advisory Committee held on 31 October 2019 be received and noted.
2. In relation to Item 1 of the Minutes, Council endorse the recommendation of the Heritage Advisory Committee, namely that:
 - a) Recommends that Council invite Jan Barkley Jack to replace Professor Ian Jack's position on the Heritage Advisory Committee.
 - b) Requests Council consider the allocation of funding in the 2020/2021 budget for the Hawkesbury Heritage Awards including an award named after Professor Ian Jack.
3. In relation to the item 3 of the Minutes, Council endorse the recommendation of the Heritage Advisory Committee, namely that:
 - a) The next item on the Local Heritage Assistance Fund short list, be funded due to 319 George Street, Windsor withdrawing from the project.
 - b) Council consider increasing their allocation to the Local Heritage Assistance Fund in the 2020/2021 financial year to \$30,000, and consider increasing this by a similar amount on an incremental basis each year.
4. In relation to the item 4 of the Minutes:
 - a) Council receive a separate report on the endorsement of the Draft Conservation Management Plan – "Hawkesbury City Council Cemeteries" and relevant draft Cemetery Handbooks completed by GML.
5. In relation to the item A. in General Business of the Minutes, Council endorse the recommendation of the Heritage Advisory Committee, namely that:
 - a) Council not recommend or support the monument in its current state as it is too grand for the site and inconsistent with the traits of the man being commemorated and recommend that the commemoration be in the form of a plaque placed in an appropriate place and that the commemoration is reflective of the sensitivities of the cemetery site, the characteristics of the cemetery and appropriately reflects the modesty and privacy of Private Whirlpool, displayed during his lifetime.

ORDINARY MEETING

Minutes: 10 December 2019

6. In relation to the item H. in General Business of the Minutes, that officers investigate the matter further and report back to the Heritage Advisory Committee with respect to the request that Council Officers flag any potential Development Applications received that involve a building over 50 years of age to be referred to Council's Heritage Advisor to determine whether a Heritage Assessment Report is required.
7. In relation to the Item I in Additional General Business of the Minutes, Council note the recommendation of the Heritage Advisory Committee, namely that:
 - a) The Heritage Advisory Committee in principle, object to the removal of any extra land from Thompson Square and recommend that Council makes a response to reject the application.

And that Officers consider the advice of the Heritage Advisory Committee in preparing a final submission.

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

Against the Motion: Councillors Richards and Zamprogno.

Absent: Councillors Conolly and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 239 **ROC - Audit Committee - 6 November 2019 - (95496, 91369, 79351)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

295 RESOLUTION:

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

That the minutes of the Audit Committee Meeting held on 6 November 2019 be received and noted.

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

Against the Motion: Councillor Ross.

Absent: Councillors Conolly and Tree.

Item: 240 **ROC - Human Services Advisory Committee 21 November 2019 - (1234869, 124414, 95498)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

296 RESOLUTION:

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

That the Minutes of the Human Services Advisory Committee Meeting held on 21 November 2019 be received and noted.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

SECTION 5 – Notices of Motion

Item: 241 **NM - Domestic Violence Action Plan and Domestic and Family Abuse Policy - (79351, 138882)**

MOTION:

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

Refer to RESOLUTION

297 RESOLUTION:

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

That Council:

1. Receive a report detailing progress of its Domestic Violence Action Plan, including identification of ongoing gaps in services and additional supports needed.
2. Receive a report outlining the likely costs of adopting a Domestic and Family Abuse Policy for Council staff that includes 10 days paid special leave, flexible working arrangement, safe disclosure pathways, confidentiality, and education and support.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

298 RESOLUTION:

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

That the meeting continue past 11pm to allow the Business Paper to be completed.

ORDINARY MEETING

Minutes: 10 December 2019

CONFIDENTIAL REPORTS

299 RESOLUTION:

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

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: 242 SS - Lease to Soul Based Pty Ltd - Shop 1a McGraths Hill Shopping Centre - (148194, 95496, 112106)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 243 SS - Insurance Claim 2-8 The Driftway, Londonderry - (112106, 95496)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to insurance claim and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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

The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with these confidential matters.

There was no response, therefore, the Press and the public left the Council Chambers.

300 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Lyons-Buckett that open meeting be resumed.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 242 **SS - Lease to Soul Based Pty Ltd - Shop 1a McGraths Hill Shopping Centre - (148194, 95496, 112106)**

Previous Item: 28, Ordinary (14 February 2017)

Directorate: Support Services

MOTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Garrow.

Refer to RESOLUTION

301 RESOLUTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Garrow.

That:

1. Council agree to enter into a lease with Soul Based Pty Ltd for the property known as Shop 1a, McGraths Hill Shopping Centre, as outlined in the report.
2. Authority be given for the Lease and any other relevant documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee, together with the advice that Council, is not and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such a resolution into effect has been agreed to and executed by all parties.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 243 **SS - Insurance Claim 2-8 The Driftway, Londonderry - (112106, 95496)**

Directorate: Support Services

MOTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Garrow.

Refer to RESOLUTION

302 RESOLUTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Garrow.

That Council:

1. Agree to accept the insurance funds from the fire at 2-8 The Driftway, Londonderry and rebuild at the property known as 14 Cabbage Tree Road, Grose Vale, known as Lot 2 in DP 703967.
2.
 - a) Lodge a Development Application for demolition of the existing structures located at 14 Cabbage Tree Road, Grose Vale.
 - b) Lodge a Development Application for a new dwelling, as set out in Option 1 and associated infrastructure at 14 Cabbage Tree Road, Grose Vale in association with the insurance claim funds received from 2-8 The Driftway, Londonderry.
3. Delegate authority to the General Manager to execute documentation in relation to the insurance claim and construction contract.
4. Authority is given for any documentation in association with this matter to be executed under the Seal of Council.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

The meeting terminated at 11:09pm.

Submitted to and confirmed at the Ordinary meeting held on 11 February 2020.

.....
Mayor

ordinary

section 2

mayoral minutes

EXTRAORDINARY MEETING
SECTION 2 – Mayoral Minute
Meeting Date: 18 February 2020

EXTRAORDINARY MEETING
SECTION 2 – Mayoral Minute
Meeting Date: 18 February 2020

SECTION 2 – Mayoral Minutes

Item: 001 **MM - Reflections and Learnings from our Recent Bushfire Tragedy - An Analysis of Council's Policies and Procedures - (80093, 79351)**

REPORT:

The last few months in the Hawkesbury have been extremely tragic. We lost 24 homes, numerous outbuildings, orchards, fences, farm equipment, roadside businesses, thousands of hectares of beautiful bushland and countless wildlife. The remarkable thing was the number of homes that were saved, and the fact that no lives were lost. I have been told that there were many near misses out there on the fire-ground.

The fact that we didn't lose more homes was not just a matter of good luck. It was a result of sheer hard work, bravery, good planning, strong leadership and excellent coordination on the part of the Rural Fire Service and all the other emergency services involved. We should all be very proud of their efforts and acknowledge their extraordinary achievements. There are so many people that we need to thank.

At the same time we must not forget that many of our residents may be affected by trauma because of the events of the past months and may be in need of personal support. NSW Health is putting its resources into this issue and I urge anyone who is suffering ongoing effects to contact Service NSW and they will direct you to how and where to receive support. Of course, whilst as a Council we are very concerned about the welfare of our residents, it is important to leave health matters to the experts. Council is therefore proposing to set aside funds to assist and support these services extending out into the community, connecting with our residents who will need support through these difficult times. Intervention by amateurs can actually do more harm than good.

Just over a year ago I suggested that we should go through all our policies and update them. One of our current documents is the Local Emergency Management Plan. When reviewed in the light of recent events, similar plans and the practices of other organisations, there are opportunities to improve our Local Emergency Management Plan and make it more useful when emergency situations arise. For example a range of safe locations could be identified in advance of both fire and flood events, thereby providing certainty for all people seeking refuge from any impending emergency situation. Having such arrangements in place will also assist in ensuring that all stakeholders – Council and State Government, know their responsibilities in working towards a common objective.

Likewise, the plan could be supported by a range of procedures to guide and assist all parties in its day to day implementation. For example, roles could be confirmed to assist in the collection and distribution of information to Councillors and the wider community. Such a review could also consider the merits of establishing an emergency response group within Council that could be actioned when an emergency arises. Blue Mountains City Council set up these arrangements after the 2013 fires. We need to consider following their example.

We also need to review the operation of our local Bushfire Management Coordination Committee. The committee comprises a number of state agencies plus representatives of the local RFS and Council. The primary purposes of this committee are to plan and prioritise hazard reduction works, seek grants and approvals for works and ensure coordination between combat agencies in their activities and planning, principally NPWS and RFS. We need to consider expanding the scope of this committee to include consideration of hazard reduction and emergency preparation in relation to private landholdings.

Therefore, I am proposing that our recently appointed Bushfire Recovery Coordinator could facilitate an internal review that includes updating our Local Emergency Plan so it that clearly defines the role and function of councillors and council staff and ensures that the response to future emergencies / natural disasters is better coordinated and better communicated. I know that my fellow councillors have amassed a great deal of information during this crisis and I invite them to contribute to this review process by joining the soon to be formed working group as part of the internal review.

EXTRAORDINARY MEETING
SECTION 2 – Mayoral Minute
Meeting Date: 18 February 2020

During the fires we attempted to establish a Mayoral Appeal so that people could directly donate to the fire effort and recovery, but we discovered that the process needed to go through the Australian Tax Office and would take up to six months to finalise. Like many, I assumed that this arrangement was already in place, but unfortunately it wasn't. We inherited a situation that tied our hands in terms of receiving and using donations and I am proposing that council now proceed to create a Mayoral Appeal mechanism that can be immediately activated by future councils.

As you know, Council facilitated a number of recovery meetings in St Albans, Bilpin and Colo Heights over the last few weeks. These meetings were all very well attended by locals and gave them the opportunity to talk to government and private services about the first steps to take for issues such as insurance and support payments etc. The resilience shown by the locals is remarkable but it is also obvious that there are many lingering problems and council is planning to assist wherever possible.

As announced late last year, Council is working to replace the existing Hawkesbury RFS Headquarters building. Discussions have taken place in the last few weeks. Staff are now working with stakeholders (Emergency Services and Volunteers) to confirm the site, design details and funding as soon as possible, with a view to the budget being confirmed and a Development Application being prepared by the third quarter 2020. A multifunction building with the potential to support Council, Police, Ambulance and/or other emergency groups during a crisis would be a great asset on the west side of the Hawkesbury River.

Council is also planning a thank you event within the next few months. This will provide the opportunity for our community to thank the RFS and all the people and groups who were involved in supporting the firefighters and protecting our homes and our lives. More details of this event will be available shortly.

RECOMMENDATION:

That Council:

1. Conduct an internal review of council's policies, plans and procedures for all disaster/emergency responses.
2. This review might include, but not be limited to, identifying potential grant funding to assist the review and creating a:
 - a) Working Group to assist in this review;
 - b) Disaster/Emergency Management Committee that may include the role of the current Local Bushfire Management Coordination Committee;
 - c) Comprehensive Disaster and Emergency Response Policy;
 - d) Disaster and Emergency Response Team; and
 - e) Developing a Mayoral Appeal mechanism that can be launched at short notice in the case of any future emergency.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF MAYORAL MINUTE Oooo

ordinary

section 3

reports
for determination

EXTRAORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 18 February 2020

EXTRAORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 18 February 2020

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 002 **CP - Proposed Modification of Existing Restriction - Restriction on Use of Land on Lot 121, DP 1067098 - 144 Mountain View Close, Kurrajong Hills - (95498)**

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of the report is to seek Council's endorsement to modify an existing covenant that restricts the location of the future dwelling and effluent disposal area on 144 Mountain View Close, Kurrajong Hills.

The proposed modification of the existing covenant involves the swapping of the location of the approved house site with the location of the approved effluent disposal area on the site.

EXECUTIVE SUMMARY:

Council has received a request to modify a restrictive covenant on the title of 144 Mountain View Close Kurrajong Hills which requires the dwelling and effluent disposal area to be located in particular locations on the site.

The covenant was registered over the lot because of a condition of consent imposed under development application MA1103/01 for a proposed two lots subdivision. The condition was based on the recommendations of a Geotechnical Investigation report, and a Flora Fauna Assessment report.

The proposed modification involves the swapping of the location of the approved house site for the location of the approved effluent disposal area. The modification is sought to facilitate consideration of (undetermined) DA0242/19 for construction of a dwelling on Lot 121 at the front part of the site along Mountain View Close.

The proposed modification to the restrictive covenant is supported by documentation and plans that argue the modification would not have any adverse impact on the existing environment while keeping the characteristics of the locality.

The applicant's justification is considered worthy of support and therefore for the reasons outlined in this report, Council officers support the modification to the covenant.

RECOMMENDATION SUMMARY:

That Council agree to modify the restrictive covenant on the title of Lot 121 in DP 1067098 at 144 Mountain View Close, Kurrajong Hills.

REPORT:

Detailed History, including previous Council decisions

Development Application MA1103/01 for a two lots Torrens title subdivision resulted in the creation of properties known as 144 Mountain View Close and 148 Mountain View Close in Kurrajong Hills.

EXTRAORDINARY MEETING
SECTION 3 – Reports for Determination
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The subdivision was approved by Council on 21 May 2002 and resulted in one of the lots having a building envelope nominated for a future dwelling house. An area was also nominated to establish future onsite effluent system.

Development Application MA1103/01 was supported by the following:

1. Flora and Fauna Assessment and Eight Part Test of Significance, prepared by Jason Anderson and Katarina Anderson, dated December 2000.
2. Geotechnical Investigation Report, Ref No: 3715/1-AA, prepared by Geotechnique Pty Ltd, dated 21 March 2001.

During the assessment of MA1103/01 the recommendations of the submitted reports were taken into consideration. The submitted flora and fauna report recommended the following to minimise impacts of the proposed subdivision:

- *Building envelope is located adjacent to the existing dam and that the design retains the existing eucalyptus.*
- *The effluent disposal area is situated on the other possible house site adjacent to Mountain View Close.*
- *No building, clearing or disturbance should occur in Community B.*
- *Erosion control measures should be implemented at all stages.*
- *Stormwater overflows from tanks in peak flow periods should be dispersed and not concentrated.*

Further, the submitted on-site effluent disposal report found the potential disposal areas within the north western portion of the site, immediately adjacent to and south of Mountain View Close.

Condition No. 15 was imposed on MA1103/01 based on the recommendations of the submitted reports as follows:

- "15. The creation of a restriction on the use of the land under Section 88b of the Conveyancing Act requiring the establishment of principal development areas showing suitable envelopes for dwelling house and effluent disposal areas and sited as per the approved plans prepared by Treeman Newton Richmond Pty Ltd, Reference 13452-00, as amended in red."*

The subdivision plan as approved under MA1103/01 is provided in Attachment 1.

The subdivision plan was registered on 28 April 2004. To implement the requirements of this condition, a covenant was created over Lot 121 (DP 1067098) on 28 April 2004 restricting the use of land as follows:

"Terms of Restriction on use of land numbered 5 in the plan

- (i) *No dwelling house shall be erected on the subject land in a position other than within the building envelope marked (H) on the above mentioned plan without the prior written consent of Hawkesbury City Council.*
- (ii) *No effluent disposal system is to be constructed on the lot hereby burdened unless it is located within the area marked (E) on the above mentioned plan and is installed, operated and maintained in accordance with the Geotechnical Investigation report by Geotechnique Pty Ltd dated 21st March 2001 numbered 3715/1-AA unless otherwise approved by Hawkesbury City Council.*
- (iii) *No trees over 4m in height are to be removed from the lot hereby burdened without the prior written approval of Hawkesbury City Council."*

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Hawkesbury City Council is the authority empowered to release, vary, or modify the relevant covenant.

A copy of the Section 88B Instrument, Deposited Plans and covenants are provided in Attachment 2 and Attachment 3. It should be noted that there are several easement/covenants/restrictions that apply, however it is the “restriction” fifthly referred to in the S88B instrument that is relevant.

The applicant is now proposing to swap the dwelling house site with the effluent disposal area as restricted on the site. A modification application S960082/19 has been lodged to modify the relevant conditions and approved plan under MA1103/01. A copy of the amended Deposited Plan and amended covenants under Section 88B are provided in Attachment 4 and Attachment 5.

This issue needs resolution to progress S960082/19 and a current (undetermined) development application (DA0242/19), which seeks consent for a new dwelling house at the front part of the site along Mountain View Close.

Policy considerations

There are no Council policies that are relevant to this matter.

Consultation

The submitted modification application S960082/19 for modification of Development Consent No. MA1103/01 - Amendment to Section 88B Instrument for the relocation of building envelope and effluent disposal area was notified to the adjoining neighbours from 4 December 2019 to 18 December 2019.

The applicant has submitted signed letter from the property owner of 148 Mountain View Close supporting the proposal and no objection has been raised through Council’s own notification process (Attachment 12).

The proposed modified location of house site and effluent disposal area was referred to NSW Rural Fire Services for review. In their letter dated 12 January 2020 NSW RFS has issued General Terms of Approval and a Bush Fire Safety Authority.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Area, Direction and Strategy within the Community Strategic Plan.

Our Future

5.3 Shaping our Growth

- 5.3.2 The diverse housing needs of our community will be met through research, active partnerships and planned development.

Discussion

Planning Justification

The request to amend the restriction on title will involve a change to the use of areas (E) and (H) which will be swapped around - i.e. proposed dwelling will be constructed in area (E) and proposed land application area (LAA) for effluent disposal system will be located in area (H).

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The request to modify the restriction on the use of the land on the title of Lot 121 in DP 1067098 at 144 Mountain View Close Kurrajong Hills is supported by the following:

- A statement of justification (Attachment 6)
- Addendum to flora fauna assessment report - Impact of house & effluent disposal locations prepared by Abel Ecology and dated 16 October 2019 (Attachment 7)
- Addendum to report for on-site effluent management at Lot 121 DP1067098, No. 144 Mountain View Close, Kurrajong Hills - Modification of S88B instrument and S4.55 amendment to subdivision prepared by Blue Mountains Geological & Environmental Services and dated 14 October 2019 (Attachment 8)
- Investigation and assessment for the siting of a proposed effluent management system at Lot 121 DP 1067098, No. 144 Mountain View Close, Kurrajong Hills prepared by Blue Mountains Geological & Environmental Services and dated April 2019 (Attachment 9)
- Bushfire attack level assessment for original approved location prepared by Control Line Consulting and dated 8 October 2019 (Attachment 10)
- Bushfire hazard assessment report Ref No. 19.05.133 prepared by Control Line Consulting and dated 13 May 2019 ((Attachment 11)

The applicant justified the request to modify the restriction on the title as follows:

"The reason for my request to amend the section 888 instrument (swapping the designated House building envelope with the designated Effluent disposal area) is to enable my severely ill elderly mother Maida Finley to continue living at home with her family for as long as possible, deferring the need for her to move into residential aged/health care. This is consistent with Government's Aged Care policy 'keeping older people out of health and residential facilities for as long as possible'."

The submitted addendum report to the original flora fauna assessment report inspected the proposed location of house site and effluent disposal area to determine potential impacts. The investigation took into consideration the following three elements:

- A slab on ground dwelling with driveway access,
- Underground piping to deliver treated wastewater to the effluent disposal area, and
- An on-site effluent disposal area for waste water.

This addendum report is provided in attachment 7. The investigation states as below:

1. *"A slab on ground dwelling with driveway access:*

The proposed house location is on almost level ground near the front boundary of the site, in an area of grazed exotic pasture (Figure 1). One remnant local Stringybark tree Eucalyptus sp. is located on the adjacent property to the west. The tree has a calculated root tree protection zone (TPZ) of 6.6 metres, which is more than double the distance from any development disturbance to the soil. A small Melaleuca tree on the east side of the house is well clear of potential disturbance.

2. *Underground tank and piping to deliver treated wastewater to the effluent disposal area:*

An effluent treatment tank is proposed near the eastern boundary (Figure 2). An adjacent forest red gum tree Eucalyptus tereticornis has a TPZ of 4.2 metres and an ironbark Eucalyptus crebra with a TPZ of 5 metres so there is adequate space to enable the tank and a trench for underground piping from the house and to the effluent disposal area.

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3. *An on-site effluent disposal area for waste water*

An area of exotic pasture is available for underground effluent infiltration (Figure 3) south of the proposed house site. There is sufficient clearance from nearby Eucalyptus trees of at least ten metres to protect them from disturbance from excavation for infiltration trenches, increased soil moisture and possible increased soil nutrient load. Excess nutrient and water will be taken up by pasture grasses.

Recommendation

There is no ecological impediment to the proposed development. No trees either on site or on adjacent properties will be affected by either soil disturbance or effluent disposal impact (Figure 4). There is no ecological impediment for species, ecological communities or their habitats, to amendment of the s88B instrument."

Council's ecologist has inspected the site and reviewed the addendum report. The ecologist is satisfied with the findings of the report and raised no concerns on the proposal for swapping the house site with effluent disposal area.

The submitted addendum report to the on-site effluent management system (attachment 8) states as follows;

"Reasons supporting the location of the proposed land application area (LAA) as outlined in the effluent management report and shown in the accompanying Figure 1 plan is supported and required due to the following reasons:

- 1. The area (E) was just a general area shown on the subdivision plan and did not have defined boundaries included or an actual area estimated - i.e. the extent and size of whole area is ambiguous.*
- 2. Area (E) includes some trees, whereas the proposed LAA does not.*
- 3. Much of area (E) is covered by the 40m buffer distance required from the intermittent watercourse leading to the dam off its northern side. This significantly reduces the actual area available for effluent disposal within area (E) and whilst not formally delineated, indicates that the majority of this area is incorrectly located.*
- 4. Area (E) is positioned within the sub-catchment of the land feeding both the intermittent watercourse and dam.*
- 5. The proposed LAA is not within the sub-catchment of the land feeding the intermittent watercourse and dam.*
- 6. With buffers from the intermittent watercourse feeding the dam and property boundaries, as well as allowance for a driveway that would have had to intersect area (E) and buffers from it, it is estimated there is only approximately 200 - 250m² of usable land in area (E) available for the land application of treated effluent. This is not enough area for land application by subsoil dispersal from the proposed A & A, or for surface spray irrigation or subsurface dispersal from an aerated wastewater treatment system for example.*

In conclusion, the proposed dwelling site and LAA are considered to be sited in the most appropriate manner that best addresses environmental considerations with regards to overall ecology including the dam on the property, intermittent watercourse feeding the dam and Little Wheeny Creek with a perennial flow which is the nearest water feature in the actual flow path. Furthermore, it is considered that utilising the designated house envelope at the subdivision stage for the proposed LAA will have no impact (either directly or indirectly) on the restricted development area of high conservation significance identified as Community B - Sydney Woodland in the flora and fauna assessment for subdivision."

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Council's Sewage Management Facility Coordinator has reviewed the submitted report and inspected the site. The officer supports the proposal in relocating the building site and effluent disposal site as restricted in the title given that the waste water report is satisfactory and proposed land application area will be at least 120 meters away from Little Wheeny Creek.

Financial Implications

There are no financial implications for Council relating to this request as all costs will be borne by the owner of Lot 121.

Fit For The Future Strategy Considerations

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

Conclusion

The proposed modified restriction whilst allowing swapping the house site with the effluent disposal site will not be environmentally detrimental to the site. Such modification is not contrary to the intent of condition No. 15 of Development Consent No. MA1103/01. For the reasons outlined in this report endorsement of the modified covenant is recommended.

Planning Decision

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

RECOMMENDATION:

That:

1. Council agree to modify the covenant on the use of the land over Lot 121 in DP 1067098 in swapping the dwelling house location for the effluent disposal area location on the site.
2. The wording of the modified covenant to effect this resolution be determined by the General Manager in consultation with Council's Legal Advisors as is necessary, to ensure compliance with the technical, administrative, and legal requirements of NSW Land Registry Services.
3. Authority be given for the Section 88E 'Variation or Modification of Restriction on the Use of Land' to be executed under delegation.
4. All costs associated with the preparation and drafting of necessary documentation and plans and any registration and lodgement fees be borne by the owner of Lot 121 in DP 1067098.

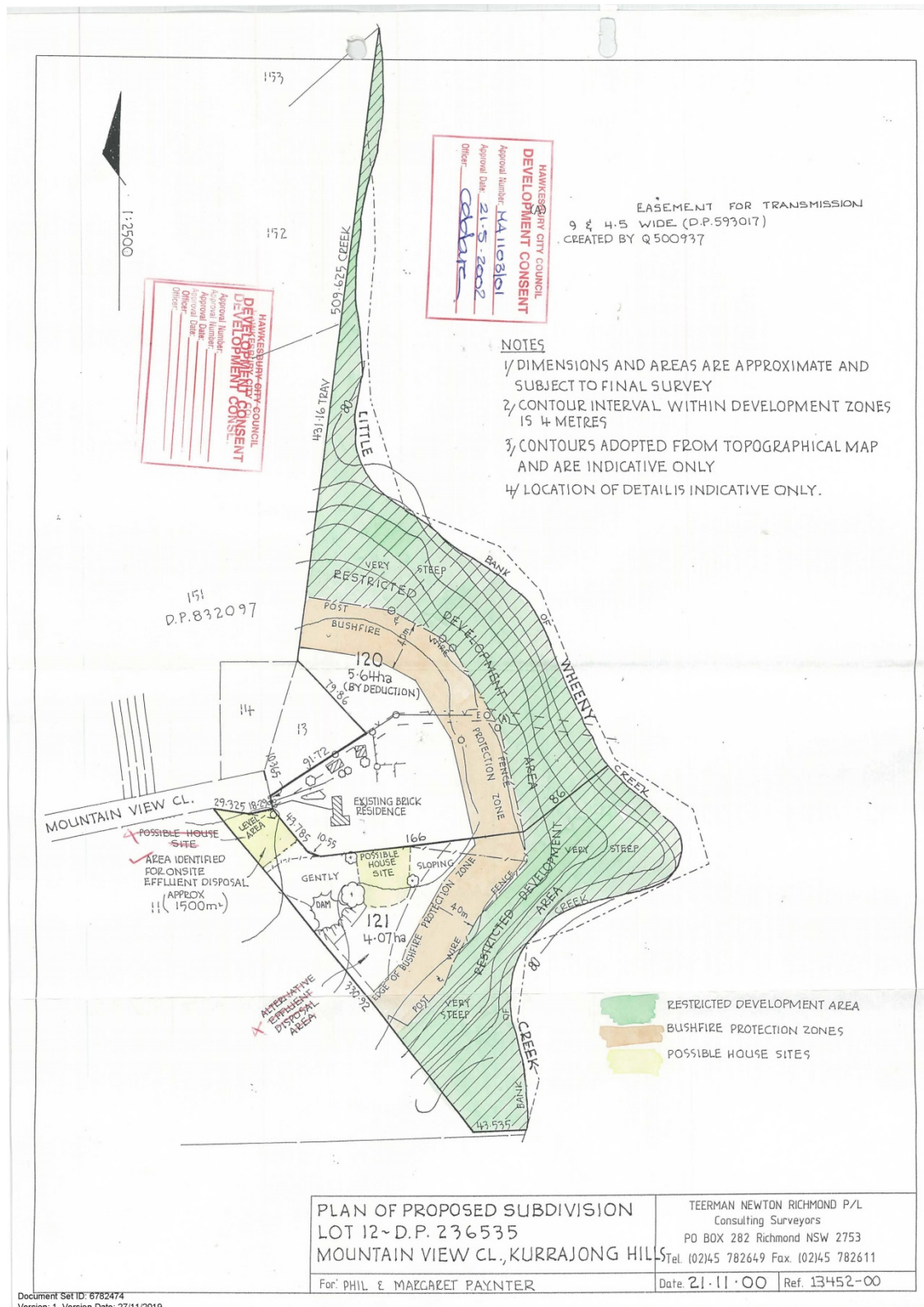
EXTRAORDINARY MEETING
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ATTACHMENTS:

- AT - 1** Approved subdivision plan under development application MA1103/01.
- AT - 2** Current Deposited Plan (DP1067098).
- AT - 3** Current 88B Instrument (DP1067098).
- AT - 4** Amended Deposited Plan.
- AT - 5** Amended Covenant.
- AT - 6** Statement of Justification.
- AT - 7** Addendum to Flora Fauna Assessment report dated 16 October 2019.
- AT - 8** Addendum to on-site Effluent Management report dated 14 October 2019.
- AT - 9** Report on Effluent Management System dated April 2019 - (*Distributed under separate cover*).
- AT - 10** Bushfire Report dated 8 October 2019.
- AT - 11** Bushfire Hazard Assessment Report dated 13 May 2019 - (*Distributed under separate cover*).
- AT - 12** Letter of Consent.

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AT - 1 Approved subdivision plan under development application MA1103/01



AT - 2 Current Deposited Plan (DP1067098)**AT - 2 Current Deposited Plan (DP1067098)**[illegible]

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AT - 3 Current 88B Instrument (DP1067098)

Box:e-IDS /Doc:DP 1067098 B /Rev:28-Apr-2004 /Sts:SC.OK /Prt:29-Apr-2004 02:32 /Pgs:ALL /Seq:1 of 4
WARNING : Electronic Document Supplied by LPI NSW for Your Internal Use Only.

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS À PRENDRE
INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE USE OF
LAND OR POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO SECTION
88B CONVEYANCING ACT 1919.**

(Sheet 1 of 4 sheets)

DP1067098

Plan of Subdivision of Lot 12 Deposited
Plan 236535 covered by Subdivision
Certificate No.04025.....

**Full name and address
of the owner of the land:**

Phillip William Paynter and
Margaret Denise Paynter
144 Mountain View Close
KURRAJONG HILLS NSW 2758

Part 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of easement, profit à Prendre, restriction or positive Covenant to be created and Referred to in the plan	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Easement for Telephone Line Over Existing Line of Cables	Lot 121	Lot 120
2	Easement for Water Supply Over Existing Line of Pipes and Pumping Equipment	Lot 121	Lot 11 DP236535
3	Positive Covenant	Lot 121	Hawkesbury City Council
4	Restriction on use of land	Lots 120 & 121	Hawkesbury City Council
5	Restriction on use of land	Lot 121	Hawkesbury City Council
6	Right of Carriageway Over Existing Track in Use	Lot 121	Lot 120

Part 2 (Terms)

Terms of Easement numbered 1 in the plan

Full and free right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment and every person authorized by him from time to time and at all times by means of poles cables and wires to supply telephone services in any quantities across and through the land indicated as the servient tenement, together with the right to use, for

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WARNING : Electronic Document Supplied by LPI NSW for Your Internal Use Only.

(Sheet 2 of 4 sheets)

DP1067098

Plan of Subdivision of Lot 12 Deposited
Plan 236535 covered by Subdivision
Certificate No.04025.....

Part 2 (Terms)(Continued)

the purposes of the easement, any line or lines of poles cables or wires already laid or existing across or within the servient tenement for the purpose of supplying telephone services or any poles wires or cables in replacement or in substitution therefor and together with right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment and every person authorized by him with any tools, implements or machinery necessary for the purpose to enter upon the servient tenement and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining or renewing any such poles cables or wires or any part thereof and for any of the aforesaid be necessary PROVIDED THAT the grantee and the persons authorized by him will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface as nearly as practicable to its original condition.

Terms of Easement numbered 2 in the plan

Full And free right for every person who is at any time entitled to an estate or interest in possession of the land herein indicated as the dominant tenement and every person authorised by him from time to time and at all times to lay place and maintain a line of pipes and pumping equipment of sufficient internal diameter to supply water to the dominant tenement beneath or upon the surface of the servient tenement and to enter upon the servient tenement and to remain there for any reasonable time for the purpose of laying, cleansing, repairing, maintaining or renewing such pipeline and pumping equipment or any part thereof and to open the soil of the servient tenement to such extent as may be necessary in order to lay such pipes or construct or install such pumping equipment provided that the grantee and the persons authorised by him will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface as nearly as practicable to its original condition.

Terms of Positive Covenant numbered 3 in the plan

The proprietors of the lot hereby burdened shall allow and provide access to the Rural Fire Service for the purpose of bushfire mitigation works as and when required.

Terms of Restriction on use of land numbered 4 in the plan

No building, clearing or disturbance of any kind shall be allowed to take place on the land hereby burdened within the area marked (D) on the above mentioned plan without the prior approval of Hawkesbury City Council provided that should bushfire mitigation works be required within this area, no works shall be undertaken without the prior written approval of Hawkesbury City Council and the Rural Fire Service having first been obtained.

Meeting Date: 18 February 2020

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(Sheet 3 of 4 sheets)

DP1067098

Plan of Subdivision of Lot 12 Deposited
Plan 236535 covered by Subdivision
Certificate No. 04025

Part 2 (Terms)(Continued)

Terms of Restriction on use of land numbered 5 in the plan

- (i) No dwelling house shall be erected on the subject land in a position other than within the building envelope marked (H) on the above mentioned plan without the prior written consent of Hawkesbury City Council.
- (ii) No effluent disposal system is to be constructed on the lot hereby burdened unless it is located within the area marked (E) on the above mentioned plan and is installed, operated and maintained in accordance with the Geotechnical Investigation report by Geotechnique Pty Ltd dated 21st March 2001 numbered 3715/1-AA unless otherwise approved by Hawkesbury City Council.
- (iii) No trees over 4m in height are to be removed from the lot hereby burdened without the prior written approval of Hawkesbury City Council.

Signed in my presence by) _____
) _____
) _____
) _____
 who are personally known to me) _____

Witness

.....

EXTRAORDINARY MEETING
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(Sheet 4 of 4 sheets)

DP1067098

Plan of Subdivision of Lot 12 Deposited
Plan 236535 covered by Subdivision
Certificate No.04025.....

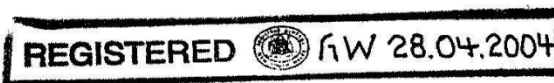
Signed in my presence by) [REDACTED]
) [REDACTED]
) [REDACTED]
 who are personally known to me) [REDACTED]

Witness

144 MOUNTAIN VIEW CLOSE
KURRASONG.

Endorsed by Hawkesbury City Council:

Authorised Person



Meeting Date: 18 February 2020

PLAN FORM 1 [A3] WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION SHEET 1 OF 1 SHEETS

The map shows three land parcels: 111 (DP 1197837), 120 (DP 1067098), and 121 (DP 1067098). Parcel 111 is a large triangular area with a north boundary of 331.235 and 329°23'45". Its west boundary is 20.115 wide & var. Its south boundary is 43.91 and 27°43'40". Parcel 120 is a rectangular area with a north boundary of 18.29 and 85°23'15". Its east boundary is 17.145 and 121°01'40". Its south boundary is 166.88 and 92°39'30". Its west boundary is 166.88 and 92°39'30". Parcel 121 is a rectangular area with a north boundary of 41.09 and 27°29'30". Its east boundary is 47.895 and 27°29'30". Its south boundary is 41.09 and 27°29'30". Its west boundary is 41.09 and 27°29'30". The map also shows 'MOUNTAIN VIEW CLOSE' to the west of parcel 111, 'CREEK' to the north of parcel 111, 'WHEENY CREEK' to the east of parcel 111, and 'LITTLE CREEK' to the east of parcel 121. A north arrow is located in the top right corner. A scale bar is located in the bottom left corner.

<p>SURVEYOR: Name: MATTHEW CHARLES FREEBURN Date : 29-10-2019 Reference : 36 953</p>	<p>PLAN OF RESTRICTION OVER PART OF LOT 121 IN DP 1067098</p>	<p>LGA: HAWKESBURY Locality : KURRAJONG HILLS Reduction Ratio 1:1 500 Lengths are in metres</p>	<p>Registered</p>
--	---	---	-------------------

- (B) EASEMENT FOR TELEPHONE LINE OVER EXISTING LINE OF CABLES (APPROXIMATE POSITION) (DP 1067098)
- (C) EASEMENT FOR WATER SUPPLY OVER EXISTING LINE OF PIPES & PUMPING EQUIPMENT (APPROXIMATE POSITION) (DP 1067098)
- (D) RESTRICTION ON THE USE OF LAND (DP 1067098)
- (E) RIGHT OF CARRIAGEWAY OVER EXISTING TRACK IN USE (DP 1067098)
- (F) RESTRICTION ON THE USE OF LAND - (E) EFFLUENT DISPOSAL AREA - (H) HOUSE SITE

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AT - 5 Amended Covenant

Conveyancing Act 1919

Instrument setting out terms of Easements or Profits a Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.

(Sheet 1 of 2 sheets)

Plan: Plan of restriction over part of Lot 121 in DP1067098

**Full name and address
of the owner of the land:** Paul Stevenson Finley

Part 1 (Creation)

Number of item shown in the intention panel of the plan	Identity of easement, profit a prendre, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Restriction on the use of the land	121	Hawkesbury City Council

Part 1A (Release)

Number of item shown in the intention panel of the plan	Identity of easement, profit a prendre, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
5	Restriction on the use of the land numbered 5 in DP 1067098	121	Hawkesbury City Council



SCANNED

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(Sheet 2 of 2 sheets)

Part 2 (Terms)

Terms of restriction on the use of land numbered 1 in the plan.

- (i) No dwelling house shall be erected on the subject land in a position other than within the building envelope marked (H) on the above mentioned plan without the prior written consent of Hawkesbury City Council.
- (ii) No effluent disposal system is to be constructed on the lot hereby burdened unless it is located within the area marked (E) on the above mentioned plan and is installed, operated and maintained in accordance with the geotechnical investigation report by Blue Mountains Geological & Environmental Services Pty Ltd dated April 2019 and the associated addendum dated 14 October 2019 and numbered 191001 unless otherwise approved by Hawkesbury City Council.
- (iii) No trees over 4 m in height are to be removed from the lot hereby burdened without the prior written consent of Hawkesbury City Council.

Name of person empowered to release, vary or modify restriction numbered 1 in the plan:


Hawkesbury City Council

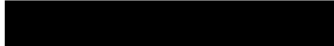
We certify this instrument to be correct for the purposes of the Real Property Act 1900

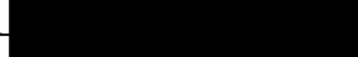
Execution by Paul Stevenson Finley

SIGNED by Paul Stevenson Finley in the presence of:

 Paul Stevenson Finley

Name of Witness 

Signature of Witness 

Address of Witness 

Execution by Hawkesbury City Council

Hawkesbury Council by its authorised delegate pursuant to section 377 of the Local Government Act 1993

Signature of delegate: _____

Name of delegate: _____

I certify that I am an eligible witness and that the delegate signed in my presence.

Signature of witness: _____

Name of witness: _____

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Document Set ID: 6762601
Version: 1, Version Date: 07/11/2019

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AT - 6 Statement of Justification

1 November 2019

Paul Finley
P.O.Box 188 KURRAJONG HILLS
New South Wales 2758

Attention : Cristie Evenhuis
Development Services Manager, Hawkesbury City Council

Subject : REQUEST TO AMEND SECTION 88B INSTRUMENT
Lot 121 DP 1067098 at 144 Mountain View Close KURRAJONG HILLS NSW 2758
DA0242/19

Dear Cristie Evenhuis,

Further to my 'REQUEST TO AMEND SECTION 88B INSTRUMENT' submitted to Council 20 May & 22 May 2019 I wish to include the following supplement with addendum as requested by Council in their correspondence dated 26 September (Sanzida Alam) and 8 October (Linda Perrine).

The reason for my request to amend the section 88B instrument (swapping the designated House building envelope with the designated Effluent disposal area) is to enable my severely ill elderly mother Maïda Finley to continue living at home with her family for as long as possible, deferring the need for her to move into residential aged/health care. This is consistent with Government's Aged Care policy 'keeping older people out of health and residential facilities for as long as possible'.

My request to amend the section 88B instrument is supported by the attached addendum for Council consideration:

1. Flora & Fauna – Impact of house & effluent disposal locations

16 October 2019

Abel Ecology – Dr Danny Wotherspoon

Confirming :

There is no ecological impediment to the proposed development.

There is no ecological impediment for species, ecological communities or their habitats, to amendment of the s88B instrument.

2. Report for on-site effluent management, modification of S88B & S4.55 amendment

14 October 2019

Blue Mountains Geological & Environmental Services – Grant Austin

Confirming:

The proposed dwelling site and land application area are considered to be sited in the most appropriate manner that best addresses environmental considerations with regards to overall ecology including the dam on the property, intermittent watercourse feeding the dam and Little Wheeny Creek with a perennial flow which is the nearest water feature in the actual flow path.



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3. Report on Investigation and Assessment for the siting of a Proposed Effluent Management System at Lot 121 DP 1067098, No. 144 Mountain View Close, KURRAJONG HILLS
April 2019
Blue Mountains Geological & Environmental Services – Grant Austin
4. Bushfire Hazard Assessment Report Ref No 19.05.133 (proposed House building envelope)
13 May 2019
Control Line Consulting – Craig Burley
Confirming:
BAL Rating 19 (Moderate)
5. Bushfire Attack Level Assessment (current approved subdivision plan House building envelope)
8 October 2019
Control Line Consulting – Craig Burley
Confirming:
BAL Flamezone. *Therefore, it is my considered opinion that on the basis on the new bushfire behavior calculations, that the most suitable approach for the construction of a new dwelling on this site would be to position the dwelling as was originally proposed and assessed within the Bushfire Hazard Assessment Report Ref No 19.05.133.*
6. Draft amended Section 88B Instrument
23 October 2019
Paine Ross & Co (Windsor) – David Ireland, Solicitor
7. Amended plan of subdivision & S88B Instrument **ADMIN SHEETS**
1 November 2019
Freeburn Surveying (Penrith) – Matthew Freeburn, Registered Surveyor
8. Letter of Development Application Support
14 May 2019
Margaret Paynter – MA1103/01 applicant (Council consent dated 21 May 2002) & current owner 148 Mountain View Close (Lot 120 DP 1067098)
9. Modification application under Section 4.55 of Environmental Planning and Assessment Act 1979, Requesting to modify the approved subdivision plan of MA1103/01
10. Statement of Environmental Effects

Sincerely,

Paul Finley

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AT - 7 Addendum to Flora Fauna Assessment report dated 16 October 2019



Document No: 2083-LET-01
16 October 2019

Impact of house and effluent disposal locations

Lot 121 DP1067098, 144 Mountain View Close, Kurrajong Hills was visited on 15 October 2019.

The proposed house and effluent disposal sites were inspected to determine potential impacts of the proposed development.

The three elements are:

1. A slab on ground dwelling with driveway access
2. Underground piping to deliver treated wastewater to the effluent disposal area.
3. An on-site effluent disposal area for waste water.

1. A slab on ground dwelling with driveway access

The proposed house location is on almost level ground near the front boundary of the site, in an area of grazed exotic pasture (Figure 1). One remnant local Stringybark tree *Eucalyptus* sp. is located on the adjacent property to the west. The tree has a calculated root tree protection zone (TPZ) of 6.6 metres, which is more than double the distance from any development disturbance to the soil. A small Melaleuca tree on the east side of the house is well clear of potential disturbance.

2. Underground tank and piping to deliver treated wastewater to the effluent disposal area.

An effluent treatment tank is proposed near the eastern boundary (Figure 2). An adjacent forest red gum tree *Eucalyptus tereticornis* has a TPZ of 4.2 metres and an ironbark *Eucalyptus crebra* with a TPZ of 5 metres so there is adequate space to enable the tank and a trench for underground piping from the house and to the effluent disposal area.

3. An on-site effluent disposal area for waste water

An area of exotic pasture is available for underground effluent infiltration (Figure 3) south of the proposed house site. There is sufficient clearance from nearby *Eucalyptus* trees of at least ten metres to protect them from disturbance from excavation for infiltration trenches, increased soil moisture and possible increased soil nutrient load. Excess nutrient and water will be taken up by pasture grasses.



SCANNED

BAM Ecology Pty Ltd T/A Abel Ecology
2 Samuel 20:18 ACN 626 221 467 – ABN 37 626 221 467

PO Box 495
Unit 2, 10-11 Ferguson Road
Springwood NSW 2777

T (02) 4751 9487
E info@abeleecology.com.au
www.abeleecology.com.au

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Recommendation

There is no ecological impediment to the proposed development. No trees either on site or on adjacent properties will be affected by either soil disturbance or effluent disposal impact (Figure 4). There is no ecological impediment for species, ecological communities or their habitats, to amendment of the s88B instrument.

Dr Danny Wotherspoon



Abel Ecology Pty Ltd

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Figure 1: Proposed house location.

16 October 2019
AE19 2083 LET 16OCT2019.docx

Issue 1
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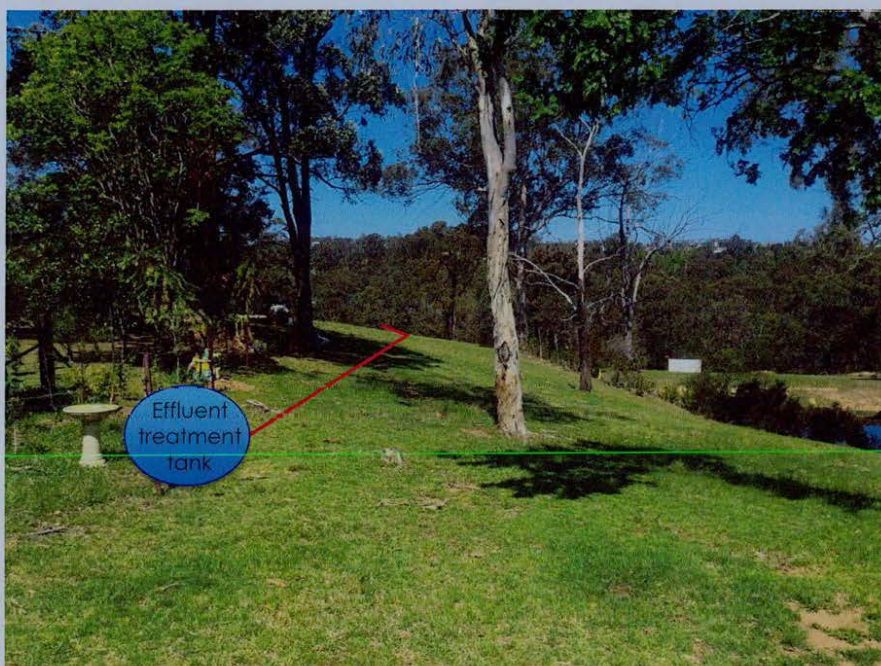


Figure 2: Proposed effluent disposal tank and pipe line location.

17 October 2019
AE19 2083 LET reduced 16OCT2019

Issue 1
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Figure 3: Proposed effluent disposal area location.

EXTRAORDINARY MEETING
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Figure 4: Air photo with approximate location of development.

