



Hawkesbury City Council

ordinary  
meeting  
business  
paper

date of meeting: 26 May 2020

location: by audio-visual link

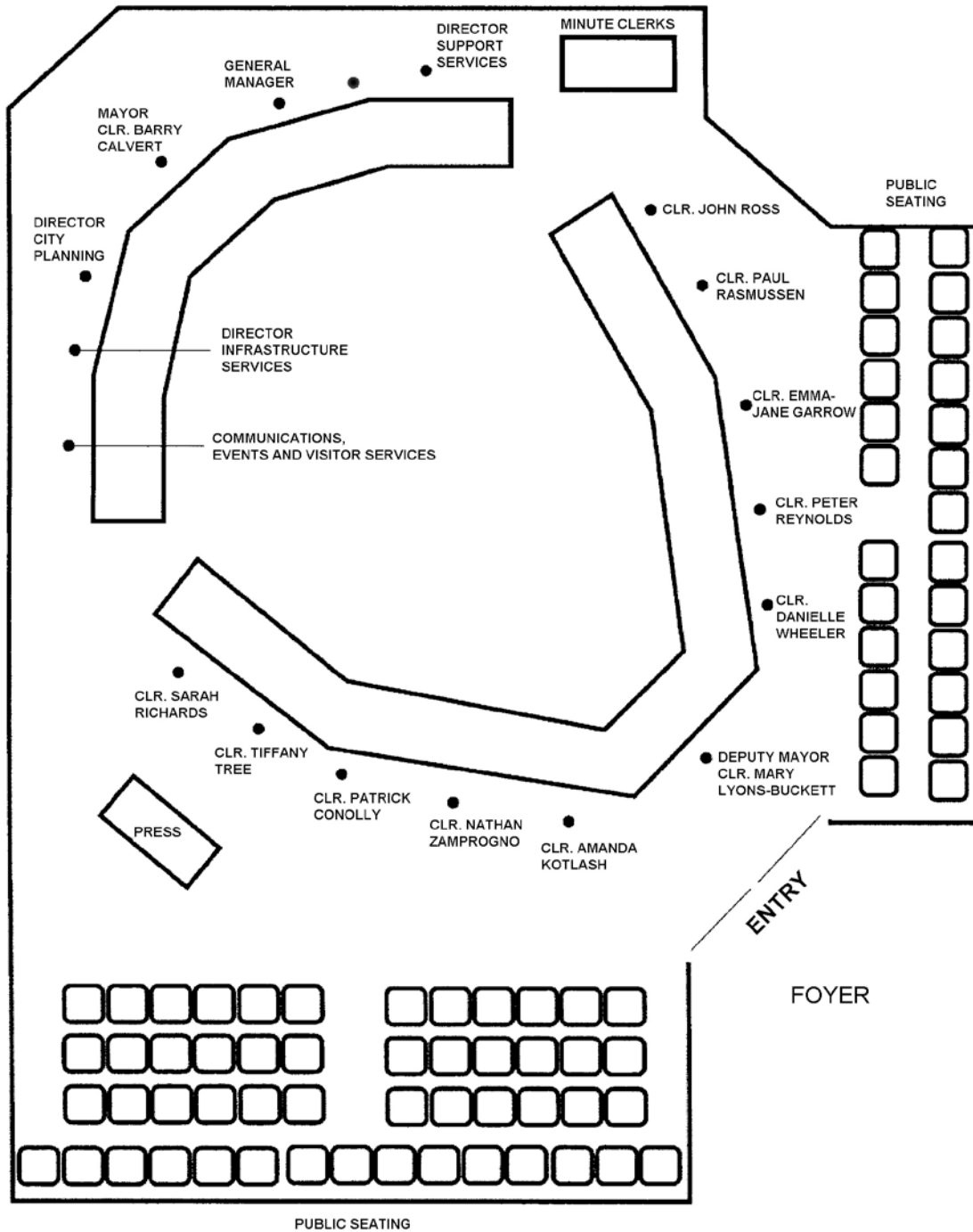
time: 6:30 p.m.



# mission statement

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

# Hawkesbury City Council





**ORDINARY MEETING****Table of Contents****Meeting Date:** 26 May 2020**TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
<b>PROCEDURAL MATTERS</b>		<b>3</b>
<b>SECTION 1 - Confirmation of Minutes</b>		<b>6</b>
<b>SECTION 2 – Mayoral Minutes</b>		<b>8</b>
<b>SECTION 3 – Reports for Determination</b>		<b>11</b>
<b>GENERAL MANAGER</b>		<b>11</b>
Item: 093	GM - Information regarding Councils spending during the 2016-2020 Term of Council - (79351)	11
<b>CITY PLANNING</b>		<b>30</b>
Item: 094	CP - Draft Hawkesbury Local Housing Strategy - (95498)	30
Item: 095	CP - Amended Draft Hawkesbury Local Strategic Planning Statement (LSPS) 2040 and Hawkesbury Demographics Study - (95498, 124414)	40
Item: 096	CP - NSW State Government - Improving the Review of Local Infrastructure Contributions Plans - (95498)	51
<b>SUPPORT SERVICES</b>		<b>69</b>
Item: 097	SS - March 2020 Quarterly Budget Review Statement - (95496)	69
Item: 098	SS - Monthly Investments Report - April 2020 - (95496, 96332)	79
Item: 099	SS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)	85
<b>SECTION 4 – Reports of Committees</b>		<b>89</b>
Item: 100	ROC - Civic and Citizenship Committee - 26 November 2019 - (95351, 96972)	89
Item: 101	ROC - Access and Inclusion Advisory Committee - 27 February 2020 - (124569, 96328)	99
Item: 102	ROC - Floodplain Risk Management Advisory Committee - 16 April 2020 - (86589, 124414)	105
Item: 103	ROC - Environmental Sustainability Advisory Committee - 11 May 2020 - (126363, 124414)	115