16 October 2019
AE19 2083 LET 16OCT2019.docx

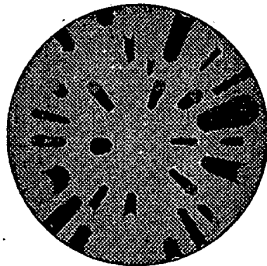
Issue 1
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AT - 8 Addendum to on-site Effluent Management report dated 14 October 2019



BLUE MOUNTAINS
Geological and
Environmental
Services Pty. Ltd.

ACN 069 994 056

20 Fifth Avenue, Katoomba 2780
Phone (02) 4782 5981
Fax (02) 4782 5074

14th October 2019

Ref. No. 191001

Cristie Evenhuis
Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756

**RE: ADDENDUM TO REPORT FOR ON-SITE EFFLUENT MANAGEMENT AT
LOT 121 DP 1067098, No. 144 MOUNTAIN VIEW CLOSE, KURRAJONG HILLS –
MODIFICATION OF S88B INSTRUMENT AND S4.55 AMENDMENT TO
SUBDIVISION**

Dear Cristie,

Further to our recent meeting at Council on 30/9/19 and the subsequent email from Sanzida Alam, I am pleased to provide this addendum to the report for on-site effluent management on behalf of Mr. Paul Finley for the proposed development at the above address in Kurrajong Hills. It is understood that this submission in relation to effluent management will form part of the following requirements of Council:

1. Modification to the S88B Instrument of subdivision – relates to areas (E) and (H) that were delineated at the subdivision stage for effluent disposal and the siting of what was to be a future dwelling respectively.
2. A modification under S4.55 of the Environmental Planning and Assessment Act 1979 to modify the approved subdivision plan MA1103/01.



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Document Set ID: 6762607
Version: 1, Version Date: 07/11/2019

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Reference is made to the report for on-site effluent management, as well as the accompanying plan referred to as Figure 1 that has been submitted to Council. As determined at the meeting, it is not known whether the relevant Department of Council has formally assessed the effluent management report at this point in time. Figure 1 shows the location of the proposed dwelling and associated land application area (LAA) for treated effluent at 355m² from an A & A Worm Farm Waste System (A & A WFWS).

The current development proposal does not involve a change to the actual layout of the subject property, but does require a change to the use of areas (E) and (H) which are swapped around – i.e. proposed dwelling is in area (E) and proposed LAA is in the house envelope, area (H). Reasons supporting the proposal for effluent management will be outlined in this submission. In addition to this submission, it is understood that relevant details in regards to flora and fauna will be submitted by ecologist Dr. Danny Wotherspoon of Abel Ecology.

Whilst this submission relates to effluent management, it is considered that the proposed dwelling site is better suited than the area (H) from the subdivision assessment because it is on more gently sloping terrain that is considerably further from the dam, there will be a much shorter driveway that will not intersect an effluent LAA, connection to the mains power supply will be much easier and cheaper, whilst the closer proximity to the frontage with Mountain View Close is considered to better address the bushfire risk consistent with the BHA prepared by Mr. Craig Burley of Control Line Consulting.

Reasons supporting the location of the proposed LAA as outlined in the effluent management report and shown in the accompanying Figure 1 plan is supported and required due to the following reasons:

1. The area (E) was just a general area shown on the subdivision plan and did not have defined boundaries included or an actual area estimated – i.e. the extent and size of whole area is ambiguous.
2. Area (E) includes some trees, whereas the proposed LAA does not.
3. Much of area (E) is covered by the 40m buffer distance required from the intermittent watercourse leading to the dam off its northern side. This significantly reduces the actual area available for effluent disposal within area (E) and whilst not formally delineated, indicates that the majority of this area is incorrectly located.

Blue Mountains Geological and Environmental Services

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4. Area (E) is positioned within the sub-catchment of the land feeding both the intermittent watercourse and dam.
5. The proposed LAA is not within the sub-catchment of the land feeding the intermittent watercourse and dam.
6. With buffers from the intermittent watercourse feeding the dam and property boundaries, as well as allowance for a driveway that would have had to intersect area (E) and buffers from it, it is estimated there is only approximately 200 - 250m² of usable land in area (E) available for the land application of treated effluent. This is not enough area for land application by subsoil dispersal from the proposed A & A, or for surface spray irrigation or subsurface dispersal from an aerated wastewater treatment system for example.

In conclusion, the proposed dwelling site and LAA are considered to be sited in the most appropriate manner that best addresses environmental considerations with regards to overall ecology including the dam on the property, intermittent watercourse feeding the dam and Little Wheeny Creek with a perennial flow which is the nearest water feature in the actual flow path. Furthermore, it is considered that utilising the designated house envelope at the subdivision stage for the proposed LAA will have no impact (either directly or indirectly) on the restricted development area of high conservation significance identified as Community B – Sydney Woodland in the flora and fauna assessment for subdivision.

Trusting that this submission is to the satisfaction of Council, However, do not hesitate to contact me if I can be of further assistance.

Yours faithfully,

GRANT AUSTIN

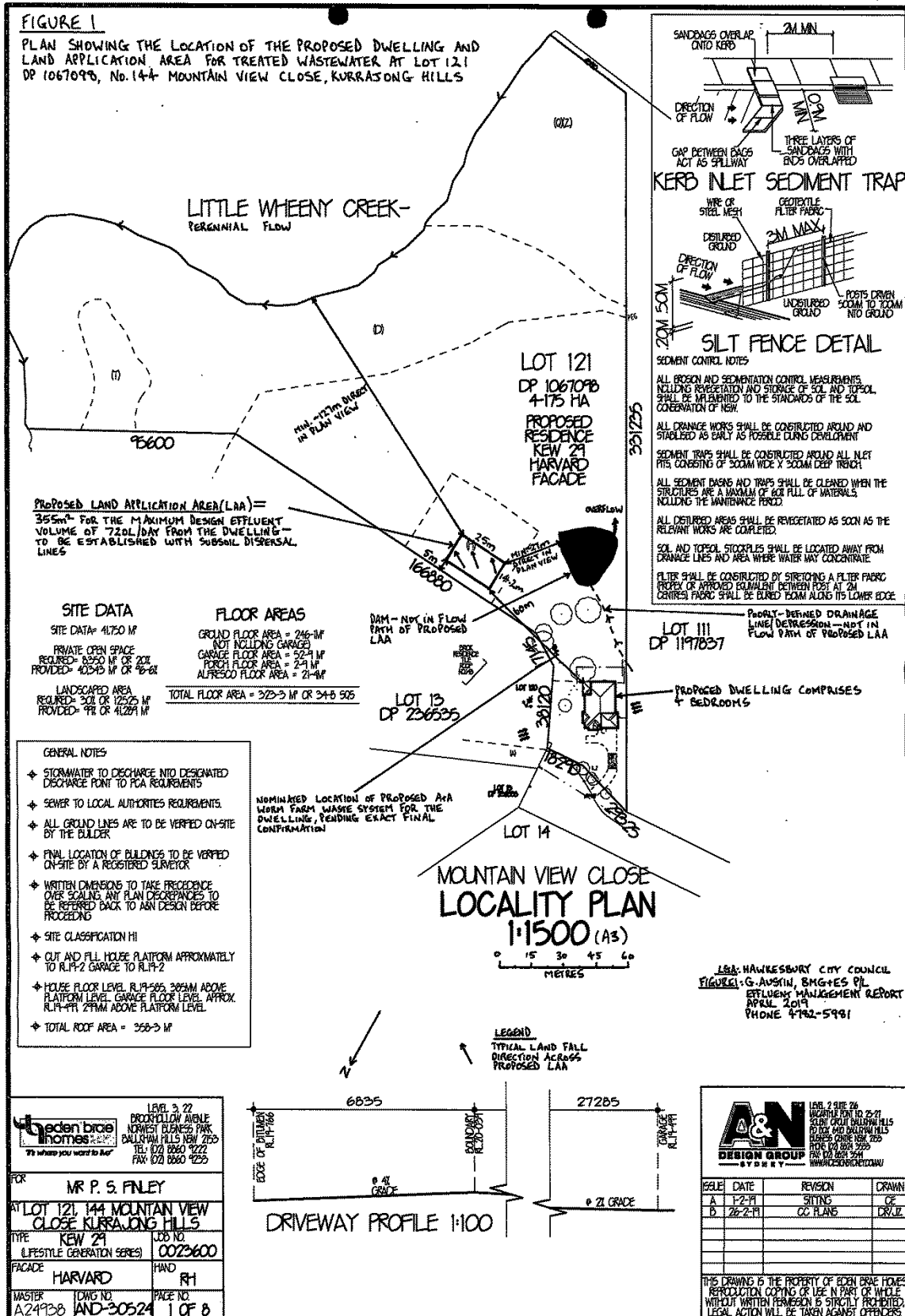
Engineering Geologist

Member Australian Institute of Geoscientists

Affiliate Institution of Engineers Australia

Blue Mountains Geological and Environmental Services

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AT - 10 Bushfire Report dated 8 October 2019



PO Box 583,
Windsor, NSW 2756
P: 02 4577 0125 F: 02 4577 7688
E: craig@controllineconsulting.com.au

P Finley
Unknown

8th October 2019

Attention; Paul Finley

Re: Bushfire Attack Level Assessment
Lot 121 DP 1067098
144 Mountain View Close Kurrajong Hills NSW 2758

Dear Paul

Further to the desktop assessment undertaken of the above noted address please find below my comments and assessment relating to the AS 3959-2009 *Construction of buildings in bushfire prone areas* Bushfire Attack Level (BAL) effective on the above noted site for potential construction of a new Class 1a dwelling on this allotment having consideration for the councils preference to site the new dwelling within the originally approved building allowance area being midway along the northern boundary.

Given the new location for the dwelling the section of bushfire hazardous vegetation has been identified to the southeast (Area A) of the proposed development site as indicated within figure 1. This section of vegetation was not previously identified as being a hazard as it is located beyond the 140 metre study area from the proposed dwelling location within the northwest corner of the subject allotment.

Area A

- Forest vegetation with an effective downslope of 36.16 degrees

Where a section of forest is determined to be located on slopes in excess of 20 degrees the NSW RFS requires that a detailed Method 2 analysis ex AS 3959-2009 *Construction of buildings in bushfire prone areas* is undertaken and all areas within the determined flame length are then considered to be with BAL Flamezone

The analysis has shown that the potential bushfire behavior will produce a flame length of 240.58 metres and therefore the entire allotment is considered to be in BAL Flamezone (see figure 1).

The Method 2 calculations outputs are shown within figure 2 (see over).

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2

Control Line
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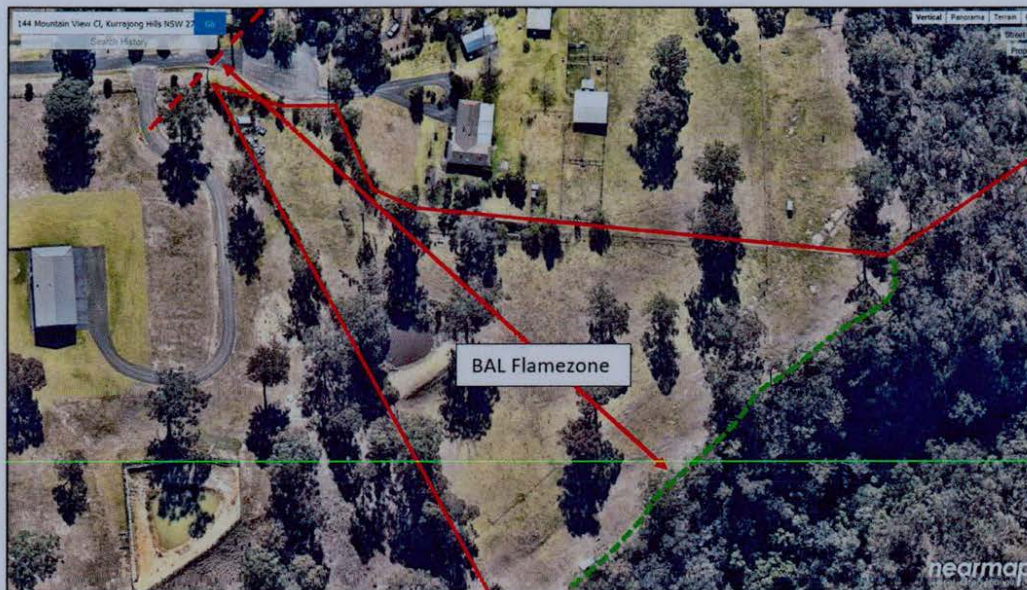



Figure 1; Bushfire Attack Vegetation Areas*

*Please note that the distances as shown within the above image are estimates only and locations of various BAL thresholds should be confirmed by survey if required.

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3

Control Line
CONSULTING


 Calculated October 2, 2019, 7:27 pm (MDC v.4.8)
144 Mountain View Close Kurrajong Hills
Minimum Distance Calculator - AS3959-2009 (Method 2)

Inputs		Outputs	
Fire Danger Index	100	Rate of spread	36.36 km/h
Vegetation classification	Forest	Flame length	240.58 m
Surface fuel load	25 t/ha	Flame angle	29.46 °, 32.46 °, 37.46 °, 43.46 °, 46.46 ° & °
Overall fuel load	35 t/ha	Elevation of receiver	35.71 m, 38.58 m, 43.36 m, 48.4 m, 50.05 m & 0 m
Vegetation height	n/a	Fire intensity	657,630 kW/m
Effective slope	36.16 °	Transmissivity	0.791, 0.761, 0.733, 0.71, 0.696 & 0
Site slope	9.46 °	Viewfactor	0.663, 0.5004, 0.34, 0.2311, 0.1886 & 0
Flame width	100 m	Minimum distance to < 40 kW/m ²	140.6999999999963 m
Windspeed	n/a	Minimum distance to < 29 kW/m ²	155.8999999999954 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m ²	178.7999999999941 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m ²	206.0999999999926 m
		Minimum distance to < 10 kW/m ²	222.8999999999916 m

Figure 2; Bushfire Calculations

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4

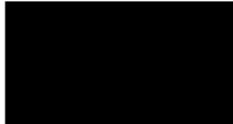
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Therefore, it is my considered opinion that on the basis on the new bushfire behavior calculations, that the most suitable approach for the construction of a new dwelling on this site would be to position the dwelling as was originally proposed and assessed within the Bushfire Hazard Assessment Report Ref No 19.05.133.

It must be noted that these comments whilst given in good faith and with professional judgement are my opinions and the consent authority (council) and the NSW Rural Fire Service will impose the final consent conditions and where required for the lifetime of the development.

Please do not hesitate to contact me with any questions and clarifications.

Yours faithfully



Craig Burley
Grad Dip Design in Bushfire Prone Areas
FPA Australia BPAD – Level 3 Certified Practitioner

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AT - 12 Letter of Consent

Item 3.

HAWKESBURY CITY COUNCIL

14 May 2019

Margaret Paynter
148 Mountain View Close
Kurrajong Hills
NSW 2758

Subject : Development Application for 144 Mountain View Close, Kurrajong Hills

To Whom it may concern,

I am writing to Hawkesbury City Council in support of Mr. Paul Finley's development application at 144 Mountain View Close Kurrajong Hills (Lot 121 DP1067098). We are the current owners of 148 Mountain View Close (Lot 120 DP1067098). In 2002 we received Council approval for the subdivision of our property Lot 12 DP236535, with Mr. Finley purchasing Lot 121 of that subdivision from us in 2004. At the time of the subdivision we designated a 'House Site Envelope' and a 'Effluent Disposal Area' based on the aesthetics of Lot 121 DP1067098. We have no objection to Mr. Finley's development application locating the house as per the attached Site Plan (with a setback within 20metres of the main entry gate and driveway access from Mountain View Close) and locating the effluent disposal in the area originally designated as the 'House Site Envelope'.

You may contact me directly to discuss further if you so wish.

[REDACTED]
Margaret Paynter
[REDACTED]



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oooO END OF REPORT Oooo

EXTRAORDINARY MEETING
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Item: 003 **CP - Update on General Amendments to Hawkesbury Local Environment Plan 2012 Planning Proposal - (95498, 124414)**

Previous Item: 41, Ordinary (31 March 2015)
 227, Ordinary (10 December 2019)

Directorate: City Planning

Council at its meeting on 10 December 2019 deferred this item to the next meeting of Council.

PURPOSE OF THE REPORT:

The purpose of this report is to update Council on the progress associated with the General Amendments (Housekeeping LEP) to the Hawkesbury Local Environmental Plan 2012 Planning Proposal, and to seek Council's direction in terms of a number of matters associated with the Planning Proposal.

EXECUTIVE SUMMARY:

The proposed amendment is generally procedural as it relates to matters such as updating general wording and referencing; amending the LEP due to provisions of State planning policies; adding certain land uses as permissible development; changes to minimum lot size provisions; site specific rezonings and land reclassifications; and correcting some minor drafting and mapping errors. There are a number of public agency and policy related matters that require consideration, particularly in light of the new Sydney Region Plan and Western City District Plan.

It is recommended that Council resolve to continue processing the Planning Proposal, but with a number of elements separated from the bulk of amendment in order to provide an opportunity to further discussions with the Greater Sydney Commission, Department of Planning, Industry and Environment and other relevant state agencies.

RECOMMENDATION SUMMARY:

That based on public agency consultation, and the release of the Sydney Region Plan and Western City District Plan since the commencement of the General Amendments Planning Proposal, that Council continue to process the planning proposal with a number of identified elements separated from the bulk of amendments in order to further discussions with the Greater Sydney Commission, Department Planning, Industry and Environment and other relevant state agencies.

REPORT:

Context and Background

LEP 2012 was gazetted on 21 September 2012 and at the same time repealed Hawkesbury Local Environmental Plan 1989 (LEP 1989). The primary objective in preparing LEP 2012 was to convert the provisions of LEP 1989 into the Department of Planning and Environment's standardised local environmental plan (known as the "standard instrument") without making substantial or significant changes to underlying land use permissibility's or minimum lot size provisions.

However, since the gazettal of LEP 2012 a number of matters had arisen, including the permissibility of certain land uses; policy for minimum lot sizes within the township of Wilberforce; the interpretation and

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application of clauses; and minor drafting and mapping errors. In addition, Council had received a number of requests to make amendments to the LEP.

Proposed Amendments to LEP 2012

The proposed amendments to LEP 2012 are briefly described below, however Attachment 1 provides full details of the current proposed amendments.

1. Written Instrument Amendments

These amendments primarily relate to the interpretation and application of some clauses. The proposed changes primarily relate to minor wording corrections and changes to development criteria, particularly in respect to exempt development requirements and standard dictionary terminology. In a small number of cases, the intent of clauses previously in LEP 1989 and converted into new wording under the standard instrument approach have become open to alternative interpretation. The intent is to clarify the intended interpretation of those clauses.

2. Mapping Amendments

These amendments include changes to the mapping relating to heritage items, land reserved for acquisition, minimum lot sizes and land zoning. The following headings summarise the proposed changes:

Heritage Map

The heritage map sheets are required to be updated to refer to the correct heritage item numbers and properties that contain a heritage item. Most of the proposed changes relate to updating the identification numbers of current State listed items.

Land Reservation Acquisition Map

The Land Reservation Acquisition Map is required to be amended to be consistent with the current Land Zoning Map in respect to a number of properties adjacent to Bridge Street, Windsor. This amendment ensures that the current maps are consistent with the previous LEP 1989. It should be noted that this amendment is not related to the proposed Windsor Bridge Replacement Project.

Lot Size Map

Changes include correcting minor errors in the legend of map 008C and changing the minimum allotment size map to comply with the requirements of Council's *Wilberforce Subdivision Policy* - adopted 31 July 2012.

Rezoning Amendment

It is proposed that Lot 1 DP 1041524, 46 Bourke Street, Richmond (known as "Pound Paddock") be rezoned from RE2 Private Recreation to RE1 Public Recreation in order to allow for uses more in line with public purposes such as public administration buildings.

3. Adoption of additional Land Uses

Since the gazettal of LEP 2012, Council had received a number of submissions relating to certain definitions in the Department of Planning and Environment's governing standard instrument that were not previously considered by Council.

In particular, interest had been raised with respect to the permissibility of new definitions that were not previously included in LEP 1989, such as *function centres* and *eco-tourist facilities* and in addition Council resolved at the Ordinary meeting of 9 December 2014 to permit *secondary dwellings* and *dual occupancies (detached)* within all rural zones and E3 and E4 environmental zones. The *secondary dwellings* and *dual*

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occupancies (detached) component of the Planning Proposal was subsequently removed from the proposal based on the Gateway Determination issued by the NSW State Government.

4. Site Specific Reclassification

Council had received a request to reclassify two parcels of Council owned land being Lots 2 and 3 in DP582878. The request had been made by the owners of the Tutti Fruitti Café at 1917 Bells Line of Road, Kurrajong Heights in order to use this land for vehicular access and car parking.

This request also relates to a current development application (DA0660/08) which Council is unable to determine, as Council is prevented from issuing owner's consent for the proposed use of the land for carparking given that it is classified as "community" land and the applicant proposes to use it for private use.

Reclassifying the land would give Council the opportunity to consider the use of the land for vehicular access and parking proposed. The development application would then be separately considered.

Other proposed future Planning Instrument amendments

The abovementioned amendments may result in the requirement to amend the DCP to complement the changed provisions or to clarify any new provisions.

Detailed History, including previous Council decisions

Council at its Ordinary Meeting on 31 March 2015 resolved to forward the General Amendments (Housekeeping LEP) Planning Proposal to the Department of Planning and Environment.

The Gateway Determination issued by the Department of Planning and Environment required various changes to the Planning Proposal including removal of various elements. The subsequently amended Planning Proposal was provided to public agencies for comment.

There are a number of public agency comments, and NSW State Government policy related matters that require consideration, particularly in light of the new Sydney Region Plan and Western City District Plan.

Policy considerations

The table provided as Attachment 2 highlights where each individual matter that is part of the current Planning Proposal is at in terms of public agency comments and policy positions as expressed through the Sydney Region Plan and Western City District Plan.

Of particular note is the issue of flooding in the Hawkesbury Nepean Valley which is of particular concern for Infrastructure NSW and the SES. The Western City District Plan highlights the level of concern from the NSW State Government in respect of flood risks within the Hawkesbury Nepean Valley, and in particular regional flood evacuation. Page 137 of the Western City District Plan details the NSW State Governments current position with respect to Flooding within the Hawkesbury Nepean Valley. That section of the Western City District Plan is reproduced below:

Flooding in the Hawkesbury-Nepean Valley

The size and topography of the Hawkesbury-Nepean Valley means it has the greatest flood exposure in NSW. Unlike most other river catchments in Australia, the Hawkesbury-Nepean Valley floodplain has significantly higher depths during flood events created by several narrow gorges in the Valley that constrict the flow of floodwater downstream. There is a complex interaction between the main flow of the river and the multiple rivers and creeks that contribute to the catchment, creating what is known as a 'bathtub effect'. Evacuation of people in extreme events is made complicated by the size of the area affected and the need to evacuate certain areas early before they become isolated by rising flood waters.

Some communities are built on 'flood islands' that can also become isolated during floods, and key evacuation routes can face congestion or inundation during higher floods. This may be further exacerbated through incremental or large scale development in effected areas, especially in Richmond, Windsor and Bligh Park. This creates challenges for urban development and emergency management planning in the catchment.

Resilient Valley, Resilient Communities – Hawkesbury-Nepean Valley Flood Risk Management Strategy 2017 aims to reduce the potential risk to life, the economy and communities. This strategy highlights the importance of strategic and integrated land use and road planning and adequate local roads for evacuation.

Given the scale of the severity and regional-scale of the risk, more stringent consideration is warranted for areas affected by the probable maximum flood (PMF) as well as the 1:100 year flood. The NSW Department of Planning and Environment is leading work to develop a planning framework to address flood risk in the Hawkesbury-Nepean Valley. This will include an examination of the cumulative impact of development within the Hawkesbury-Nepean Valley on flood risk. While this work is underway, the following planning principles will be applied to both local strategic planning and development decisions:

- avoiding intensification and new urban development on land below the current 1 in 100 chance per year flood event (1 per cent annual exceedance probability flood event)
- applying flood related development controls on land between the 1 in 100 chance per year flood level and the PMF level

- providing for less intensive development or avoiding certain urban uses in areas of higher risk and allowing more intensive development in areas of lower flood risk, subject to an assessment of the cumulative impact of urban growth on regional evacuation road capacity and operational complexity of emergency management
- balancing desired development outcomes in strategic centres with appropriate flood risk management outcomes
- avoiding alterations to flood storage capacity of the floodplain and flood behaviour through filling and excavation ('cut and fill') or other earthworks
- applying more flood-compatible building techniques and subdivision design for greater resilience to flooding.

Penrith Lakes is a former quarry site being rehabilitated into lakes, wetlands and parklands, located mostly within the Metropolitan Rural Area. As Penrith Lakes is in the Hawkesbury-Nepean Valley floodplain, planning for any future development will need to carefully consider the significant risk to people and property from flooding during extreme events. Investigations undertaken by the Hawkesbury-Nepean Flood Risk Management Taskforce identified that there is no ability for major residential development to occur at Penrith Lakes. This is due to the characteristics of the site as well as the limited ability of existing or future infrastructure to create the necessary road evacuation capacity to service the new developments and maintain evacuation routes for places such as Richmond and Londonderry.

Some alternate forms of development may be considered, if they avoid increasing risks to people and property, including evacuation impacts. The amendment to State Environmental Planning Policy (Penrith Lakes Scheme) 1989 allows certain urban uses such as tourism, employment and limited residential development in areas subject to operational plans that build flood resilience and avoid the creation of communities that require evacuation.

Flooding constraints also affect other areas across the District, many of which are undergoing significant growth and redevelopment. This includes the Penrith City Centre, where drainage works are underway to manage flooding. Strategic planning for growth in flood-prone areas must consider flood resilience to ensure buildings and communities can withstand flood events and quickly recover.

Figure 1 - Extract From Western City District Plan - Flooding in the Hawkesbury Nepean Valley

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It should also be noted that the much anticipated Hawkesbury Nepean Regional Flood Study prepared by Infrastructure NSW has recently been released in July 2019. That Study represents the most up to date information in regard to flooding within the Hawkesbury Nepean Valley, and includes Hazard Mapping based on the criteria of the Australian Institute of Disaster Resilience 2017 Handbook. Extracts of that Hazard Mapping for a 1:100 Flood have been included below:

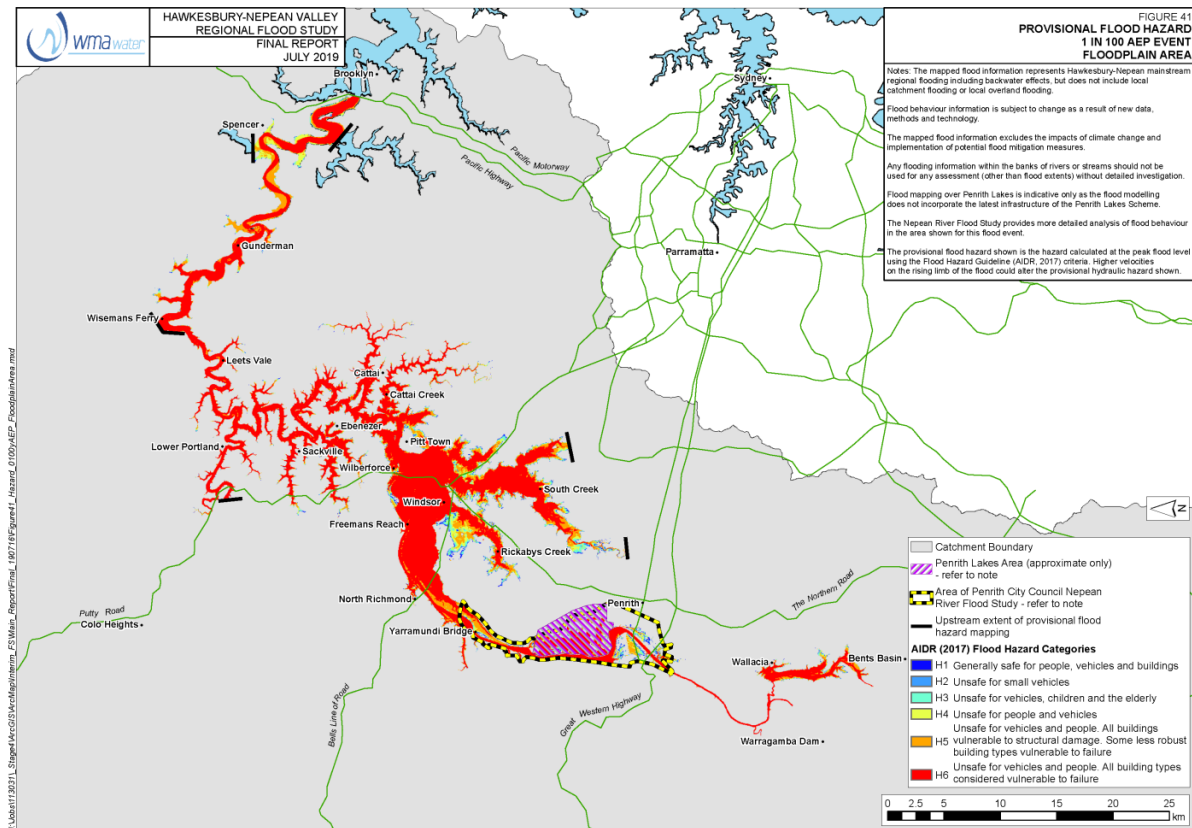


Figure 2 - Flood Hazard (1:100) From Hawkesbury Nepean Regional Flood Study

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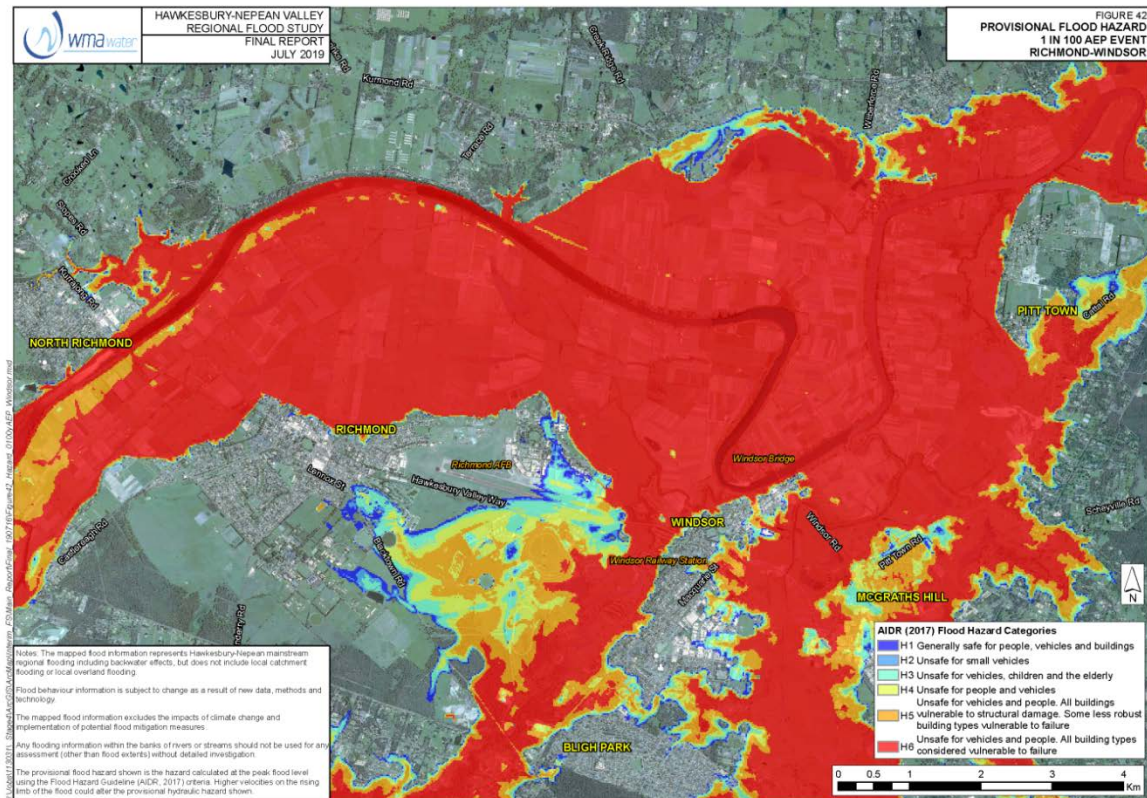


Figure 3 - Flood Hazard (1:100) Richmond and Windsor From Hawkesbury Nepean Regional Flood Study

The clear message from the Western City District Plan is to avoid land uses in areas of higher flood risk, which as highlighted by the Hawkesbury Nepean Regional Flood Study above, for the Hawkesbury represents an extensive area. The issue with respect to flooding poses key considerations for a number of uses that are currently contained within the Housekeeping LEP that will involve an intensification of certain land uses in areas of high risk.

At the present time the Housekeeping LEP Amendment provides for permissibility of certain land uses in Rural and Environmental Zones across the Hawkesbury LGA, which includes significant areas of land that are subject to the highest rate of Category Hazard. In terms of the current Housekeeping LEP Amendment these include:

- Extension of number of days for Temporary Use
- Function Centres in Rural and Environmental Living Zones
- Eco Tourist Facilities in Rural, Residential and Environmental Zones

It should be noted that there are also significant areas of the Hawkesbury LGA that are not within a high hazard area in terms of flooding, although may or may not be impacted upon as a consequence of flooding. The Department of Planning, Industry and Environment do not support LEP Amendments that create unnecessary site specific planning provisions ie. for certain parts of the LGA the permissibility changes even though located within the same zone. As such the current position is essentially all or nothing in terms of those matters with respect to flooding.

Sydney Region Plan and Western City District Plan – Metropolitan Rural Area Policy Context

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The release of the Sydney Region Plan and Western City District Plan introduced the Metropolitan Rural Area as a key policy framework for consideration. The Sydney Region Plan - A Metropolis of Three Cities (released in March 2018), has 10 directions with each having its relative objectives and indicators, including:

- Direction: A City in its Landscape Objective 29: Environmental, social and economic values in rural areas are protected and enhanced.

The Western City District Plan implements the Sydney Region Plan, and includes Planning Priority W17 – Better Managing Rural Areas. Within the Western City District Plan the Metropolitan Rural Area's characteristics include:

- Farms
- Rural towns and villages
- Rural residential developments
- Heritage, scenic and cultural landscapes
- Mineral resources
- Recreation and tourism locations
- Includes large areas of natural hazards
- Strategic centres of Windsor, Richmond and Katoomba

The Sydney Region Plan outlines that land uses in the Metropolitan Rural Area are influenced by:

- Increasing demand for biodiversity offset sites
- Local demand to live and work in the area
- Opportunities to conserve and enhance cultural heritage
- Opportunities for tourism and recreation linked to the Western Sydney Airport
- Opportunities for agriculture

The Sydney Region Plan highlights that "Urban Development is not consistent with the values of the Metropolitan Rural Area. Restricting urban development in the Metropolitan Rural Area will help manage its environment, social and economic values, help to reduce land speculation, and increase biodiversity." The Plan also encourages Place-based planning.

The whole of the Hawkesbury LGA is classified as a Metropolitan Rural Area with the exception of the Vineyard Precinct as shown in Figure 4 below.

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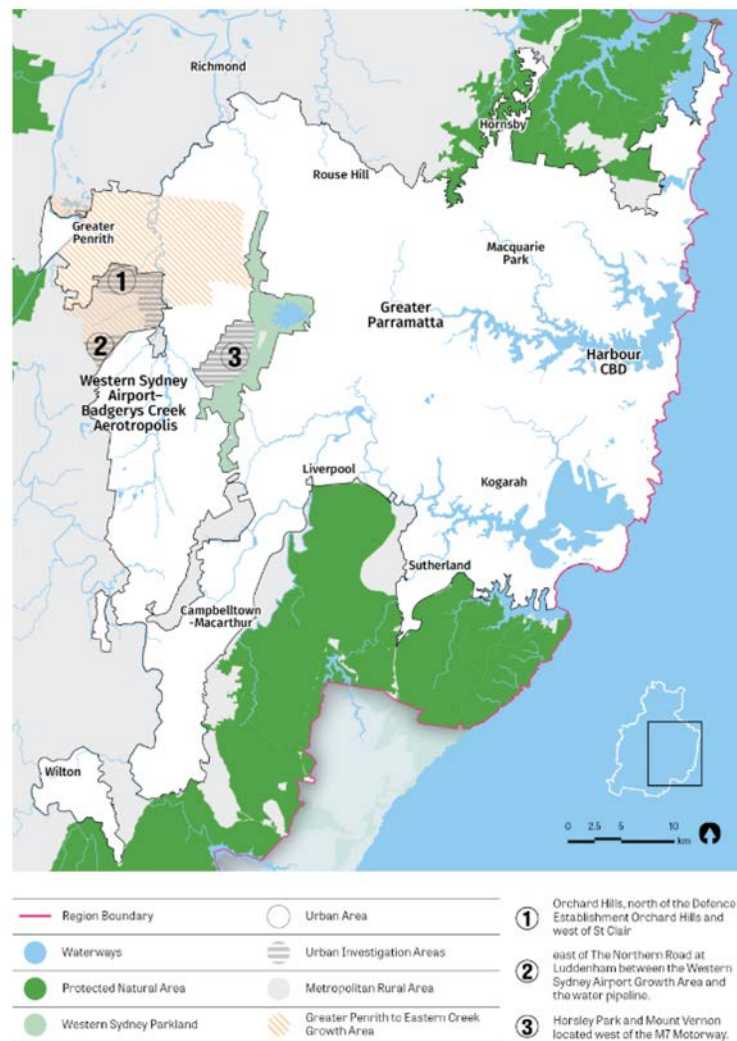


Figure 4 - Metropolitan Rural Area

Council's experience to date in terms of the Metropolitan Rural Area is that there has been no clear direction provided by the Greater Sydney Commission or Department of Planning, Industry and Environment.

This lack of clear direction has been particularly highlighted through Planning Proposal LEP001/17 – 27 and 41 Park Road, Mulgrave (rezoning from rural to industrial) which was supported by Council and the Hawkesbury Local Planning Panel given the site specific and strategic merits of the proposal.

That Planning Proposal was submitted to the Department of Planning and Environment in November 2018, and to date Council and the applicant are still awaiting a Gateway Determination in excess of 12 months later. The Department of Planning, Industry and Environment have advised that the Greater Sydney Commission has concerns in regard to the planning proposal, given the subject site is located within the Metropolitan Rural Area. As demonstrated by this particular planning proposal and in numerous meetings and discussions with the Greater Sydney Commission and Department of Planning, Industry and Environment there is:

- No clear policy position or directives of Metropolitan Rural Area from the Greater Sydney Commission or the Department of Planning, Industry and Environment.
- Inability to provide clear directions on land use planning matters to developers and landowners.
- Inability to provide increased local job opportunities through rezoning of suitable land.
- Issues of longer term housing target and 20 year employment target of 16,500 additional jobs.

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Given the Metropolitan Rural Area policy context issue particularly relates to land in rural or environmental zones, the elements of the current Housekeeping LEP Amendment that are impacted by this matter include:

- Function Centres in Rural and Environmental Living Zones
- Eco Tourist Facilities in Rural, Residential and Environmental Zones

As previously highlighted, the table in Attachment 2 details the different elements of the current Housekeeping LEP Amendment, and the Discussion section of this report includes details of possible options for Council and a recommendation.

Consultation

Depending on Council's consideration of this matter, public exhibition of the Planning Proposal is still required to occur.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Leadership

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

Our Community

- 2.2 Participation in recreational and lifestyle activities is increased - Encourage and enable our community to participate in a healthy lifestyle
 - 2.2.2 Encourage active participation in a range of sporting and recreational pursuits.
- 2.3 Community partnerships continue to evolve - Increase the range of local partnerships and plan for the future
 - 2.3.1 Encourage and facilitate community partnerships.
 - 2.3.4 Develop opportunities for active involvement of residents in the management of parks and public spaces in the Hawkesbury.
- 2.4 Community wellbeing and local services - Build on a sense of community and wellbeing
 - 2.4.2 Provide flexible services that can adapt to changing community needs and service demands.

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Our Assets

- 4.3 Places and Spaces - Provide the right places and spaces to serve our community
- 4.3.1 Provide a variety of quality passive recreation spaces including river foreshores, parks, bushland reserves and civic spaces to enhance our community's health and lifestyle.
 - 4.3.2 Provide a variety of quality active recreation spaces including playgrounds, sporting fields, pool, stadium and multipurpose centres to enhance our community's health and lifestyle.
 - 4.3.3 Provide a variety of quality shared spaces including meeting spaces accommodating public art, cultural and environmental amenity to enhance our community's health and lifestyle.
 - 4.3.4 Manage commercial spaces available for business and investment across the Hawkesbury's local centres.

Our Future

- 5.1 Strategic Planning Governance - Encourage informed planning, balanced growth and community engagement
- 5.1.1 Council's planning is integrated and long term.
 - 5.1.2 Council's decision making on all matters is transparent, accessible and accountable.
 - 5.1.3 Council will continually review its service provision to ensure best possible outcomes for the community.
 - 5.1.4 Encourage increased community participation in planning and policy development.
 - 5.1.5 The needs of our community will be reflected in Local, State and Regional Plans.
- 5.7 Tourism and Economic Development - Promote our community as the place to visit, work and invest
- 5.7.1 Working in partnership we will actively market our City and our capabilities to existing and potential businesses, visitors and investors.

Discussion

As detailed in Attachment 1 there are approximately 50 individual elements within the current Housekeeping LEP Amendment, some of which have various sub elements.

The table contained in Attachment 2 highlights relevant feedback from public agencies. It further shows consideration of policy positions of the NSW State Government as expressed in the Sydney Region Plan and Western City District Plan, and the issues associated with the Housekeeping LEP Amendment.

Of the 50 items within the Housekeeping LEP Amendment the following four issues remain:

- Extension of number of days of Temporary Use
- Bed and Breakfast - amend the permissibility and provide additional controls
- Function Centres in Rural and Environmental Living Zones
- Eco Tourist Facilities in Rural, Residential and Environmental Zones

Of these the issues raised by RFS in terms of Bed and Breakfast Accommodation can be fairly readily resolved by amending the permissibility and including additional controls.

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However, with the remaining items it is considered that Council has the following three options:

1. Continue with Planning Proposal as is – risk that all matters cannot proceed
2. Hold off on amendments until LEP Amendment stemming from Local Strategic Planning Statement process. Note that given the Hawkesbury LGA was not identified by the NSW Government as a fast track Council and was provided with no funding (\$2.5 million provided to other LGA's) - Requirement to complete this process by June 2021
3. Separate the matters that are identified as an issue and proceed with the bulk of amendments immediately, and continue with efforts to resolve the remaining separated issues.

Based on consideration of the matter it is recommended that Council proceed on the basis of Option 3 above.

Financial Implications

There are no financial implications associated with this report, other than staff resources applicable to preparing this report.

Fit For The Future Strategy Considerations

The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal will enable Council to sustainably manage community assets in accordance with the scheduled program of works in the Long-Term Financial Plan.

Conclusion

The amendments outlined in this report have been recommended in order to ensure that LEP 2012 is an accurate and up to date document that can be used to appropriately govern and guide development within the Hawkesbury.

Based on consideration of the matter it is recommended that Council proceed with Option 3 as detailed in the report which involves continuing to process the Planning Proposal, but with the identified matters separated in order to provide an opportunity to further discussions with the Greater Sydney Commission, Department Planning, Industry and Environment and other relevant state agencies.

Planning Decision

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

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RECOMMENDATION:

That:

1. Council amend the General Amendments (Housekeeping LEP) to reflect the release of the Sydney Region Plan and Western City District Plan.
2. Council amend the General Amendments (Housekeeping LEP) to address the public agency comments received from RFS with respect to Bed and Breakfast Accommodation, namely:
 - a) Insert additional controls for Bed and Breakfast Accommodation to ensure consistency with relevant SEPP controls
 - b) Insert a new clause into the LEP Amendment specifying requirements for this type of development.
3. Based on public agency consultation and consideration of the policy position of the NSW State Government through the Sydney Region Plan and Western City District Plan, Council separate the following elements from the General Amendment (Housekeeping LEP):
 - a) Extension of number of days of Temporary Use
 - b) Function Centres in Rural and Environmental Living Zones
 - c) Eco Tourist Facilities in Rural, Residential and Environmental Zones

and continue to process the remaining elements of the planning proposal, whilst working to resolve the separated elements through discussion with the Greater Sydney Commission, Department of Planning and Environment and other relevant state agencies.

ATTACHMENTS:

- AT - 1** Current Planning Proposal to Amend the Hawkesbury Local Environmental Plan 2012 - *(Distributed under separate cover)*.
- AT - 2** Summary of Issues and Recommendations with respect to the current Planning Proposal to Amend the Hawkesbury Local Environmental Plan 2012 - *(Distributed under separate cover)*.

oooO END OF REPORT Oooo

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Item: 004 **CP - Redbank Voluntary Planning Agreement and Grose River Crossing - (95498, 79351)**

Previous Item: 230, Ordinary (10 December 2019)
 294, Ordinary (11 December 2018)
 124, Ordinary (29 May 2018)
 118, Ordinary (27 June 2017)
 99, Ordinary (24 June 2014 - *deferred* 1 July 2014)
 54, Ordinary (25 March 2014)
 223, Ordinary (12 November 2013)

Directorate: City Planning

Council at its meeting on 10 December 2019 deferred this item to the next meeting of Council. At the time of its deferral Councillors requested that responses be provided to the following questions:

1. Will the proposed Memorandum of Understanding be presented to Council before its execution?

Answer: Yes, the draft Memorandum of Understanding will be presented to Council before its execution.

2. Re dot point 1 on page 44 of the report, that refers to “limiting Redbank’s financial contribution to the cost of the original “Navua” alignment”, who will pay the balance?

Answer: Pursuant to the current Voluntary Planning Agreement, Redbank are obliged to fund the construction of a crossing of the Grose River - via Navua Reserve and upgrade the relevant remaining sections of Grose River Road between Grose Vale Road and Springwood Road. This is the legal limit of their financial obligation, less the costs that have already been incurred. The currently proposed revised alignment is shorter than the Navua option and the State Government has agreed to be the acquisition authority. These two factors combined will assist in maintaining the costs of the revised alignment to within the funding limits established by the current Voluntary Planning Agreement, thereby avoiding the need for any payment of a balance.

3. Re dot point 2 on page 44 of the report, that refers to “the developer, Roads and Maritime Services and Council developing detailed documentation, including plans, studies and a Draft Amended Voluntary Planning Agreement” who will pay for the cost of this and how much may Council have to contribute to that?

Answer: As stated above pursuant to the current Voluntary Planning Agreement, Redbank are obliged to fund the construction of a crossing of the Grose River - via Navua Reserve and upgrade the relevant remaining sections of Grose River Road between Grose Vale Road and Springwood Road. This is the legal limit of their financial obligation, less the costs that have already been incurred. The currently proposed revised alignment is shorter than the Navua option and the State Government has agreed to be the acquisition authority. These two factors combined will assist in maintaining the costs of the revised alignment to within the funding limits established by the current Voluntary Planning Agreement. That said Council staff time and legal advice will not be included in the costs of pursuing the current revised alignment, as the current revised alignment achieves a better flood and environmental outcome for the community.

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4. What is the relationship with the Richmond Bridge Project if we go ahead, would that eliminate the option in the Richmond Bridge duplication, would that eliminate options south of the existing bridge.

Answer: The two projects are quite different.

The current revised alignment before Council establishes a bridge crossing over the Grose River that is above the 1:100 flood level and in doing so will contribute towards a faster more direct route to the east over the Hawkesbury Nepean River (via Springwood) in the case of a major flood.

It is understood that the current Roads and Maritime Services investigation of the North Richmond Bridge duplication is intended to address current traffic issues between Richmond and North Richmond and in doing so link up with the Bells Line of Road. The options to the south of the existing North Richmond Bridge do not provide a complete solution and are unlikely to be above the 1:100 flood level.

PURPOSE OF THE REPORT:

The Redbank Voluntary Planning Agreement includes a range of provisions in relation to the establishment of a new vehicular crossing over the Grose River at Yarramundi. The purpose of this report is to:

- Outline the details of meetings, negotiations and consultations that have taken place since June 2017 to investigate options for enhancing the alignment of the proposed Grose River Crossing.
- Recommend a way forward in relation to satisfying this element of the Redbank Voluntary Planning Agreement.

EXECUTIVE SUMMARY:

In March 2012 Council received a planning proposal to rezone 108 Grose Vale Road, North Richmond for predominantly residential purposes. The planning proposal included specialist reports and an offer to enter into a Voluntary Planning Agreement. The matter was reported to Council in May 2012. Council resolved to support the rezoning and forward it to the Minister for Planning and Infrastructure for a “gateway” determination. In addition, in the event that the Department of Planning and Infrastructure determined to allow planning proposal to proceed, Council also resolved to commence Voluntary Planning Agreement negotiations with the applicant.

In July 2012 the Department of Planning & Infrastructure issued its Gateway determination endorsing the progression of the planning proposal. The documentation was amended in accordance with the conditions of the Gateway determination and placed on public exhibition. The exhibition material included a draft Voluntary Planning Agreement that amongst other things made provision for road works and a bridge crossing of Grose River at Yarramundi.

The planning proposal was considered by Council at its meeting in November 2013 at which time Council resolved to support the Planning Proposal. The Voluntary Planning Agreement was subsequently adopted by Council in July 2014.

In June 2017, Council considered a confidential report in relation to the Redbank Voluntary Planning Agreement and Delivery of the Bridge over the Grose River. In response Council resolved in part to:

- Amend milestones in relation to the proposed bridge
- Acknowledge that consultants have been engaged to review traffic studies in respect of the link road over the Grose River
- Acknowledge that the location of the current proposed link road is subject to flooding
- Acknowledge that Council is working with the RMS to investigate options for the construction of a link across the Grose River.

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Over subsequent months Council staff investigated the current VPA proposed crossing at Navua Reserve in the context of the State Governments Resilient Valleys Resilient Communities Flood Risk Management Strategy and worked with SMEC to undertake the Hawkesbury City Traffic Study. Ultimately these actions lead to community meetings on 5 December 2018 and 11 April 2019, regarding the Grose River Bridge Crossing.

The community meetings and associated community feedback - via Hawkesbury Have Your Say, culminated in Council and Roads and Maritime representatives presenting a revised route across the Grose River, that:

- Refined the currently proposed alignment between Ashtons Rd to Springwood Rd.
- Had been developed in the context of material presented at the December 2018 community meeting and
 - Subsequent feedback
 - Complying with the VPA
 - Assisting with traffic movements
 - Being above the 1:100 Flood Level.

It is now proposed that Council endorse – in principle, the revised route based on the understanding that the parties will enter into a Memorandum of Understanding:

- Limiting Redbank's financial contribution to the cost of original "Navua" alignment (Grose River Road from Grose Valley Road to Springwood Road, via Navua Reserve) less expenditure (surveys, studies, plans, applications etc.) to date
- Confirming that Roads and Maritime Services will both acquire and fund the acquisition of land required for the revised crossing/alignment
- Confirming that Roads and Maritime Services will commence acquisition after July 2020
- Outlining the way forward in terms of legal documentation, future studies, approvals and timelines etc.

RECOMMENDATION SUMMARY:

The report recommends that Council endorse – in principle, the revised route based on the understanding that the parties will enter into a Memorandum of Understanding:

- Clarifying each parties roles and responsibilities
- Outlining the way forward in terms of amending legal documentation, future studies, approvals and timelines etc.

REPORT:

Context and Background

In March 2012 Council received a planning proposal prepared by JBA Planning on behalf of the North Richmond Joint Venture for the rezoning of Lot 27 DP 1042890, 108 Grose Vale Road, North Richmond for predominantly residential purposes.

The planning proposal included associated specialist reports and an offer to enter into a Voluntary Planning Agreement. A Voluntary Planning Agreement is a legally binding agreement, under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.

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The resulting Gateway determination issued by the Department of Planning & Infrastructure's made specific observations in relation to:

- Issues of access and other infrastructure that need to be resolved
- The proponents undertaking to meet necessary infrastructure costs
- The need to ensure that adequate infrastructure details are placed on public exhibition as part of the planning proposal consultation process.

The planning proposal was ultimately supported by Council and the Voluntary Planning Agreement was adopted by Council at its meeting in July 2014. The Voluntary Planning Agreement makes provision for:

- Intersection and road works
- Bridge crossing of Grose River at Yarramundi
- Public transport facilities
- Community facilities
- Works as identified by the Conservation Management Plan
- Improvements to Peel Park
- Open space and recreation.

The purpose of this report is to provide Council with the relevant background information so that it can determine its position in relation to the refinement of the proposed Grose River Crossing and in doing so satisfy the associated provisions of the Redbank Voluntary Planning Agreement.

Detailed History, including previous Council decisions

Original Planning Proposal and Voluntary Planning Agreement

In March 2012 Council received a planning proposal prepared by JBA Planning on behalf of the North Richmond Joint Venture for the rezoning of Lot 27 DP 1042890, 108 Grose Vale Road, North Richmond for predominantly residential purposes.

The planning proposal included associated specialist reports and an offer to enter into a Voluntary Planning Agreement. A Voluntary Planning Agreement is a legally binding agreement, voluntarily entered into between a Planning Authority and Developer:

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

The planning proposal and associated documents were reported to the Council meeting on 8 May 2012 ([Use link to Item 59](#)). In response Council resolved: -

"That:

1. *A Planning Proposal be prepared for the rezoning of Lot 27 DP 1042890, 108 Grose Vale Road, North Richmond as shown in plan titled Gateway Planning Proposal - Infrastructure and Staging North Richmond Joint Venture Concept Plan Redbank Proposed Draft LEP Zonings, prepared by J. Wyndham Prince, referenced 8607/SK44 and subject to the proposed B2 zone being changed to a B1 Neighbourhood Centre zone.*
2. *The Planning Proposal be supported by JBA Planning's Planning Proposal titled Redbank at North Richmond, dated March 2012 and associated reports and assessments.*
3. *The Planning Proposal be forwarded to the Minister for Planning and Infrastructure for a "gateway" determination.*
4. *The Minister for Planning and Infrastructure be requested to consider a community consultation period of not less than 60 days.*

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5. *The matter be reported back to Council to consider submissions following public exhibition.*
6. *If the Department of Planning and Infrastructure determines that the planning proposal is to proceed, Council commence Voluntary Planning Agreement negotiations with the North Richmond Joint Venture and any other relevant party.*
7. *The North Richmond Joint Venture in preparing a Transport Management & Accessibility Plan for the proposed development is to include at least one other alternative to the proposed access route and Yarramundi Bridge crossing for consideration by Council, relevant public authorities and the community.*
8. *In the event of the Planning Proposal proceeding, the North Richmond Joint Venture is to develop a draft Masterplan and draft site specific DCP for the site, at their own expense, in conjunction with Council staff for final checking, amendment if required, and adoption by Council prior to finalisation of the rezoning.*
9. *Council commence the process to prepare a specific plan of management for Navua Reserve and a review of the plan of management for Yarramundi Reserve that proposes to retain the Crown Road reserves so they are available for any future proposed crossing of the Grose River. Should the current proposal proceed any other required changes to the plans of management should be proposed for consideration at the same time."*

On 27 July 2012 the then Department of Planning & Infrastructure's issued its Gateway determination endorsing the progression of the planning proposal, subject to 9 Conditions – **Refer Attachment 1.**

The Gateway determination also made specific reference to the following points:

"there are issues of access and other infrastructure to be resolved"

"the proponent has undertaken to meet necessary infrastructure costs"

"adequate infrastructure details are placed on public exhibition as part of the planning proposal"

The planning proposal was amended in accordance with the conditions of the Gateway determination whereby the following additional information was prepared:

- North Richmond 'Redbank' Transport Management and Accessibility Plan, AECOM, 20 March 2013.
- Conservation Management Plan, Urbis, 25 March 2013.
- North Richmond 'Redbank' Transport Management and Accessibility Plan Traffic Review, prepared by GTA Consultants on behalf of the Department of Planning and Infrastructure, 8 April 2013.
- A draft Voluntary Planning Agreement prepared by the applicant - following negotiations with Council and the Roads and Maritime Services, to operate in lieu of a Section 94 or Section 94A developer contributions. The draft Voluntary Planning Agreement offer made provision for:
 - Intersection and road works
 - Bridge crossing of Grose River at Yarramundi
 - Public transport facilities
 - Community facilities
 - Works as identified by the Conservation Management Plan
 - Improvements to Peel Park
 - Open space and recreation.

In the case of the Redbank Voluntary Planning Agreement, as both the Council and the Roads and Maritime Services are Planning Authorities, they were both parties to the agreement.

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As required by the Gateway determination, the draft Voluntary Planning Agreement was placed on public exhibition at the same time, and formed part of, the package of documents exhibited with the planning proposal.

The planning proposal was considered by Council at its meeting on 12 November 2013 at which time Council resolved to support the Planning Proposal and forward it to the Department of Planning and Infrastructure to make the plan ([Use link to Item 223](#)).

The Voluntary Planning Agreement was subsequently adopted by Council at its meeting of 24 June 2014 adjourned to 1 July 2014 ([Use link to Item 99](#)) and signed by the Developer, Roads and Maritime Services and Council on 20 August 2014 ([Use link to Voluntary Planning Agreement](#))

Confidential Report

On 27 June 2017, Council considered a confidential report in relation to the Redbank Voluntary Planning Agreement and Delivery of Bridge over the Grose River. The report was confidential in accordance with the provisions of Part 1 of Chapter 4 of the *Local Government Act 1993*, in particular Sections 10A(2)(d) and 10A2(g) which read as follows:

- 10A(2)(d) *the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest*
- 10A(2)(g) *the information concerns contractual arrangements and the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

At the conclusion of its deliberations in relation to this report, Council resolved to:

1. Advise the Developer that Council does not agree with their request, dated 20 February 2017, to pay the Monetary Contribution for the "New Proposed Bridge (Multispan)" under the provisions of Clause 7.2(e)(i)(B) of the Redbank Voluntary Planning Agreement.
2. Note that there have been no monetary contributions made by the Developer for the bridge works to date. If the Redbank Voluntary Planning Agreement Monetary Contribution payment provisions for the Bridge Works are pursued they would be made as the development proceeds. The total funds would not be payable for approximately five or more years and that, under the provisions of the Voluntary Planning Agreement, the RMS would receive 95% of those funds with Council receiving 5% of that contribution.
3. Agree to amend the Milestone in Schedule 2, Table 1, Item 1.2 (approval Milestone for New Proposed Bridge (Multispan)) of the Redbank Voluntary Planning Agreement to the following:
 - Milestone 2: amend from 341st Urban Lot to 701st Urban Lot.
4. Agree to amend the Milestone in Schedule 2, Table 1, Item 1.3 (operational milestone for the New Proposed Bridge (Multispan)) of the Redbank Voluntary Planning Agreement to the following:
 - Amend the 'Timing' in Column 3 for the practical completion of the works from 641st Urban Lot to 1001st Urban Lot.
5. Agree to amend Schedule 2, Table 1, Column 2, Item 1.6b (Milestone for the provision of an allotment for a Child Care Centre) of the Redbank Voluntary Planning Agreement by replacing 301st Urban Lot to 601st Urban Lot.

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6. Seek the agreement of the Developer and the RMS as parties to the Redbank Voluntary Planning Agreement to the amendment of the milestone changes outlined above.
7. Confirm the Council Position on the Bridge and the Redbank Voluntary Planning Agreement as listed in this report, with additional words to point 3 on Page 22 of the report as discussed at the meeting, as the current position of Council, and that the information be publically released.

Pursuant to point 7 of the above Council resolution, Council's public position was as follows:

- i. Council has engaged independent consultants to review traffic studies in respect of the link road over the Grose River.*
- ii. The location of the current proposed link road is subject to flooding.*
- iii. Council is working with the RMS to investigate options for the construction of a link across the Grose River.*
- iv. The parties to the Redbank Voluntary Planning Agreement are not in dispute.*
- v. The application submitted to Council by the Developer for the bridge works in the Redbank Voluntary Planning Agreement was submitted to Council in August 2016 and is currently being assessed against the relevant environmental and planning legislation.*
- vi. The work to amend the current Plans of Management for the Navua and Yarramundi Reserves is underway. Any draft amendment will be reported to Council prior to public exhibition.*
- vii. Council and the RMS, as parties to the Redbank Voluntary Planning Agreement, have not agreed to the Developer making a monetary contribution in lieu of constructing the bridge works.*
- viii. No monetary contributions for the bridge works have been made to date. Under the provisions of the Redbank Voluntary Planning Agreement any monetary contributions are progressive and not made in a lump sum. The full contribution, should that option be pursued, would not be made or available for at least five or more years.*
- ix. If the monetary contribution was accepted by Council and the RMS the provisions of the Redbank Voluntary Planning Agreement require approximately 95% of those funds to be made to the RMS for unspecified works with only 5% being available to Council for local roads.*
- x. Any monetary contribution cannot be utilised on other works or used by the RMS or Council to construct a bridge.*

Over subsequent months, in accordance with Council's public position, Council staff:

- a) Worked with SMEC to undertake the Hawkesbury City Traffic Study, the results of which have confirmed the value of the proposed Grose River crossing
- b) Investigated the current VPA proposed crossing at Navua Reserve in the context of the State Governments Resilient Valleys Resilient Communities – Hawkesbury Nepean Valley Flood Risk Management Strategy released in May 2017 ([Refer link to Strategy](#)).
- c) Continued to work with Roads and Maritime Services and the developer to investigate options for the construction of a link across the Grose River.
- d) Paused the assessment of the applications submitted by the developer pending the outcome of the actions outlined in paragraphs "a" – "c" above.

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- e) Paused the development of the Plans of Management for the Navua and Yarramundi Reserves pending the outcome of the actions outlined in paragraphs “a” – “c” above.

The above activities culminated in community meetings on 5 December 2018 and 11 April 2019, regarding the Grose River Bridge Crossing ([Refer link to Community Meetings](#)).

Community Meeting 1 – 5 December 2018

The initial community meeting was held at the North Richmond Community Centre and was attended by representatives of Roads and Maritime Services and Council. The details of the matters covered at the community meeting held on 5 December 2018 can be summarised as follows:

Introduction

- Tonight is for Information only
- For existing residents, new residents and prospective residents
- No decisions tonight - the beginning of a process
- Will continue in 2019
- Alerting them to Councils web page – Have Your Say

Voluntary Planning Agreements

- What are they
- Redbank Voluntary Planning Agreement
- Developer Contributions
- Delivery of works
- Upgrades of local road network – roads and intersections
- Grose River Bridge
- Community facilities
- Recreation and open space
- Maintenance works
- Transfer of land
- Funding contributions
- Registration of agreement on land
- Review of agreement
- Dispute resolution
- Schedules and Annexures
- Developer Contribution Tables and Milestones

Current alignment of Grose River Crossing

- Grose Vale Road
- Grose River Road
- Navua Reserve
- Springwood Road

Traffic Studies

- AECOM –North Richmond “Redbank” Transport Management and Accessibility Plan (TMAP) 20 March 2013
- GTA consultants -North Richmond “Redbank” Transport Management and Accessibility Plan (TMAP) Traffic Review 8 April 2013
- SMEC –Hawkesbury City Council Traffic Study Stage, 12 June 2018

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Flooding

- Flood map - 1:100 level at Yarramundi : 18.3m
- Existing road levels
- Current proposed Navua bridge crossing : 9.82m – 13.4m (below the 1:10 chance of flood)
- Flood charts
- Flood levels - Springwood Road, Yarramundi Bridge, North Richmond Bridge

Next Steps – where to from here

- Council and Roads and Maritime Services to consider:
 - The material presented tonight
 - The VPA
 - Traffic
 - Flooding
 - Questions and Feedback from tonight
- Develop option/s that respond to material, questions and feedback
- Present findings, options and recommendations to a further community meeting in 2019

Hawkesbury “Have Your Say”

A total of 332 people visited the Hawkesbury “Have Your Say” web site – **Refer Attachment 2** for details of the feedback provided.

Community Meeting 2 – 11 April 2019

The second community meeting was held at the North Richmond Primary School and was again attended by representatives of Roads and Maritime Services and Council. The details of the matters covered at the community meeting held on 11 April 2019 can be summarised as follows:

Welcome

- Introductions
- Previous presentation
- This evenings presentation

Grose River Crossing and North Richmond Crossing

- Two different locations
- Two different projects
- Two different objectives

Proposed Alternative Route – **Refer Attachment 3**

- Ashtons Road to Springwood Road
- Affecting 3 properties
- RMS acquisition authority

Complements Current Alignment

- As contained in Voluntary Panning Agreement
- Intersection of Grose Vale Rd and Grose River Rd – No Change
- Upgrade of Grose River Rd to Ashtons Rd – No Change
- Ashtons Rd to Springwood Rd – Alternative Route

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Proposed Alternative Route

- Developed in the context of:
 - Material presented in December 2018
 - It complies with the VPA
 - It assists traffic movements
 - It is above the 1:100 Flood Level
 - Questions and Feedback from December 2018
 - It limits weight to 5 tonne + local school buses
 - 60kph speed limit

Where to from here

- Present proposal to Council for “In Principle” support
- Develop detailed documentation
 - Detailed Design and Quantity Surveyor Report
 - Draft Amended Voluntary Planning Agreement
 - Complete Relevant studies:
 - Traffic
 - Environmental
 - Flooding etc.
- Submit application and formally notify the local community, seeking community feedback
- Determine application and Draft Amended Voluntary Planning Agreement
- If alternative alignment over Grose River is approved:
 - Execute Amended Voluntary Planning Agreement
 - Amend plans to reflect outcomes of approval process
 - Prepare construction drawings
 - Put Project out to tender – based on final construction drawings
 - Select contractors
 - Construct project
 - Open new crossing

Current Position

Subsequent to the April 2019 Community Meeting, and as a result of changes to State Government procedures in relation to land acquisition, Roads and Maritime Services have appointed a liaison officer to work with the 3 affected land owners.

Over this period of time, Roads and Maritime Services have also confirmed that they will now both acquire and fund the acquisition of the land required for the construction of the revised bridge location, upstream of Navua Reserve.

Notwithstanding the above, Roads and Maritime Services are not in a position to progress the matter any further until an agreement is in place outlining:

- The way forward
- The roles and responsibilities of the parties to the agreement.

To this end, representatives of the Developer, Roads and Maritime Services and Council have continued to meet and/or discuss the project since the April 2019 Community meeting. As a result of those discussions the following points have been confirmed as the basis for progressing the project:

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- Council will consider the matter and adopt a position in relation to the proposed “Alternative Route”
- In the event that Council resolves to provide “In Principle” support for the proposed “Alternative Route”:
 - The Developer, Roads and Maritime Services and Council will enter into a Memorandum of Understanding to confirm way forward, the key features of such a document to include:
 - Limiting Redbank’s financial contribution to the cost of original “Navua” alignment (Grose River Road from Grose Vally Road to Springwood Road, via Navua Reserve) less expenditure (surveys, studies, plans, applications etc) to date
 - Finalising a new design, new costings, approval process, supporting documentation and revised timetable
 - Confirmation that Roads and Maritime Services will both acquire and fund the acquisition of land required for the revised crossing/alignment
 - Confirmation that Roads and Maritime Services will commence acquisition after July 2020
 - The Developer, Roads and Maritime Services and Council will:
 - Develop detailed documentation including plans, studies, and a Draft Amended Voluntary Planning Agreement.
 - Submit application and formally notify the local community, seeking community feedback
 - Arrange for the “Independent” assessment and determination of the application and Draft Amended Voluntary Planning Agreement.

Finally, in the event that Council supports for the proposed “Alternative Route”, staff will have to continue to work with Roads and Maritime Services and other relevant State Agencies to establish a process for ensuring that the balance of the route between Grose Vale Road and Springwood is above the 1:100 flood level.

Policy considerations

The details outlined in this report are consistent with Council’s currently stated public position in relation to the proposed Grose River Crossing and Redbank Voluntary Planning Agreement, as outlined earlier in the report.

Consultation

The issues raised in this report do not constitute matters that would be a trigger for Community Engagement at this point in time.

However, based on Council’s final decision in relation to this matter, there may be a requirement for further formal consultation with residents and other stakeholders. The details of any additional consultation can be assessed once the outcome of this particular matter has been determined by Council.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Future

- 5.1 Strategic Planning Governance - Encourage informed planning, balanced growth and community engagement
 - 5.1.1 Council’s planning is integrated and long term.
 - 5.1.2 Council’s decision making on all matters is transparent, accessible and accountable.

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Discussion

The Redbank Voluntary Planning Agreement requires a crossing of the Grose River or a financial contribution in lieu of the physical crossing.

The currently proposed crossing runs through Navua Reserve and in doing so impacts on existing public open space. Furthermore, the level of the current crossing is substantially lower than the level of a 1:100 flood event.

Working within the context of Council's currently stated public position in relation to the proposed Grose River Crossing and Redbank Voluntary Planning Agreement, Council staff have been working with the Developer and Roads and Maritime Service to explore a more appropriately located crossing over the Grose River.

As a result of this work, staff are now in a position to present to Council a revised alignment that:

- Is in accordance with the intentions of the original Redbank VPA.
- Based on the Hawkesbury City Traffic Study, will add value to the local transport network.
- Avoids the loss or alienation of public open space.
- That will be acquired and funded by Roads and Maritime Services.
- Provides a crossing of the Grose River that is above the 1:100 flood level.

In respect of the latter point, Council staff will have to continue to work with Roads and Maritime Services and other relevant State Agencies to establish a process for ensuring that the balance of the route between Grose Vale Road and Springwood is above the 1:100 flood level.

Notwithstanding the above, the revised alignment will necessitate the compulsory acquisition of land (in part or whole) from three affected land owners. In this regard Roads and Maritime Services have put arrangements in place to work with the relevant parties.

Financial Implications

Depending upon Council's final decision in relation to this matter, there may be financial implications associated with matters such as the

- Drafting of any Memorandum of Understanding
- Approval processes required in relation to any alternative route
- Drafting of an amended Voluntary Planning Agreement.

The details of any financial implications can be further investigated once the outcome of this particular matter has been determined by Council.

Planning Decision

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

Fit For The Future Strategy Considerations

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

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Conclusion

The Redbank Voluntary Planning Agreement requires a crossing of the Grose River or a financial contribution in lieu of the physical crossing.

The currently proposed crossing runs through Navua Reserve and in doing so compromises existing public open space. Furthermore, the level of the current crossing is substantially lower than the level of a 1:100 flood event.

Council staff have therefore been working with the Developer and Roads and Maritime Service to explore a more appropriate crossing over the Grose River. To this end Council staff have:

- Worked with SMEC to undertake the Hawkesbury City Traffic Study, the results of which have confirmed the value of the proposed Grose River crossing.
- Investigated the current VPA proposed crossing at Navua Reserve in the context of the State Governments Resilient Valleys Resilient Communities Flood Risk Management Strategy.

As a result of this work, an alternative route has been identified that:

- Is in accordance with the intentions of the original Redbank VPA
- Avoids the loss of public open space
- Provides a crossing of the Grose River that is above the 1:100 flood level.

In respect of the latter point, Council staff will have to continue to work with Roads and Maritime Services and other relevant State Agencies to establish a process for ensuring that the balance of the route between Grose Vale Road and Springwood is above the 1:100 flood level.

RECOMMENDATION:

That:

1. The report be received and noted.
2. Council confirm its “In Principle” support for the proposed “Alternative Route” based on:
 - a) The fact that it does not involve any loss of public open space
 - b) The contribution it will make towards providing an alternative flood route for local residents
 - c) The offer of Roads and Maritime Services to acquire and fund land required for the alternative route.
3. Council staff work with the Developer and Roads and Maritime Services to draft a Memorandum of Understanding to confirm way forward, the key features of such a document to include:
 - a) Limiting Redbank’s financial contribution to the cost of original “Navua” alignment (Grose River Road from Grose Vally Road to Springwood Road, via Navua Reserve) less expenditure (surveys, studies, plans, applications etc) to date
 - b) Finalising a new design, new costings, approval process, supporting documentation and revised timetable
 - c) Confirmation that Roads and Maritime Services will both acquire and fund the acquisition of land required for the revised crossing/alignment
 - d) Confirmation that Roads and Maritime Services will commence acquisition after July 2020.

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4. Council staff initiate discussion with Roads and Maritime Services and other relevant State Agencies to establish a process for ensuring that the balance of the route between Grose Vale Road and Springwood is above the 1:100 flood level.
5. Council staff advise the community of the points outlined in points 1-4 above and confirm that subject to the execution of the Memorandum of Understanding Council will be working with the Developer and Roads and Maritime Services to:
 - a) Develop detailed documentation including plans, studies, and a Draft Amended Voluntary Planning Agreement
 - b) Submit a relevant application and formally notify the local community, seeking community feedback
 - c) Arrange for the “Independent” assessment and determination of the application and Draft Amended Voluntary Planning Agreement.

ATTACHMENTS:

- AT - 1** 2012 07 27 Gateway Determination.
- AT - 2** Feedback – Hawkesbury Have Your Say.
- AT - 3** Proposed Alternative Route.

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**Planning &
Infrastructure**

Hawkesbury City Council

- 1 AUG 2012

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Our ref: PP_2012_HAWKE_002_00 (12/08555-1)
Your ref:

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

Dear Mr Jackson,

Planning Proposal to amend the Hawkesbury Local Environmental Plan 1989

I am writing in response to your Council's letter requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone 180 ha land at 108 Grose Vale Road, North Richmond (Lot 27 DP1042890) from Consolidated Land Holdings Zone under Hawkesbury Local Environmental Plan 1989 (HLEP 1989) to a range of urban zones under the draft Hawkesbury LEP 2012.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

I have also agreed that the planning proposal's inconsistencies with S117 Direction 1.2 Rural Zones, 4.3 Flood Prone Land, 6.2 Reserving Land for Public Purposes and 7.1 Implementation of the Metropolitan Plan for Sydney 2036 are of minor significance. No further approval is required in relation to these Directions.

While the subject land is identified as part of the North Richmond future investigation area in Council's Hawkesbury Residential Land Strategy, I note that there are issues of access and other infrastructure to be resolved. I also note that the proponent has undertaken to meet necessary infrastructure costs. Council will therefore need to consider what negotiations are needed to be undertaken with state agencies and the proponent to ensure adequate infrastructure details are placed on public exhibition as part of the planning proposal.

The amending Local Environmental Plan (LEP) is to be finalised within 24 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.



SCANNED

Bridge Street Office: 23-33 Bridge Street, Sydney NSW 2000
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Should you have any queries in regard to this matter, please contact Cho Cho Myint of the Regional Office of the Department on 02 9860 1560.

Yours sincerely,



Sam Haddad
Director-General

27/7/2012

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**Planning &
Infrastructure**

Gateway Determination

Planning Proposal (Department Ref: PP_2012_HAWKE_002_00): to rezone land at 108 Grose Vale Road, North Richmond (Lot 27 DP1042890) from Consolidated Land Holdings Zone under Hawkesbury Local Environmental Plan 1989 (HLEP 1989) to a range of urban uses under the draft Hawkesbury LEP 2012

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Hawkesbury Local Environmental Plan 1989 to rezone land at 108 Grose Vale Road, North Richmond (Lot 27 DP1042890) from Consolidated Land Holdings Zone under Hawkesbury Local Environmental Plan 1989 (HLEP 1989) to a range of urban uses under the draft Hawkesbury LEP 2012 should proceed subject to the following conditions:

1. Council is to finalise the TMAP and approve of an approach to access and funding arrangements. This agreement is to form part of a negotiated draft voluntary planning agreement with the proponent and other relevant agencies ensuring that any development of the land occurs at no cost to government. The draft voluntary planning agreement is to be exhibited with the planning proposal.
2. Council is to finalise a Conservation Management Plan and obtain endorsement of the Plan from the Heritage Council.
3. Council is to provide a response to S117 Direction 4.1 Acid Sulphate Soils and include this response within the public exhibition material.
4. Following completion of the work required by the above conditions and prior to the commencement of community consultation, Council is to revise the planning proposal, where necessary and provide a copy of the proposal and relevant information to the Department's Regional Office.
5. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport for NSW – Roads and Maritime Services
 - Sydney Water
 - Office of Environment and Heritage
 - NSW Aboriginal Land Council
 - Hawkesbury – Nepean Catchment Management Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

HAWKESBURY PP_2012_HAWKE_002_00 (12/08555-1)

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**Planning &
Infrastructure**

7. Further to Condition 6 above, Council is to consult with the Commissioner of the NSW Rural Fire Service, prior to the commencement of community consultation and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, and forward a copy of the revised planning proposal to the Department.
8. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
9. The timeframe for completing the LEP is to be **24 months** from the week following the date of the Gateway determination.

Dated 27th day of July, 2012.


Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure

HAWKESBURY PP_2012_HAWKE_002_00 (12/08555-1)

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AT - 2 Feedback – Hawkesbury Have Your Say

Feedback - Grose River Bridge Crossing

Community Meeting - December 2018

Additional escape route in flood and fire emergency scenarios is an option that needs to be investigated.

Not that much information at this stage.

Why are we still talking about a bridge crossing the Grose River. I firmly believe the bridge must cross the Nepean/Hawkesbury directly. Which is the size of the vehicles that would be permitted on this new bridge. We were promised no trucks would be allowed.

There is greater need for another bridge at North Richmond. Increased traffic flow would make Grose River Rd and Grose Wold Rd even more unsafe.

I would like to understand how the new bridge intersection will work. Is Springwood Road traffic prioritised over traffic heading to Redbank. No traffic lights or right of way. I would really like to see how the traffic heading from Springwood Road toward Castlereagh Road will be affected.

The meeting was very helpful in providing information and feedback. Accept developers DA and put it on exhibition for four weeks and get on with building the bridge - stop talking about 18.5 metre high bridge.

We desperately need this bridge, please commit to building it.

I support the proposal to move the "Redbank" Grose River bridge up stream and onto higher ground.

I have serious concerns regarding the proposed Grose River Bridge. The local roads are not built to take thousands of traffic movements per day. Kurrajong end of Grose Vale Road, in particular, is not built to cope with more traffic than it already has.

Move the crossing further upstream to protect Navua Reserve and serve as emergency flood access.

Leave the Beautiful Grose River and its habitats alone altogether. Putting a bridge over the Grose River solves nothing in terms of a flood and could cause traffic issues for the local school at Grose Wold. If we were to have a 1 in 100 year flood and it will come, it seems far more practical to get people across the Hawkesbury to Richmond/Penrith rather than giving us another route up the mountains.

Great idea, I hope this goes ahead.

An alternate route to get west of the river is needed sooner rather than later.

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SMEC Traffic Study has underestimated traffic generation of Redbank development. Grose River bridge will open up minor road network. Ameliorative measures need to be developed and tested in the modelling

I think this is a great idea. I'm for a third river crossing?

We wholeheartedly support the bridge to be put in from Springwood Road to Grose River Road.

I believe it will be pointless to have a bridge crossing where it has been proposed.

Many families are regular users of Navua Reserve, all year. It would be devastating if you built a bridge across the beautiful spot - all other options should be considered.

I like the new proposal more than the last one.

Grose Wold Road will become a "rat run" from Bilpin and beyond to Penrith and vice versa. The road is being destroyed by buses on this route along with heavy vehicles. Grose Wold Public School is a dangerous area during peak school times. The T intersection at Grose Wold and Grose River Road will become a bottle neck. Should there be an accident in the Grose Wold area there will be nowhere for traffic to divert. There has already been a fatality at the Grose Wold Bush Fire station with a driver running straight over the edge of the embankment. There are now line markings all along Grose Wold Road - when large vehicles are travelling along the road most times vehicles travelling the opposite direction have to slow down. Due to the bends, crests and blind spots along Grose Wold Road it will become dangerous for some residents to pull out of their driveways.

The meeting was against the crossing of the Grose River! Is Council, the RMS listening. If this proceeds they are not listening. Crossing of the Grose River is not solution to the traffic congestion that has grid locked Richmond, North Richmond and Windsor. Therefore it would be a waste of more money. A holistic approach is required.

I am in support of the bridge crossing in Grose Wold and agree that to build it above the 1:100 flood level makes sense.

Please consider the need for this bridge in the context of the "third crossing". It will create pressure on local roads, threaten our environment and tourism appeal and, as a one lane each way bridge, be completely inadequate as a flood evacuation route.

Whilst it is commended that this bridge is to be flood free, it should really address the most pressing issue for Hawkesbury residents and that is of traffic congestion.

Just make the bridge two lanes each way, not one lane, that would be a joke and a waste of money and time.

I am against the proposal of moving the site of the bridge. In addition the local roads are incapable of handling the vehicular traffic of any such bridge.

Build the bridge as planned and let there be an alternate route.

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Will attract a huge amount of the existing North Richmond traffic, diverting away from the existing crossing. This means a very high risk that Kurrajong and Grose Vale will be turned into a heavily trafficked rat run. We can expect some heavy vehicles through Kurrajong Village.

Why are we looking at the 1 in a 100 year flood zone now and not when the development was approved.

There should be a 1:100 flood crossing to Springwood Rd at the very least so go up stream on Grose River to achieve this. Don't destroy Navua Reserve with a bridge thru it.

This bridge, as it is going to impinge on one of the most beautiful parts of the Hawkesbury, must at least be a viable option in case of flooding and maximum access by the greatest number of people. If the bridge must go ahead, then make it a good one.

Build an additional crossing but make it useful in times of flood. 4 lanes, 2 each way, and emergency services this side of the bridge is essential.

I believe that this bridge should be located above the 1 in a 100 years flood level.

Totally support the proposal to explore options for a new bridge across the Grose River with the criteria: above the 1 in 100 flood level. Thank you council for the initiative in attempting to forward plan.

Option 1 of the Transport Management and Accessibility Plan (TMAP) should be implemented.

Navua Reserve is a perfect place for families to relax, swim and socialise and putting a bridge solely for Redbank residents is huge wastes of time and money.

There is a need for a second river crossing - to make this crossing at the beautiful Grose River Navua would be a travesty.

A Grose River crossing is not the answer to the traffic congestion west of the river.

Would be great to see a resolution sooner than later.

North Richmond Bridge needs to be upgraded. The Navua Reserve is the best place for the new bridge over the Grose River because I don't want it through my backyard or my neighbours backyard.

I do not agree with a bridge being put through Navua Reserve in any way shape or form.

A bridge crossing is required above the 1 in 100 years.

The new bridge should be constructed on the 1951 gazetted highway. Ensure the bridge and associated roads meet the following essential selection criteria: does not impact on Natural bushland fauna/flora. Affected landowners to be compensated.

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Happy with alternate route and that it would be a flood free exit in times of need.

Building this bridge would provide the community with a much needed relief from the traffic congestion during peak times.

I urge council to lobby the State Government to commit to the recommendations in the Hyder report. Once a commitment is made Redbank developer can make the monetary contribution in lieu of building a bridge.

The development of this bridge will alleviate a lot of the congestion which residents of North Richmond suffer.

AT - 3 Proposed Alternative Route

ALTERNATIVE ROUTE - ASHTONS RD TO SPRINGWOOD RD



oooO END OF REPORT Oooo

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Item: 005 **SS - Reclassification of Birk Place Reserve, 8 Birk Place, Bligh Park - (95496, 24101)**

Previous Item: 129, Ordinary (29 July 2014)
 27, Ordinary (10 March 2015)

Division: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to seek Council's endorsement to lodge a Planning Proposal to reclassify Birk Place Reserve, located at 8 Birk Place Bligh Park, from 'Community' land to 'Operational' land under the Local Government Act 1993. The report proposes an intended use for this land pending the finalisation of the reclassification process, that Council staff will work with a local community housing provider to increase the supply and diversity of local housing stock to undertake further work in accordance with the future use of this land.

EXECUTIVE SUMMARY:

Council has been approached Wentworth Community Housing who have expressed an interest in working with Council on projects to increase the supply and diversity of housing stock in the Hawkesbury Local Government Area. Wentworth Community Housing has identified a parcel of Council owned land at 8 Birk Place, Bligh Park (Birk Place Reserve) as a site of interest. This report recommends that Council lodge a Planning Proposal to change the classification of this land from 'Community' land to 'Operational' land under the Local Government Act 1993. The parcel of land proposed for reclassification has been previously identified by Council as an underutilised community land holding and as such, has been subject to investigations to determine options to maximise its use for future housing.

The report references relevant planning legislation and associated statutory consultation processes that will be undertaken as part of the reclassification process. The report describes how reclassification of this land may enable Council to increase the supply and diversity of housing stock through a partnership with a community housing provider.

The report recommends that Council endorse the preparation of a draft legal agreement between Council and Wentworth Community Housing as the nominated community housing provider, and that once developed, the draft agreement is to be reported to Council for its consideration.

RECOMMENDATION SUMMARY:

The report recommends that:

- A Planning Proposal be prepared and lodged regarding reclassification of Birk Place Reserve from 'Community' land to 'Operational' land under the Local Government Act 1993
- Council commence the preparation of legal agreement, compliant with NSW legislation with regard to Public Private Partnerships (PPPs), to describe a partnership with Wentworth Community Housing to increase the supply and diversity of housing on Council land
- A further report regarding the preparation of a draft legal agreement be submitted to Council.

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REPORT:

Context and Background

For a number of years Council has sought to identify and create opportunities to increase the quantity and diversity of housing stock in the Hawkesbury Local Government Area through use of its landholdings. Council staff have reviewed Council's "community" land portfolio to identify appropriate parcels of land which could be modelled for partnership project that would increase the supply and diversity of housing stock. Preliminary investigations identified 47 pocket parks, 30 of which had some potential to be reclassified as operational land and rezoned which would allow them to be sold, disposed of or leased for a long term.

This information was presented to a Councillor Briefing Session on 21 February 2017. The ostensible purpose of the Briefing was to inform Council of all of the underutilised community land holdings that had been identified and seek Council's in principle agreement to reclassify the "Community" land to "Operational" land to leverage it to attract external investment to facilitate social outcomes.

At the Briefing a number of sites were highlighted as having some potential for a housing partnership and a broad summary of modelling for a partnership project was included in the Briefing. The Briefing outlined the legal and physical constraints which may affect the reclassification of "community" land and the statutory process that would be required to reclassify and rezone "community" lands (involving an amendment to the Hawkesbury Local Environment Plan).

At the Briefing it was determined that Council was in favour of progressing a partnership to increase the supply and diversity of housing stock through the use of Council "Community" land, however the review of the Hawkesbury Nepean Flood Strategy underway at that time rendered staff unable to progress the Local Environment Plan (LEP) reclassification process. Council staff continued to work with Wentworth Community Housing to investigate several specific sites to enable Wentworth Community Housing to determine optimum locations for a potential partnership project on Council land, with the intention of pursuing reclassification of preferred site/s upon the finalisation of the Hawkesbury Nepean Flood Strategy.

The Hawkesbury Nepean Flood Strategy was finalised in August 2019. A site that has been identified as having the potential to increase the supply and diversity of housing stock through a partnership with Wentworth Community Housing is presented for the consideration of Council, with zoning and flood affectation, in the table below;

Site	Current Zoning	Current Classification	Site Area	Flood Affectation
Birk Place Reserve Bligh Park	R3 – Medium Density Residential	Community	1571m2	Low flood risk

The legislation relevant to the reclassification of "Community" land is provided for reference below.

Reclassification of Land

The Local Government Act 1993 requires that all Council owned land be classified as either "Community" or "Operational" land. Under the provisions of the Local Government Act 1993, "Community" land cannot be sold, exchanged or otherwise disposed of. Once the land is reclassified to "Operational", it will no longer be protected under the Local Government Act 1993 from potential future sale or development. The change in classification from Community to Operational land will remove this restriction and allow Council to deal in the land on a commercial basis. This may include development, leasing or disposal. The reclassification does not commit Council to the sale or development of the land, nor does it remove the land from Council's ownership or prevent the current use of the land from continuing. Likewise,

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reclassification of the land does not negate the need for Council to consult the community regarding any future plan to sell, lease and/or develop the land.

The reclassification of Council land must be undertaken in accordance with the Local Government Act 1993, Environmental Planning and Assessment Act 1979 and Practice Note PN16-001 - Classification and reclassification of public land through a local environmental plan issued by the Department of Planning and Environment (October 2016).

The mechanism to reclassify land by way of a planning proposal is to amend Schedule 4 of the Hawkesbury Local Environmental Plan 2012 to identify the land as reclassified to “Operational” land.

An independently facilitated public hearing is required to be held as part of the community consultation process for any planning proposal seeking to reclassify land from ‘Community’ to ‘Operational’.

Practice Note PN16-001 - Classification and reclassification of public land through a local environmental plan

Schedule 1 of Practice Note PN16-001 lists a number of matters that are to be addressed for Gateway consideration.

The proposed partnership to increase the supply and diversity of housing stock would be contingent on Council gaining approval for the reclassification of “Community” land and undertaking the necessary statutory processes and public consultation associated with the reclassification process and with amending the Local Environmental Plan and other planning instruments. It is suggested that Council enter into a legal agreement with Wentworth Community Housing to ensure that Council's interests are protected, that the proposal is compliant with NSW legislation with regard to Public Private Partnerships (PPPs), and that the aim of increasing the supply and diversity of housing stock could be achieved.

Detailed History, including previous Council decisions

Council at its Ordinary Meeting on 10 March 2015 considered a report that provided Council with the outcome of investigations into possible options for pursuing partnerships to increase the supply and diversity of housing stock and resolved, in part, that Council staff prepare a further report for Council in relation to a possible partnership on a suitable parcel of Council owned land.

Policy considerations

The policies and other documents relevant to this matter are as follows:

- Schedule 1 of Practice Note PN16-001
- (Draft) Hawkesbury Local Strategic Planning Statement 2040
- (Draft) Hawkesbury Local Housing Strategy
- Sydney Region Plan
- Western City District Plan

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. The report outlines a number of statutory processes which carry with them a requirement for community notification, consultation and public hearings.

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Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Community

2.3 Community partnerships continue to evolve - Increase the range of local partnerships and plan for the future

2.3.1 Encourage and facilitate community partnerships.

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

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

Discussion

The need for an increase in the supply and diversity of housing stock has been identified in a number of Council's strategic planning documents including those that are being developed, and in particular the Draft Local Strategic Planning Statement and the Draft Local Housing Strategy. In that respect, the recent public exhibition and engagement associated with the Draft Local Strategic Planning Statement undertaken by Council highlighted a number of matters that are relevant to this report, including:

- Issues of diversity and affordability of housing in the Hawkesbury;
- Recognition and quantification of local housing needs;
- Need for a Region-wide Affordable Housing Strategy;
- Need for diversity of housing including student housing and seniors housing;

Financial Implications

The matters raised in this report have direct financial implications. The expenditure of approximately \$22,755 for proposed planning fees and the engagement of a planning consultant is not provided for in the 2019/2020 Adopted Operational Plan and will need to be addressed as part of the next Quarterly Budget Review.

Fit For The Future Strategy Considerations

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

Conclusion

The decision asked of Council in this report relates only to the consideration of the commencement of a process to reclassify the parcel of Council owned land at 8 Birk Place, Bligh Park (Birk Place Reserve) from "Community" land to "Operational" land under the Local Government Act 1993.

Whilst the need for a partnership to increase the supply and diversity of housing stock has been identified in a number of Council strategic planning documents, the development of the site for the purpose of such a partnership remains subject to further statutory community consultation processes and report to Council.

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Planning Decision

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

RECOMMENDATION:

That:

1. A Planning Proposal be prepared and lodged regarding reclassification of Birk Place Reserve, 8 Birk Place Bligh Park from "Community" land to "Operational" land under the Local Government Act 1993.
2. Council commence the preparation of a legal agreement, compliant with NSW legislation with regard to Public Private Partnerships (PPPs), to describe the partnership arrangement with Wentworth Community Housing regarding use of Council land to increase the supply and diversity of housing stock.
3. A further report be prepared for Council in relation to the draft legal agreement with Wentworth Community Housing for the consideration of Council.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Ooo

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GENERAL MANAGER

Item: 006 **GM - 2020 Australian Local Government Women's Association (NSW Branch) Annual Conference (79351, 95655)**

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to consider the nomination and attendance of Councillors and appropriate staff at the Australian Local Government Women's Association (NSW Branch) Annual Conference to be held from 26 to 28 March 2020.

EXECUTIVE SUMMARY:

Due to the conference topic and its relevance to Council's business, Council may wish to consider representation at the Conference.

RECOMMENDATION SUMMARY:

Consideration be given to the attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Australian Local Government Women's Association (NSW Branch) Annual Conference.

REPORT:

Context and Background

Consideration is required regarding attendance at the Australian Local Government Women's Association (NSW Branch) Annual Conference which will be held in Shellharbour from 26 to 28 March, 2020.

Detailed History, including previous Council decisions

The Conference will be held in Shellharbour from 26 to 28 March, 2020.

Details of the draft program and list of speakers for the conference, can be viewed by accessing the following link <https://www.shellharbour.nsw.gov.au/council/nsw-algwa-conference-2020>

Cost of attendance at the Conference will be approximately \$1,835, plus travel expenses per delegate.

Budget for Delegate Expenses - Payments made:

Total Budget for Financial Year 2019/2020	\$45,000
Expenditure to date	\$6,921
Outstanding Commitments	\$Nil
Budget balance as at 8/1/2020 (approx. including outstanding commitments)	\$38,079

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Policy considerations

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

Consultation

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

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Leadership

- 1.1 Local Leadership and effective governance - Provide representative, responsive and accountable governance.
 - 1.1.1 Council's elected leaders will actively connect and collaborate with the community.
- 1.4 Reinforcing and establishing effective strategic partnerships - Build strong relationships and shared responsibilities.
 - 1.4.1 Foster positive relationships with all tiers of government and peak bodies to ensure a thorough understanding of the challenges and local requirements of the Hawkesbury.

Discussion

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

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

Financial Implications

The matters raised in this report have direct financial implications. The expenditure applicable is provided for in the 2019/2020 Adopted Operational Plan. Consideration should be given in regard to the relevance of the Conference to Council's business and available budget to cover costs of attendance.

Fit For The Future Strategy Considerations

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

Conclusion

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Australian Local Government Women's Association (NSW Branch) Annual Conference to be held 26 to 28 March 2020 be considered.

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RECOMMENDATION:

That:

1. The report be received and noted.
2. Attendance of nominated Councillors and/or staff as considered by the General Manager, at the Australian Local Government Women's Association (NSW Branch) Annual conference at an approximate cost of \$1,835, plus travel expenses, per delegate be considered.
3. After returning from the Conference, delegates provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Conference relevant to Council business and/or the local community.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 007 **GM - Local Government NSW 2020 Annual Tourism Conference (79351, 79633)**

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to consider the nomination and attendance of Councillors and appropriate staff at the Local Government NSW 2020 Annual Tourism Conference to be held from 16 to 18 March 2020.

EXECUTIVE SUMMARY:

Due to the conference topic, the recent fires and its relevance to Council's business, Council may wish to consider representation at the Conference.

RECOMMENDATION SUMMARY:

Consideration be given to the attendance of nominated Councillors and/or staff as considered appropriate by the General Manager, at the Local Government NSW 2020 Annual Tourism Conference.

REPORT:

Context and Background

Consideration is required regarding attendance at the Local Government NSW 2020 Annual Tourism Conference which will be held at Jindabyne in the Snowy Mountains from 16 to 18 March 2020.

Detailed History, including previous Council decisions

The Local Government NSW Tourism Conference will give Councillors and Council staff the opportunity to meet, listen to experts and peers, and find out how other councils are engaging and managing their tourism industry. The theme of the 2020 Conference is Create Your Own Adventure and the conference this year will have a new style program with more smaller group workshop sessions.

Cost of attendance at the Local Government NSW 2020 Tourism Conference will be approximately \$1,650, plus travel expenses per delegate.

Total Budget for Financial Year 2019/2020	\$45,000
Expenditure to date	\$6,921
Outstanding Commitments	\$Nil
Budget balance as at 8/1/2020 (approx. including outstanding commitments)	\$38,079

Policy considerations

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

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Consultation

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

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Future

- 5.7 Tourism and Economic Development - Promote our community as the place to visit, work and invest
 - 5.7.1 Working in partnership we will actively market our City and our capabilities to existing and potential businesses, visitors and investors.
 - 5.7.2 Develop Hawkesbury Tourism to enhance and strengthen opportunities within our tourism sector.

Discussion

Consideration should be given to the relevance of the Conference to Council's business and available budget to cover costs of attendance. Council may also wish to consider the impact of the recent fires on the Snowy Mountains economy.

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

Financial Implications

The matters raised in this report have direct financial implications. The expenditure applicable is provided for in the 2019/2020 Adopted Operational Plan. Consideration should be given to the relevance of Conference to Council's business and available budget to cover costs of attendance.

Fit For The Future Strategy Considerations

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

Conclusion

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Local Government NSW 2020 Annual Tourism Conference at an approximate cost of \$1,650, plus travel expenses per delegate be considered.

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RECOMMENDATION:

That:

1. The report be received and noted.
2. Attendance of nominated Councillors and/or staff as considered by the General Manager, at the Local Government NSW 2020 Annual Tourism Conference at an approximate cost of \$1,650, plus travel expenses, per delegate be considered.
3. After returning from the Conference, delegates are requested to provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Conference relevant to Council business and/or the local community.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

EXTRAORDINARY MEETING
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CITY PLANNING

Item: 008 **CP - Bushfire Recovery - (95498, 124414)**

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to outline the planned bushfire recovery initiatives and seek Council's endorsement for expending the \$1 million Commonwealth Government bushfire recovery grant.

EXECUTIVE SUMMARY:

The 2019/2020 bushfire season for South Eastern Australia has seen fire activity and associated destruction on a scale not experienced previously. An extensive mosaic of burnt areas extends from south-east Queensland to Kangaroo Island, with the NSW coast and ranges heavily impacted.

The Bushfire Impact Assessment (as at 23 January 2020) for the Hawkesbury Local Government area, stemming from the Gospers Mountain and Grose Valley fires resulted in:

- 24 destroyed and 13 damaged homes
- One destroyed and 4 damaged facilities
- 65 destroyed and 30 damaged outbuildings
- 540 impacted rural landholders

On 9 January 2020 the Commonwealth Government provided, an initial allocation of \$1 million to 42 bushfire impacted councils, including Hawkesbury City Council. Correspondence from the Prime Minister's Office confirming the Federal Government's commitment of ongoing support to the recovery as attached to this report.

The \$1 million funding has been provided for the Council to spend on "*projects and activities that Council deems essential for the recovery and renewal*" of our local area following the impact of the bushfires. Council is required to provide a 'Program of Works' within three months and a progress report after 12 months. These reports are to be provided to the Office of Local Government which will be coordinating the response to the Commonwealth.

Additional funds, from within Council and other State and Commonwealth opportunities have been identified to complement the \$1 million Commonwealth Government grant. This report outlines the proposed bushfire recovery initiatives and expenditure of the \$1 million Commonwealth grant across the areas of:

- a) **Infrastructure** - \$65,000 from the Commonwealth \$1 million complemented by \$325,000 from other known sources
- b) **Waste, Environment and Planning** - \$460,000 from the Commonwealth \$1 million complemented by \$90,000 from other sources.
- c) **Health and Wellbeing** - \$165,000 from the Commonwealth \$1 million and \$50,000 other known sources
- d) **Business, Tourism and Industry** - \$60,000 from the Commonwealth \$1 million and \$100,000 other known sources
- e) **Disaster Recovery Officer** - \$150,000 from the Commonwealth \$1 million
- f) **Contingency** - \$100,000 from the Commonwealth \$1 million

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The total value of the recovery and renewal program at this point is \$1,565,000 comprising \$1 million from the Commonwealth Grant and a further \$565,000 from other sources. It needs to be noted however that the details contained in this report are based on the information and estimates available at the time of writing the report. For example, at this time the NSW Government has not yet completed its detailed assessment of all fire damage within the Hawkesbury Local Government area and as such details and numbers may change as this information is finalised. Additional funding opportunities are also being announced on a regular basis.

RECOMMENDATION SUMMARY:

The report recommends that Council endorse the proposed bushfire recovery and renewal program indicating how the \$1 million Commonwealth grant will be allocated, including the expenditure of funds on private properties impacted by the bushfire.

The report also confirms that a further report be submitted to Council in March 2020.

REPORT:

Context and Background

The 2019/2020 bushfire season for South Eastern Australia has seen fire activity and associated destruction on a scale not experienced previously. An extensive mosaic of burnt areas extends from south-east Queensland to Kangaroo Island, with the NSW coast and ranges heavily impacted.

The Bushfire Impact Assessment (as at 23 January 2020) for the Hawkesbury Local Government area, stemming from the Gaspers Mountain and Grose Valley fires resulted in:

- 24 destroyed and 13 damaged homes
- One destroyed and 4 damaged facilities
- 65 destroyed and 30 damaged outbuildings
- 540 impacted rural landholders

In addition to the immediate and ongoing psychological impact of the bushfires, it has been estimated that 80% of the Greater Blue Mountains World Heritage area has been burnt, impacting on wildlife, plants, bio diversity and eco systems. The fires have impacted local businesses across all town centres and villages and affected tourism and the local economy.

It needs to be said that the impact of the fires could have been much worse if not for the work of the NSW Rural Fire Service, National Parks and Wildlife Service and Fire and Rescue NSW, Police and support by many others including councils.

Hawkesbury City Council, its Councillors and staff actively supported and contributed to the management of the bushfire emergency. Councillors and staff have worked tirelessly to support the work of the emergency services, as well as providing required services and assistance to support residents being as prepared as possible.

Examples of support provided during the course of the actual fires include:

- Assisting and supporting the community engagement and messaging
- Promoting relevant websites such as Fires Near Me, Red Cross Get Prepared and LiveTraffic
- Facilitating community volunteers and Council staff in the provision of daily administrative and logistical assistance at Wilberforce Fire Control

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- Responding to community enquiries and providing relevant documentation and answers.

As Hawkesbury moved into recovery mode Council worked closely with the Office of Emergency Management, other Government Agencies and Blue Mountains City Council undertaking a range of actions including:

- Developing a Recovery Guide which is available on Council's website and continually updated as more information becomes available.
- Sharing the messaging via social media of other Federal and State agencies including grants and donations.
- Holding community meetings in bushfire affected towns in association with representatives of NSW Police, Rural Fire Services, Office of Emergency Management, Insurance Council, NSW Health, Environment Protection Authority, Department of Public Works, Service NSW, Red Cross, Centrelink, Small Business Commission, Hawkesbury Nepean Community Legal Centre, Local Land Services, Department of Community Justice, Wentworth Housing. To date the following community meetings have been held:
 - 16 December 2019 - Colo Heights Community Meeting (fire still active in other areas across the Hawkesbury)
 - 3 January 2020 - Chaplain's Meeting
 - 7 January 2020 - Bilpin Community Meeting
 - 9 January 2020 - Macdonald Valley Community Meeting
 - 11 January 2020 - Mt Tomah Community Meeting
 - 29 January 2020 - Colo Heights Community Meeting
- Arranging for water carters to go to Bilpin and Colo Heights on 24 December 2019 and MacDonald Valley on 27 December 2019 so the community could bring their containers to fill with water.
- Placing waste bins for general waste at Colo on 20 and 23 December 2019 where residents could dump their spoiled food etc.
- Allowing Hawkesbury residents to take trailer loads of green waste to the Hawkesbury Waste Management Facility for \$5.
- Offering Rural Fire Service members and families free pool entry to the OASIS Aquatic and Leisure Centre and Richmond Pool until 29 February 2020.
- Expanding the silage bales for sale program to include fire affected farmers.

The proposed \$1,565,000 bushfire recovery and renewal program builds on this work and proposes further initiatives in relation to:

- a) **Infrastructure** – Total Current Proposed Budget of \$390,000 comprising \$65,000 from the Commonwealth \$1 million complemented by \$325,000 from other known sources
- repairing roads damaged by fire trucks
 - replacing road signs
 - replacing boundary fencing
 - investigating water supply options for future resilience

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- b) **Waste, Environment and Planning** - Total Current Proposed Budget of \$550,000 comprising \$460,000 from the Commonwealth \$1 million complemented by \$90,000 from other sources.
- removing damaged trees on private property near dwellings, associated fences, outbuildings and vehicular access, or near other buildings such as farm buildings
 - providing access to a planning consultant, waiving fees and contributions
 - removing illegally dumped waste
- c) **Health and Wellbeing** - Total Current Proposed Budget of \$215,000 comprising \$165,000 from the Commonwealth \$1 million and \$50,000 other known sources
- facilitating community outreach, psychological and social support activities and services
 - building resilience and connection through community events and projects
- d) **Business, Tourism and Industry** - Total Current Proposed Budget of \$160,000 comprising \$60,000 from the Commonwealth \$1 million and \$100,000 other known sources
- building on work and activities already underway within the community
 - utilising local businesses as part of the recovery
 - implementing buy local programs
 - working with other State Government agencies to run business workshops
 - implementing local tourist initiatives
 - providing one on one support and mentoring to local businesses impacted (directly and indirectly) by the bushfires
- e) **Disaster Recovery Officer** - Total Current Proposed Budget of \$150,000 from the Commonwealth \$1 million
- f) **Contingency** - Total Current Proposed Budget of \$100,000 from the Commonwealth \$1 million. The grant was announced on 9 January 2020, holding some funds back will allow Council to refine its program over the next month, as more details become available.

Consultation

Whilst no consultation is required, the details of the proposed \$1,565,000 bushfire recovery and renewal program can be circulated within the community for information and feedback. The results of which can be reported back to Council in March 2020.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Leadership

- 1.1 Local Leadership and effective governance - Provide representative, responsive and accountable governance.
- 1.1.1 Council's elected leaders will actively connect and collaborate with the community.

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- 1.4 Reinforcing and establishing effective strategic partnerships - Build strong relationships and shared responsibilities.
 - 1.4.1 Foster positive relationships with all tiers of government and peak bodies to ensure a thorough understanding of the challenges and local requirements of the Hawkesbury.
 - 1.4.2 Achieve higher strategic capacity through strategic alliances and partnerships.

Our Community

- 2.1 Community safety is improved - Enable a shared responsibility for community safety and disaster management
 - 2.1.1 Meet the needs of our community through effective flood, fire and other natural disaster management plans that promote the protection of life, property and infrastructure.

Our Environment

- 3.1 The natural environment is protected and enhanced - Value, protect and enhance our unique natural environment
 - 3.1.2 Act to protect and improve the natural environment including working with key agency partners.

Discussion

The Bushfire Recovery Action Plan is a living document and has been developed to give attention to immediate recovery needs with work also identified for longer term recovery.

Council is cognisant that there have been various announcements regarding funding and needs to maximise the benefits of every available funding source. Council is also keen to work with local businesses and residents to carry out recovery actions where possible.

It is also proposed that a further report be submitted to Council in March 2020.

Financial Implications

At this point in time there are no financial implications arising from this report. All initiatives in the proposed bushfire recovery and renewal program are funded from the \$1 million Commonwealth Government grant, within Council or other State and Commonwealth opportunities that have been identified to complement the \$1 million Commonwealth Government grant.

Fit for The Future Strategy Considerations

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

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RECOMMENDATION:

That Council:

1. Endorse the proposed bushfire recovery and renewal program as outlined in the report indicating how the \$1 million Commonwealth grant will be expended.
2. Authorise works and expenditure on private properties impacted by the bushfires.
3. Note the General Manager's delegations and authority to waive fees, in this instance the delegation will be used in relation to matters involving the bushfire recovery and bushfire affected properties.
4. Note that a further report will be submitted to Council in March 2020.

ATTACHMENTS:

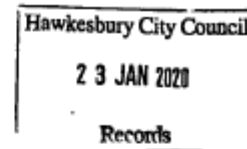
- AT - 1** Correspondence from Prime Minister's Office regarding the \$1 million payment to assist recovery.

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**AT - 1 Correspondence from Prime Minister's Office regarding the \$1 million
payment to assist recovery**



PRIME MINISTER



Reference: MS20-000063

14 JAN 2020

Cr Barry Calvert
Mayor
Hawkesbury City Council
PO BOX 146
WINDSOR NSW 2756

Dear Mayor

I am writing to confirm the Australian Government's commitment to make an immediate \$1 million payment to Hawkesbury City Council, to provide financial support to your community and enable recovery efforts to commence as soon as possible. The payment will be delivered through the state government.

This is a new funding commitment. It provides direct financial assistance to your Council, so you can start addressing the recovery and rebuilding needs in your area. Local governments know their local community best and can direct this funding to where it is needed most.

By supporting local councils to rebuild vital infrastructure, or hold events which bring the community together and bring tourists back to town, this immediate payment will also assist local small businesses, farmers and trades as communities rebuild, restock, replant and recover. You could also use some of the funding to employ a local bushfire recovery coordinator, to ensure the recovery efforts of governments, charities and others are informed by local needs priorities.

While the full extent of the damage is not yet known, I trust this payment provides your Council the confidence to make quickly on commitments and decisions to help address the impact of the bushfires in your region.

I know many areas have been hard hit, and it will be a long recovery. We will be there with you the whole way, as you rebuild your community and your economy.

As you may be aware, the Government has established a new National Bushfire Recovery Agency to lead and coordinate a national response to rebuilding communities affected by bushfires. The Agency, led by Mr Andrew Colvin APM OAM, former Commissioner of the Australian Federal Police, will report to me through Minister Littleproud.

Parliament House CANBERRA ACT 2600
Telephone (02) 6277 7700
www.pm.gov.au



SCANNED

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This is the first tranche of assistance, and Mr Colvin, as the National Bushfire Recovery Coordinator, will engage with local governments to ensure the Agency's national recovery efforts are tailored to the unique needs of affected communities.

Relevant government officials will be in touch with you shortly to provide further detail on this payment, including reporting arrangements.

Yours sincerely



SCOTT MORRISON

oooO END OF REPORT Oooo

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INFRASTRUCTURE SERVICES

Item: 009 **IS - Road Naming Proposal Associated with DA0332/16 (396 Bells Line Of Road) Kurmond - (95495, 79346)**

Directorate: Infrastructure Services

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of a road naming proposal for five new public roads associated with DA0332/16.

EXECUTIVE SUMMARY:

An application has been received requesting that the road naming process be commenced for an approved subdivision in Kurmond that involves the creation of five new public roads. The following names (based on the names of locally occurring plant species in the Sandstone Shale Transition Forest) have been provided:

- Amara Drive
- Angophora Place
- Olearia Place
- Prunina Place
- Villosa Place

RECOMMENDATION SUMMARY:

This report recommends that Council support public advertising for naming associated with DA0332/16 for a period of 28 days, to seek comments on the proposal.

REPORT:

Context and Background

The subdivision at Lot 2 DP 607906, 396 Bells Line Of Road, Kurmond was approved by the Hawkesbury Local Planning Panel on 17 May 2018 (DA0332/16).

The subdivision includes the creation of five new public roads.

The applicant has provided names for the five roads.

- Amara Drive
- Angophora Place
- Olearia Place
- Prunina Place
- Villosa Place

The names suggested conform to the guidelines and principles as set out in the New South Wales Address Policy and User Manual (Principles of Road Naming).

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Detailed History, including previous Council decisions

There are no previous Council decisions applicable to this report.

Policy considerations

The New South Wales Address Policy and User Manual October 2019 (Principles of Road Naming) apply to this proposal.

Consultation

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

It is proposed that Council undertake the following community engagement process in compliance with Council's policy, the New South Wales Roads Act 1993, the New South Wales Roads Regulation 2008 and the New South Wales Address Policy. The consultation required is for a period of 28 days and involves the following:

- advertisement in the local press
- advertisement on Council's web page and social media site
- notice created on the New South Wales Geographical Names Board road naming portal.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Assets

4.2 Utilities - Facilitate the delivery of infrastructure through relevant agencies and Council's own works

4.2.2 New development and infrastructure provision is aligned and meets community needs.

Discussion

The New South Wales Address Policy applies to all roads in NSW regardless of custodianship and maintenance agreements. Under the Policy all roads shall be authoritatively named in accordance with the principles of road naming. Road naming is legislated under the New South Wales Roads Act 1993.

Financial Implications

There are no financial implications applicable to this report.

Fit For The Future Strategy Considerations

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

Conclusion

The proposed road names of Amara Drive, Angophora Place, Olearia Place, Prunina Place and Villosa Place in the suburb of Kurmond conform to the New South Wales Address Policy and User Manual. The report recommends that Council place the road naming proposal on public exhibition.

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RECOMMENDATION:

That Council:

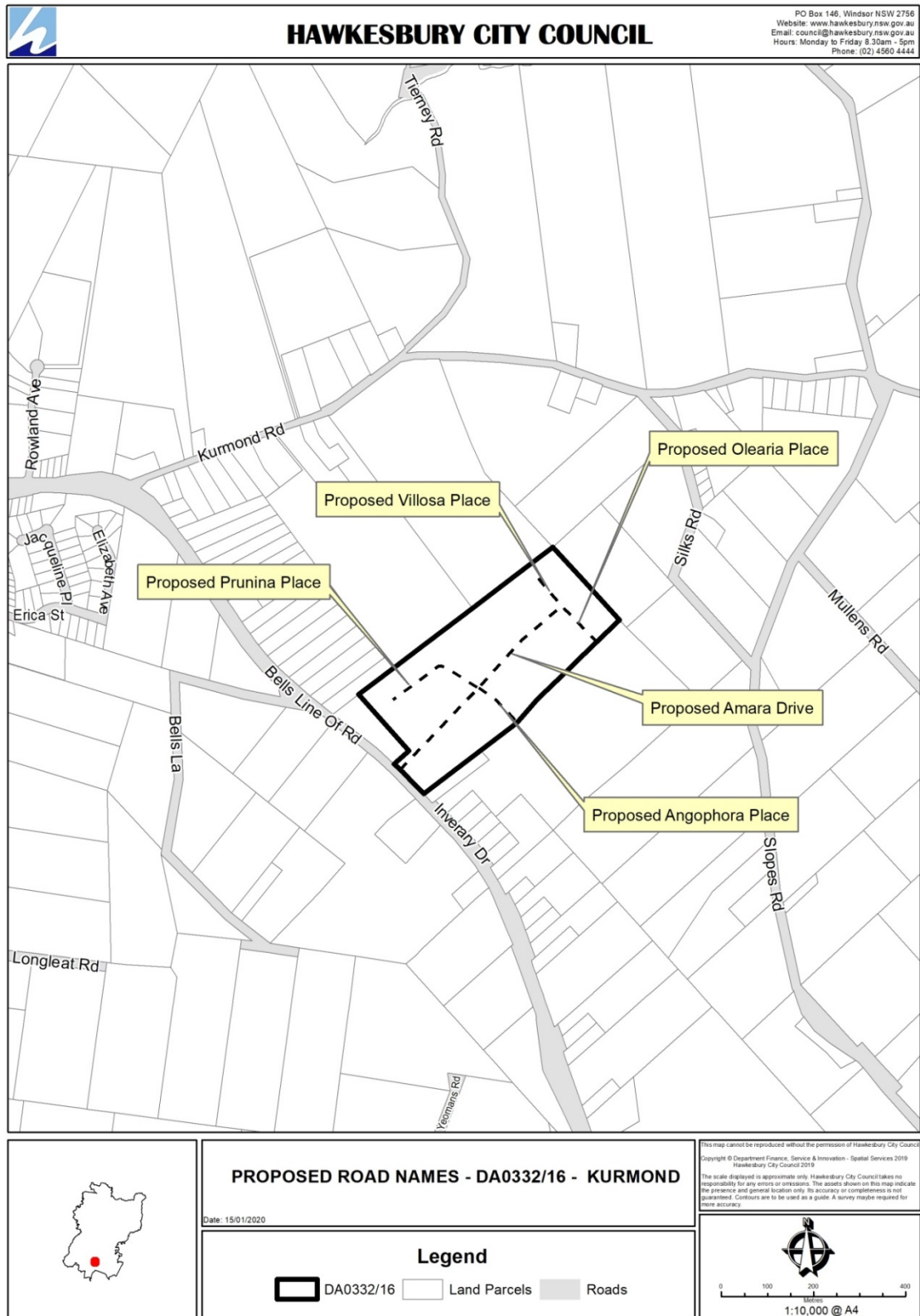
1. In accordance with the requirements of the NSW Roads Act 1993, in respect of the road naming proposal connected to DA0332/16, the proposed names Amara Drive, Angophora Place, Olearia Place, Prunina Place and Villosa Place in the suburb of Kurmond, be publically advertised for a period of 28 days, seeking comment on the proposed names.
2. The matter be reported back to Council following the public exhibition process.

ATTACHMENTS:

AT - 1 Locality Plan.

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AT - 1 Locality Plan



oooO END OF REPORT Oooo

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SUPPORT SERVICES

Item: 010 **SS - Monthly Investments Report - November 2019 - (95496)**

Previous Item: 150, Ordinary (26 June 2018)

Directorate: Support Services

PURPOSE OF THE REPORT:

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

EXECUTIVE SUMMARY:

This report indicates that Council held \$62.6 million in investments at 30 November 2019 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

RECOMMENDATION SUMMARY:

It is recommended that the Monthly Investments Report for November 2019 be received and noted.

REPORT:

Context and Background

The following table indicates that Council held \$62.6 million in investments as at 30 November 2019. Details of the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, and the percentage of the total portfolio, are provided below:

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
On Call								
CBA	A1+	AA-			0.75%	8,000,000	12.78%	
Tcorp*					1.23%	2,114,336	3.38%	
Total On-call Investments								10,114,336
Term Investments								
ANZ	A1+	AA-	22-May-19	15-Jan-20	2.20%	2,000,000	3.19%	
ANZ	A1+	AA-	17-Apr-19	17-Apr-20	2.35%	1,500,000	2.40%	
ANZ	A1+	AA-	24-Apr-19	06-May-20	2.35%	1,000,000	1.60%	
ANZ	A1+	AA-	03-May-19	06-May-20	2.25%	2,000,000	3.19%	
ANZ	A1+	AA-	15-May-19	25-May-20	2.25%	1,000,000	1.60%	
ANZ	A1+	AA-	19-Jun-19	18-Jun-20	1.90%	1,000,000	1.60%	
Bankwest	A1+	AA-	06-Nov-19	06-Dec-19	1.30%	3,000,000	4.79%	
Bankwest	A1+	AA-	26-Jun-19	18-Dec-19	1.90%	1,000,000	1.60%	
Bankwest	A1+	AA-	09-Aug-19	07-Feb-20	1.70%	1,000,000	1.60%	

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Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
CBA	A1+	AA-	23-Aug-19	18-Dec-19	1.67%	1,000,000	1.60%	
CBA	A1+	AA-	02-Mar-18	04-Mar-20	2.79%	1,000,000	1.60%	
CBA	A1+	AA-	04-Apr-18	03-Apr-20	2.85%	1,000,000	1.60%	
CBA	A1+	AA-	23-Aug-19	08-Jul-20	1.63%	1,000,000	1.60%	
NAB	A1+	AA-	21-Dec-18	18-Dec-19	2.80%	2,000,000	3.19%	
NAB	A1+	AA-	16-Jan-19	15-Jan-20	2.75%	2,500,000	3.99%	
NAB	A1+	AA-	07-Feb-19	07-Feb-20	2.75%	1,000,000	1.60%	
NAB	A1+	AA-	19-Jun-19	19-Feb-20	2.04%	2,000,000	3.19%	
NAB	A1+	AA-	06-Mar-19	05-Mar-20	2.65%	1,000,000	1.60%	
NAB	A1+	AA-	26-Jun-19	25-Mar-20	1.97%	1,000,000	1.60%	
NAB	A1+	AA-	23-Oct-19	25-Mar-20	1.60%	1,000,000	1.60%	
NAB	A1+	AA-	31-May-19	29-Apr-20	2.20%	1,000,000	1.60%	
NAB	A1+	AA-	30-Oct-19	25-May-20	1.53%	1,000,000	1.60%	
NAB	A1+	AA-	21-Nov-19	25-May-20	1.50%	1,500,000	2.40%	
NAB	A1+	AA-	06-Nov-19	08-Jul-20	1.53%	1,500,000	2.40%	
NAB	A1+	AA-	09-Aug-19	12-Aug-20	1.70%	1,000,000	1.60%	
NAB	A1+	AA-	10-Sep-19	12-Aug-20	1.66%	3,500,000	5.59%	
NAB	A1+	AA-	30-Oct-19	23-Sep-20	1.47%	1,000,000	1.60%	
NAB	A1+	AA-	21-Nov-19	20-Nov-20	1.45%	1,500,000	2.40%	
Westpac	A1+	AA-	07-Feb-19	07-Feb-20	2.68%	1,000,000	1.60%	
Westpac	A1+	AA-	22-Feb-19	20-Feb-20	2.62%	1,000,000	1.60%	
Westpac	A1+	AA-	14-Mar-18	13-Mar-20	2.81%	500,000	0.80%	
Westpac	A1+	AA-	04-Apr-19	03-Apr-20	2.41%	2,500,000	3.99%	
Westpac	A1+	AA-	18-Apr-18	17-Apr-20	2.93%	500,000	0.80%	
Westpac	A1+	AA-	31-May-19	03-Jun-20	2.07%	1,000,000	1.60%	
Westpac	A1+	AA-	19-Jun-19	18-Jun-20	1.90%	1,500,000	2.40%	
Westpac	A1+	AA-	26-Jun-19	24-Jun-20	1.83%	1,000,000	1.60%	
Westpac	A1+	AA-	09-Oct-19	08-Jul-20	1.60%	3,500,000	5.59%	
Total Term Investments								52,500,000
TOTAL INVESTMENT AS AT 30 November 2019								62,614,336

*Tcorp is wholly owned by the NSW State Government

Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	10,114,336	0.85%	Reserve Bank Cash Reference Rate	0.75%	0.10%
Term Deposit	52,500,000	2.04%	UBS 90 Day Bank Bill Rate	0.88%	1.16%
Total	62,614,336	1.84%			

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Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions –S7.11 and S7.12	14,116,628
External Restrictions - Other	13,207,487
Internal Restrictions	13,488,004
Unrestricted	21,802,217
Total	62,614,336

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

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

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

Detailed History, including previous Council decisions

Council considered and adopted Council's Investment Policy on 26 June 2018.

Policy considerations

According to Clause 212 of the Local Government (General) Regulation 2005, the Responsible Accounting Officer must provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must include a certificate as to whether or not investments have been made in accordance with the Act, the Regulation and the Council's Investment Policy.

Consultation

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 2017-2036

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

Our Leadership

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

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

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

Discussion

During the reporting period, the investment portfolio increased by \$3 million reflecting funds received, payments made, and redemption of invested funds and lodging of new term deposits, which is driven by cash flow requirements.

The investment portfolio currently involves a number of term deposits and on-call accounts. Council's current investment portfolio is not subject to share market volatility.

As at 30 November 2019, Council's investment portfolio is all invested with major Australian trading banks or wholly owned subsidiaries of major Australian trading banks and in line with Council's Investment Policy.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Independent advice is sought on new investment opportunities, and Council's investment portfolio is independently reviewed on a regular basis by Council's investment advisor.

Financial Implications

The matters raised in this report have direct financial implications. The income applicable is provided for in the 2019/2020 Adopted Operational Plan.

Fit For The Future Strategy Considerations

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

Conclusion

Council has investments totalling \$62.6 million as at 30 November 2019, invested in accordance with Council's Investment Policy.

RECOMMENDATION:

That the Monthly Investments Report for November 2019 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

EXTRAORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 18 February 2020

Item: 011 **SS - Monthly Investments Report - December 2019 - (95496, 96332)**

Previous Item: 150, Ordinary (26 June 2018)

Division: Support Services

PURPOSE OF THE REPORT:

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

EXECUTIVE SUMMARY:

This report indicates that Council held \$58.1 million in investments at 31 December 2019 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

RECOMMENDATION SUMMARY:

It is recommended that the Monthly Investments Report for December 2019 be received and noted.

REPORT:

Context and Background

The following table indicates that Council held \$58.1 million in investments as at 31 December 2019. Details of the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, and the percentage of the total portfolio, are provided below:

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
On Call								
CBA	A1+	AA-			0.75%	4,500,000	7.74%	
Tcorp*					0.94%	2,116,026	3.64%	
Total On-call Investments								6,616,026
Term Investments								
ANZ	A1+	AA-	22-May-19	15-Jan-20	2.20%	2,000,000	3.44%	
ANZ	A1+	AA-	17-Apr-19	17-Apr-20	2.35%	1,500,000	2.58%	
ANZ	A1+	AA-	24-Apr-19	06-May-20	2.35%	1,000,000	1.72%	
ANZ	A1+	AA-	03-May-19	06-May-20	2.25%	2,000,000	3.44%	
ANZ	A1+	AA-	15-May-19	25-May-20	2.25%	1,000,000	1.72%	
ANZ	A1+	AA-	19-Jun-19	18-Jun-20	1.90%	1,000,000	1.72%	
Bankwest	A1+	AA-	09-Aug-19	07-Feb-20	1.70%	1,000,000	1.72%	
CBA	A1+	AA-	02-Mar-18	04-Mar-20	2.79%	1,000,000	1.72%	
CBA	A1+	AA-	04-Apr-18	03-Apr-20	2.85%	1,000,000	1.72%	
CBA	A1+	AA-	23-Aug-19	08-Jul-20	1.63%	1,000,000	1.72%	
NAB	A1+	AA-	16-Jan-19	15-Jan-20	2.75%	2,500,000	4.30%	

EXTRAORDINARY MEETING
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Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
NAB	A1+	AA-	07-Feb-19	07-Feb-20	2.75%	1,000,000	1.72%	
NAB	A1+	AA-	19-Jun-19	19-Feb-20	2.04%	2,000,000	3.44%	
NAB	A1+	AA-	06-Mar-19	05-Mar-20	2.65%	1,000,000	1.72%	
NAB	A1+	AA-	26-Jun-19	25-Mar-20	1.97%	1,000,000	1.72%	
NAB	A1+	AA-	23-Oct-19	25-Mar-20	1.60%	1,000,000	1.72%	
NAB	A1+	AA-	31-May-19	29-Apr-20	2.20%	1,000,000	1.72%	
NAB	A1+	AA-	30-Oct-19	25-May-20	1.53%	1,000,000	1.72%	
NAB	A1+	AA-	21-Nov-19	25-May-20	1.50%	1,500,000	2.58%	
NAB	A1+	AA-	06-Nov-19	08-Jul-20	1.53%	1,500,000	2.58%	
NAB	A1+	AA-	09-Aug-19	12-Aug-20	1.70%	1,000,000	1.72%	
NAB	A1+	AA-	10-Sep-19	12-Aug-20	1.66%	3,500,000	6.02%	
NAB	A1+	AA-	30-Oct-19	23-Sep-20	1.47%	1,000,000	1.72%	
NAB	A1+	AA-	18-Dec-19	14-Oct-20	1.52%	2,000,000	3.44%	
NAB	A1+	AA-	21-Nov-19	20-Nov-20	1.45%	1,500,000	2.58%	
Westpac	A1+	AA-	07-Feb-19	07-Feb-20	2.68%	1,000,000	1.72%	
Westpac	A1+	AA-	22-Feb-19	20-Feb-20	2.62%	1,000,000	1.72%	
Westpac	A1+	AA-	14-Mar-18	13-Mar-20	2.81%	500,000	0.86%	
Westpac	A1+	AA-	04-Apr-19	03-Apr-20	2.41%	2,500,000	4.30%	
Westpac	A1+	AA-	18-Apr-18	17-Apr-20	2.93%	500,000	0.86%	
Westpac	A1+	AA-	31-May-19	03-Jun-20	2.07%	1,000,000	1.72%	
Westpac	A1+	AA-	19-Jun-19	18-Jun-20	1.90%	1,500,000	2.58%	
Westpac	A1+	AA-	26-Jun-19	24-Jun-20	1.83%	1,000,000	1.72%	
Westpac	A1+	AA-	09-Oct-19	08-Jul-20	1.60%	3,500,000	6.02%	
Westpac	A1+	AA-	06-Dec-19	23-Sep-20	1.53%	4,000,000	6.88%	
Total Term Investments								51,500,000
TOTAL INVESTMENT AS AT 31 December 2019								58,116,026

*Tcorp is wholly owned by the NSW State Government

Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	6,616,026	0.81%	Reserve Bank Cash Reference Rate	0.75%	0.06%
Term Deposit	51,500,000	2.00%	UBS 90 Day Bank Bill Rate	0.89%	1.11%
Total	58,116,026	1.86%			

Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions –S7.11 and S7.12	14,001,801
External Restrictions - Other	11,745,322
Internal Restrictions	14,190,917
Unrestricted	18,177,986
Total	58,116,026

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

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

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

Detailed History, including previous Council decisions

Council considered and adopted Council's Investment Policy on 26 June 2018.

Policy considerations

According to Clause 212 of the Local Government (General) Regulation 2005, the Responsible Accounting Officer must provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act, 1993. The report must include a certificate as to whether or not investments have been made in accordance with the Act, the Regulation and the Council's Investment Policy.

Consultation

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

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Leadership

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

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

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

Discussion

During the reporting period, the investment portfolio decreased by \$4.5 million reflecting funds received, payments made, and redemption of invested funds and lodging of new term deposits, which is driven by cash flow requirements.

The investment portfolio currently involves a number of term deposits and on-call accounts. Council's current investment portfolio is not subject to share market volatility.

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As at 31 December 2019, Council's investment portfolio is all invested with major Australian trading banks or wholly owned subsidiaries of major Australian trading banks and in line with Council's Investment Policy.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Independent advice is sought on new investment opportunities, and Council's investment portfolio is independently reviewed on a regular basis by Council's investment advisor.

Financial Implications

The matters raised in this report have direct financial implications. The income applicable is provided for in the 2019/2020 Adopted Operational Plan.

Fit For The Future Strategy Considerations

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

Conclusion

Council has investments totalling \$58.1 million as at 31 December 2019, invested in accordance with Council's Investment Policy.

RECOMMENDATION:

That the Monthly Investments Report for December 2019 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Ooo

EXTRAORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 18 February 2020

Item: 012 **SS - Audit Committee Annual Report - September 2019 - (95496, 91369, 79351)**

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to provide to Council the Audit Committee's Annual Report for the period ending 11 September 2019.

EXECUTIVE SUMMARY:

The Audit Committee Charter requires an Annual Report of the Audit Committee's activities to be prepared for submission to the Audit Committee, and then to Council.

The Audit Committee's Annual Report for the period ending 11 September 2019 has been prepared and is attached as Attachment 1 to this report.

The Annual Report includes an assessment of the Audit Committee's performance in regard to compliance with the Committee Charter and provides a high level summary of the status of management actions arising out of audits undertaken and an overview of the type and number of reports received by the Committee.

RECOMMENDATION SUMMARY:

That the Audit Committee's Annual Report for the period ending 11 September 2019, attached as Attachment 1 to this report, be received and noted.

REPORT:

Context and Background

Clause 9.3 (g) of the Audit Committee Charter states that the Secretariat of the Audit Committee is required to prepare an Annual Report of the Audit Committee's activities for submission to the Audit Committee, and then to Council.

An Annual Report for the period ending 11 September 2019 was prepared and considered at the Audit Committee meetings on 6 November 2019 and 4 December 2019. The Annual Report includes an assessment of the Audit Committee's performance in regard to compliance with the Committee Charter. It also provides a summary of the Committee's work in regard to risk management, the control framework, external accountability, legislative compliance, and internal audit activities.

The Annual Report provides a high level summary of the status of management actions arising out of audits undertaken and an overview of the type and number of reports received by the Audit Committee in the 12 month period.

At the Audit Committee meeting on 4 December 2019, the Committee resolved to endorse and submit to Council the Audit Committee Annual Report - September 2019.

The Audit Committee's Annual Report for the period ending 11 September 2019 is attached as Attachment 1 to this report.

EXTRAORDINARY MEETING
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The Annual Report provides an overview of the Committee's operation and activities undertaken by the Audit Committee for the 12 month period ending 11 September 2019.

Detailed History, including previous Council decisions

Council, at its meeting on 30 October 2018, adopted the Audit Committee Charter. The Charter requires an annual report of the Committee's activities to be submitted to the Audit Committee and Council.

Policy considerations

The adopted Audit Committee Charter requires an annual report of the Committee's activities to be submitted to the Audit Committee and Council.

Consultation

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

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Leadership

- 1.5 Regulation and Compliance - Encourage a shared responsibility for effective local compliance.
 - 1.5.2 Best practice, sustainability principles, accountability and good governance are incorporated in all activities undertaken by Council.
- 1.6 Corporate Services - Support the operation of the organisation through the provision of effective and efficient corporate support services.
 - 1.6.2 Council's workforce, systems and processes will support high performance and optimal service delivery for our community.

Discussion

The Audit Committee's Annual Report for the period ending 11 September 2019 was considered by the Audit Committee at its meeting on 6 November 2019. At that meeting, the Audit Committee resolved as follows:

"That:

- 1. *Committee members provide feedback to the Chairperson on the Audit Committee Annual Report - September 2019.*
- 2. *Any requested amendments to the Audit Committee Annual Report - September 2019 be made and this matter be further considered at the next Audit Committee meeting."*

In accordance with the above resolution, Committee members provided feedback to the Chairperson and amendments were made to the Audit Committee Annual Report - September 2019.

Subsequently, the Audit Committee at its meeting on 4 December 2019, considered the amended Committee Annual Report - September 2019, and resolved as follows:

"That the Audit Committee Annual Report - September 2019, attached as Attachment 1 to the report, be amended to reflect the updated profile information of Committee Members and be endorsed to be submitted to Council."

EXTRAORDINARY MEETING
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The Audit Committee Annual Report - September 2019 has been amended to reflect the updated profile information of Committee Members and is attached as Attachment 1 to this report, and is now submitted to Council.

Financial Implications

There are no financial implications applicable to this report.

Fit For The Future Strategy Considerations

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

Conclusion

The Audit Committee Charter requires an annual report of the Committee's activities to be prepared.

The Audit Committee's Annual Report for the period ending 11 September 2019 is provided for Council's information.

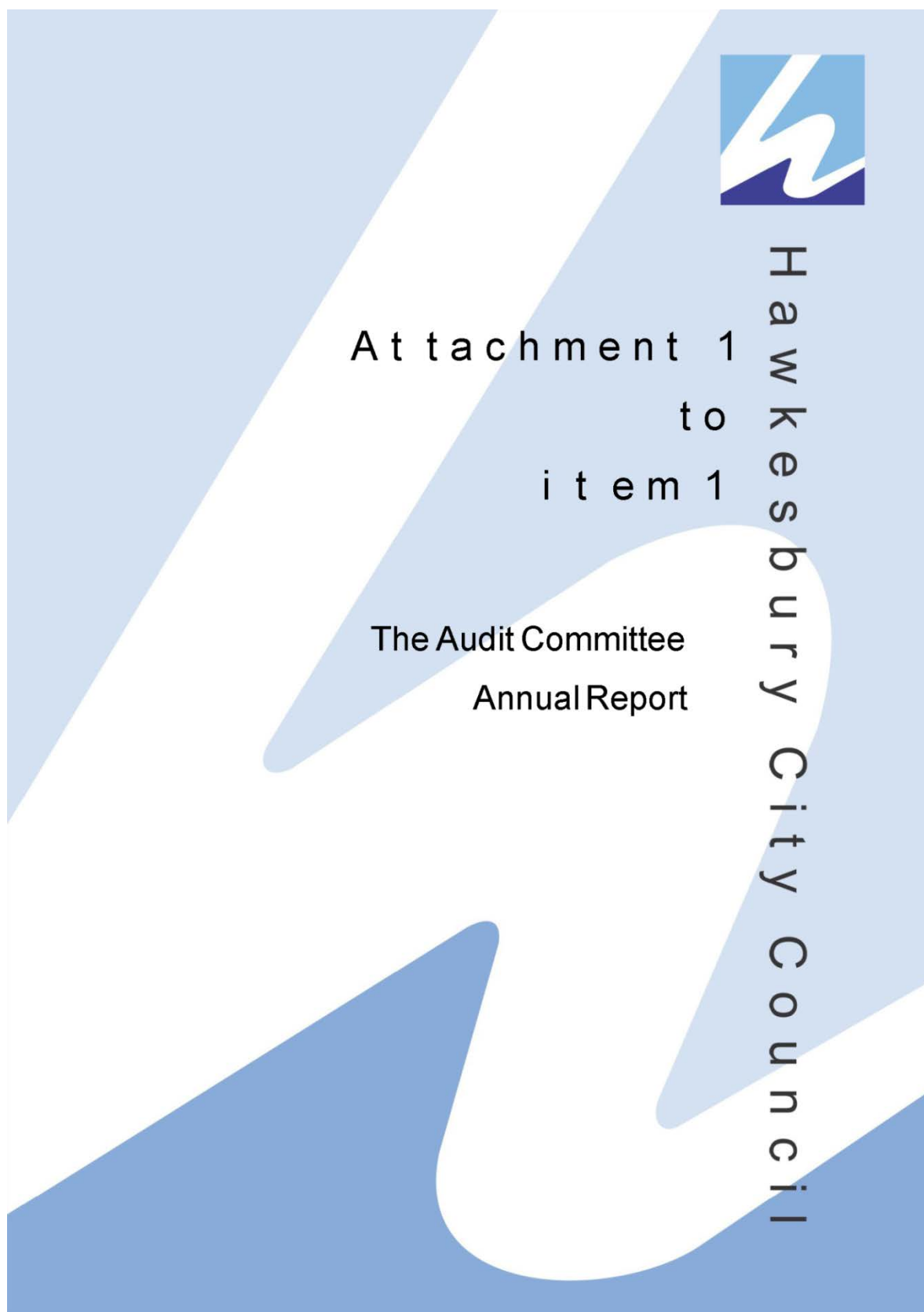
RECOMMENDATION:

That the Audit Committee's Annual Report for the period ending 11 September 2019, attached as Attachment 1 to this report, be received and noted.

ATTACHMENTS:

AT - 1 Audit Committee Annual Report – September 2019.

AT - 1 Audit Committee Annual Report – September 2019



EXTRAORDINARY MEETING
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AUDIT COMMITTEE

ANNUAL REPORT

12 September 2018 - 11 September 2019

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INTRODUCTION

Hawkesbury City Council has in place an Audit Committee. Council established the Committee under Section 377 of the Local Government Act 1993. The Committee provides an independent assurance on risk management, control, governance and external accountability.

The term of the Audit Committee is four years from September 2016 to September 2020. The Audit Committee Charter states the Term will be four years to coincide with the Council's term of office.

The Committee Charter requires the Secretariat to prepare an Annual Report of the Audit Committee's activities for submission to the Audit Committee, who will, in turn, present such report to Council.

This Annual Report provides an overview of the Committee's operation and activities undertaken by the Audit Committee for the 12-month period from 12 September 2018 to 11 September 2019 and provides an assessment of the Committee's performance during this period.

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PROFILE OF COMMITTEE MEMBERS

Profile of Committee Members

Nisha Maheshwari	Ellen Hegarty	Craig Bennett
<p>Nisha was appointed Chair of the Audit Committee in 2018. Nisha has experience in both conducting and managing various types of audits under Australian Auditing Standards and assessing the adequacy of internal audit functions and internal controls within organisations.</p> <p>Nisha has been an independent Committee member since 2010.</p> <p>Nisha's relevant experience and qualifications include:</p> <ul style="list-style-type: none"> Financial Controller at The Smith Family Manager at KPMG Member of Local Government Audit Committee Association Chartered Accountant Qualifications in audit, financial management and business advisory 	<p>Ellen has been an independent Committee member since 2013.</p> <p>Ellen's experience and qualifications include:</p> <ul style="list-style-type: none"> Finance Officer, Defence Finance Group Joint owner of Linus Finance Brokers Pty Ltd – Licensee of Kurmond Licensed Post Office. NSW Cancer Council, MP Liaison Officer for the seat Of Hawkesbury. Vice Chairperson of Hawkesbury Cancer Support Network. 	<p>Craig was appointed Deputy Chair of the Audit Committee in 2018.</p> <p>Craig's experience includes:</p> <ul style="list-style-type: none"> Investment Banking with Societe Generale Paris Director Hawkesbury Community Financial Services Franchisee for Local Community Bank Treasurer for Kurrajong Anglican Parish.

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Councillor Paul Rasmussen	Councillor John Ross	Councillor Patrick Conolly (Alternate)
<p>Councillor Rasmussen is a Councillor member since September 2010. Councillor Rasmussen is a member of various Council Committees including Waste Management Advisory Committee, Floodplain Risk Management Advisory Committee and the Hawkesbury Tourism Advisory Committee in addition to the Audit Committee, represents Council on a number of external Committees and has served as Chairman of various organisations.</p> <p>Paul has dedicated many years of service to the community, including 30 years' service to RAAF and has completed tertiary training in:</p> <ul style="list-style-type: none"> • Science and Engineering • Finance • Leadership 	<p>Councillor Ross is a Councillor member since 2016. Councillor Ross is a member of the Hawkesbury Access and Inclusion Advisory Committee in addition to the Audit Committee. John is an active member of campaigns and has qualifications in Accounting.</p>	<p>Councillor Conolly is a Councillor member since 2013. Councillor Conolly is a member of various Council Committees including the McMahon's Park Management Committee and the Hawkesbury Sister City Association in addition to the Audit Committee. He has previously been a member on Council's Heritage Advisory Committee and Destination Hawkesbury Committee. Patrick has qualifications including a Master of Commerce and a Bachelor of Business and Commerce.</p>

COMMITTEE REPORT CARD

Committee Meetings	<p>Committee met five times during the reporting period</p> <ul style="list-style-type: none"> • 12 September 2018 • 5 December 2018 • 20 March 2019 • 19 June 2019 • 11 September 2019
Composition	<ul style="list-style-type: none"> • Three independent external members • Two Councillors • One Alternate Councillor
Broad range of skills and experience	<ul style="list-style-type: none"> • Independent external members have accounting or related financial management experience, with an understanding of accounting and auditing standards in a public sector environment and/or financial, legal and business expertise.
Functional separation	<ul style="list-style-type: none"> • The Committee has no executive powers.
Sufficient time allocated to tasks	<ul style="list-style-type: none"> • The Committee agenda allows time for discussion of Agenda Items. The Agenda is distributed at least three working days before the meeting date.

EXTRAORDINARY MEETING
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Consultation	<ul style="list-style-type: none"> • Directors and Managers invited to address audit reports as required. The General Manager, the Director Support Services and the Chief Financial Officer also attend meetings of the Audit Committee.
Probity	<ul style="list-style-type: none"> • Members declare conflicts of interest if they arise.
Risk management	<ul style="list-style-type: none"> • Council staff submitted a preliminary report on risk management and the organisational risk framework to the Audit Committee in September 2018 with the final report yet to be submitted. • Council is in the process of developing an organisation wide Enterprise Risk Management Framework. As an initial step risk registers are being updated for each operational area of Council. It is intended that upon finalisation of risk registers, these will be reported to the Audit Committee. Associated actions will be reported to the Audit Committee on an annual basis.
Control framework	<ul style="list-style-type: none"> • Review of controls and policies and procedures through audit reports and high-level briefings received. • The 2019/2020 Internal Audit Program approved.
External accountability	<ul style="list-style-type: none"> • Provided feedback on the annual Financial Statements. • Annual General Purpose Financial Statements and Special Purpose Financial Statements for year ended 30 June 2019 presented and endorsed by Committee.
Legislative compliance	<ul style="list-style-type: none"> • Council has subscribed to Kell Moore Lawyers to provide Council with bi-annual updates on changes to legislation that impact on local government and on staff delegations. A Compliance Register will be developed in the near future.
Internal audit	<ul style="list-style-type: none"> • 2017/2018 and 2018/2019 Internal Audit Programs: <ul style="list-style-type: none"> - Three internal audits completed and reported to the Audit Committee - Two audits completed and to be submitted to the Audit Committee at the meeting on 6 November 2019 - Work on other internal audit assignments is ongoing, and the internal audit reports are to be presented at future Audit Committee meetings. - The Committee reviews progress reports from management in regard to the implementation of agreed operational improvements flowing from all internal audits conducted.
External audit	<ul style="list-style-type: none"> • External Auditors attended the Audit Committee meetings.

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INTERNAL AUDIT

The Committee monitors the effectiveness of the control environment through the review of audit reports.

The Committee receives auditor presentations on the audit report findings. Managers and Directors are also invited to discuss identified improvement opportunities. The implementation of management actions arising from internal audit reports is a critical element of an effective internal control framework.

Council's Executive Management Team has established a reporting process providing a structured yet flexible risk appetite to track the implementation of management actions. This is done through an in-house established Master Data File. The Committee, through an Internal Audit Coordinator, periodically monitors the status of management actions items at each Committee meeting.

As at 11 September 2019, the status of the management actions from the audits carried out since September 2017 are outlined in the following table:

Audit Name	Actions	Completed	On Track	Overdue
Accounts Payable	50	46		4
Commercial Leases and Property Management	20	8	11	1
Cyber Security Review	29	29		
Delegations Review	16	5		11
Developer Contributions Review	22	8	7	7
ICT Continuity and Recovery	11	10		1
Plant and Equipment Review	16	1	13	2
Regulatory Inspectorate Review	15	13		2
WMF & Environmental management plan compliance review	11	8	2	1
Workers Compensation and Return to Work Review	8	6		2
Provision of Information to the Public	23	18	5	
	221	152	38	31

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COMMITTEE PARTICIPATION

Name	Role	Term	Meetings	
			Eligible	Attended
Nisha Maheshwari	Chair	September 2018 to September 2019	5	5
Craig Bennett	Deputy Chair	September 2018 to September 2019	5	4
Ellen Hegarty	Independent	September 2018 to September 2019	5	2
Paul Rasmussen	Councillor	September 2018 to September 2019	5	3
John Ross	Councillor	September 2018 to September 2019	5	5
Patrick Conolly	Councillor (Alternate)	September 2018 to September 2019	N/A	N/A

- Meetings held between 12 September 2018 to 11 September 2019.

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COMMITTEE GUESTS

Name	Organisation	Meeting Date
Ms Yas Wickramasekera Mr Alexio Chibika Ms Somaia Ahmed	The Centium Group PriceWaterhouse Coopers NSW Audit Office	12 September 2018
Ms Yas Wickramasekera Mr Kenneth Leung Mr Alexio Chibika	The Centium Group PriceWaterhouse Coopers NSW Audit Office	5 December 2018
Ms Shirley Huang, Mr James Winter Ms Megan TeBay Ms Somaia Ahmed	Grant Thornton Grant Thornton The Centium Group NSW Audit Office	20 March 2019
Ms Cathy Wu Mr James Winter Ms Yas Wickramasekera Mr Mario Robles Ms Somaia Ahmed	Grant Thornton Grant Thornton The Centium Group The Centium Group NSW Audit Office	19 June 2019
Mr James Winter	Grant Thornton	11 September 2019

COMMITTEE AND STANDING REPORTS

Meeting Date	Audit reports received	Information reports received ⁽¹⁾	Standing reports received ⁽²⁾
12 September 2018	3	6	5
04 December 2018	4	1	4
20 March 2019	1	3	4
19 June 2019	2	1	4
11 September 2019	1	Nil	2

(1) Information report is where the Committee was provided with information on a particular audit report or process.

(2) Standing reports are information presented to the Committee at election of Chairperson and Deputy Chairperson each meeting e.g. audit progress report, and status of the current audit plan.

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SUMMARY OF COMMITTEE WORK

Control Framework

Independent members appointed following Local Government elections in 2016.

The Committee is following actions as a result of audits performed to obtain assurance that internal controls were working effectively and that there was appropriate policies and procedures in place for the following:

1. Accounts Payable
2. Commercial Leases and Property Management
3. Cyber Security
4. Delegations
5. Developer Contributions
6. ICT Continuity and Recovery
7. Plant and Equipment
8. Regulatory Inspectorate
9. Waste Management Facility and Environmental Management Plan Compliance
10. Workers Compensation and Return to Work
11. Provision of Information to the Public
12. RMS Drives

The Committee established actions as a result of these audits and management is committed to having a sound and effective internal control framework through management's responses to audit recommendations and attendance at the Committee meetings.

The 2019/2020 Internal Audit Program approved by the Audit Committee. The approved Program includes three audits to be carried out during 2019/2020.

External Accountability

Annual General Purpose Financial Statements and Special Purpose Financial Statements for year ended 30 June 2019 presented to the Committee.

Legislative Compliance

Council has subscribed to Kell Moore Lawyers to provide Council with bi-annual updates on changes to legislation that impact on local government and on staff delegations. A Compliance Register will be developed in the near future.

Internal Audit

The Committee adopted the Internal Audit Plan for 2019/2020 at its meeting on 19 June 2019.

The Committee considered internal audit reports that were presented in relation to audits completed during the year, and these reports were adopted. The progress on the status of management actions arising from internal audit reports were reviewed.

The Committee acted as a forum for communication between Council, the General Manager, senior management, and internal and external audit through discussions during the Committee meetings.

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External Audit

A representative of Council's External Auditor, The Audit Office of NSW, and the Auditor's nominated agent, Grant Thornton attend the Audit Committee meetings.

Risk Management

Review of Council's Risk Registers and the Risk Management Framework of the organisation currently underway.

Performance Reviews

An Audit Committee self-assessment was carried out and was received and noted by the Committee at its meeting on 5 December 2018.

Other Matters

During the reporting period the Audit Committee also considered various other reports including the following:

- Management Actions Status Reports
- Internal Audit Program Status Reports
- Council Financial Reports including monthly investment reports and quarterly review reports
- Fraud Control Action Plan
- Review of Council's Risk Registers.
- Review of the General Purpose Financial Statements and Special Purpose Financial Statements.

oooO END OF REPORT Oooo

EXTRAORDINARY MEETING
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Item: 013 **SS - Code of Meeting Practice - (95496, 96333, 79351)**

Previous Item: 226, Ordinary (26 November 2019)
 171, Ordinary (10 September 2019)
 92, Ordinary (28 May 2019)
 41, Ordinary (12 March 2019)

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to inform Council of the outcome of the public exhibition of Council's amended Code of Meeting Practice, and to propose that Council adopt the amended Code.

EXECUTIVE SUMMARY:

Council at its meeting on 10 September 2019 resolved to place on public exhibition the amended Hawkesbury City Council Code of Meeting Practice.

One submission was received suggesting minor changes, however it became apparent that an incorrect version of the Code of Meeting Practice had been placed on exhibition.

Subsequently, Council at its meeting on 26 November 2019 resolved to make a further amendment to the Code of Meeting Practice and the amended Code was placed back on exhibition for an extended period due to Christmas. The period of public exhibition was 42 days with 56 days for the acceptance of submissions. No further submissions were received.

RECOMMENDATION SUMMARY:

The report recommends that the amended Code of Meeting Practice be adopted.

REPORT:

Context and Background

In December 2018, a new Model Code of Meeting Practice (the Model Code) was prescribed by Government Gazette. Councils were required to adopt a Code of Meeting Practice based on the Model Code within six months.

Council staff reviewed the Model Code in comparison with Council's existing Code of Meeting Practice. A proposed new Code was drafted and reported to Council in March 2019.

The draft Code of Meeting Practice was placed on exhibition with submissions accepted for 42 days. No submissions were received. On 28 May 2019, Council resolved to adopt the draft Code of Meeting Practice subject to amendments relating to:

- Members of the public addressing Council
- Councillors requesting leave of absence
- Where relevant, the General Manager preparing a report in relation to Mayoral Minutes
- Voting at Council Meetings

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- The removal of non-mandatory Clauses 3.15 and 10.9 concerning the identification of funding sources for expenditure on works and services other than those in the operational plan, for notices and motion and motions respectively.

Councillors then attended a workshop and considered information in relation to Council and Committee meetings, including:

- The current concentration of administrative responsibilities upon a limited number of staff
- The benefits of having the relevant skills and resources in place to support the work of Committees
- Ongoing State Government actions that have limited the involvement of Councillors in some decision making processes
- The reduced number of reports being considered by Council under its current twice monthly meeting schedule
- Options for transitioning Council's Committee structure over time, to improve the alignment between the Committee structure and Council's Community Strategic Plan objectives
- Options for facilitating greater Councillor involvement in a greater range of Committee activities
- Upcoming requirements for each council to adopt a Community Engagement Policy
- Options for amending the Council meeting cycle to better balance workloads between Councillor Briefings, Committee Meetings and Council Meetings
- Options for establishing a more family friendly environment, whereby some meetings are scheduled outside of school holiday periods.

Council at its meeting on 10 September 2019 considered a report and resolved, in part, as follows:

"That:

1. *Clause 3.1 of the Code of Meeting Practice be amended to facilitate Council making adjustments to the placement and frequency of Council meetings over the course of a year.*
2. *Clause 11.5 of the Code of Meeting Practice be amended to allow all Councillors who are present in the chamber to raise their arm in favour of the motion or amendment being voted on.*
3. *The amendments be placed on public exhibition for a period of 28 days, with submissions being accepted from interested parties for 42 days."*

The amendments to Clause 3.1 involved the addition of new Clauses 3.2 to 3.5, with re-numbering of the existing Clause 3.2 and subsequent clauses. Below are the new Clauses 3.1 to 3.5:

- "3.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.*

Note: Under section 365 of the Act, councils are required to meet at least 10 times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

- 3.2 In addition to the meeting cycle adopted, council may resolve to hold additional meetings as considered necessary.*
- 3.3 Additional meetings of council convened by resolution of council are subject to the three days' notice rule and must also be advertised in accordance with clause 3.4 of this Code of Meeting Practice.*

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- 3.4 *Generally, council will recess during school holiday periods.*
- 3.5 *Council meetings will generally commence at 6.30pm, but this commencement time may vary for particular meetings if the council so resolves.”*

During the exhibition period one submission was received, suggesting changes which can be summarised into four categories:

Category of Amendment Requested	Amendment Details	Council Officer's Comments
Minor typographical errors	Addition of one full stop.	Amendment made.
Updating of some clause numbering	Updating of some reference to Clause 3 in the Code to reflect the new clauses.	Amendments made.
Formatting	Addition of a blank line.	Amendment made.
New wording suggestions	Referencing the Model Code of Meeting Practice to include the release date in brackets.	The Office of Local Government references the Model Code of Meeting Practice without the release date, as such references to the Model Code should remain as in the exhibited version.
	The final sentence in Section 1.0 be moved to Section 2.0 or deleted entirely, as Council does not commit itself to the principles and it commits to running meetings that meet those principles	This wording has been in used by Council in numerous previous Codes as is sets the standard that Council will abide by and no change is recommended.
	Clause 4.15 should have the word 'relevant' added to stop Councillors from intimidating and harassing speakers, which will afford speakers some protection.	This issue was discussed when the Code was placed on public exhibition earlier this year. It was decided that the word relevant was not required to be placed in the Code.
	Clause 4.16 requires clarification as to whether the two minute time limit applies per question or in total.	Amendment made to clarify the time limit is two minutes in total.
	Section 5 should set a minimum attendance requirement more reflecting the role of Councillors.	This Section of the Code reflects the Model Code and the relevant Sections of the Local Government Act 1993.No change is recommended.

It became apparent that the incorrect version of the Code of Meeting Practice was placed on exhibition and this was rectified following Council's resolution to amend the general order of business to include condolences.

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Further Proposed Amendment Subsequent to Public Exhibition

On 26 November 2019 Council resolved to amend the Code of Meeting Practice to include in the general order of business in Clause 8 – Order of Business for Ordinary Council Meetings, an item called “Condolences”.

In the exhibited draft amended Code of Meeting Practice that is Attachment 1 to this report, the addition of “Condolences” appears as business Item 7 in Clause 8.1.

Council staff also gave consideration to the changes suggested in the one submission received and that consideration is referred to in the table above.

The Code of Meeting Practice with the further proposed amendment, and the minor amendments outlined in the table above, made following the submission received during the exhibition period, was placed back on exhibition for an extended period due to Christmas. The period was 42 days with 56 days for the acceptance of submissions.

No submissions were received during this period.

It is now considered appropriate for the Code of Meeting Practice to be adopted by Council.

Consultation

The proposed amendment of the Code of Meeting Practice adopted by Council on 28 May 2019 required consultation in accordance with Council's Community Engagement Policy. Council resolved to place the draft Code of Meeting Practice on public exhibition for a period of 28 days, with submissions being accepted for 42 days.

The exhibition period was open from 20 September 2019 to 18 October 2019, with submissions being accepted until close of business on 1 November 2019. Copies of the Code were made available on the Community Consultation page of Council's website, and a hard copy at Council's Administration Building. The exhibition period was advertised in Council Notices in the Hawkesbury Courier on 3 October 2019.

One submission was received and has been considered in this report.

The second exhibition period was from 28 November 2019 to 9 January 2020, with submissions being accepted until close of business on 23 January 2020. Copies of the Code were made available on the Community Consultation page of Council's website, and a hard copy at Council's Administration Building. The exhibition period was advertised in Council Notices in the Hawkesbury Courier on 28 November 2019.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Leadership

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

Financial Implications

There are no financial implications applicable to this report.

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Fit For The Future Strategy Considerations

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

Conclusion

The amended Code of Meeting Practice was placed on public exhibition in accordance with Council's Community Engagement Policy and the requirements of the Local Government Act 1993.

One submission was received during the exhibition periods seeking minor changes which have been outlined in this report.

It is recommended that Council adopt the amended Code of Meeting Practice as attached to this report.

RECOMMENDATION:

That:

1. The Code of Meeting Practice, attached as Attachment 1 to this report, be adopted.
2. The person who made the submission in response to the exhibition of the Code of Meeting Practice be advised of Council's decision in this regard and the relevant comments in the report.

ATTACHMENTS:

AT - 1 Code of Meeting Practice. *(Distributed under separate cover).*

oooO END OF REPORT Oooo

EXTRAORDINARY MEETING
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Item: 014 **SS - Dementia Friendly Hawkesbury Plan 2020-2022 - (95496, 96328)**

Previous Item: 207, Ordinary (12 November 2019)

Directorate: Support Services

PURPOSE OF THE REPORT:

This report has been prepared to advise Council of the outcome of the public exhibition of the Draft Dementia Friendly Hawkesbury Plan. The report provides the final version of the Plan for the consideration of Council and recommends that Council adopt the Plan.

EXECUTIVE SUMMARY:

This report has been prepared to advise Council of the outcome of the public exhibition of the Draft Dementia Friendly Hawkesbury Plan. The report provides details of the one submission received and the response provided to the submission. The report recommends that Council adopt the Plan and the proposed framework outlined for implementation of the Plan.

RECOMMENDATION SUMMARY:

That Council adopt the Dementia Friendly Hawkesbury Plan 2020-2022.

REPORT:

Context and Background

Over the next 30 years, the prevalence of dementia in the Hawkesbury is due to increase by 241% (Alzheimer's Australia NSW and Deloitte Access Economics Report, August 2014), exceeding the forecasted general population growth of the Hawkesbury which is 49%, (NSW Department of Planning and Environment) over the same period. In response to this emerging issue, Council included in the 2019/2020 Operational Plan the initiative to 'Develop Dementia Friendly Hawkesbury Plan, including rolling out community education on dementia friendly spaces'.

In accordance with this, Council staff commenced work through the Access and Inclusion Advisory Committee, to establish a working group with the necessary expertise to inform development of a Draft Plan.

The Draft Dementia Friendly Hawkesbury Plan was reported to the Council Meeting on 12 November 2019. At that meeting, Council resolved to place the Draft Plan on public exhibition for a minimum of 28 days. The Draft Plan was also reviewed by the Hawkesbury Access and Inclusion Advisory Committee on 29 August 2019.

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Council received one submission in response to the public exhibition of the Draft Plan as follows:

Table 1: Submission and Response

Submission Comment	Response
This is a good document. There are good objectives named for the community, but my question is what is the plan to actually achieve these objectives? Implementation will be important.	<p>Council has a history of developing and implementing community action plans and maintains networks and partnerships between agencies to achieve objectives within these plans. To this end, Council will commission a Dementia Friendly Working Group, comprising of members with the necessary expertise to inform implementation of the Plan.</p> <p>Under this framework, the Working Group will liaise and consult with Council staff and stakeholders about each of the actions within the Plan and how they can best be achieved. To track progress in the implementation of the Plan, Council staff will work with the Working Group to prepare an annual progress report which will be reported to Council.</p>

As the submission received did not trigger a requirement for the Draft Plan to be amended, the content of the Draft Plan is unchanged with the exception of timeframe for Plan implementation, with reference to the preparation and adoption timeline. The Plan is now titled Dementia Friendly Hawkesbury Plan 2020–2022 and is appended as Attachment 1 to this report for adoption by Council.

Implementation of the Dementia Friendly Hawkesbury Plan

Consistent with the roles outlined in the Dementia Friendly Hawkesbury Plan, Council will be a critical partner in implementing the Dementia Friendly Hawkesbury Plan. To this end it is proposed that Council work with through the Access and Inclusion Advisory Committee to establish a Dementia Friendly Working Group to oversee implementation of the Plan. Under this framework, Council staff will consult with the Working Group to determine how actions within the Plan can best be achieved. The Access and Inclusion Advisory Committee will assist in the preparation of an annual progress report on implementation of the Plan to Council.

In this regard, a Working Group is generally described as follows:

- be chaired by councillor selected by Council
- be open to all councillors to participate
- include nominated experts and residents
- have defined brief and stated outcomes determined by Council
- have a set time period in which to deliver the agreed outcomes
- produce an annual report to be included in the report submitted to the relevant Council meeting in September each year.

Detailed History, including previous Council decisions

Development of a Dementia Friendly Hawkesbury Plan is an action within the 2019/2020 Operational Plan, adopted by Council at its meeting on 12 June 2019.

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At the Council Meeting on 12 November 2019, Council considered a report regarding the Draft Dementia Friendly Hawkesbury Plan and resolved to place the Draft Dementia Friendly Hawkesbury Plan on public exhibition.

Policy considerations

Development and delivery of a Dementia Friendly Hawkesbury Plan is consistent with Council's adopted Access and Inclusion Policy which states that Council will work with the community to eliminate barriers which may prevent residents and visitors from participating fully in community and civic life.

Consultation

The subject of this report, the Draft Dementia Friendly Hawkesbury Plan 2020-2022 has been consulted in accordance with Council's Community Engagement Policy. The report presents Council with the outcome of the public exhibition of the Draft Dementia Friendly Hawkesbury Plan.

It should be noted that the content of the Draft Plan has been based on consultations undertaken with people living with dementia, carers, local businesses and organisations. Details of the consultations are included in the appendices of the Plan.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

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

Our Community

2.1 Community safety is improved

2.1.2 Make the Hawkesbury a friendly place where people feel safe.

2.4 Community wellbeing and local services

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

Discussion

The Plan proposes Council commission the Hawkesbury Access and Inclusion Advisory Committee to establish a Dementia Working Group as a sub-committee to oversee implementation of the Plan. The Dementia Working Group will have representatives with the essential industry expertise and consumer representation to work with the broader community to determine how to best implement actions within the Plan. Under this framework the Working Group would prepare advice for the consideration of the Committee and Council.

To track progress in the implementation of the Plan the Working Group, in conjunction with Council staff, will prepare an annual progress report to be reported to Council through the Access and Inclusion Advisory Committee.

Financial Implications

The matters raised in this report have indirect financial implications. Expenditure in the form of resources will be incurred in association with these matters.

Implementation of the Dementia Friendly Hawkesbury Plan 2020–2022 will require the allocation of staff hours and resources which will be negotiated in conjunction with the development of branch work plans, and within Council's budget planning processes.

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Fit For The Future Strategy Considerations

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

Conclusion

The Dementia Friendly Hawkesbury Plan presented for adoption by Council has been developed following broad community consultation. Achieving a dementia inclusive and friendly community is a challenging undertaking that will require the development of partnership approaches between agencies and community.

To ensure implementation of the Plan is informed by both people living with diagnosis or dementia, carers and industry experts, the Access and Inclusion Advisory Committee will establish a Dementia Working Group as an enduring sub-committee with necessary skills-set to oversee implementation of the Plan.

RECOMMENDATION:

That:

1. Council adopt the Dementia Friendly Hawkesbury Plan 2020-2022, attached as Attachment 1 to the report.
2. Council commission the Access and Inclusion Advisory Committee to establish a Dementia Working Group to oversee implementation of the Dementia Friendly Hawkesbury Plan 2020-2022.
3. The person who made the submission in response to the exhibition of the Draft Dementia Friendly Hawkesbury Plan be advised at Council's decision in this regard and the relevant comments in the report.

ATTACHMENTS:

AT - 1 Dementia Friendly Hawkesbury Plan 2020-2022 - *(Distributed under separate cover).*

oooO END OF REPORT Oooo

EXTRAORDINARY MEETING
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SECTION 4 – Reports of Committees

Item: 015 **ROC - Audit Committee - 4 December 2019 - (95496, 91369, 79351)**

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Audit Committee, held on 4 December 2019.

RECOMMENDATION SUMMARY:

All items contained within the minutes of the Audit Committee have no policy or financial implications to Council, and therefore, are presented to Council to receive and note.

REPORT:

Discussion

The Audit Committee met on 4 December 2019 and considered reports on the following matters, as shown in the attached minutes (Attachment 1).

Report

Item: 1 The Audit Committee Annual Report - September 2019
Item: 2 2017/2018, 2018/2019 and 2019/2020 Internal Audit Programs Update
Item: 3 Status of Internal Audit Management Actions as at 22 November 2019
Item: 4 NSW Audit Office Performance Audits 2019/2020 - NSW Local Government Sector
Item: 5 A New Risk Management and Internal Audit Framework for Local Councils in NSW - Discussion Paper
Item: 6 Delegations Policy
Item: 7 Finance Reports
Item: 8 Meeting Dates for 2020

General Business

Item: A Quarterly Review Reports and Internal Audit Functions

The above items do not have any policy or financial implications to Council, and therefore, are presented to Council to receive and note. However, Items 1 and 5 may be of interest to Councillors and therefore, the following comments are provided:

- Item 1 relates to the Audit Committee Annual Report - September 2019. The Committee considered this matter and resolved as follows:

"That the Audit Committee Annual Report – September 2019, attached as Attachment 1 to the report, be amended to reflect the updated profile information of Committee Members and be endorsed to be submitted to Council".

The Audit Committee Annual Report - September 2019 has been amended to reflect the updated profile information of Committee Members. The amended Annual Report has been submitted to Council and is the subject of another report on this business paper.

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees

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- Item 5 relates to a New Risk Management and Internal Audit Framework for Local Councils in NSW. The Committee considered this matter and resolved as follows:

"That:

- 1. The Audit Committee receives and notes the information provided within this report regarding the Discussion Paper on the New Risk Management and Internal Audit Framework for Local Councils in NSW.*
- 2. The Audit Committee amend Parts 1a, 1c, 2a, 2c, 2d ,2f, 2h, 3b, 6c and the last comment within Attachment 1 to this report, as discussed at the Meeting.*
- 3. The Audit Committee endorse a submission being forwarded to the Office of Local Government, based on the comments in Attachment 1 to this report, and including the amendments outlined in Part 2 above, for Council's consideration."*

This matter was subsequently reported to Council at its meeting on 10 December 2019, where Council resolved as follows:

"That Council:

- 1. Receive and note the information provided within this report regarding the Discussion Paper on the New Risk Management and Internal Audit Framework for Local Councils in NSW.*
- 2. Forward to the Office of Local Government, a submission on the Discussion Paper on the New Risk Management and Internal Audit Framework for Local Councils in NSW based on the comments in Attachment 1 to this report and summarised as follows:*

The Office of Local Government is requested to:

- Note that it is debatable whether the proposed Audit, Risk and Improvement Committee should be involved in the remuneration of the Chief Audit Executive.*
- Release the Model Terms of Reference for the proposed Audit, Risk and Improvement Committee, for comment.*
- Give consideration to Councillors being part of the Audit, Risk and Improvement Committee.*
- Note that the proposed requirement for the independent Committee members to be prequalified via the applicable NSW Government's Prequalification Scheme may exclude current Committee members from being eligible. It is suggested that existing Committee members are also prequalified.*
- Review the exclusion of individuals that have worked in any Council in the last three years. It is suggested only individuals that have worked in the specific council are excluded.*
- Note that the application of the NSW Government remuneration scheme fees and charges would place significant cost pressures on councils.*
- Mandate a term of four years aligned with Council term.*
- Review the proposed requirement for the Audit, Risk and Improvement Committee to be assessed by an external party at least once each Council term.*

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees

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- *Release the proposed Model Charter for endorsement by the Audit, Risk and Improvement Committee and adoption by Council.*
- *Review the proposed timeframe of 10 working days applicable to remedial actions and responses to be submitted to the Audit committee, to be “the next available Audit Risk and Improvement Committee meeting”.*
- *Clarify whether the submission of Minute of the Audit, Risk and Improvement Committee to Council addresses the requirement to advise Council of progress regarding the implementation of corrective actions.*
- *Review the Audit, Risk and Improvement Committee being able to approve, as opposed to endorse, plans, scope of assignments and tools to be used by Internal Auditors.*
- *Review the inconsistent use of terminology when referencing the applicable Australian Standards and/ or the International Professional Practices Framework.*
- *Note that there is no community representation provided for in the Committee composition.”*

A submission in accordance with the above Council resolution was subsequently submitted to the Office of Local Government.

RECOMMENDATION:

That the minutes of the Audit Committee Meeting held on 4 December 2019 be received and noted.

ATTACHMENTS:

AT - 1 Minutes - Audit Committee - 4 December 2019.

EXTRAORDINARY MEETING
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AT - 1 Minutes - Audit Committee - 4 December 2019

Minutes of the Meeting of the Audit Committee held in Council Committee Rooms, Windsor, on 4 December 2019 commencing at 4pm.

ATTENDANCE:

Present: Mr Craig Bennett, Deputy Chairperson, Community Representative
 Councillor Paul Rasmussen, Hawkesbury City Council (arrived at 4:08pm)
 Councillor John Ross, Hawkesbury City Council
 Ms Ellen Hegarty, Community Representative

Apologies: Ms Nisha Maheshwari, Community Representative
 Ms Cathy Wu, NSW Audit Office
 Ms Somaiya Ahmed, NSW Audit Office
 Ms Shirley Huang, Grant Thornton

In Attendance: Mr Peter Conroy, Hawkesbury City Council
 Mr Laurie Mifsud, Hawkesbury City Council
 Ms Emma Galea, Hawkesbury City Council
 Mr Mario Robles, The Centium Group (left at 6:25pm)
 Ms Yas Wickramasekera, The Centium Group
 Mr James Winter, Grant Thornton
 Ms Amanda Carroll, Hawkesbury City Council

In the absence of the Chairperson, Ms Nisha Maheshwari, the Deputy Chairperson, Mr Craig Bennett chaired the meeting.

RESOLVED on the motion of Ms Ellen Hegarty and seconded by Mr Craig Bennett that the apologies be accepted.

Member	5/12/2018	20/03/2019	19/06/2019	11/09/2019	6/11/2019	04/12/2019
Councillor Paul Rasmussen	✓	✓	A	A	A	✓
Councillor John Ross	✓	✓	✓	✓	✓	✓
Councillor Patrick Conolly (Alternate)	N/A	N/A	N/A	N/A	N/A	N/A
Mr Craig Bennett	A	✓	✓	✓	✓	✓
Ms Ellen Hegarty	A	A	✓	✓	A	✓
Ms Nisha Maheshwari (Chairperson)	✓	✓	✓	✓	✓	A

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

RESOLVED on the motion of Mr Craig Bennett and seconded by Councillor John Ross that the Minutes of the Audit Committee held on the 6 November 2019, be confirmed.

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees
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SECTION 3 - Reports for Determination

Item: 1 **AC - The Audit Committee Annual Report September 2019 - (95496, 91369, 79351, 121470)**

Division: Support Services

DISCUSSION:

Attachment 1 to the report regarding the Audit Committee Annual Report – September 2019, was tabled with the requested amendments made for further consideration by the Audit Committee.

Ms Hegarty provided a further update to her profile information and other Committee Member's profile information in the Annual Report – September 2019. It was noted that the report will be amended to reflect these updates.

OFFICER'S RECOMMENDATION:

That the Audit Committee Annual Report – September 2019, attached as Attachment 1 to the report, be endorsed to be submitted to Council.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Ellen Hegarty, seconded by Mr Craig Bennett.

That the Audit Committee Annual Report – September 2019, attached as Attachment 1 to the report, be amended to reflect the updated profile information of Committee Members and be endorsed to be submitted to Council.

Item: 2 **AC - 2017/2018, 2018/2019 and 2019/2020 Internal Audit Programs Update ((91369, 79351, 121470)**

Division: Support Services

DISCUSSION:

The Report regarding an update on the 2017/2018, 2018/2019 and 2019/2020 Internal Audit Programs was taken as read by members of the Committee.

The Committee was advised by Ms Wickramasekera that the final report of the Procurement and Tendering Review has been completed and that management actions are currently being finalised. It is anticipated that the Final Report will be tabled at the Audit Committee meeting scheduled for March 2020.

OFFICER'S RECOMMENDATION:

That the progress against the 2017/2018, 2018/2019 and 2019/2020 Internal Audit Programs be received and noted.

EXTRAORDINARY MEETING
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COMMITTEE RECOMMENDATION:

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

That the progress against the 2017/2018, 2018/2019 and 2019/2020 Internal Audit Programs be received and noted.

Item: 3 AC - Status of Internal Audit Management Actions as at 22 November 2019 - (91369, 79351. 121470)

Division: Support Services

DISCUSSION:

Mr Bennett congratulated staff on the improvements made to the presentation of the management actions summary reports. Further updates and improvements to the current format will continue to ensure that the format of the reports meets the Audit Committee's expectations.

The General Manager advised that Council is undertaking a Council-wide review into reporting systems with enhanced functionality and reporting modules for a number of projects. Council is currently investigating the migration of the Internal Audit Management Actions data across into this reporting system. Councillor Rasmussen noted that Council's improvements in reporting, data integrity and training are to be commended.

There will be ongoing training for all managers and staff to ensure that they are aware of and meet their obligations in regard to their relevant management actions and to the changes to legislative and regulatory responsibilities.

In regard to Attachment 3 to the report concerning the Overdue Extreme/High Risk Management Action Summary Report, the Committee requested that future reports include comments as to when the overdue Management Actions are expected to be completed.

The Committee also requested that an additional report be provided to each Audit Committee meeting regarding the Internal Audit Management Actions that have been completed since the previous Audit Committee meeting.

OFFICER'S RECOMMENDATION:

That:

1. The Internal Management Audit Actions Summary Report as at 22 November 2019, attached as Attachment 1 to this report be received and noted.
2. The Uncompleted Internal Audit Management Actions Summary Report as at 22 November 2019, attached as Attachment 2 to this report be received and noted.
3. The Overdue Extreme/High Risk Management Actions Report as at 22 November 2019, attached as Attachment 3 to this report be received and noted.
4. The Extension of Due Dates for Agreed Management Actions Report attached as Attachment 4 to this report be received and noted.

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees
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COMMITTEE RECOMMENDATION:

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

That

1. The Internal Management Audit Actions Summary Report as at 22 November 2019, attached as Attachment 1 to this report be received and noted.
2. The Uncompleted Internal Audit Management Actions Summary Report as at 22 November 2019, attached as Attachment 2 to this report be received and noted.
3. The Overdue Extreme/High Risk Management Actions Report as at 22 November 2019, attached as Attachment 3 to this report be received and noted and that future reports include comments as to when the overdue Management Actions are expected to be completed.
4. The Extension of Due Dates for Agreed Management Actions Report attached as Attachment 4 to this report be received and noted.
5. An additional report be provided to each Audit Committee meeting regarding the Internal Audit Management Actions that have been completed since the previous Audit Committee meeting.

Item: 4 AC - NSW Audit Office Performance Audits 2019/2020 - NSW Local Government Sector

Division: Support Services

DISCUSSION:

The Committee were advised that the NSW Audit Office planned performance audits for 2019/2020 are:

- Cybersecurity
- Development Contributions and Voluntary Planning Agreements
- Credit-card Management
- Management of Procurement

It was noted that the ICT Continuity and Recovery and Cyber Security Review as noted in the Report to Item 4 – is to be amended to Cyber Security Review.

As part of the Internal Audit Program, Council, through The Centium Group, has undertaken audits in all areas proposed to be audited by the NSW Audit Office.

OFFICER'S RECOMMENDATION:

That the Audit Committee receive and note the information provided within this report regarding the NSW Audit Office Performance Audits in the Local Government sector, and Council's position in this regard.

COMMITTEE RECOMMENDATION:

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

That the Audit Committee receive and note the information provided within this report regarding the NSW Audit Office Performance Audits in the Local Government sector, and Council's position in this regard.

EXTRAORDINARY MEETING
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Item: 5 **AC - A New Risk Management and Internal Audit Framework for Local Councils in NSW - Discussion Paper (91369, 79351, 121470)**

Division: Support Services

DISCUSSION:

The Committee Members noted that Attachment 1 - Comparison of Core Requirements identified in the Discussion Paper and Council's current practice was well done and provided very helpful comments. There are a number of significant requirements in the Discussion Paper - New Risk Management and Internal Audit Framework for Local Councils in NSW.

Any submission on the Discussion Paper is due by 31 December 2019.

There are nine core requirements that need to be complied with. These requirements were discussed the Meeting.

The significant proposed requirements include but not limited to:

- That the independent members are to be prequalified via the NSW Government's Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members.
- The Audit, Risk and Improvement Committee are to exclude Councillors.
- The exclusion of any members having working in any Council in the last three years is to be reviewed.
- Members of the Audit, Risk and Improvement Committee may be remunerated.

The Committee discussed Attachment 1 to the report and decided to make the following amendments to this attachment:

- **Part 1a**
 - Added wording to the effect "it is debatable the Audit, Risk and Improvement Committee should be involved in the remuneration of the Chief Audit Executive".
- **Part 1c**
 - Removed "at least as observers" when suggesting consideration should be given to Councillors being part of the Audit, Risk and Improvement Committee.
 - Added the suggestion to provide an opportunity to pre-qualify current Committee Members.
- **Part 2a, 2c, 2d, 2f, 2h**
 - Added wording to the comments to reflect that Council's Enterprise Risk Management Framework will be consistent with the applicable Australian Standards.
- **Part 3b**
 - Added wording in the comments to indicate that additional resources and budget may be needed.

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○ **Part 6c**

- Added suggestion that the applicable timeframe for remedial action and responses to be provided to the Audit, Risk and Improvement Committee be reviewed to the “next available Committee Meeting” rather than the proposed 10 working days.

○ **Last Comment**

- Added comment regarding the preference to the term “aligned to” when referencing applicable Australian Standards and Frameworks.

OFFICER’S RECOMMENDATION:

That:

1. The Audit Committee receives and notes the information provided within this report regarding the Discussion Paper on the New Risk Management and Internal Audit Framework for Local Councils in NSW.
2. The Audit Committee consider providing advice to Council as to feedback it could consider providing the Office of Local Government.

COMMITTEE RECOMMENDATION:

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

That:

1. The Audit Committee receives and notes the information provided within this report regarding the Discussion Paper on the New Risk Management and Internal Audit Framework for Local Councils in NSW.
2. The Audit Committee amend Parts 1a, 1c, 2a, 2c, 2d ,2f, 2h, 3b, 6c and the last comment within Attachment 1 to this report, as discussed at the Meeting.
3. The Audit Committee endorse a submission being forwarded to the Office of Local Government, based on the comments in Attachment 1 to this report, and including the amendments outlined in Part 2 above, for Council’s consideration.

Item: 6 AC - Delegations Policy - (91369, 79351, 121470)

Division: General Manager

DISCUSSION:

Councillor Ross noted that the Draft Delegations Policy had been considered at a previous Council meeting and that the consensus in that forum was that the Draft Policy requires further review and development.

The discussion revolved around the delegations provided by Council to the General Manager. It was noted that the Local Government Act, 1993 defines the legislative requirements for Councils in regard to delegations.

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There was general discussion regarding the tender process. It was noted that while Councillors do not have overview of the tender process, all tenders are reported to Council through the quarterly review process.

Centium have previously completed a Delegations Review in August 2018 and while some recommendations had been made there were no risk exposures identified.

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

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

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

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

Centium advised that the Delegations Review was conducted in August 2018. The General Manager advised the Audit Committee that a detailed report on the findings of the Delegations Review will be provided at the next Audit Committee meeting.

OFFICER'S RECOMMENDATION:

That the report be received and noted.

COMMITTEE RECOMMENDATION:

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

That the report be received and noted.

Item: 7 AC - Finance Reports (91369, 79351, 121470)

Division: Support Services

DISCUSSION:

The Committee Members acknowledged the September 2019 Quarterly Budget Review Statement and the October 2019 Investment Report.

OFFICER'S RECOMMENDATION:

That the Audit Committee receive and note the report and attachments on the September 2019 Quarterly Budget Review Statement and the October 2019 Investment Report.

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COMMITTEE RECOMMENDATION:

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

That the Audit Committee receive and note the report and attachments on the September 2019 Quarterly Budget Review Statement and the October 2019 Investment report.

Item: 8 AC - Meeting Dates for 2020 - (95496, 91369, 79351)

Division: Support Services

DISCUSSION:

The proposed Audit Committee meeting dates for 2020 are as follows:

- Wednesday – 4:00pm – 4 March 2020
- Wednesday – 4:00pm – 3 June 2020
- Wednesday – 4:00pm – 26 August 2020
- Wednesday – 4:00pm – 2 December 2020

OFFICER’S RECOMMENDATION:

That the Audit Committee meeting dates for 2020, as outlined in the report, be approved.

COMMITTEE RECOMMENDATION:

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

That the Audit Committee meeting dates for 2020, as outlined in the report, be approved.

SECTION 4 - General Business

A - Quarterly Review Reports and Internal Audit Functions

The General Manager advised the Committee that there have been a series of meetings with Councillor Ross and other parties, to discuss amongst other things, how we might ensure that Councils Integrated and Planning and Reporting and Audit Functions are:

- Compliant with the relevant regulations and guidelines
- More transparent
- More easily understood and followed
- More useful in terms of the information that is provided for the benefit of the membership of various forums

Some of the points we have agreed on, whilst on other points we have agreed to disagree.

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That said we have accepted the good intentions that have underpinned those discussions and to that end we are proposing:

- To refine our quarterly reporting, with a view to:
 - Include additional columns in the next quarterly report
 - Propose a reporting dashboard as part of the upcoming budget process, for future years.
- To prepare some protocols for informing the Annual Audit Program, Audit Committee papers, minutes and recommendations.
- Clarifying the roles of various officers associated with the Audit function.

The meeting terminated at 6:40 pm

oooO END OF REPORT Oooo

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Item: 016 **ROC - Floodplain Risk Management Advisory Committee - (86589, 124414) - 5 December 2019**

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Floodplain Risk Management Advisory Committee held on 5 December 2019.

RECOMMENDATION SUMMARY:

Item 2 and Items D and F in General Business contained within the attached Minutes of the Floodplain Risk Management Advisory Committee held on 5 December 2019 have policy or financial implications to Council, and as such require specific consideration by Council.

All other items raised in the Minutes of the Floodplain Risk Management Advisory Committee have no policy or financial implications for Council, and are presented for information only.

REPORT:

The Floodplain Risk Management Advisory Committee met on 5 December 2019 and considered staff reports on a range of matters as shown in the attached Minutes (Attachment 1).

The following items require specific consideration by Council:

**Item 2: Successful Grant Applications Made Under the Office of Environment & Heritage
Floodplain Management Program 2019-2020**

Discussion

Officers highlighted the success in two grant applications made under the Office of Environment and Heritage Floodplain Management Program 2019-2020.

The Chairperson thanked Officers for their crucial work to ensure the success of these grants and stated that it is essential to have up to date information for the Hawkesbury-Nepean in addition to the Macdonald River, Colo River, Webbs Creek and Greens Creek catchments.

Officers advised Committee members that the appointment of consultants for these projects will commence in early 2020. Dependant on the level of survey required, the timeframe to complete the study could be between 18-24 months.

Committee members discussed flood studies being undertaken of South Creek by neighbouring Councils. It was suggested that Hawkesbury City Council requests that Blacktown and Penrith City Council's provide details of any current studies.

Following discussion and consideration of the matter, the Floodplain Risk Management Advisory Committee resolved:

1. *Thanks and congratulates the staff on the successful grant applications.*

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2. *Request that Hawkesbury City Council formally request Blacktown and Penrith City Councils provide details of any current flood studies of South Creek.*
3. *Engage in ongoing communication with other Councils in the Hawkesbury Nepean Valley with regard to Floodplain management.*

Officers Comment

Council Officers regularly attend the Penrith Floodplain Risk Management Advisory Committee Meetings. Officers are also in regular contact with respective counterparts at both Blacktown and Penrith Council's in respect of floodplain management. As such, it is expected that through these contacts that relevant information with respect to current flood studies of South Creek can be obtained. The Flood Risk Management Advisory Committee will be updated with respect to progress in obtaining this information.

General Business

D. The New Duplication Bridge in North Richmond

Committee members discussed the RMS Richmond Bridge Duplication Project, stating that at the most recent stakeholder meeting representatives from the SES and Transport for NSW had indicated that the new bridge is not part of the flood strategy network or evacuation plan, with the height of the bridge to a 1:100 level not part of the consideration.

Committee members noted the importance of constructing the new bridge at an appropriate height to support flood immunity for people living west of the river and business transactions between the west and the east of the river during moderate flooding and to carry services at a higher level across the Hawkesbury River.

Community representatives indicated that the perception is that Council is not vocal about requiring a higher flood immunity for this new infrastructure.

Following discussion and consideration of the matter, the Floodplain Risk Management Advisory Committee resolved:

"That the Floodplain Risk Management Advisory Committee:

1. *Recommends a higher flood immunity for the Richmond Bridge Duplication Project to ensure that the roads and access to the bridge be trafficable in a 1:100 level flood, and that Council lobby for the funding required to complete this."*

Officers Comment

In addition to the Flood Risk Management Advisory Committee, Council has an Infrastructure Committee which also considers such matters. It is considered appropriate that at the next Flood Risk Management Advisory Committee that members of the Infrastructure Committee be invited to discuss this matter as a combined group, including the need for evacuation to be supported by appropriate infrastructure. That discussion will consider the merits of a higher flood immunity for the Richmond Bridge Duplication Project that provides roads and access to the bridge that is trafficable in a 1:100 level flood, and whether Council should lobby for the funding required to construct the new bridge at such a level.

F. SES Communications with the Public

Committee members stated that they had seen communications by the SES advising the public to stay west of the river in the event of a flood, although presentations by the SES to Council and the Committee have always indicated to evacuate from the west.

It was suggested to follow this up with the SES to ensure all communications to the public are consistent.

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Following discussion and consideration of the matter, the Floodplain Risk Management Advisory Committee resolved:

"That the Floodplain Risk Management Advisory Committee:

1. *Request that Council send a letter to the SES seeking clarification on their communications with the community regarding evacuation west of the river in the event of flooding, including an impact statement for loss of power."*

Officers Comment

The importance of understanding plans associated with evacuation in flood events is considered to be crucial for the community. Writing to the SES in this regard is considered to have merit in order to inform Council.

RECOMMENDATION:

That:

1. The Minutes of the Floodplain Risk Management Advisory Committee held on 5 December 2019 be received and noted.
2. In relation to Item 2 of the Minutes, that Council:
 - a) Thank and congratulate staff on the successful grant applications.
 - b) Officers seek details of any current flood studies of South Creek undertaken by Blacktown and Penrith Council's.
 - c) Engage in ongoing communication with other Councils in the Hawkesbury Nepean Valley with regard to Floodplain management.
3. In relation to Item D in General Business, that:
 - a) Infrastructure Committee members be invited to attend the next Flood Risk Management Advisory Committee in order to discuss the need for evacuation to be supported by appropriate infrastructure, and whether Council should consider recommending a higher flood immunity for the Richmond Bridge Duplication Project to ensure that the roads and access to the bridge be trafficable in a 1:100 level flood.
4. In relation to Item F in General Business, Council endorse the recommendation of the Floodplain Risk Management Committee, namely that:
 - a) Council send a letter to the SES seeking clarification on their communications with the community regarding evacuation west of the river in the event of flooding, including an impact statement for loss of power.

ATTACHMENTS:

AT - 1 Minutes – Floodplain Risk Management Advisory Committee – 5 December 2019.

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AT - 1 Minutes – Floodplain Risk Management Advisory Committee – 5 December 2019

Minutes of the Meeting of the Floodplain Risk Management Advisory Committee held in Council Committee Rooms, Windsor on 5 December 2019.

Attendance:

Present: Councillor Mary Lyons-Buckett, Chairperson
Councillor Paul Rasmussen, Deputy Chairperson
Councillor Amanda Kotlash, Hawkesbury City Council
Councillor Danielle Wheeler, Hawkesbury City Council
Councillor Peter Reynolds, Hawkesbury City Council
Ms Carol Edds, Community Representative
Ms Margaret Mackisack, Community Representative
Mr Maurice Smith, Community Representative
Mr Harry Terry, Community Representative
Mr Kim Ford, Community Representative

Apologies: Mr Kevin Jones, SES

In Attendance: Mr Mark Rusev, Representative of Member for Hawkesbury
Ms Linda Perrine, Hawkesbury City Council
Mr Andrew Kearns, Hawkesbury City Council
Mr Chris Amit, Hawkesbury City Council
Ms Megan Berrell, Hawkesbury City Council

RESOLVED on the motion of Mr Smith and seconded by Councillor Kotlash that the apologies be accepted.

Member	14/2/2019	18/04/2019	27/06/2019	26/09/2019	05/12/2019
Councillor Mary Lyons-Buckett	✓	✓	✓	✓	✓
Councillor Amanda Kotlash	✓	A	✓	A	✓
Councillor Paul Rasmussen	✓	A	✓	A	✓
Councillor Danielle Wheeler	✓	✓	✓	A	✓
Councillor Peter Reynolds	A	✓	✓	✓	✓
Ms Carol Edds	✓	✓	✓	✓	✓
Mr Harry Terry	✓	A	✓	✓	✓
Ms Margaret Mackisack	✓	✓	✓	✓	✓
Mr Kim Ford	✓	A	A	✓	✓
Mr Maurice Smith	✓	A	A	✓	✓
Snr Inspector Robert Bowman - (Dept. Primary Industries)	X	X	X	X	X
Mr Kevin Jones – (SES Headquarters)	A	✓	A	✓	X
Mr Peter Cinque OAM – (SES Sydney Western Division)	X	X	X	X	X
Ms Robyn Preston, Member for Hawkesbury (or Representative)		✓	✓	✓	✓
Mr Sadeq Zaman – (Office of Environment & Heritage)	✓	✓	✓	✓	X

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

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RESOLVED on the motion of Mr Ford and seconded Ms Mackisack that the Minutes of the Floodplain Risk Management Advisory Committee held on 26 September 2019, be confirmed.

SECTION 3 - Reports for Determination

ITEM: 1 Review of Council Committees - (79351)

Directorate: General Manager

Stage One – Engagement with committee members

Council's Director City Planning attended the meeting and explained to Committee members that Council will be reviewing the current committees and working groups to create an alignment with the Community Strategic Plan. A key part of this review is stage one - engaging with current Committee and Working Group members to find out what is working and what could be improved in terms of the respective committees / working groups.

The Community Strategic Plan has five key directions being, Leadership, Environment, Assets, Community and Future

Council also need to ensure that there is a greater level of consistency between Committees which will be assisted through the development of a standard approach to systems and processes such as preparation of draft minutes which will be sent to the Committee before reporting to Council.

Between now and the end of December all Committees / Working Groups will have at least one meeting.

The Committees and Working Groups being engaged in the process include:

- Waste Management
- Hawkesbury Access and Inclusion
- Heritage
- Tourism
- Infrastructure
- Human Services
- Civic and Citizenship
- Floodplain Risk Management
- Environmental Sustainability
- Reconciliation Action Plan, and
- Town Centres

Stage Two will involve:

- Considering the feedback from Stage One.
- Engaging with Councillors.
- Consider if there is a transition phase eg. Waste Management and Environmental Sustainability take the opportunity to meet together.
- Complete the review and finalise the new committee structure ready for implementation in 2020.

Committee members were advised that an electronic survey will be distributed for completion.

Subsequent to the meeting, the survey was distributed via email on Monday, 9 December 2019.

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OFFICER’S RECOMMENDATION:

That Floodplain Risk Management Advisory Committee members complete the electronic survey which will be distributed via email.

COMMITTEE RECOMMENDATION:

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

That Floodplain Risk Management Advisory Committee members complete the electronic survey which will be distributed via email.

SECTION 4 - Reports for Information

ITEM: 2 FRMAC - Successful Grant Applications Made Under the Office of Environment & Heritage Floodplain Management Program 2019-2020 - (86589, 124414)

Directorate: City Planning

DISCUSSION:

- Officers highlighted the success in two grant applications made under the Office of Environment and Heritage Floodplain Management Program 2019-2020.
- The Chairperson thanked Officers for their crucial work to ensure the success of these grants and stated that it is essential to have up to date information for the Hawkesbury-Nepean in addition to the Macdonald River, Colo River, Webbs Creek and Greens Creek.
- Committee members discussed flood studies being undertaken of South Creek by neighbouring Councils. It was suggested that Hawkesbury City Council requests that Blacktown and Penrith City Councils provide details of any current studies.
- Officers advised Committee members that the appointment of consultants for these projects will commence in early 2020, and involve at least 12-18 months of work. Dependant on the level of survey required, the timeframe to complete the study could be between 18-24 months.

OFFICER’S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Wheeler, seconded by Mr Smith.

That the Floodplain Risk Management Advisory Committee:

1. Thanks and congratulates the staff on the successful grant applications.
2. Request that Hawkesbury City Council formally request Blacktown and Penrith City Councils provide details of any current flood studies of South Creek.
3. Engage in ongoing communication with other Councils in the Hawkesbury Nepean Valley with regard to Floodplain management.

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ITEM: 3 **FRMAC - Successful Grant Application Made Under the Joint Local Government NSW and Department of Planning Industry & Environment Grants Scheme for a Disaster and Emergency Dashboard - (86589, 124414)**

Previous Item: Item 3 – FRMAC (6 December 2018)

Directorate: City Planning

DISCUSSION:

- Officers highlighted that Council has been successful with a grant application for a Disaster and Emergency Dashboard, with the project to commence in early 2020.
- Officers advised that the Dashboard can be used as a single point of reference for people to go to for live updates, to better understand their risks and to assist with being prepared for emergencies.

OFFICER'S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

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

That the Floodplain Risk Management Advisory Committee:

1. Thanks and congratulates the staff on the successful grant application.
2. The information be received and noted.

ITEM: 4 **FRMAC - Adapt NSW - Making Climate Science Accessible - (86589, 124414)**

Directorate: City Planning

DISCUSSION:

- Officers provided an overview of the NSW Government's Adapt NSW Program which provides information about climate change, the impacts of climate change, how to adapt to climate change and educational resources for schools.
- Committee members noted that Richmond is noted as a data source throughout the report but is not shown as a location on mapping associated with the report.

OFFICER'S RECOMMENDATION:

That the information be received and noted.

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COMMITTEE RECOMMENDATION:

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

That the information be received and noted.

ITEM: 5 FRMAC - Floodplain Management Australia - Quarterly Meeting on 21 November 2019 - (86589, 124414)

Directorate: City Planning

DISCUSSION:

- Officers advised Committee members that the most recent Floodplain Management Australia Quarterly Meeting was held on 21 November 2019, with a Council representative in attendance. It was noted that the presentations from that meeting are not yet available, and as such were unable to be included as attachments to this report.
- Officers highlighted that Council has submitted an abstract to the next Floodplain Management Australia Conference being held in Toowoomba in May 2020, and that Council is waiting for advice on whether we have been selected to present.
- Committee members were pleased to hear the progress made on Council's behalf.
- The Chairperson requested further information regarding the subject: Murwillumbah Land Swap Provides a Flood Free Future for Industry. Officers noted that this can be included in a future Floodplain Risk Management Advisory Committee Meeting Agenda for discussion, accompanied by the presentations from the Floodplain Management Australia Quarterly Meeting, should they be available.

OFFICER'S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Smith, seconded by Ms Mackisack.

That the information be received and noted.

SECTION 5 - General Business

A. Inquiry into the Proposal to Raise the Warragamba Dam Wall on 25 November 2019

- Officers provided an overview of the first hearing of the Inquiry into the Proposal to Raise the Warragamba Dam Wall, advising that the focus of this hearing was to look into the flood risk assessment and proposed flood management of the Hawkesbury-Nepean Valley, and the nature and extent of the examination of alternative options for flood management.
- The Committee were advised that Council's Mayor and Manager Strategic Planning were in attendance at the Inquiry into the Proposal to Raise the Warragamba Dam Wall held on 25

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November 2019. Committee members thanked Council's Manager Strategic Planning for his representation.

- Committee members queried why Council did not make a submission, stating that this was considered to be a lost opportunity to reach out to the press and the community on flood related issues such as power supplies.
- The Chairperson stated that it is important from here to ensure further opportunities are not missed and also noted that the Inquiry will not be holding more hearings until after the release of the Environmental Impact Statement.

B. Preparedness for Flood Risk in the Hawkesbury-Nepean Valley

- Officers provided an overview of the various links prepared by Council and available on Council's website to assist the community in understanding flood risk and how to prepare for floods.
- The Chairperson noted that the Get Ready Street Connect program has been successful with another round of funding, and that North Richmond Public School is launching a video to raise awareness.

C. New Online Resource to Help School Children Understand Flooding Risks

- Officers advised Committee members that a new online resource to help school children understand flooding in the Hawkesbury-Nepean Valley has been launched at the University of Western Sydney.
- A concern was raised that the SES had recently informed all school principals in the Hawkesbury to carry out a risk assessment to evaluate children and animals. Further information will be sought in this respect.

ADDITIONAL GENERAL BUSINESS

D. The New Duplication Bridge in North Richmond

- Committee members discussed the RMS Richmond Bridge Duplication Project, stating that at the most recent stakeholder meeting; representatives from the SES and Transport NSW had indicated that the new bridge is not part of the flood strategy network or evacuation plan, with the height of the bridge to a 1:100 level not part of the consideration.
- Committee members noted the importance of constructing the new bridge at an appropriate height to support flood immunity for people living west of the river and business transactions between the west and the east of the river during moderate flooding and to carry services at a higher level across the Hawkesbury River.
- It was noted that the Infrastructure Committee asked for a higher bridge and community representatives indicated that the perception is that Council is not vocal about higher flood immunity.

COMMITTEE RECOMMENDATION:

MOVED by Mr Smith seconded by Councillor Rasmussen.

That the Floodplain Risk Management Advisory Committee:

1. Recommends a higher flood immunity for the Richmond Bridge Duplication Project to ensure that the roads and access to the bridge be trafficable in a 1:100 level flood, and that Council lobby for the funding required to complete this.

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E. Power Supply and Closure of Bridges

- Committee members enquired whether there have been responses from Endeavour Energy and the RMS regarding the power supply west of the river and closures of Hawkesbury bridges in a flooding event.
- Officers advised that letters have been sent but no feedback has been received yet.

F. SES Communications with the Public

- Committee members stated that they had seen communications by the SES advising the public to stay west of the river in the event of a flood, although presentations by the SES to Council and the Committee have always indicated to evacuate from the west.
- It was suggested to follow this up with the SES to ensure all communications to the public are consistent.

COMMITTEE RECOMMENDATION:

MOVED by Mr Smith and seconded by Councillor Rasmussen.

That the Floodplain Risk Management Advisory Committee:

1. Request that Council send a letter to the SES seeking clarification on their communications with the community regarding evacuation west of the river in the event of flooding, including an impact statement for loss of power.

Follow Up Action List

- Committee members suggested that Officers create an action list including all matters requiring a follow up, to be included in future next Floodplain Risk Management Advisory Committee Meeting Agendas.

The meeting terminated at 5:30pm.

oooO END OF REPORT Oooo

EXTRAORDINARY MEETING
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Item: 017 **ROC - Environmental Sustainability Advisory Committee - 9 December 2019 - (126363, 124414)**

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Environmental Sustainability Advisory Committee held on 9 December 2019.

RECOMMENDATION SUMMARY:

Item 2 contained within the attached Minutes of the Environmental Sustainability Advisory Committee held on 9 December 2019, has policy or financial implications to Council, and as such requires specific consideration by Council.

All other items raised in the Minutes of the Environmental Sustainability Advisory Committee have no policy or financial implications for Council, and are presented for information only.

REPORT:

The Environmental Sustainability Advisory Committee met on 9 December 2019 and considered staff reports on a range of matters as shown in the attached Minutes (Attachment 1).

The following item requires specific consideration by Council:

Item: 2 Adapt NSW – Making Climate Science Accessible

Discussion

Officers provided an overview of the NSW Government's Adapt NSW Program which provides information about climate change, the impacts of climate change, how to adapt to climate change and educational resources for schools.

Officers also gave a live demonstration of the interactive map on the Adapt NSW's website to the Committee. It was noted that this can be used as a reference tool particularly when applying for State Government grants and to argue the case for the Hawkesbury.

Discussion commenced regarding the Bega Valley Shire Council 'Climate Resilience Strategy' document and the extra information included in this such as performance measures and targets, suggesting that this level of information be provided for the Hawkesbury LGA.

Following discussion and consideration of the matter, the Environmental Sustainability Advisory Committee resolved:

- "1. *That the information be received and noted.*
2. *That the Environmental Sustainability Advisory Committee recommend that Council investigate the use of similar data and performance targets and measures that are provided in the Bega Valley Shire Council 'Climate Resilience Strategy'.*

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Officers Comment

As part of preparation of the Draft Sustainability Strategy, Officers have researched a number of relevant projects and policies including the Bega Valley Shire Council 'Climate Resilience Strategy'. Additionally, work has commenced in terms of preparation of baseline data for the LGA. As such the sentiment of the Environmental Sustainability Advisory Committee is considered appropriate as part of the benchmarking and information gathering stages of that project.

RECOMMENDATION:

That:

1. The Minutes of the Environmental Sustainability Advisory Committee held on 9 December 2019 be received and noted.
2. In relation to Item 2 of the Minutes, Council endorse the recommendation of the Environmental Sustainability Advisory Committee, namely that:
 - a). Council investigate the use of data, performance targets and measures that are provided in climate resilience strategies such as Bega Valley Shire Council.

ATTACHMENTS:

AT - 1 Minutes – Environmental Sustainability Advisory Committee – 9 December 2019

EXTRAORDINARY MEETING
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AT - 1 Minutes – Environmental Sustainability Advisory Committee – 9 December 2019

The meeting commenced at 5:00pm.

Present: Councillor Amanda Kotlash, Hawkesbury City Council, Deputy Chairperson
 Councillor Danielle Wheeler, Hawkesbury City Council
 Councillor John Ross, Hawkesbury City Council
 Mr David Gregory, Community Representative
 Ms Jennifer Moses, Community Representative
 Ms Danielle Wolf, WSU Student Representative

Apologies: Ms Olivia Leal-Walker, Community Representative, Chairperson

In Attendance: Ms Linda Perrine, Hawkesbury City Council
 Mr Andrew Kearns, Hawkesbury City Council
 Mr Justin Murphy, Hawkesbury City Council
 Ms Megan Berrell, Hawkesbury City Council

The Chairperson, Ms Leal-Walker, was absent from the meeting, therefore the Chair position was taken up by the Deputy Chairperson, Councillor Kotlash.

RESOLVED on the motion of Mr Brocken and seconded by Councillor Ross that the apologies be accepted.

Mr Gregory disclosed a less than significant declaration of interest in relation to Item 3.

Member	04/02/2019	13/05/2019	16/09/2019	09/12/2019
Ms Olivia Leal-Walker	✓	✓	✓	A
Councillor Amanda Kotlash	✓	✓	A	✓
Councillor Danielle Wheeler	✓	✓	✓	✓
Councillor John Ross	✓	✓	✓	✓
Mr David Gregory	✓	A	✓	✓
Ms Jennifer Moses	✓	✓	✓	✓
Dr Jane De Gabriel	✓	A	Maternity Leave	Maternity Leave
Mr Eric Brocken	✓	✓	X	✓

Key: A = Formal Apology

✓ = Present

x = Absent - No Apology

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 18 February 2020

REPORT:

CONFIRMATION OF MINUTES

RESOLVED on the motion of Ms Moses and seconded by Mr Gregory that the Minutes of the Environmental Sustainability Advisory Committee held on the 16 September 2019 be confirmed.

SECTION 3 - Reports for Determination

Item: 1 Review of Council Committees - (79351, 126363)

Directorate: General Manager

DISCUSSION:

Council's Director City Planning attended the meeting and explained to Committee members that Council will be reviewing the current committees and working groups to create an alignment with the Community Strategic Plan. A key part of this review is stage one - engaging with current Committee and Working Group members to find out what is working and what could be improved in terms of the respective committees / working groups.

The Community Strategic Plan has five key directions being, Leadership, Environment, Assets, Community and Future

Council also need to ensure that there is a greater level of consistency between Committees which will be assisted through the development of a standard approach to systems and processes such as preparation of draft minutes which will be sent to the Committee before reporting to Council.

Between now and the end of December all Committees / Working Groups will have at least one meeting.

The Committees and Working Groups being engaged in the process include:

- Waste Management
- Hawkesbury Access and Inclusion
- Heritage
- Tourism
- Infrastructure
- Human Services
- Civic and Citizenship
- Floodplain Risk Management
- Environmental Sustainability
- Reconciliation Action Plan, and
- Town Centres

Stage Two will involve:

- Considering the feedback from Stage One.
- Engaging with Councillors.
- Consider if there is a transition phase eg. Waste Management and Environmental Sustainability take the opportunity to meet together.
- Complete the review and finalise the new committee structure ready for implementation in 2020.

Committee members were advised that an electronic survey will be distributed for completion.

Subsequent to the meeting, the survey was distributed via email on Tuesday, 10 December 2019.

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 18 February 2020

OFFICER'S RECOMMENDATION:

That Environmental Sustainability Advisory Committee members complete the electronic survey which will be distributed via email.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Moses, seconded by Councillor Ross.

That Environmental Sustainability Advisory Committee members complete the electronic survey which will be distributed via email.

SECTION 4 - Reports for Information

Item: 2 ESAC - Adapt NSW - Making Climate Science Accessible - (126363, 124414)

Directorate: City Planning

DISCUSSION:

- Officers provided an overview of the NSW Government's Adapt NSW Program which provides information about climate change, the impacts of climate change, how to adapt to climate change and educational resources for schools.
- Officers also gave a live demonstration of the interactive map on the Adapt NSW's website to the Committee. It was noted that this can be used as a reference tool particularly when applying for State Government grants and to argue the case for the Hawkesbury.
- Committee members were advised that Officers had recently met with Senior Climate and Atmospheric Scientist, Doctor Hamish Clarke who is now based at Western Sydney University and is interested in potential work between Council and the University.
- Discussion commenced regarding the Bega Valley Shire Council 'Climate Resilience Strategy' document and the extra information included in this such as performance measures and targets, suggesting that this level of information be provided for the Hawkesbury LGA.

OFFICER'S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Wolf, seconded by Ms Moses.

1. That the information be received and noted.
2. That the Environmental Sustainability Advisory Committee recommend that Council investigate the use of similar data and performance targets and measures that are provided in the Bega Valley Shire Council 'Climate Resilience Strategy'.

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 18 February 2020

Item: 3 ESAC - Preparation of Draft Hawkesbury Rural Lands Strategy - (126363, 124414)

Directorate: City Planning

DISCUSSION:

- Officers highlighted that Council is in the process of preparing the Draft Hawkesbury Rural Lands Strategy and that this will be put on public exhibition in early 2020.
- A key point highlighted was that the Hawkesbury contributes to a significant rural economy, with Agriculture being a significant land use within the Hawkesbury LGA. Agricultural production within the LGA is a total of \$158,670,281 per annum in 2016, which puts the Hawkesbury LGA as the second highest LGA in the Sydney Peri-Urban area, after the Central Coast which produces \$161,449,035 per annum.
- Committee members expressed concerns in regard to the layout of the synopsis and requested that consideration of amendments be made before the final draft stage to ensure transparency.
- Committee members discussed the importance of including small businesses in the strategy to increase sustainable tourism.
- An enquiry was made in relation to Figure 1: Rural Land Use, regarding the 1.8% vacant land and the potential to utilise this for sustainable tourism purposes. Officers advised that this percentage is currently unused and pending decisions on land use.
- Committee members noted that there has been no rural lands strategy before in conjunction with a residential lands strategy, and that it is vital that this document is proactive, in order to avoid any future conflicts.
- A suggestion was made to consider nominating areas for intensive agricultural land use, as part of the rural lands strategy.

OFFICER'S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Gregory, seconded by Councillor Ross.

That the information be received and noted including gaps to be amended before the final draft stage.

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 18 February 2020

Item: 4 **ESAC - Sustainability Advantage Program - (126363, 124414)**

Previous Item: Item 3 – ESAC (10 December 2018)

Directorate: City Planning

DISCUSSION:

- Officers advised that based on the recommendation of the Environmental Sustainability Advisory Committee, Council had joined the Sustainability Advantage Program, which is a comprehensive program to achieve increased competitiveness and improved bottom lines through better environmental practices. The program involves Councils and businesses, and also offers many beneficial webinars and workshops.
- The Committee were advised that Officers recently met with the Sustainability Advantage Program Leader to prepare a program to be delivered in 2020.
- Committee members enquired whether the Sustainability Co-ordinator role had been recruited, and were advised that there is a preferred candidate, but an appointment had not been made as yet.
- Committee members stated that this is a very beneficial program, providing an advantage in terms of having figures to measure against. Committee members requested updates from Council regarding this program and to be given the opportunity to get involved and attend webinars and workshops.

OFFICER'S RECOMMENDATION:

That the information be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Moses, seconded by Ms Wolf.

That the information be received and noted.

SECTION 5 - General Business

A. WSROC's Withdrawal of Funding from the Community Solar Workshop Series

- Officers provided an overview on WSROC's withdrawal of funding from the Community Solar Workshop Series, highlighting WSROC's current priority projects for implementation.
- In regards to the Committee's previous recommendation that "Council pursue opportunities to partner with other organisations to develop Community Solar Workshops", a suggestion was made to contact organisations such as Renew, who provide expert, independent advice on sustainable solutions for the home to households, government and industry.

B. Recent Resolutions of Council Regarding Climate Change

- A presentation was made to the Committee by Officers regarding Council's Climate Change Response: Mitigation and Adaptation (copy of presentation attached).

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 18 February 2020

- Committee members requested a data comparison for meeting carbon emissions compared to another LGA, to be included in the next meeting's Agenda.
 - Officers advised the Committee that Bruce Taper, the Director of Kinesis, recently attended a Councillor Briefing Session and the key highlights taken from this were:
 - Execution vs. strategy,
 - Overboard collection of data and no actions,
 - Spreading yourself too thinly,
 - Using the Government data to argue points,
 - Basics standards that were set up a long time ago and haven't been adjusted,
 - Importance of tree canopy,
 - Highlighted that there is not much data on agricultural emissions,
 - Highlighted venture capital and big on agricultural activity, and
 - The importance of water.
 - Discussion commenced regarding the importance of tree canopies, noting that the Hawkesbury has the benefit of their own water treatment plant and is able to water and maintain the trees with limited community assistance.
 - Committee members were pleased to hear that recently at an Adapt NSW and Department of Planning, Industry and Environment workshop, the Hawkesbury's LSPS was mentioned in a positive manner in terms of sustainability.
 - Officers advised that the Hawkesbury Climate forum was a success, and very beneficial to all attendees. It was noted that Council is working towards reaching out to members of the public who are not necessarily passionate about sustainability.
- C. New NSW Electricity Strategy**
- Officers highlighted that the new NSW Electricity Strategy was released on 22 November, 2019 and this was included as an attachment, for Committee member's information.
- D. Integrated Waste Management Strategy**
- Officers advised that Council is developing an Integrated Waste Strategy, investigating long term options for the waste management facility and looking at changes to waste collection. It was noted that this is currently in community consultation stage, with the draft strategy scheduled to be available in March 2020.
- E. Energy 101 – Small Business Workshop**
- Officers advised the Committee that 300 business owners were contacted but due to only two registrations, the workshop was cancelled.
- F. Penrith City Council – Cooling the City Masterclass - *“Can Good Design Solve Australia's Urban Heat Dilemma”***
- Officers advised the Committee that there will be a Cooling the City Masterclass, held by Penrith City Council in February 2020 and that Council staff will be attending.
 - Committee members were updated on two successful grants, including a Disaster and Emergency Dashboard.

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 18 February 2020

G. Electric Vehicle Charging Stations

- Officers updated the Committee on the recent Notice of Motion put forward at Council's Ordinary Meeting on 29 October 2019 regarding electric vehicle charging stations.
- Committee members mentioned that Woollahra Municipal Council and Randwick City Council are incorporating into their Development Controls that electric vehicle charging stations are a requirement for new developments.
- The importance of Council being a Facilitator to implement stations was highlighted.

H. Western Sydney Regional Organisation of Councils - Research – Civil Works: Cool Roads, Recycled Content and Sustainable Procurement

- Officers advised the Committee that WSROC has also been researching Cool Roads with a company called Cool Seal who has been presenting to WSROC about their product.
- Officers also noted that Council is investigating revenues of using crushed glass and recyclables into road base, as recycling glass has been a problem across Australia. It was noted that the RMS recently changed specifications so that 10% of bitumen could be glass rather than 2.5%.

I. Waste Education Updates

- Officers updated the Committee on current Waste Management projects, stating that the War on Waste Workshops will be trialled as evening workshops in 2020, to capture people who are unable to attend during business hours.

J. Sustainable Hawkesbury

- Officers provided a list of projects and programs to be included on the Sustainable Hawkesbury brochure which is currently being produced.
- An enquiry was made regarding the outcome of Second Hand Saturday Event held on Saturday 16 November 2019. Officers advised that this event was only slightly less successful than the previous year, due to the catastrophic fire warning issued during that time period, although the people who did attend had positive feedback on the event.

ADDITIONAL GENERAL BUSINESS

Energy Efficient Communities Grant Opportunity – Susan Templeman MP

- Officers highlighted a release received from the Federal Member for Macquarie, Susan Templeman regarding the Federal Government's new grants program called Energy Efficient Communities.
- It was noted that eligible businesses will be able to apply for grants in early 2020.

The meeting terminated at 7:00pm.

oooO END OF REPORT Oooo

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 18 February 2020

Item: 018 **ROC - Local Traffic Committee - 13 January 2020 - (80245, 95495)**

Directorate: Infrastructure Services

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Local Traffic Committee, held on 13 January 2020. The Local Traffic Committee is not a Committee of Council but a Statutory Committee.

RECOMMENDATION SUMMARY:

The matters contained within the Minutes attached as Attachment 1 of this report of the Local Traffic Committee have no policy or financial implications to Council. It is recommended that the Minutes be received and noted by Council.

REPORT:

Discussion

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

- Special Event Traffic - Parramatta Cycling Club - Change of Event Date - June 2020
- Special Event Traffic - Hawkesbury Show 2020
- Special Event Traffic - Convict 100 Mountain Biking Event 2020
- Traffic Matter - Proposed Black Spot Funding Roundabouts in George Street and Mileham Street, South Windsor
- Traffic Matter - The Hills Shire Council - Proposed Black Spot Funding Roundabout at the Intersection of Boundary Road, Neich Road and Pitt Town Road, Maraylya

RECOMMENDATION:

That the Minutes of the Local Traffic Committee meeting held on 13 January 2020 be received and noted.

ATTACHMENTS:

AT - 1 Minutes of the Local Traffic Committee held on 13 January 2020.

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 18 February 2020

AT - 1 Minutes of the Local Traffic Committee held on 13 January 2020.

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Monday, 13 January 2020, commencing at 3pm.

ATTENDANCE

Present: Councillor Peter Reynolds, Hawkesbury City Council
Senior Constable Damien Mitchell, NSW Police Force
Mr Mark Rusev, representing Ms Robyn Preston, MP (Hawkesbury)
Ms Virginia Ellis, representing Ms Robyn Preston, MP (Hawkesbury)

Apologies: Mr David Osborne, Roads and Maritime Services
Mr Steve Grady, Busways

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

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

The Chairman tendered an apology on behalf of Mr David Osborne, Roads and Maritime Services advising that Mr David Osborne, Roads and Maritime Services, concurred with the recommendations as contained in the formal minutes and had granted proxy to himself to cast vote(s) on their behalf.

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Senior Constable Damien Mitchell that the apologies be accepted.

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Councillor Peter Reynolds, seconded by Mr Mark Rusev, that the Minutes from the previous meeting held on Monday, 11 November 2019 be confirmed.

Item 1.2 Business Arising

Item: 1.2.1 LTC - Parramatta Cycling Club - Change of Event Date - June 2020 - (Hawkesbury) - (80245, 82935)

REPORT:

Mr Christopher Amit advised the Committee that the Parramatta Cycling Club Road Cycling Races 2020 event was considered by the Local Traffic Committee at its meeting on 11 November 2019.

Advice has been received by the event organiser for the Parramatta Cycling Club Road Cycling Races 2020 indicating that the scheduled race for 28 June 2020 has been rescheduled to be undertaken on 21 June 2020.

The Committee considered the matter and did not object to the change in date.

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 18 February 2020

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Mr Mark Rusev

Support for the Recommendation: Unanimous

That the information be received.

SECTION 2 - Reports for Determination

**Item: 2.1 LTC - Hawkesbury Show 2020 - Hawkesbury Showground, Clarendon -
(Hawkesbury) - (80245, 74207, 123265)**

REPORT:

An application has been received from the Hawkesbury District Agricultural Association seeking approval (in traffic management terms) to conduct the Hawkesbury Show on 1 to 3 May 2020 within the Hawkesbury Showground, Clarendon.

The event organiser has advised:

- The Hawkesbury Show is a major community event, featuring agricultural displays, rides, show bags, sideshows, business promotions and arts and craft shows that have been held at the showground for over 130 years.
- The times for operation are proposed from 9am to 11:30pm for both Friday, 01 and Saturday, 02 May, and 9am to 5pm for Sunday, 03 May 2020.
- It is expected that the exhibitors and workers will start to arrive at the site from 7am daily and will come and go until 11:30pm on Friday and Saturday nights. The final pack-down of the Show will occur after the Sunday closing time of 5pm, with vehicular movements expected to continue up to 8pm.
- The showground is located on Racecourse Road, with the Hawkesbury Racecourse and the Clarendon Railway Station located opposite.
- The event is expected to attract approximately 60,000 visitors over the three days it will operate.
- It is estimated approximately 26% of the total number of visitors will attend the show on Friday, 42% will attend the show on Saturday and 32% will attend the show on Sunday.
- It is anticipated that most visitors (an estimated 85%) will travel by car. They will park within the Hawkesbury Showground car parking area, the UWS Hawkesbury Campus/Clarendon paddock, the Hawkesbury Equestrian Centre, or in the road reserve areas of Hawkesbury Valley Way and Racecourse Road and walk to one of the pedestrian entry gates.
- Patrons travelling by train will use the Gate 1 access – which is located at the northern point of the Showground.
- Two dedicated “pedestrian crossing points” are to be established in Racecourse Road and one across the vehicular access to the Racecourse.

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

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Discussion

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

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

Traffic congestion is likely to be concentrated in Hawkesbury Valley Way, from where the majority of vehicles will queue to enter Racecourse Road, and in Racecourse Road, as vehicles queue to enter parking areas. To improve traffic and pedestrian safety around the event precinct, the event organiser has applied to the Roads and Maritime Services - RMS (formerly RTA) for the following speed limit reductions, although this approval needs to be sought from the Transport Management Centre – TMC:

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

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

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

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

The event organiser has submitted the following items in relation to the event: Attachment 1 (ECM Document Set ID No: 6758280):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Transport Management Plan – referred to in the application as Traffic Management Plan (TMP) and Traffic Control Plans (TCP),
5. Copy of Insurance Policy which is valid to 28 February 2020.
6. Copy of the Road Occupancy License Application and Speed Zone Authorisation Application forms submitted to RMS.

EXTRAORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 18 February 2020

RECOMMENDATION TO COMMITTEE:

That:

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

Prior to the event:

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

EXTRAORDINARY MEETING
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- 4e. the event organiser is to obtain approval from the Transport Management Centre – TMC as this is a "Class 1" event which will have a traffic impact on both Hawkesbury Valley Way and Blacktown Road (state roads) as well as the proposed temporary speed reductions required for the following roads;
- Hawkesbury Valley Way, speed reduction from 70/80km/h to 40km/h: between Percival Street and Hobart Street,
 - Racecourse Road, speed reduction from 60km/h to 40km/h: between Hawkesbury Valley Way and Rickaby Street,
 - Blacktown Road, speed reduction from 80km/h to 60km/h: between Bourke Street and Racecourse Road.
- a copy of the Transport Management Centre – TMC approval to be submitted to Council;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 noting Council, the Transport Management Centre (TMC) and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event requires traffic control on public roads and the provision of the Crossing Points, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4h. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4i. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4j. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4k. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4l. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4m. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

EXTRAORDINARY MEETING
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During the event:

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

APPENDICES:

AT - 1 Special Event Application - (ECM Document Set ID No. 6758280) - *see attached*

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Senior Constable Damien Mitchell.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Hawkesbury Show 2020 planned for 1 to 3 May 2020, within the Hawkesbury Showground, Clarendon, be classified as a "Class 1" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services – RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.

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4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted which includes the crossing points across Racecourse Road in the vicinity of Gate 1 to the Showground and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the application including the TMP and the associated TCP is to be submitted to the Transport Management Centre – TMC for authorisation as this is a Class 1 event.
- 4e. the event organiser is to obtain approval from the Transport Management Centre – TMC as this is a "Class 1" event which will have a traffic impact on both Hawkesbury Valley Way and Blacktown Road (state roads) as well as the proposed temporary speed reductions required for the following roads;
- Hawkesbury Valley Way, speed reduction from 70/80km/h to 40km/h: between Percival Street and Hobart Street,
 - Racecourse Road, speed reduction from 60km/h to 40km/h: between Hawkesbury Valley Way and Rickaby Street,
 - Blacktown Road, speed reduction from 80km/h to 60km/h: between Bourke Street and Racecourse Road.
- a copy of the Transport Management Centre – TMC approval to be submitted to Council;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 noting Council, the Transport Management Centre (TMC) and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event requires traffic control on public roads and the provision of the Crossing Points, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4h. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;

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

During the event:

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

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Item: 2.2 **LTC - Convict 100 Mountain Biking Event 2020 - St Albans (Hawkesbury) - (80245, 85193)**

REPORT:

An application has been received from Maximum Adventure Pty Ltd seeking approval (in traffic management terms) to conduct the Convict 100 Mountain Biking Event 2020 - St Albans, on Saturday, 02 May 2020.

The event organiser has advised;

- The event is a Mountain Bike (Cycling) Endurance Race in and around the St Albans and Macdonald Valley areas.
- The event has been held for 15 years and was previously known as the Dirk Works 100 Kilometre Classic.
- The event gets its name from the old Convict trail it traverses.
- The event enjoys the continued support of the St Albans RFS and local community.
- The event will be undertaken between 6:30am and 6pm.
- Approximately 1200 participants are expected for the event.
- Approximately 75 spectators and their vehicles are expected. Parking will be available on private land.
- There are 3 courses for the event; 100, 68 and 44 kilometres.
- The start and finish of the race will be in the town of St Albans, on Wharf Street.
- The event route is similar to previous years.
- It is proposed to close a section of Wharf Street, between Bulga Street and Wollombi Road, St Albans (100 metre long sealed section), commencing from 9am, Friday 01 May 2020, through to 6pm, Saturday 02 May 2020.
- Alternate access is available via Wollombi Road and Bulga Street.
- Route/Course for the three Rides:
 - Convict 100 kilometre Course
 - Commence at Wharf Street (0.05km) and enter the course by turning right onto Wollombi Road and travel along Wollombi Road (4km) and turn left into the Road Reserve just past No. 529 Wollombi Road and onto Joes Crossing (0.55km).
 - Cross the Macdonald River at the first River Crossing Point and onto the Road Reserve adjacent to No. 476 Upper Macdonald Road and then turn left onto Upper Macdonald Road and travel along Upper Macdonald Road (3.3km) and turn right onto Jacks Track.
 - Travel along Jacks Track (7.4km) and turn left onto Womerah Range Trail.
 - Travel along Womerah Range Trail (11.8km) and turn left onto Webbs Creek Mountain Road.
 - Travel along Webbs Creek Mountain Road (0.45km) and turn left onto St Albans Road.
 - Travel along St Albans Road (4.6km) and turn right into No. 934 St Albans Road and travel through this property (0.5km) crossing the Macdonald River at the Second River

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Crossing and entering and traveling through No. 916 Settlers Road (0.15km) and turning right onto Settlers Road.

- Travel along Settlers Road (1.2km) and turn left onto Shepherds Gully Road.
- Travel along Shepherds Road (2.3km) and turn left onto the Great Northern Road
- Travel along the Great Northern Road (31.7km) and turn left onto Sullivans Arm Trail.
- Travel along Sullivans Arm Trail (4.3km) and turn left onto Wrights Creek Trail.
- Travel along Wrights Creek Trail (14.2km) and turn left onto Blue Hill Track.
- Travel along Blue Hill Track (2.0km) and turn right onto Wrights Creek Road.
- Travel along Wrights Creek Road (4.3km) and turn right onto Settlers Road.
- Travel along Settlers Road (6.8km) into Bulga Street (0.35km) and turn left onto Wharf Street return to the end point.
-

– Convict 68 kilometre Course

- Commence at Wharf Street (0.05km) and enter the course by turning right onto Wollombi Road and travel along Wollombi Road (4km) and turn left into the Road Reserve just past No. 529 Wollombi Road and onto Joes Crossing (0.55km).
- Cross the Macdonald River at the first River Crossing Point and onto the Road Reserve adjacent to No. 476 Upper Macdonald Road and then turn left onto Upper Macdonald Road and travel along Upper Macdonald Road (3.3km) and turn right onto Jacks Track
- Travel along Jacks Track (7.4km) and turn left onto Womerah Range Trail.
- Travel along Womerah Range Trail (11.8km) and turn left onto Webbs Creek Mountain Road.
- Travel along Webbs Creek Mountain Road (0.45km) and turn left onto St Albans Road.
- Travel along St Albans Road (4.6km) and turn right into No. 934 St Albans Road and travel through this property (0.5km) crossing the Macdonald River at the Second River Crossing and entering and traveling through No. 916 Settlers Road (0.15km) and turning right onto Settlers Road.
- Travel along Settlers Road (1.2km) and turn left onto Shepherds Gully Road.
- Travel along Shepherds Gully Road (2.3km) and turn left onto the Great Northern Road
- Travel along the Great Northern Road (9.6km) and turn left onto Eight Mile Trail.
- Travel along Eight Mile Trail (9.4km) which links to Blue Hill Trail (1.0km) and turn left onto Wrights Creek Road.
- Travel along Wrights Creek Road (4.5km) and turn right onto Settlers Road.
- Travel along Settlers Road (6.8km) into Bulga Street (0.35km) and turn left onto Wharf Street return to the end

– Convict 44 kilometre Course

- Commence at Wharf Street (0.05km) and enter the course by turning right onto Wollombi Road and travel along Wollombi Road (4km) and turn left into the Road Reserve just past No. 529 Wollombi Road and onto Joes Crossing (0.55km).
- Cross the Macdonald River at the first River Crossing Point and onto the Road Reserve adjacent to No. 476 Upper Macdonald Road and then turn left onto Upper Macdonald Road and travel along Upper Macdonald Road (3.3km) and turn right onto Jacks Track.
- Travel along Jacks Track (7.4km) and turn left onto Womerah Range Trail.
- Travel along Womerah Range Trail (11.8km) and turn left onto Webbs Creek Mountain Road.
- Travel along Webbs Creek Mountain Road (0.45km) and turn left onto St Albans Road.
- Travel along St Albans Road (4.6km) and turn right into No. 934 St Albans Road and travel through this property (0.5km) crossing the Macdonald River at the Second River Crossing and entering and traveling through No. 916 Settlers Road (0.15km) and turning left onto Settlers Road.
- Travel along Settlers Road (10.8km) into Bulga Street (0.35km) and turn left onto Wharf Street return to the end.

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- The event will impact on residents of Wharf Street between Wollombi Road and Bulga Street accessing their properties.
- Consultation has been undertaken with the adjoining property owners, who have provided support in writing, relating to the proposed road closure. Arrangements will be made with these residents to allow access when requested.
- Participants will compete on a two-leaf clover route format, covering approximately 100 kilometres of fire trail, single track and dirt roads through the National Parks, private properties and public roads.
- The course will be clearly marked for riders to follow.
- Marshalls with high visibility vests and radios will be positioned at junctions, warning cyclists of on-coming traffic and the track ahead.
- Signs will be positioned throughout the course to warn other users of the event.
- The event route will cross the Macdonald River at the two points shown on the Event Route Plan contained in Attachment 1. Crossing of the Macdonald River will be undertaken either by walking across if the water level is ankle deep and safe to do so or alternatively utilising a 'pontoon bridge' configuration at each location.
- The property owners located at No. 934 St Albans Road and No.916 Settlers Road, which are the properties on either side of the river at the second river crossing point, have provide consent to access their properties.
- Spectators and participants can park in the day parking area on private land along Settlers Road as indicated in Attachment 2.

Discussion:

It would be appropriate to classify the event as a “Class 2” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA) as the event may impact minor traffic and transport systems, which includes the proposed road closure along the specified route, and there may be a low scale disruption to the non-event community.

The endurance mountain biking event is predominantly on tracks within the Parr State Conservation Area, Yengo National Park, private properties and on the following public roads;

- Bulga Street – Sealed Road.
- Settlers Road – Sealed and Unsealed Road.
- Shepherds Gully Road – Unformed Road.
- St Albans Road – Sealed Road.
- Upper Macdonald Road – Unsealed Road.
- Webbs Creek Mountain Road - Unsealed Road
- Wharf Street – Sealed Road.
- Wollombi Road – Sealed and Unsealed Road.
- Wrights Creek Road - Unsealed Road.
- Macdonald River – Two river crossing points

The event is also traversing along the Great Northern Road, which is under the care and control of the National Parks and Wildlife Service - (Office of Environment and Heritage).

The Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) is to be submitted to the Transport Management Centre (TMC) for authorisation due to the proposed road closure of Wharf Street, between Bulga Street and Wollombi Road, St Albans (100 metre long sealed section).

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The event organiser has submitted the following items in relation to the event: Attachment 5 (ECM Document Set ID No. 6752253):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Event Information including Traffic Control Plans (TCPs),
5. Event Route Plans,
6. Road Closure/Detour Plan,
7. Copy of Insurance Policy which is valid to 11 February 2020.

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Convict 100 Endurance Mountain Biking Event 2020 - St Albans, event planned for Saturday, 02 May 2020 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted – which includes the road closure of a section of Wharf Street between Bulga Street and Wollombi Road, St Albans, commencing from 8am, Friday 01 May 2020, through to 6pm, Saturday 02 May 2020; and the following conditions:

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Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to obtain approval from the Transport Management Centre – TMC as a road closure is proposed for a section of Wharf Street between Bulga Street and Wollombi Road, St Albans commencing from 8am, Friday 01 May 2020, through to 6pm, Saturday 02 May 2020; a copy of the Transport Management Centre – TMC approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating the submitted Traffic Control Plans (TCPs) to Council for acknowledgement and the Roads and Maritime Services - RMS and the Transport Management Centre (TMC) for concurrence;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event involves the closure of a public road and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the road;
- 4h. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4i. the event organiser is to obtain the relevant approval to cross the Macdonald River from the Roads and Maritime Services - RMS (formerly NSW Maritime); a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain the relevant approval from the Office of Environment and Heritage to access and cross the Macdonald River; a copy of this approval to be submitted to Council;

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- 4k. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use the Parr State Conservation Area, Yengo National Park and the Great Northern Road; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4m. the event organiser is to obtain approval from the NSW Department of Industries - Lands for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4n. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4o. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4p. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4q. the event organiser is to directly notify relevant ferry operators, bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4r. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4s. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4t. access is to be maintained for businesses, residents and their visitors;
- 4u. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4v. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4w. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4x. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route, including the road closure points, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);

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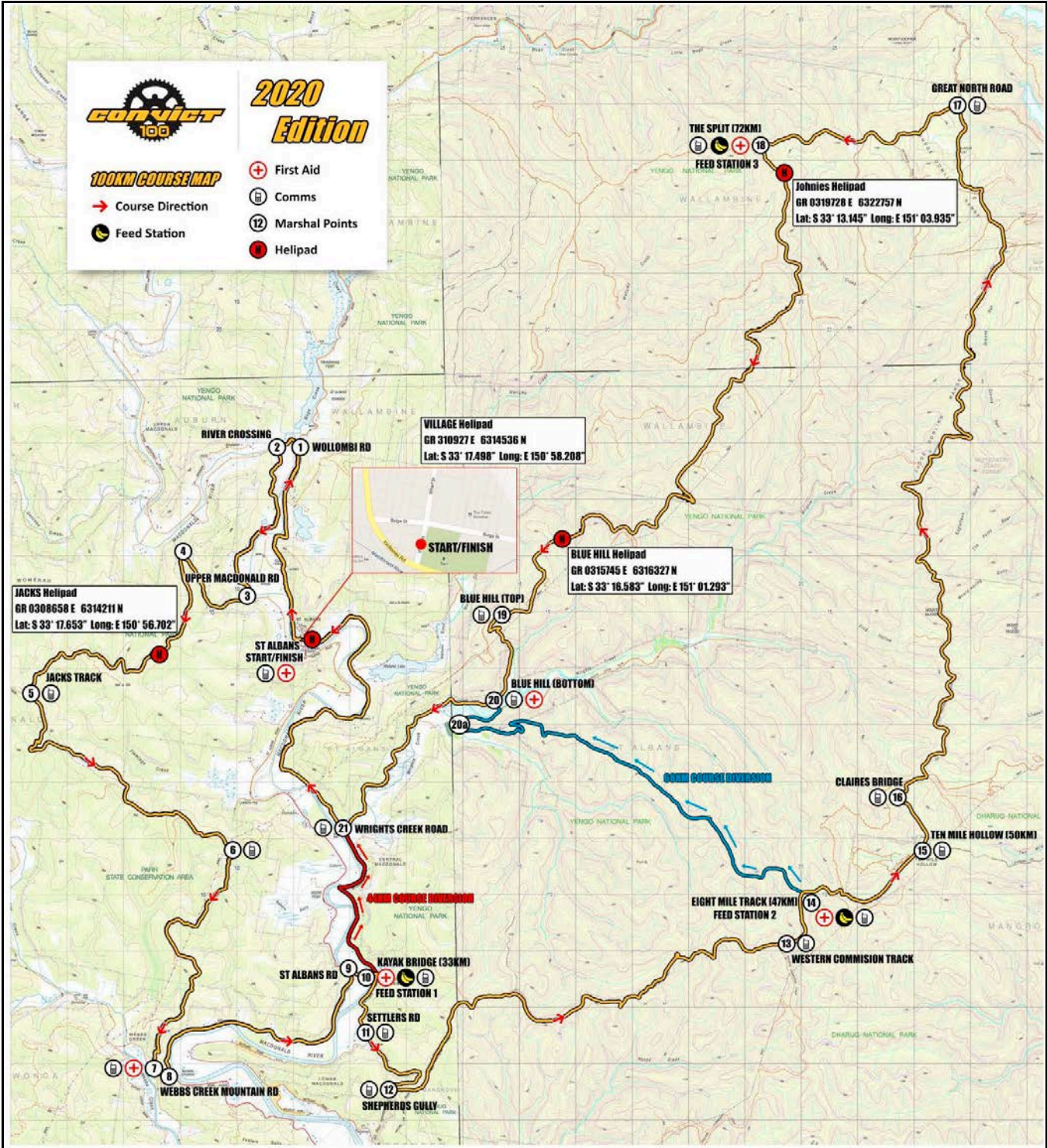
- 4y. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4z. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4aa. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

APPENDICES:

- AT - 1** Event Route Plan – 44, 68 & 100 Kilometre Route - Convict 100 Mountain Biking Event 2020 - St Albans.
- AT - 2** Event Route Plan with TCP Control Points – 44, 68 & 100 Kilometre Route - Convict 100 Mountain Biking Event 2020 - St Albans
- AT - 3** Event Centre Map - Convict 100 Mountain Biking Event 2020 - St Albans.
- AT - 4** Wharf Street Road Closure Plan - Convict 100 Mountain Biking Event 2020 - St Albans
- AT – 5** Special Event Application - (ECM Document Set ID No. 6752253) - *see attached*.

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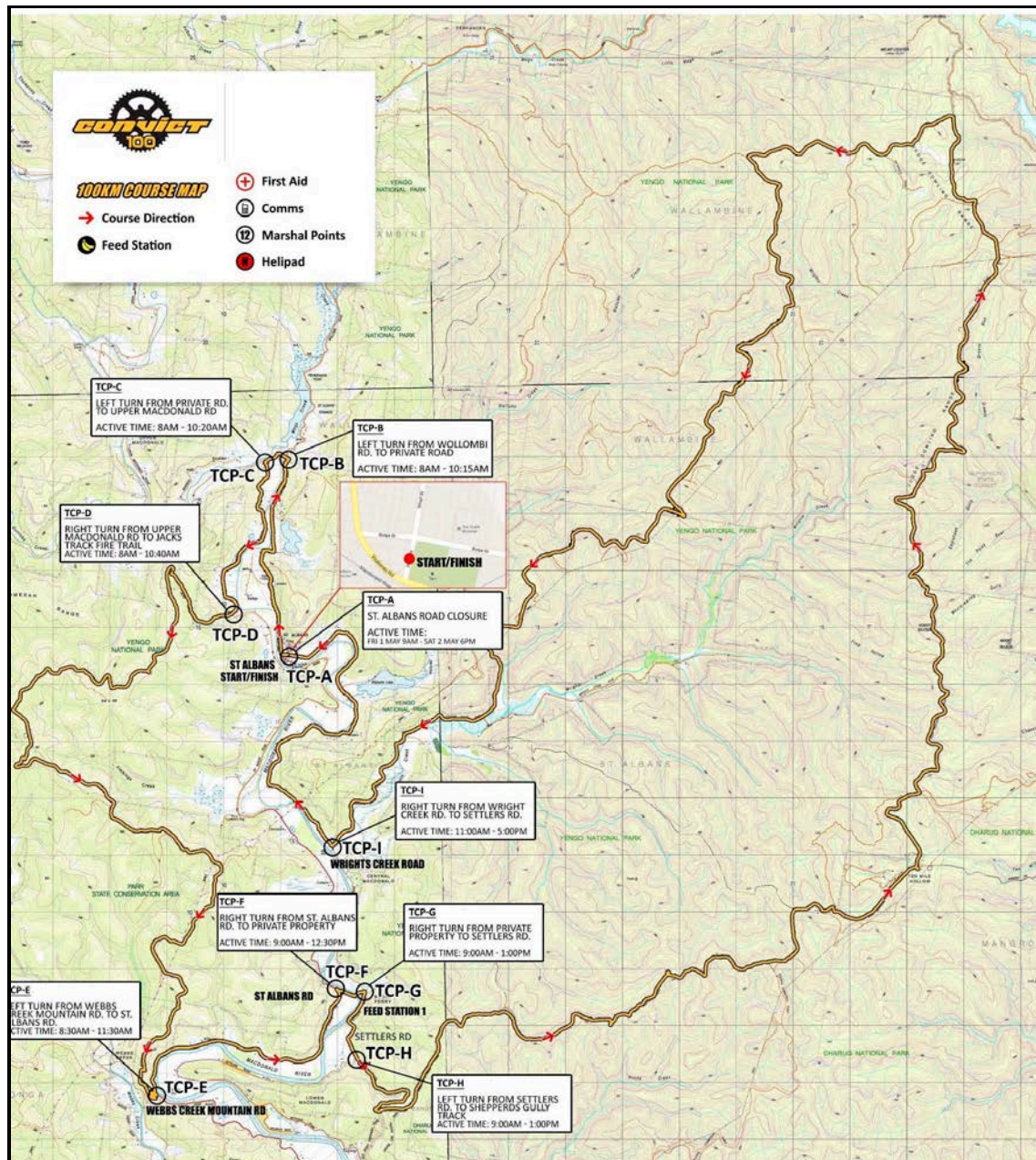
AT – 1 Event Route Plan – 44, 68 & 100 Kilometre Route - Convict 100 Mountain Biking Event 2020 - St Albans



View larger map [here](#)

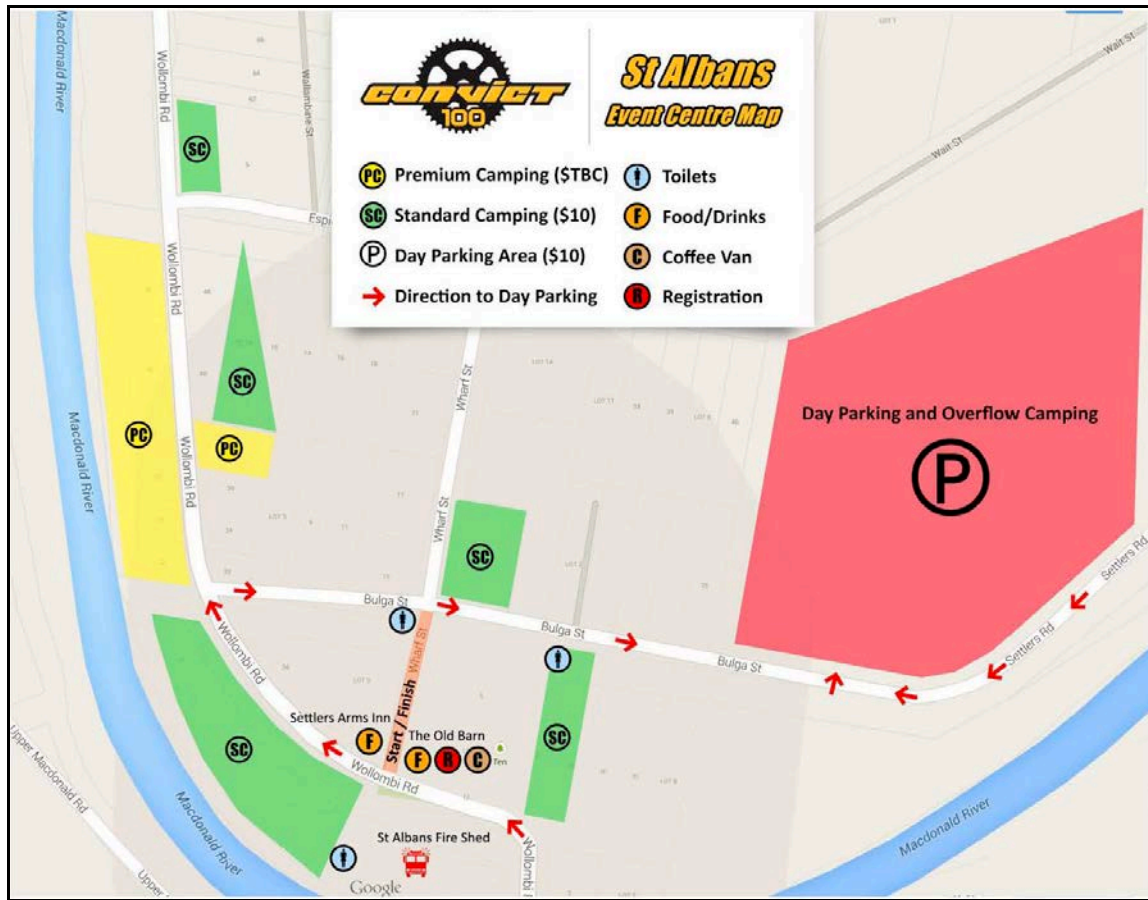
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AT – 2 Event Route Plan with TCP Control Points – 44, 68 & 100 Kilometre Route - Convict 100 Mountain Biking Event 2020 - St Albans



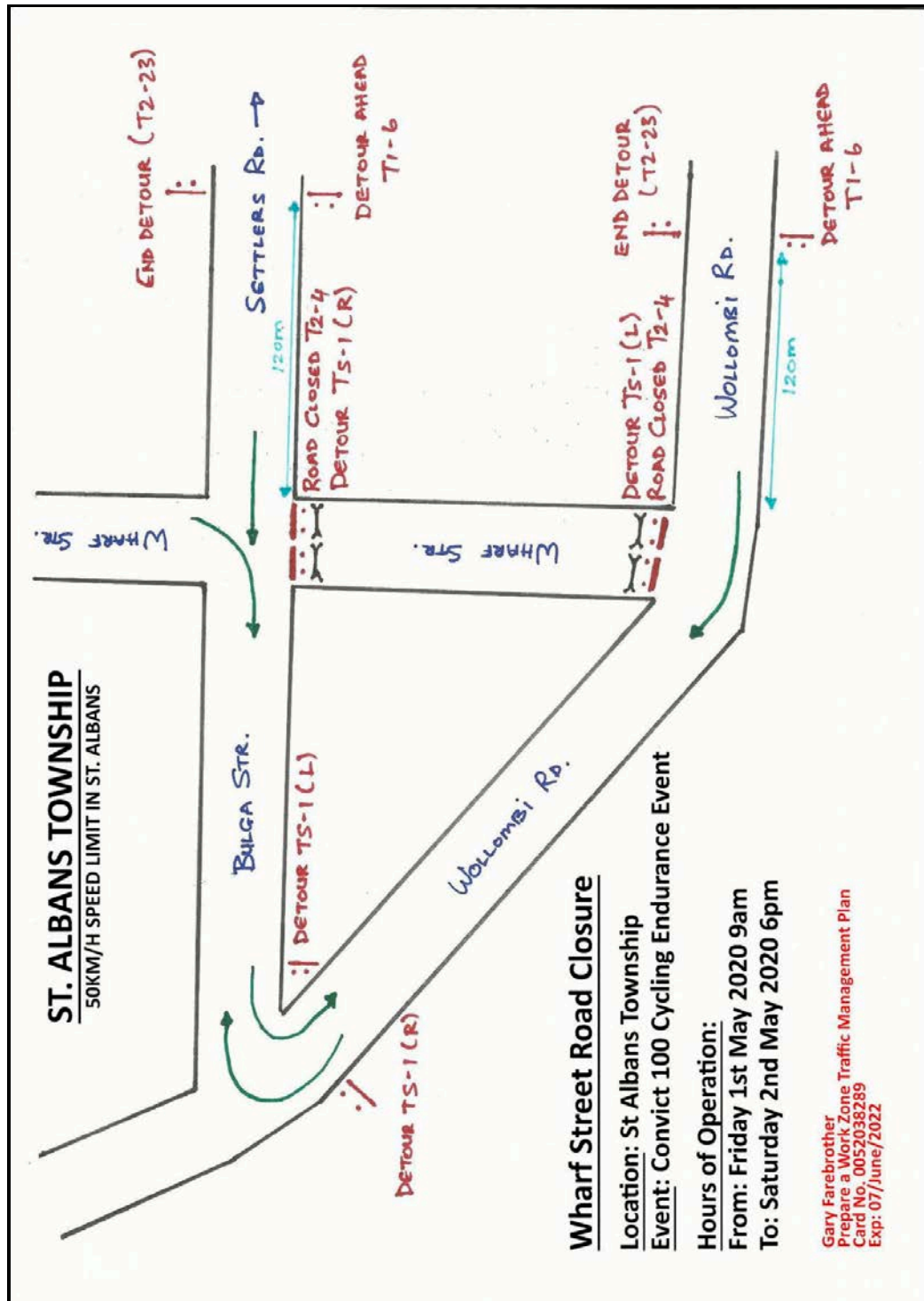
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AT – 3 Event Centre Map - Convict 100 Mountain Biking Event 2020 - St Albans



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AT - 4 Wharf Street Road Closure Plan - Convict 100 Mountain Biking Event 2020 - St Albans



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COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Senior Constable Damien Mitchell.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Convict 100 Endurance Mountain Biking Event 2020 - St Albans, event planned for Saturday, 02 May 2020 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted – which includes the road closure of a section of Wharf Street between Bulga Street and Wollombi Road, St Albans, commencing from 8am, Friday 01 May 2020, through to 6pm, Saturday 02 May 2020; and the following conditions:

Prior to the event:

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

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- 4d. the event organiser is to obtain approval from the Transport Management Centre – TMC as a road closure is proposed for a section of Wharf Street between Bulga Street and Wollombi Road, St Albans commencing from 8am, Friday 01 May 2020, through to 6pm, Saturday 02 May 2020; a copy of the Transport Management Centre – TMC approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating the submitted Traffic Control Plans (TCPs) to Council for acknowledgement and the Roads and Maritime Services - RMS and the Transport Management Centre (TMC) for concurrence;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event involves the closure of a public road and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the road;
- 4h. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4i. the event organiser is to obtain the relevant approval to cross the Macdonald River from the Roads and Maritime Services - RMS (formerly NSW Maritime); a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain the relevant approval from the Office of Environment and Heritage to access and cross the Macdonald River; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use the Parr State Conservation Area, Yengo National Park and the Great Northern Road; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4m. the event organiser is to obtain approval from the NSW Department of Industries - Lands for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4n. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4o. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4p. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4q. the event organiser is to directly notify relevant ferry operators, bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures, road closure, detour route and the traffic

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impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;

- 4r. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4s. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4t. access is to be maintained for businesses, residents and their visitors;
- 4u. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4v. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4w. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4x. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route, including the road closure points, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4y. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4z. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4aa. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

Item: 2.3 LTC - Proposed Black Spot Funding Roundabouts in George Street and Mileham Street, South Windsor - (Hawkesbury) - (80245, 73625)

REPORT:

Funding has been provided under the 2019/2020 Australian Government Black Spot Program to improve the functionality of four intersections in South Windsor.

The following four intersections are to be upgraded with the installation of a roundabout:

- 1. George Street and James Street (\$400,000)
- 2. George Street and Ham Street (\$400,000)

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3. Mileham Street and Argyle Street (\$635,000)
4. Mileham Street and Woods Road (\$500,000)

These locations, as a result of their injury crash history, have met the criteria for Federal Black Spot funding. The works will include the installation of a one lane roundabout which includes traffic calming, line marking, lighting and signage.



Figure 1: Locality Plan of Proposed Roundabouts

1. Intersection Details George Street and James Street:

At present the intersection of George Street and James Street is a four way intersection with Give Way controls on James Street where it intersects with George Street. The Crash pattern at this intersection is mainly Cross Traffic Type Crashes. The proposed roundabout will improve safety for motorists using this intersection.

The speed limit on George Street and James Street in the vicinity of this intersection is 50km/h.

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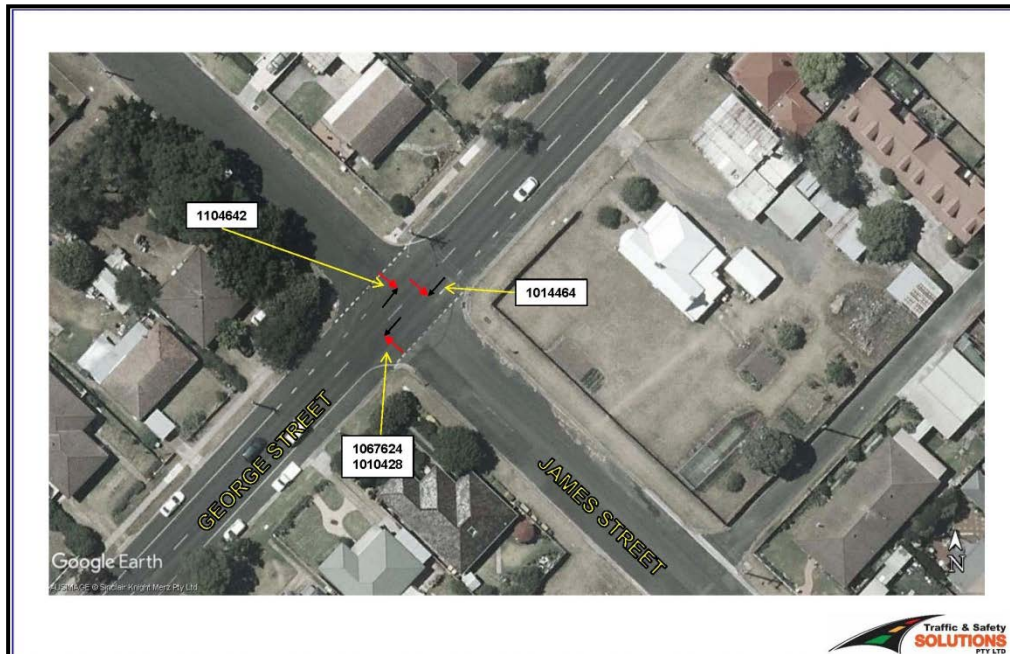


Figure 2: Crash Diagram George Street and James Street

2. Intersection Details George Street and Ham Street:

At present the intersection of George Street and Ham Street is a four way intersection with Give Way controls on Ham Street where it intersects with George Street. The Crash pattern at this intersection is mainly Cross Traffic Type Crashes. The proposed roundabout will improve safety for motorists using this intersection.

The speed limit on George Street and Ham Street in the vicinity of this intersection is 50km/h.



Figure 3: Crash Diagram George Street and Ham Street

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3. Intersection Details Mileham Street and Argyle Street

At present the intersection of Mileham Street and Argyle Street is a four way intersection with Stop controls on Mileham Street where it intersects with Argyle Street. The Crash pattern at this intersection is mainly Cross Traffic Type Crashes. The proposed roundabout will improve safety for motorists using this intersection.

The speed limit on Mileham Street and Argyle Street in the vicinity of this intersection is 50km/h.

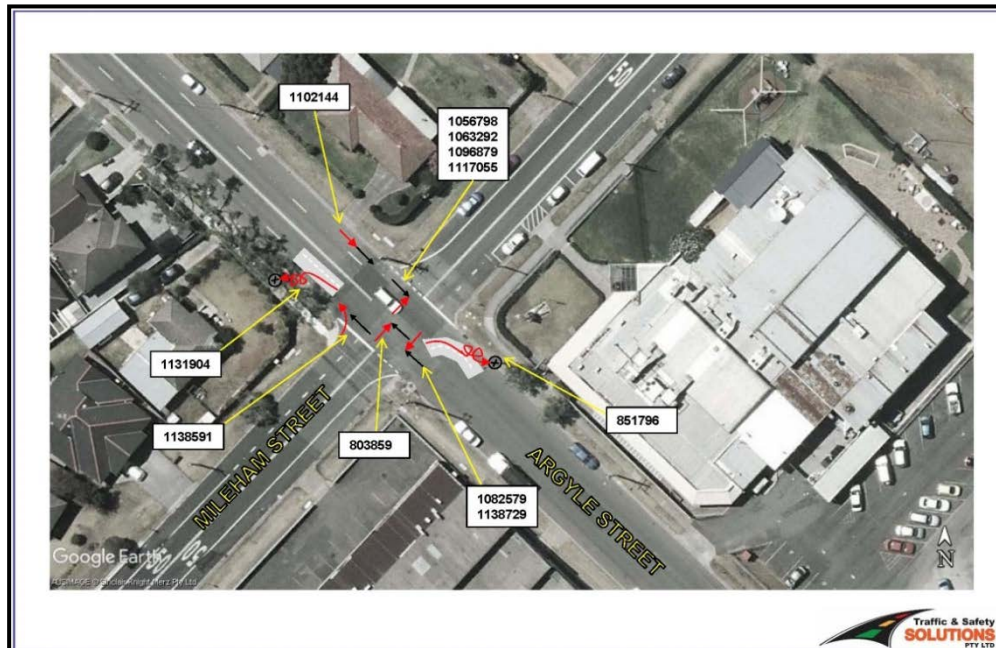


Figure 4: Crash Diagram Mileham Street and Argyle Street

4. Intersection Details Mileham Street and Woods Road

At present the intersection of Mileham Street and Woods Road is a four way intersection with Stop controls on Mileham Street including a Median Island Stop Treatment (MIST) where it intersects with Woods Road. The Crash pattern at this intersection is mainly Cross Traffic Type Crashes. The proposed roundabout will improve safety for motorists using this intersection.

The speed limit on Mileham Street and Woods Road in the vicinity of this intersection is 50km/h.

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Figure 5: Crash Diagram Mileham Street and Woods Road

The construction of the four roundabouts is planned to be completed within the 2019/2020 financial year. Details of the proposed intersection works and turning paths are included in Attachments 1 to 19.

RECOMMENDATION TO COMMITTEE:

That the installation of roundabouts, which includes the provision of linemarking, signage and lighting, at the intersections of:

1. George Street and James Street, South Windsor
2. George Street and Ham Street, South Windsor
3. Mileham Street and Argyle Street, South Windsor
4. Mileham Street and Woods Road, South Windsor

be undertaken in accordance with the details outlined in Attachments 1 to 19.

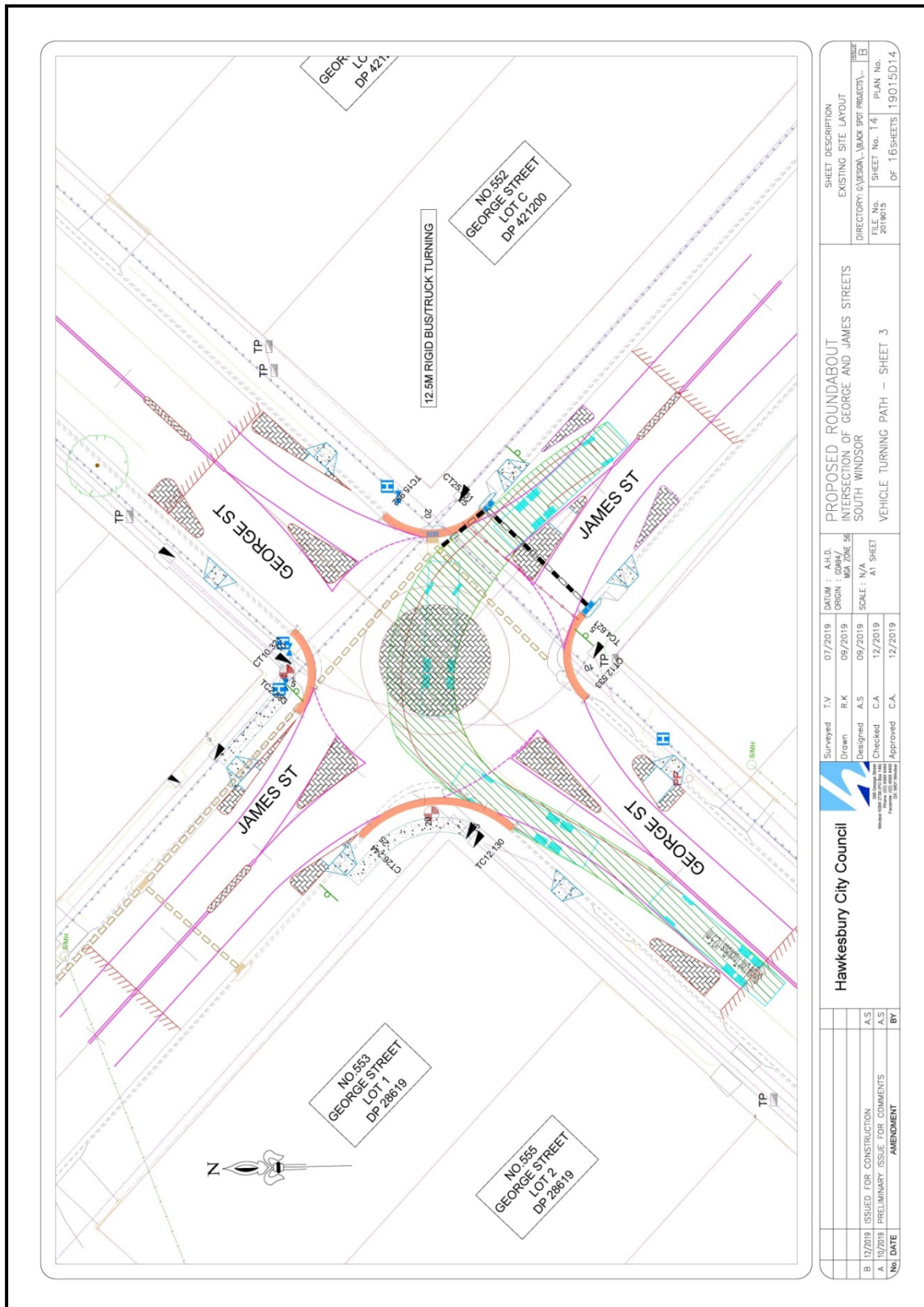
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APPENDICES:

- AT – 1** George Street and James Street, South Windsor – Signage and Linemarking Plan No. 19015D10
- AT – 2** George Street and James Street, South Windsor – Vehicle Turning Path Sheet 1 - Plan No. 19015D12
- AT – 3** George Street and James Street, South Windsor – Vehicle Turning Path Sheet 2 - Plan No. 19015D13
- AT – 4** George Street and James Street, South Windsor – Vehicle Turning Path Sheet 3 - Plan No. 19015D14
- AT – 5** George Street and James Street, South Windsor – Vehicle Turning Path Sheet 4 - Plan No. 19015D15
- AT – 6** George Street and James Street, South Windsor – Vehicle Turning Path Sheet 5 - Plan No. 19015D16
- AT – 7** George Street and Ham Street, South Windsor – Signage and Linemarking Plan No. 19016D08
- AT – 8** George Street and Ham Street, South Windsor – Vehicle Turning Path Sheet 1 - Plan No. 19016D10
- AT – 9** George Street and Ham Street, South Windsor – Vehicle Turning Path Sheet 2 - Plan No. 19016D11
- AT – 10** George Street and Ham Street, South Windsor – Vehicle Turning Path Sheet 3 - Plan No. 19016D12
- AT – 11** George Street and Ham Street, South Windsor – Vehicle Turning Path Sheet 4 - Plan No. 19016D13
- AT – 12** George Street and Ham Street, South Windsor – Vehicle Turning Path Sheet 5 - Plan No. 19016D14
- AT – 13** Mileham Street and Argyle Street, South Windsor – Signage and Linemarking Plan No. SY190158-01-08
- AT – 14** Mileham Street and Argyle Street, South Windsor – Turning Paths - HRV – Left Turn - Plan No. SY190158-01-10
- AT – 15** Mileham Street and Argyle Street, South Windsor – Turning Paths - HRV – Right Turn - Plan No. SY190158-01-11
- AT – 16** Mileham Street and Argyle Street, South Windsor – Turning Paths - AV – Straight Through - Plan No. SY190158-01-12
- AT – 17** Mileham Street and Woods Road, South Windsor – Signage and Linemarking Plan No. SY190158-02-08
- AT – 18** Mileham Street and Woods Road, South Windsor – Turning Paths - HRV – Left Turn - Plan No. SY190158-02-10
- AT – 19** Mileham Street and Woods Road, South Windsor – Turning Paths - HRV – Right Turn - Plan No. SY190158-02-11

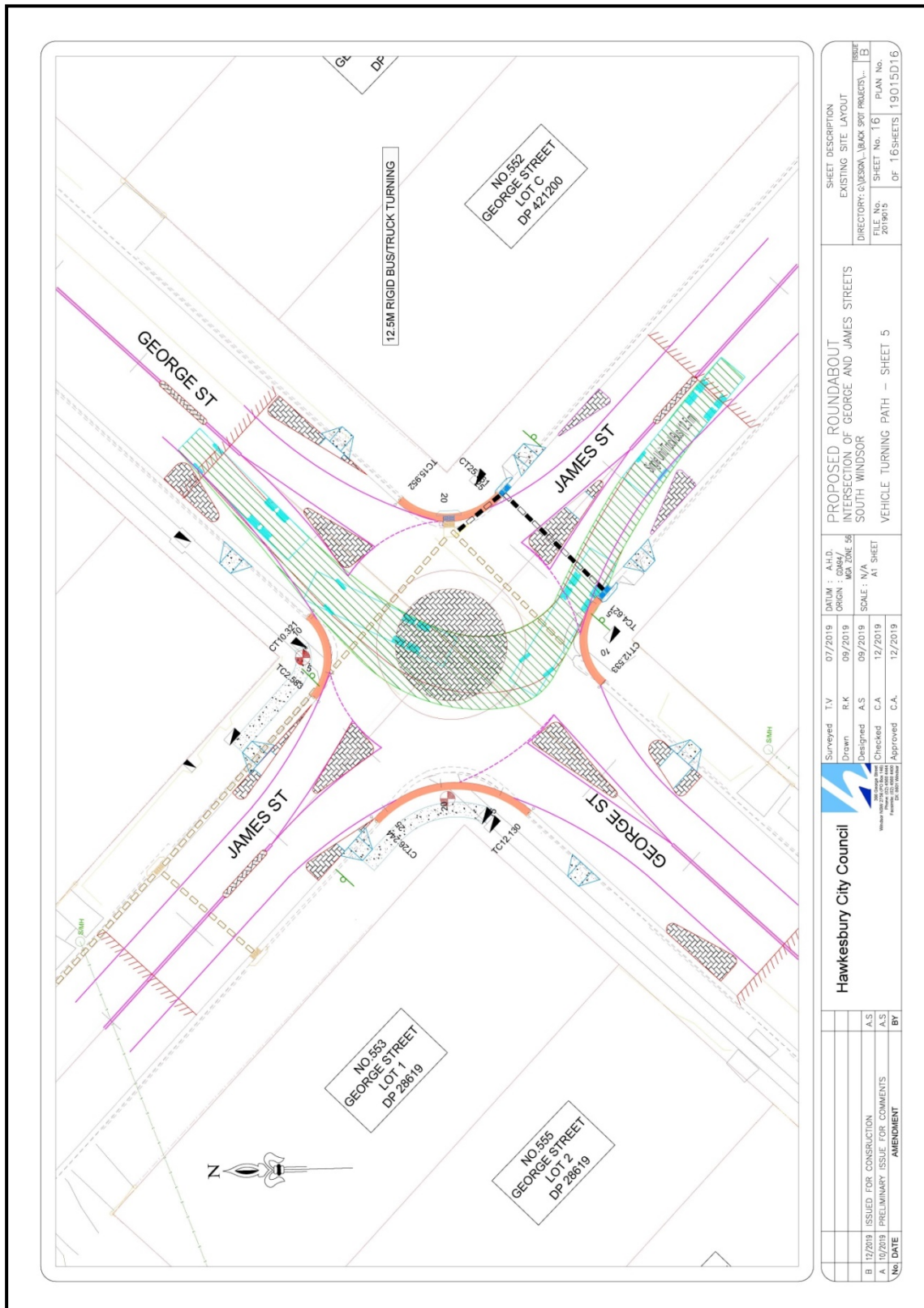
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**AT – 4 George Street and James Street, South Windsor – Vehicle Turning Path Sheet 3 -
Plan No. 19015D14**



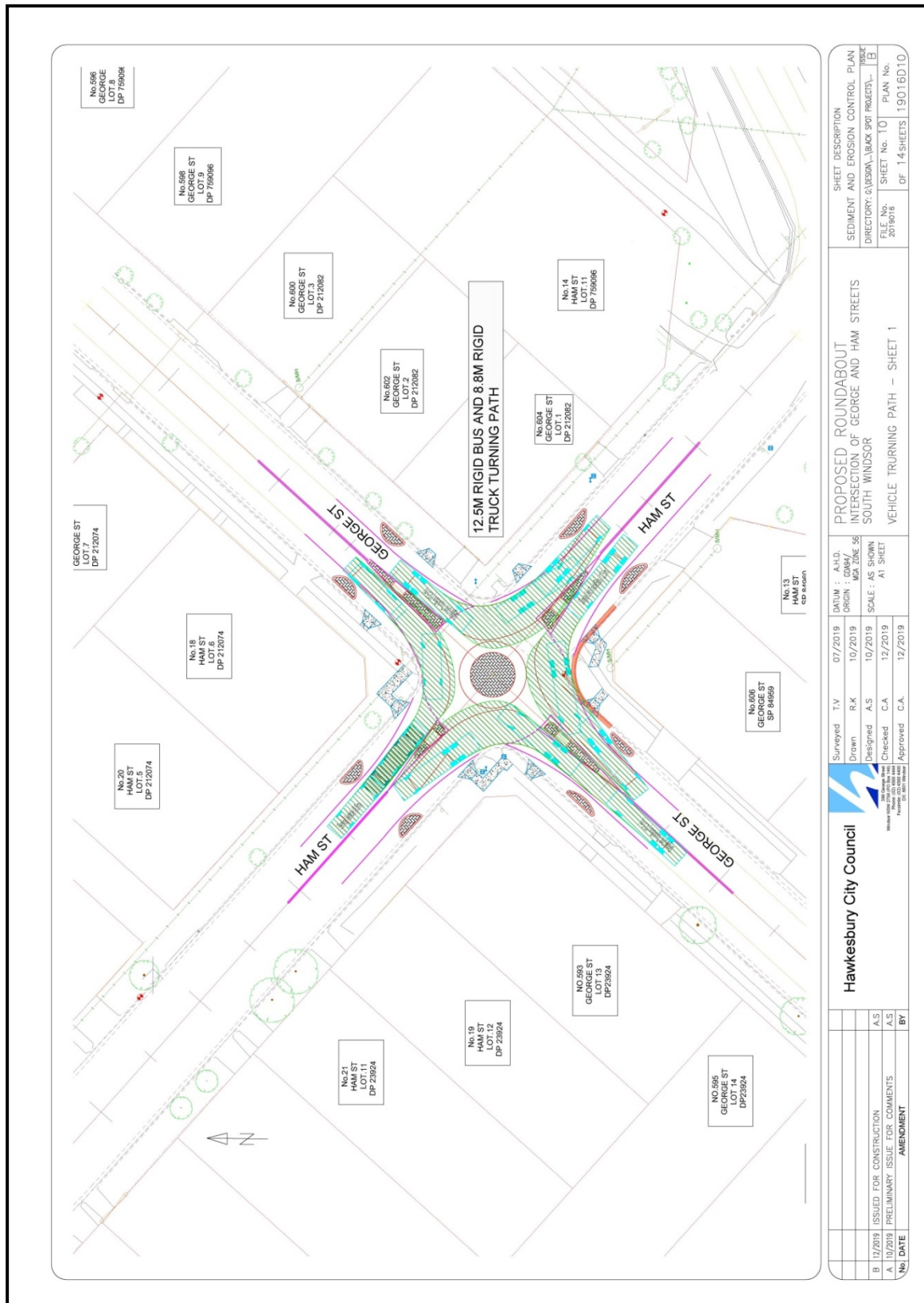
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AT – 6 George Street and James Street, South Windsor – Vehicle Turning Path Sheet 5 -
Plan No. 19015D16



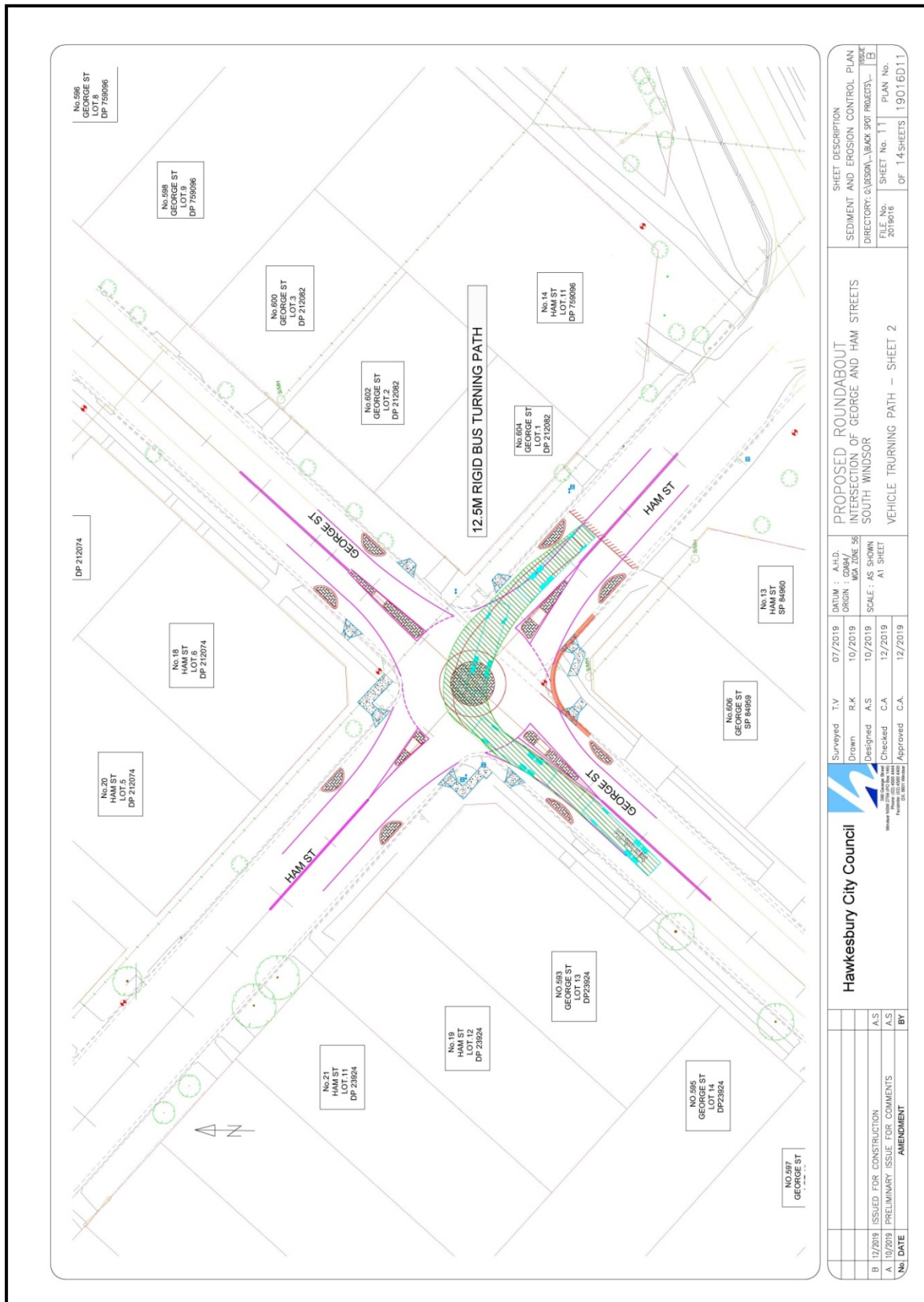
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**AT – 8 George Street and Ham Street, South Windsor – Vehicle Turning Path Sheet 1 -
Plan No. 19016D10**



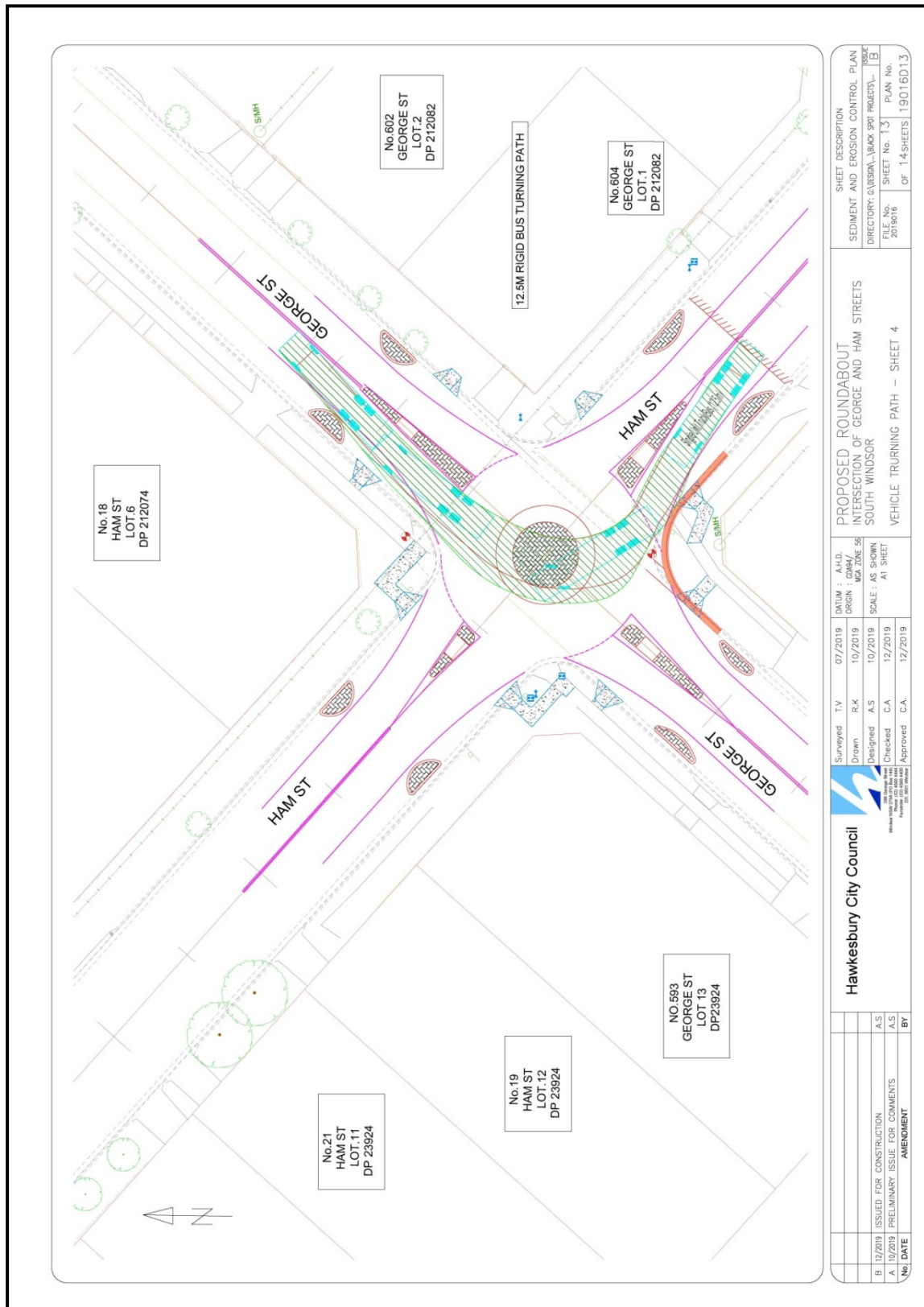
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**AT – 9 George Street and Ham Street, South Windsor – Vehicle Turning Path Sheet 2 -
Plan No. 19016D11**



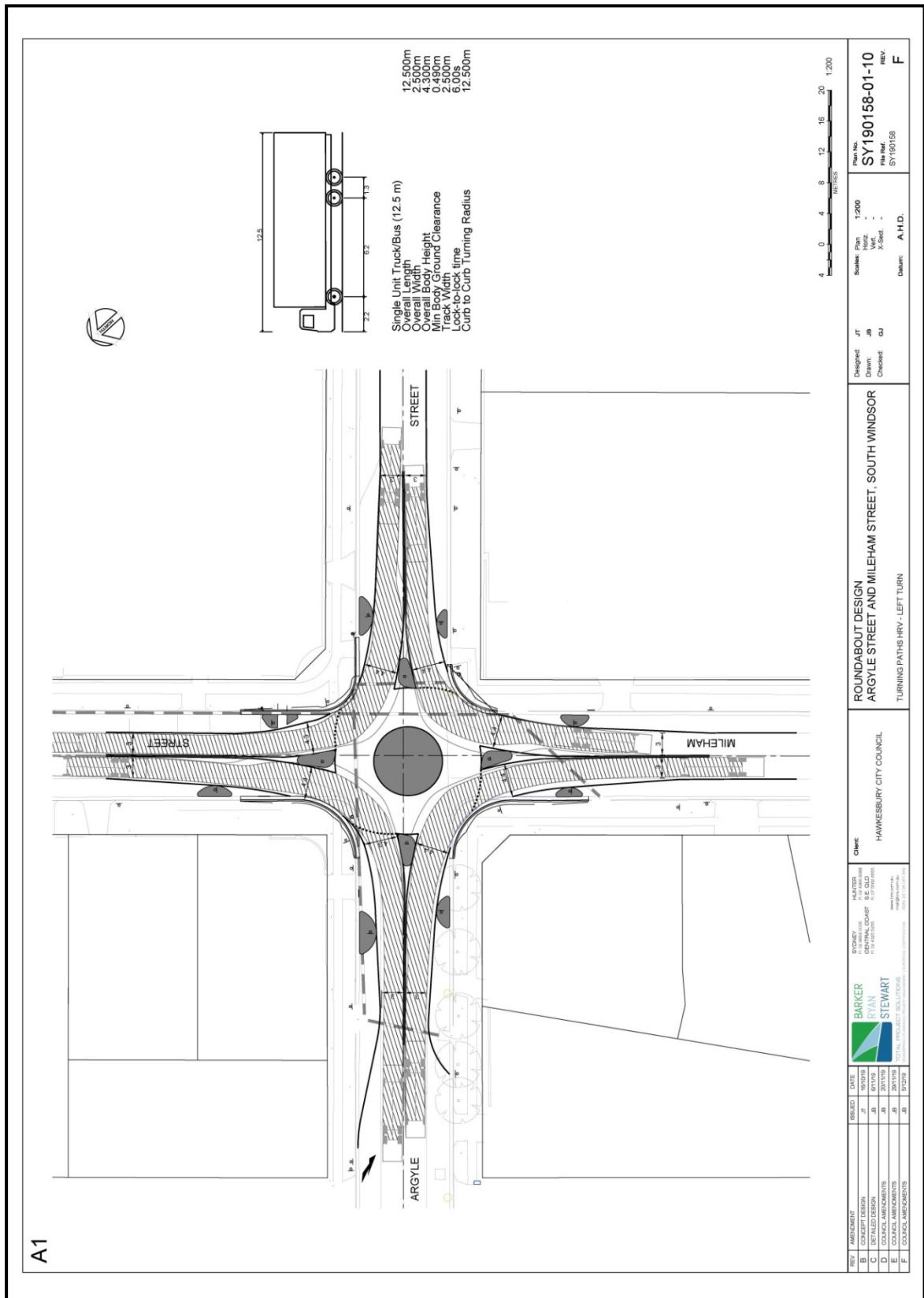
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**AT – 11 George Street and Ham Street, South Windsor – Vehicle Turning Path Sheet 4 -
Plan No. 19016D13**



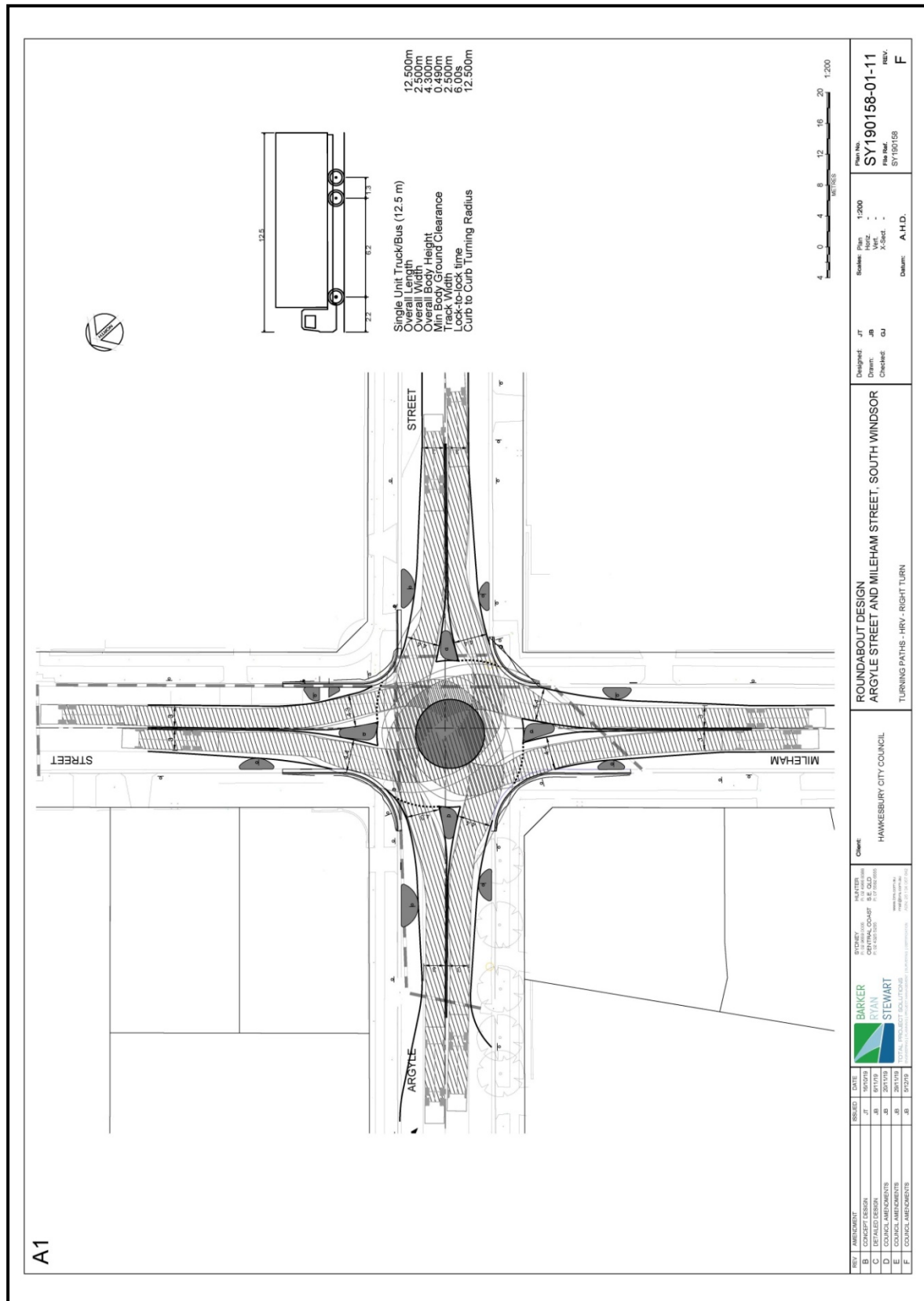
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AT – 14 Mileham Street and Argyle Street, South Windsor – Turning Paths - HRV – Left Turn - Plan
No. SY190158-01-10



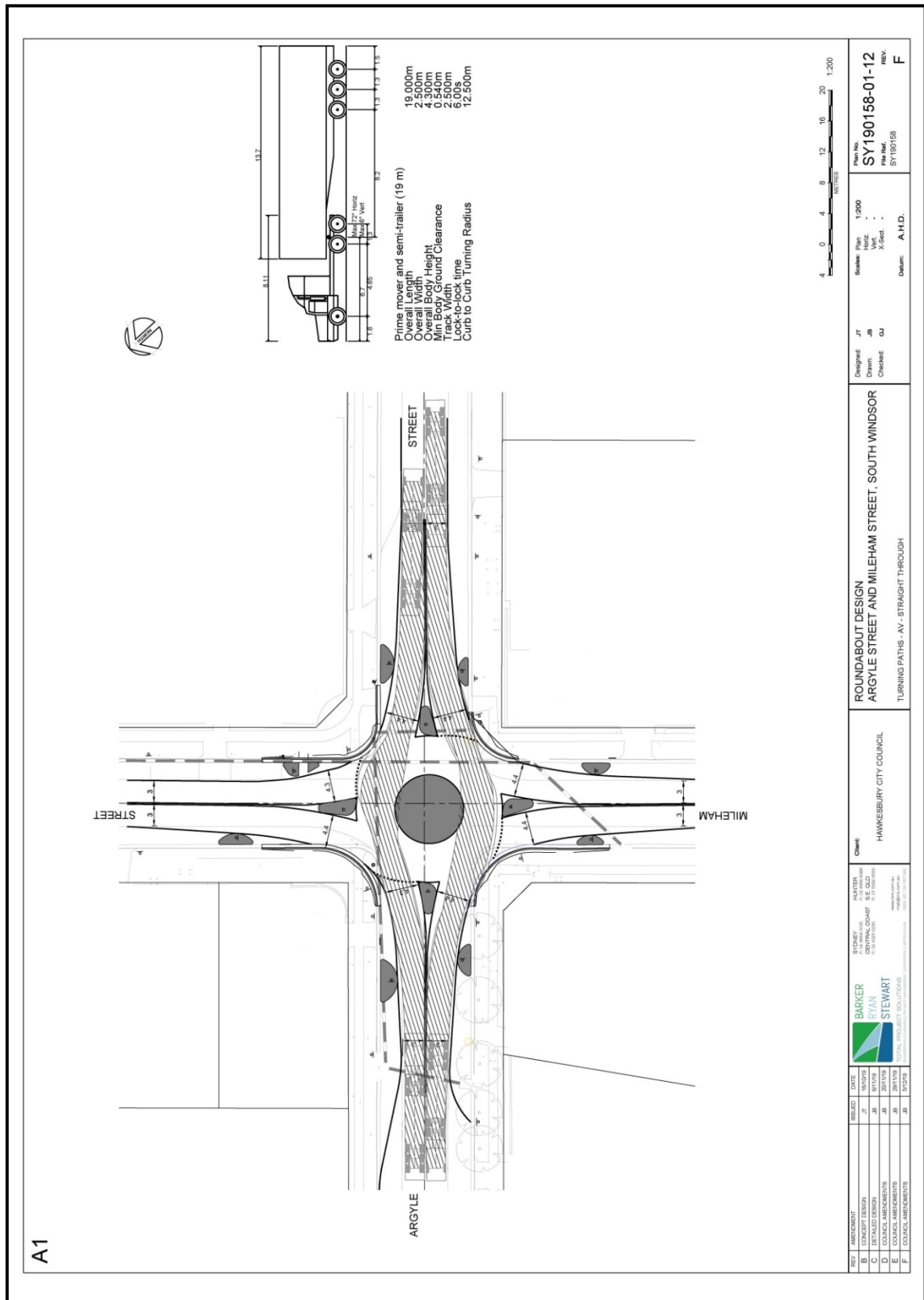
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**AT – 15 Mileham Street and Argyle Street, South Windsor – Turning Paths - HRV – Right Turn -
Plan No. SY190158-01-11**



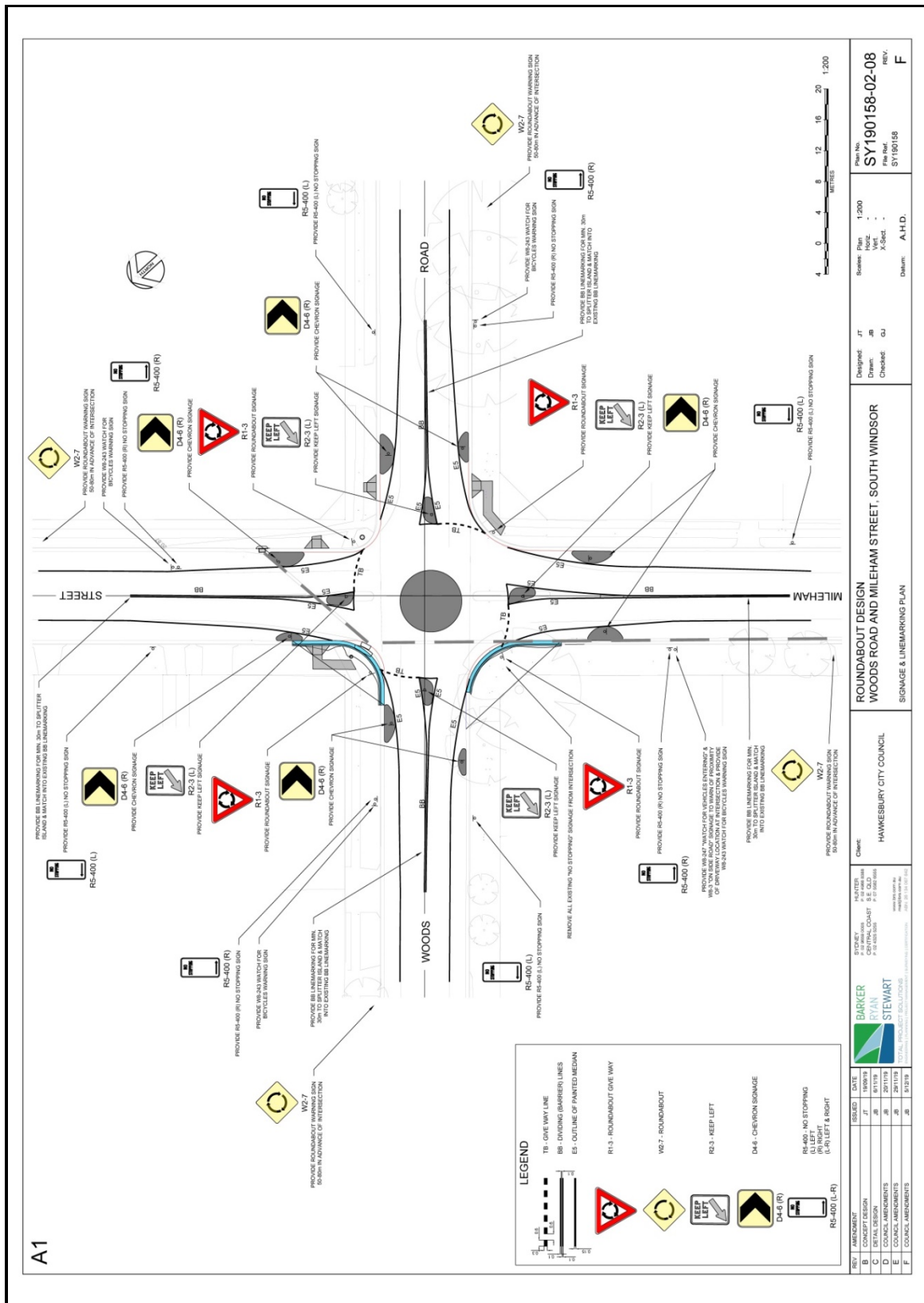
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AT – 16 Mileham Street and Argyle Street, South Windsor – Turning Paths - AV –
Straight Through - Plan No. SY190158-01-12



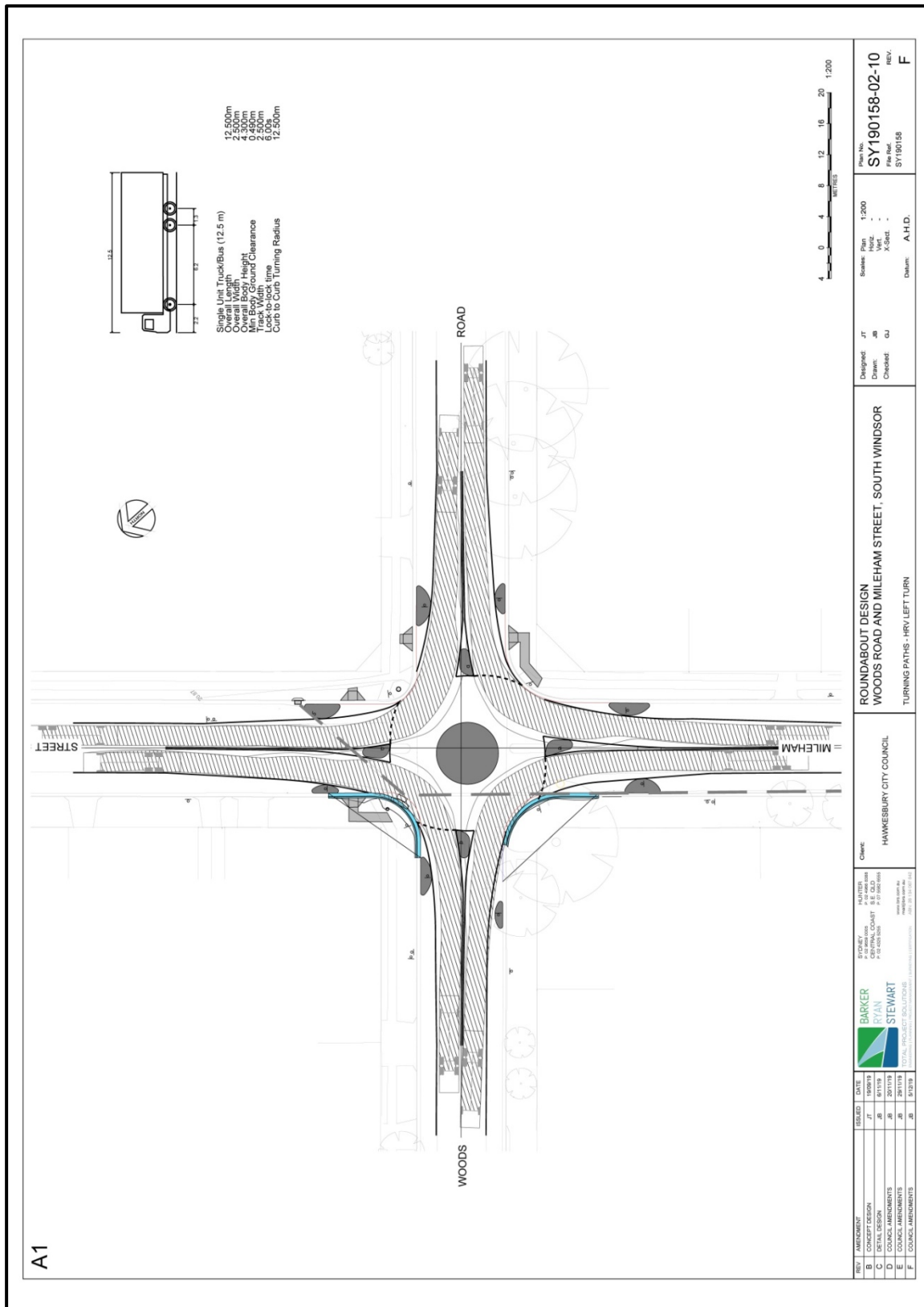
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AT – 17 Mileham Street and Woods Road, South Windsor – Signage and Linemarking
Plan No. SY190158-02-08



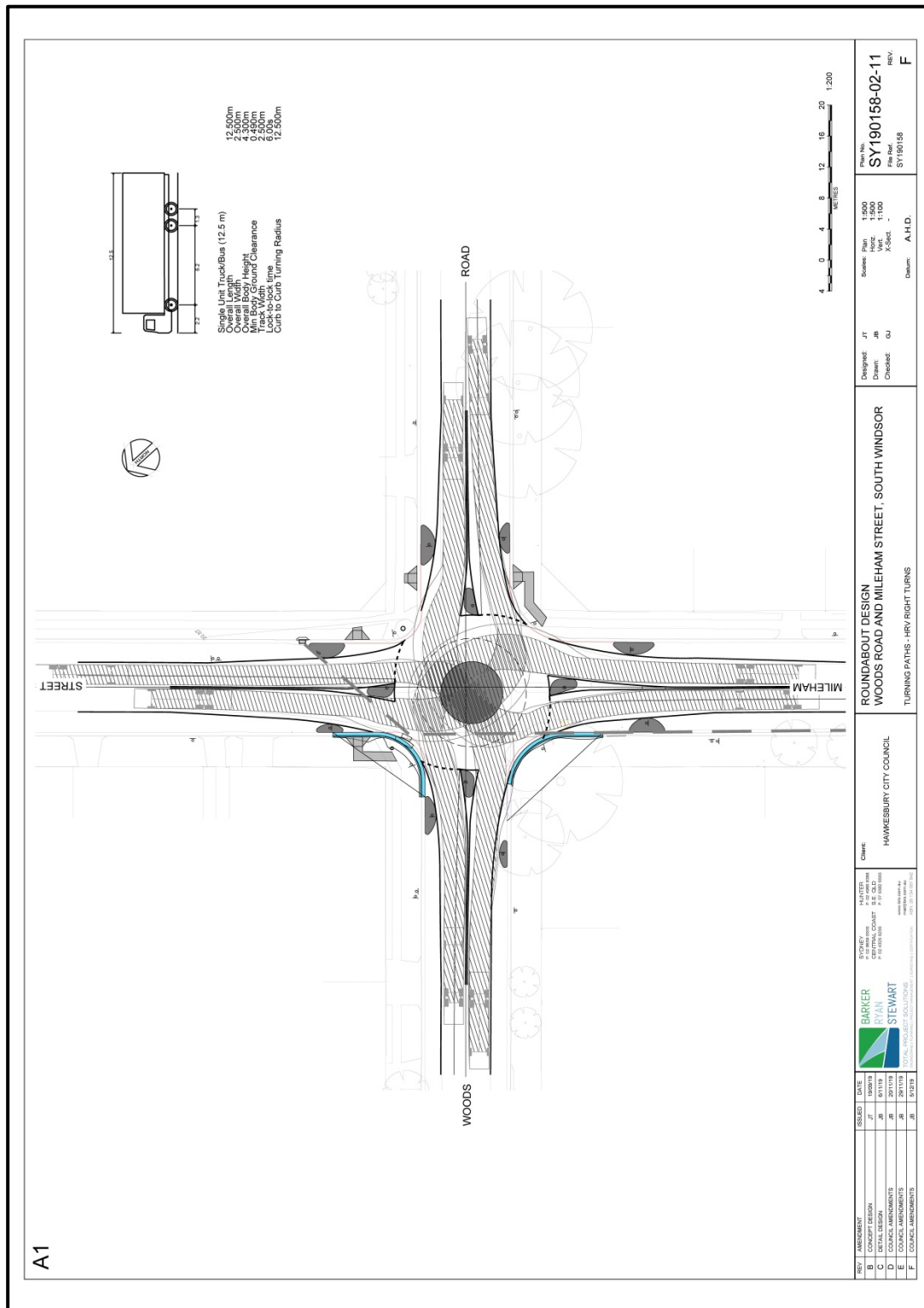
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AT – 18 Mileham Street and Woods Road, South Windsor – Turning Paths - HRV – Left Turn - Plan
No. SY190158-02-10



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AT – 19 Mileham Street and Woods Road, South Windsor – Turning Paths - HRV –
Right Turn - Plan No. SY190158-02-11



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COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Senior Constable Damien Mitchell.

Support for the Recommendation: Unanimous support

That the installation of roundabouts, which includes the provision of linemarking, signage and lighting, at the intersections of:

1. George Street and James Street, South Windsor
2. George Street and Ham Street, South Windsor
3. Mileham Street and Argyle Street, South Windsor
4. Mileham Street and Woods Road, South Windsor

be undertaken in accordance with the details outlined in Attachments 1 to 19.

Item: 2.4 LTC - Proposed Black Spot Funding Roundabout at the Intersection of Boundary Road, Neich Road and Pitt Town Road Maraylya - Request from The Hills Shire Council for Hawkesbury Council Concurrence - (Hawkesbury) - (80245, 73621, 123265, 112333)

REPORT:

Advice has been received from The Hills Shire Council that the intersection of Boundary Road, Neich Road and Pitt Town Road, Maraylya will be upgraded with the installation of a roundabout.

The Hills Shire Council has been successful in obtaining grant funding under the 2018/19 Federal Black Spot Program to construct a one lane roundabout at this intersection. This location, as a result of its crash history, has met the criteria for Federal Black Spot funding to the value of \$650,000.

At present the intersection of Boundary Road, Neich Road and Pitt Town Road is a four way intersection with Stop controls on Neich Road and Pitt Town Road where they intersect with Boundary Road. The proposed roundabout will improve safety for motorists using this intersection.

The centreline of Boundary Road forms the Local Government boundary between The Hills Shire and Hawkesbury City Councils. The Hills Shire Council through its Local Traffic Committee has approved the extent of proposed works within its Local Government Area. The traffic facilities included in these works located on the north-western side of the road centreline have been referred to Hawkesbury Council for its concurrence.

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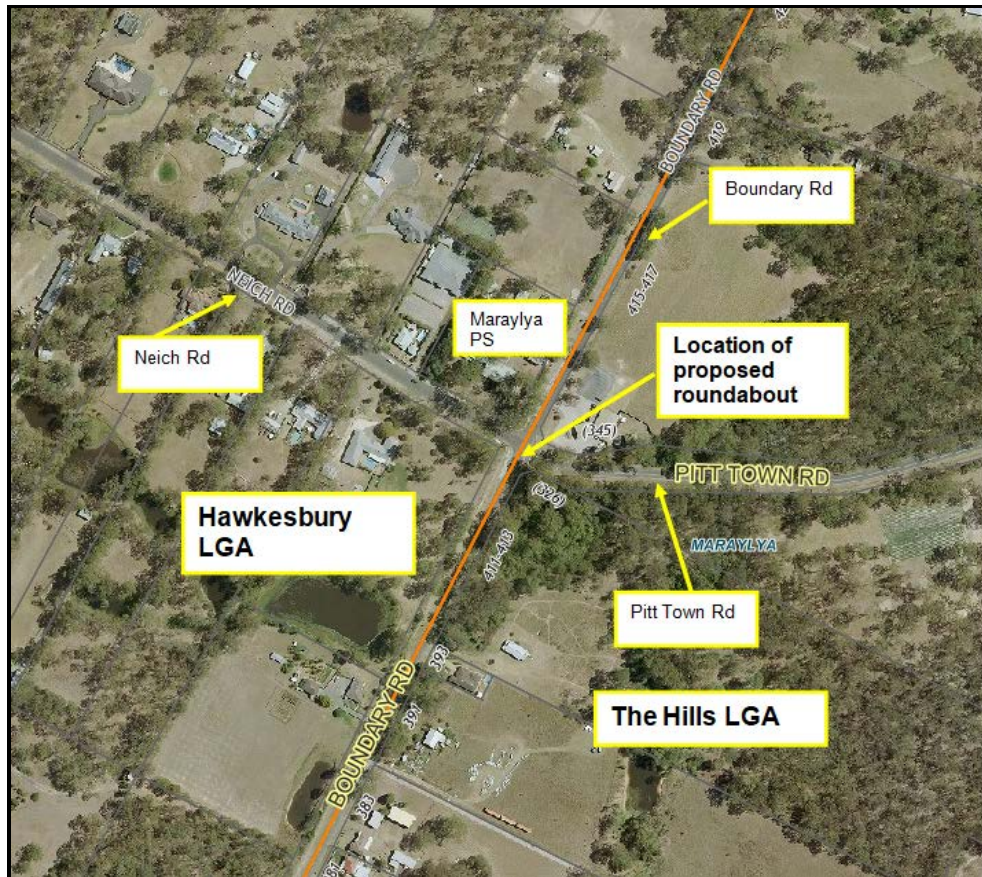


Figure 1: Locality Plan Intersection of Boundary Road, Neich Road and Pitt Town Road, Maraylya

The speed limit on Boundary Road, Neich Road and Pitt Town Road in the vicinity of this intersection is 60km/h.

Property acquisition was required from the property located at Lot 2 DP 582362 which is on the north western corner of Neich Road and Boundary Road and within the Hawkesbury LGA. The acquisition was required to allow for the relocation of a power pole on this corner which in turn has resulted in the project extending into the current financial year.

The construction of the roundabout is planned to be completed within the 2019/2020 financial year.

Details of the proposed intersection works and turning paths are included in Attachments 1 to 3.

RECOMMENDATION TO COMMITTEE:

That the design of the proposed Roundabout treatment at the intersection of Boundary Road, Neich Road and Pitt Town Road, Maraylya and in particular the works on the north-western side of the centreline of Boundary Road including Neich Road as outlined in Attachments 1 to 3 be endorsed, and advice be provided to The Hills Shire Council accordingly.

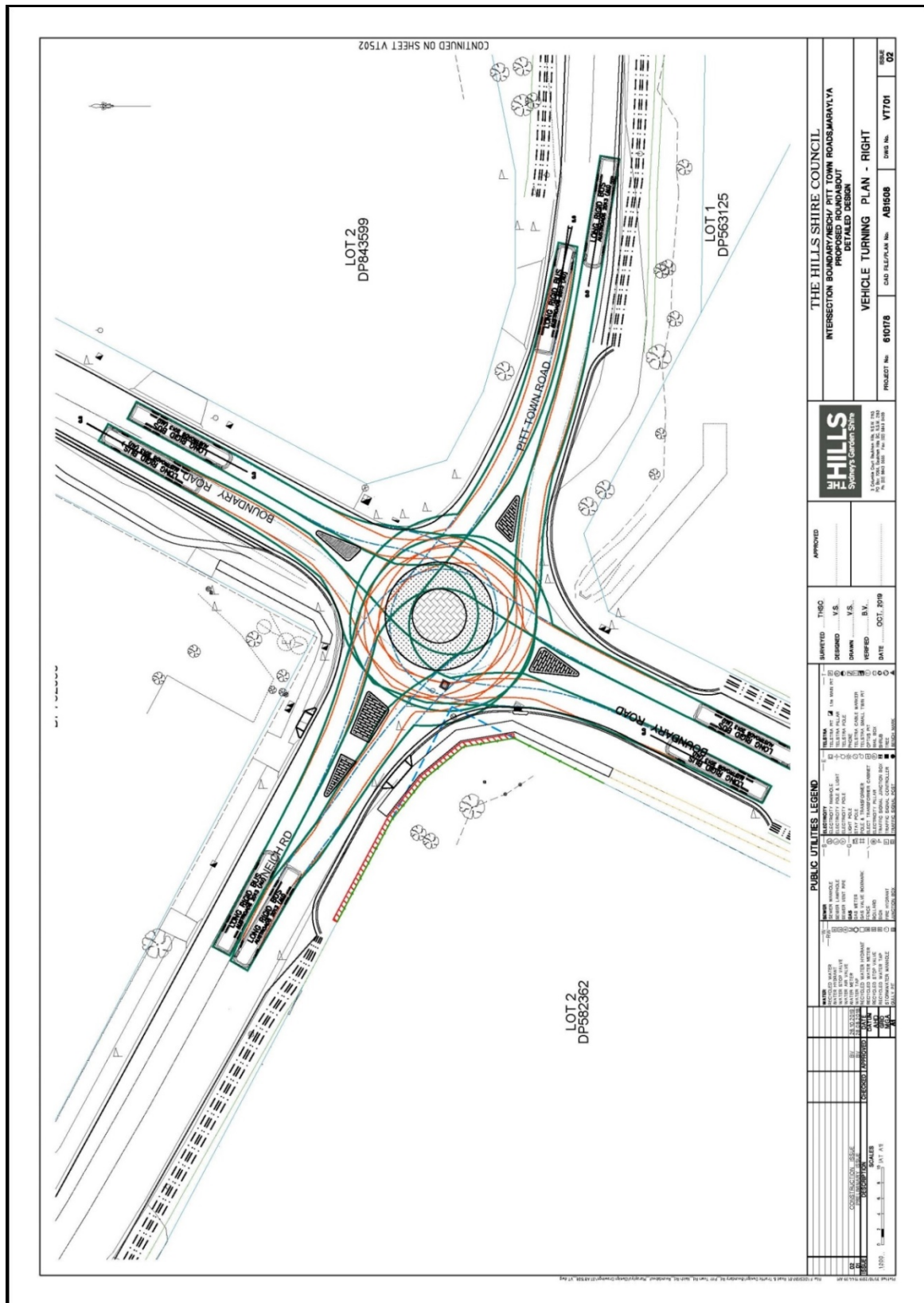
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APPENDICES:

- AT – 1** Boundary, Neich and Pitt Town Road Intersection, Maraylya – Linemarking and Signage Plan No. LM502
- AT – 2** Boundary, Neich and Pitt Town Road Intersection, Maraylya – Vehicle Turning (Right) Plan No. VT701
- AT – 3** Boundary, Neich and Pitt Town Road Intersection, Maraylya – Vehicle Turning (Left) Plan No. VT702

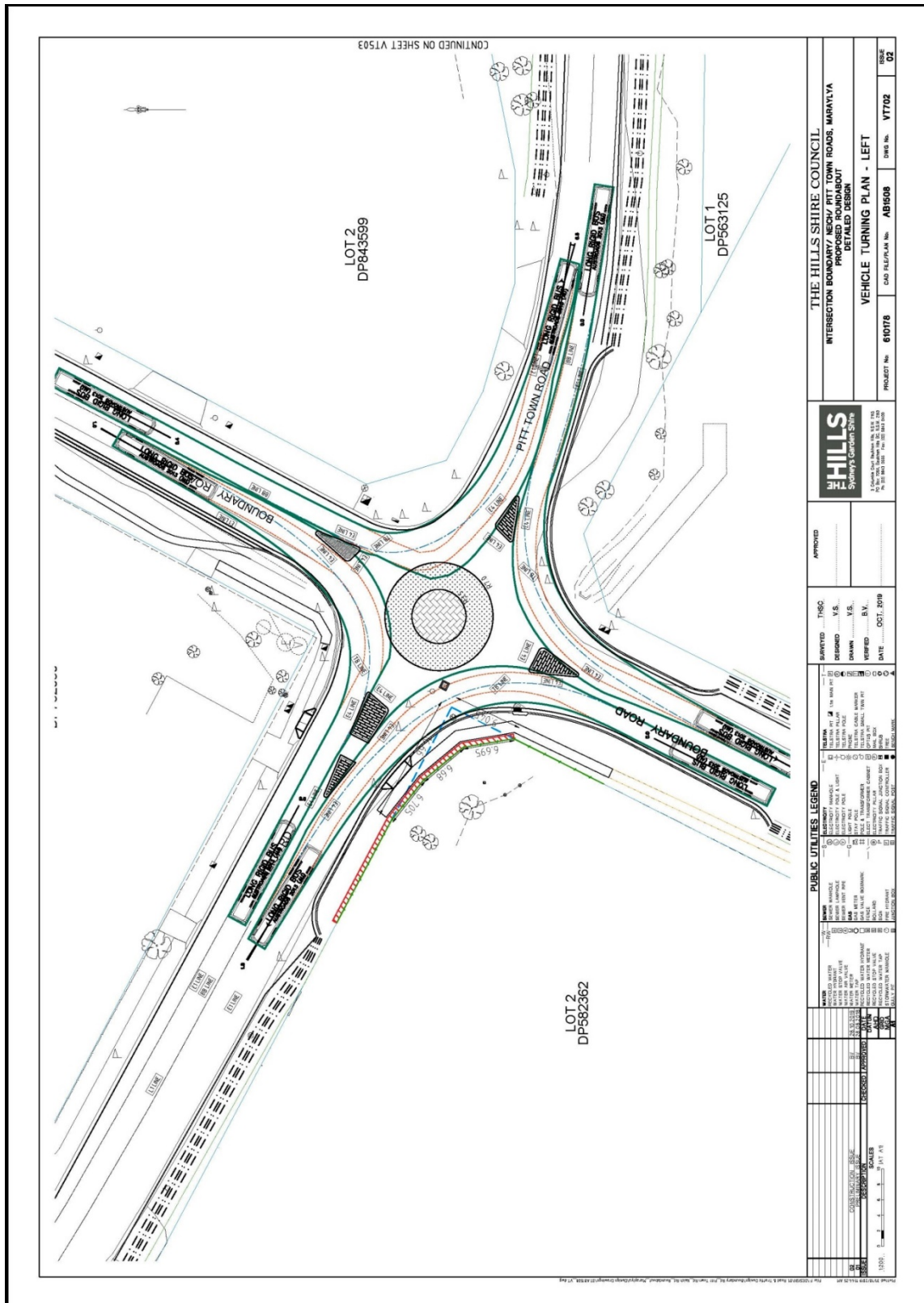
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AT – 2 Boundary, Neich and Pitt Town Road Intersection, Maraylya – Vehicle Turning (Right) Plan
No. VT701



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AT – 3 Boundary, Neich and Pitt Town Road Intersection, Maraylya – Vehicle Turning (Left) Plan
No. VT702



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COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Senior Constable Damien Mitchell.

Support for the Recommendation: Unanimous support

That the design of the proposed Roundabout treatment at the intersection of Boundary Road, Neich Road and Pitt Town Road, Maraylya and in particular the works on the north-western side of the centreline of Boundary Road including Neich Road as outlined in Attachments 1 to 3 be endorsed, and advice be provided to The Hills Shire Council accordingly.

SECTION 3 - Reports for Information

There are no Reports for Information.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Monday, 10 February 2020 at 3pm in the Large Committee Room.

The meeting terminated at 3:30pm.

oooO END OF REPORT Oooo

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notices of motion

EXTRAORDINARY MEETING
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EXTRAORDINARY MEETING
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SECTION 5 – Notices of Motion

Item: 019 **NM1 - Funding from NSW State Government - Preparation of Planning Documents - (138883, 125612, 138880, 13882)**

Submitted by: Councillors Garrow, Lyons-Buckett, Reynolds and Wheeler

NOTICE OF MOTION:

That Council:

1. Requests immediate funding from the NSW State Government to assist with preparation of the planning documents currently under review (LEP, DCP and associated studies), and
2. Invites Blue Mountains City Council to join the call for this funding in light of the recent bushfire crisis which has affected both Local Government Areas.

BACKGROUND:

Recently we have experienced unprecedented bushfire activity within our area and neighbouring areas. The impacts of this have been far-reaching on our residents, local economy, infrastructure, wildlife and general well-being.

Unlike other Councils within the Western Sydney City Deals Group, Hawkesbury and Blue Mountains City Councils were not given funding assistance to expedite their planning documents. In light of the outcomes of the bushfires, and evidence of increasing extreme weather events rendering us vulnerable to future events, it is imperative that we have a comprehensive set of planning documents in place.

This is a call to the State Government as part of genuine recovery efforts to assist communities after this terrible disaster, to provide the assistance we need to ensure we can have our planning documents in place to maximise our resilience into the future.

FINANCIAL CONSIDERATIONS:

There are no financial implications applicable to this report.

NOTE BY MANAGEMENT:

Management would appreciate any financial support for the review of the LEP and DCP.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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Item: 020 **NM2 - Condolences for Captain Ian H McBeth, First Officer Paul Clyde Hudson and Flight Engineer Rick A De Morgan Jnr - (79351, 125612, 138883, 138880, 80106, 138885, 138882)**

Submitted by: Councillor Rasmussen

NOTICE OF MOTION:

That Council:

1. Acknowledge the tragic passing of Captain Ian H McBeth; First Officer Paul Clyde Hudson; and Flight Engineer Rick A. de Morgan Jnr; crew of a Coulson Aviation C130 Hercules air tanker assisting in the current bushfire emergency in NSW, which crashed on 23 January 2020.
2. Express its condolences and gratitude for service, via letter, to the families of these brave and generous men who served our community and lost their lives protecting us and our properties, as well as to Coulson Aviation; and
3. Observe one minute's silence in respect of the contribution to our country by these men.

FINANCIAL CONSIDERATIONS:

There are no financial implications applicable to this report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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Item: 021 **NM3 - Pitt Town Hindu Temple Consultation Period - (138884)**

Submitted by: Councillor Zamprogno

NOTICE OF MOTION:

That Council Staff attend or convene a public meeting to:

1. Provide information related to DA0513/19.
2. Explain how public submissions will continue to be received between now and the consideration of this matter before a Planning Panel.

BACKGROUND:

A development application was lodged on 21 November 2019 for the constructions of a \$6.4 Million religious worship complex at 95 Old Pitt Town Road, Pitt Town.

The proposed development is for a multi-story, architecturally ornate building, with 76 car parking spaces and which will host religious and cultural events year round with hundreds of attendees.

The exhibition of this development application, which will be considered by the Planning Panel, occurred over Christmas, but also during a period of considerable distraction and distress within the Hawkesbury Community with bushfires.

I have received representations from the community stating that awareness of the proposal is limited. Many of those who are aware have concerns about the appropriateness of the development in that zone or at that site, citing traffic, noise, loss of amenity, parking, bushfire hazard and the existing approval for a similar facility granted nearby at McGraths Hill in 2016 as reasons for caution.

Concerned that the public consultation period has already closed, the Pitt Town Progress Association resolved unanimously at their meeting of 3 February 2020.

"...requests an extension of at least sixty (60) days for to allow the Pitt Town and district community to become informed of the development application, to form a view as to its suitability within the community, and to lodge objections should they wish to do so."

FINANCIAL CONSIDERATIONS:

There are no financial implications applicable to this report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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Item: 022 **NM4 - Acknowledgement of Hawkesbury Bushfire Services - (138879)**

Submitted by: Councillor Richards

NOTICE OF MOTION:

That Council:

1. Acknowledge the extraordinary effort of our NSW Rural Fire Service, emergency services, military, volunteers and all who contributed in the Hawkesbury during the 2019/2020 bushfire season;
2. Express our sympathies for the lives lost, properties destroyed and wildlife casualties that resulted during this bushfire crisis;
3. Acknowledge the resilience and community spirit of Hawkesbury residents in combatting the fires and its threats and, as a Council, offer all possible assistance during the recovery phase;
4. Thank our Council staff for their timely coordination of the town meetings at Bilpin, Colo Heights and St Albans regarding recovery and for their compilation of the "Hawkesbury City Council – A Guide to Bushfire Recover (link below);
5. Acknowledge the NSW Rural Fire Service, Hawkesbury Rural Fire Service and the NSW State Government in its logistical management of the bush fire crisis; and
6. Acknowledge the compensation options available to those affected from the NSW and Commonwealth Governments, including but not limited to, the initial release of \$1 million to fire affected Councils (including Hawkesbury), injection of funds towards tourism, grants and loans for small businesses, assistance for families financially and for funds that will help with the clean-up process.

BACKGROUND:

During 2019/2020, our Hawkesbury community has been subjected to a severe fire season. Although life and property loss has been limited (due to the amazing work of the RFS and other volunteers), we have suffered losses of homes and businesses and an extraordinary amount of bush land has been completely burnt out.

This has been an obviously difficult time for many and as a Council, who responds to these situations on a grassroots level, it is timely now to praise everyone who played a part in seeing our community through this and pay tribute to the efforts of those involved. There is no doubt that we are forever in the debt of the selfless volunteers who all contributed during this time.

This notice of motion is presented to allow individuals to come to Council to speak on the subject matter and to allow Councillors to tell their own stories regarding those worthy of thanks.

Information on help available can be found at (but not limited to):

https://www.hawkesbury.nsw.gov.au/_data/assets/pdf_file/0019/141733/Bushfire-Recovery-Knowledge-Base-Community-VERSION-11-January-2020.pdf

<https://www.raa.nsw.gov.au/disaster-assistance>

<https://www.service.nsw.gov.au/campaign/bushfire-customer-care-service>

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SECTION 5 – Notices of Motion
Meeting Date: 18 February 2020

<https://www.service.nsw.gov.au/campaign/business-support-bushfire-impacted-communities#federal-and-state-government-packages>

<https://www.servicesaustralia.gov.au/individuals/help-emergency/bushfires>

FINANCIAL CONSIDERATIONS:

There are no financial implications applicable to this report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

EXTRAORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 18 February 2020

Item: 023 **NM5 - Update to Councillors of attendance at Roundtable hosted by BizRebuild - (79351, 125612)**

Submitted by: Councillor Lyons-Buckett

NOTICE OF MOTION:

That Council:

1. Request information from all bushfire-affected properties in our LGA outlining any tools of trade, or equipment lost in the fires, and
2. Submit details to BizRebuild for the provision of tools.
3. Compile a list of such, accompanied by specific information of the potential of such equipment to be used in assisting with the local recovery.

BACKGROUND:

On 29 January 2020 I attended a Roundtable discussion at Parliament House hosted by BizRebuild and chaired by General the Honourable Sir Peter Cosgrove. This was a facilitated discussion to enable local government and local business chambers to put forward the needs of their fire-affected communities, with the aim of assisting businesses to recover, so local economies and communities can rebuild after the devastation.

One of several strategies raised was the capacity to re-tool and re-equip those who have lost tools etc which they require to enable them to return to work and assist in the recovery effort within our local community. To further our involvement in this it is necessary to have access to the lists of specific losses, to compile the information and provide it to the required contact.

FINANCIAL CONSIDERATIONS:

There are no financial implications applicable to this report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

EXTRAORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 18 February 2020

Item: 024 **NM6 - Waiving of Development Application Fees for Bushfire affected Residents - (138885)**

Submitted by: Councillor Ross

NOTICE OF MOTION:

That Council adopt along with Blue Mountain City Council and Lithgow City Council, the waiving of all fees and charges usually attendant to development applications in cases where the applicant is seeking to reinstate a structure affected by bushfire within the Local Government Area after 26 October 2019 for the remainder of the current "fire season", to be operative for applications lodged up to 4 years post date of occurrence.

FINANCIAL CONSIDERATIONS:

There are no financial implications applicable to this report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

EXTRAORDINARY MEETING**Questions for Next Meeting****Meeting Date:** 18 February 2020**QUESTIONS FOR NEXT MEETING****Item: 025****Councillor Questions with Notice****Questions - 11 February 2020**

#	Councillor	Question	Requested	Response
1	Ross	Requested information regarding the Federal Government's awarding of sporting grants to Hawkesbury City Council and or third party associated community groups for the year ended 30 June 2019. Details of recipient(s), date awarded, dollar value and whether now expended are sought. Further, has Council contemplated having to reimburse the donor in any circumstance pertaining to processes surrounding the awarding of grants being overturned at a future time? Does Council have knowledge of similar circumstances arising previously, and if so manner of resolution.	28/01/2020	<p>The Director of Infrastructure Services advised that Hawkesbury Sports Council (HSC) received a grant of \$100,000 under Round 1 of the Community Sport Infrastructure (CSI) Grant Program for extension / upgrade of the Cricket / AFL clubhouse deck at Bensons Lane. The grant was advised to HSC on 27 March 2019. Works are currently underway.</p> <p>Whilst not strictly considered a third party associated group Hawkesbury District Agricultural Association, leases Hawkesbury Showground from Council. The Association received \$200,000 for new stables, under the CSI Grant Program which were completed in October 2019.</p> <p>As there has been no indication by the Commonwealth Government of seeking repayment or overturning of grants made, this circumstance has not been contemplated by Council. There is no relevant recent experience / knowledge of such an action, with formalised funding agreements generally being afforded the protections available under contract law.</p>

oooO END OF REPORT Oooo

EXTRAORDINARY MEETING

Confidential Reports

Meeting Date: 18 February 2020

CONFIDENTIAL REPORTS

Item: 026 **SS - License Agreements - 1 Dight Street, Windsor - (126231, 138919, 136331, 133248, 136756, 136338, 132045, 142831, 134725, 95489, 95496, 112106)**

Previous Item: Ordinary, (30 January 2018)

Directorate: Support Services

Reason for Confidentiality

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

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

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



extraordinary
meeting

end of
business
paper

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