**ORDINARY MEETING****Table of Contents****Meeting Date:** 26 May 2020

<b>SECTION 5 – Notices of Motion</b>	<b>127</b>
Item: 104      NM1 - Local Government Leadership and Awareness Program - (79351, 138882)	127
Item: 105      NM2 - Demolition of the old Windsor Bridge - (79351, 125612)	128
Item: 106      NM3 - Collection of Domestic Sullage - (79351, 138881)	129
<b>QUESTIONS FOR NEXT MEETING</b>	<b>131</b>
Item: 107      Councillor Questions with Notice from Previous Meeting and Response - 12 May 2020 - (79351)	131
<b>CONFIDENTIAL REPORTS</b>	<b>134</b>
Item: 108      IS - Tender No. T00099 - Operation of Lower Portland Ferry - (95495, 79344, 112333)	134
Item: 109      IS - Licence Agreement with Flow Systems - Irrigation of Fernadell Park - (95495, 112106, 129547)	135
Item: 110      SS - Lease to Buth and Leang - Shop 11, Wilberforce Shopping Centre - (95496, 112106, 132105, 132099, 145339)	136

**ORDINARY MEETING**  
**Procedural Matters**  
**Meeting Date: 26 May 2020**

**PROCEDURAL MATTERS**

**Welcome**

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

The General Manager will address the Council meeting, mentioning:

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

**Attendance**

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

**Apologies and Leave of Absence**

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

**Declaration of Interest**

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

**Acknowledgement of Official Visitors to the Council**

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

**ORDINARY MEETING**

**Procedural Matters**

**Meeting Date:** 26 May 2020



ordinary

section 1

confirmation of minutes

**ORDINARY MEETING**  
**SECTION 1 - Confirmation of Minutes**  
**Meeting Date: 26 May 2020**

**SECTION 1 - Confirmation of Minutes**



# Hawkesbury City Council

## ordinary meeting minutes

date of meeting: 12 May 2020

location: by audio-visual link

time: 6:30 p.m.



**ORDINARY MEETING****Table of Contents****Minutes: 12 May 2020****TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
	<b>ATTENDANCE</b>	<b>3</b>
	<b>APOLOGIES AND LEAVE OF ABSENCE</b>	<b>3</b>
	<b>DECLARATIONS OF INTEREST</b>	<b>3</b>
	<b>SECTION 1 - Confirmation of Minutes</b>	<b>4</b>
	<b>SECTION 2 – Mayoral Minutes</b>	<b>5</b>
Item: 082	MM - Inequitable and Inconsistent application of the NSW Environment Protection Authority Waste Levy - (80093)	5
	<b>SUPPLEMENTARY REPORT</b>	
Item: 083	MM - Strategic Transport Routes and Connections within the Hawkesbury Local Government Area - (80093)	6
	<b>SECTION 3 – Reports for Determination</b>	<b>7</b>
	<b>PLANNING DECISIONS</b>	<b>7</b>
Item: 084	CP - Proposed Modification of Existing Covenant - Building Envelope Restriction Lot 42, DP 1237854 - 85 London Place, Grose Wold - (95498)	7
	<b>GENERAL MANAGER</b>	<b>8</b>
Item: 085	GM - 2020 Digital Floodplain Management Australia Conference - (79351)	8
Item: 086	GM - COVID-19 Virus Update - (79351)	9
	<b>INFRASTRUCTURE SERVICES</b>	<b>10</b>
Item: 087	IS - Road Naming Proposal Associated with DA0332/16 (396 Bells Line of Road) Kurmond - (95495, 79346)	10
	<b>SUPPORT SERVICES</b>	<b>11</b>
Item: 088	SS - Council Resolution Summary - July 2019 to December 2019 - (95496)	11
Item: 089	SS - Pecuniary Interest Return - Designated Person - (95496, 96333)	12
	<b>SECTION 4 – Reports of Committees</b>	<b>13</b>
Item: 090	ROC - Civic and Citizenship Committee - 26 November 2019 - (95351, 96972)	13
Item: 091	ROC - Local Traffic Committee - 20 April 2020 - (80245, 95495)	13

**ORDINARY MEETING**

**Table of Contents**

**Minutes:** 12 May 2020

**QUESTIONS FOR NEXT MEETING** **14**

Item: 092      Councillor Questions with Notice **14**

## ORDINARY MEETING

Minutes: 12 May 2020

Minutes of the Ordinary Meeting held by audio-visual link on 12 May 2020, 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 Patrick Conolly, Emma-Jane Garrow, Amanda Kotlash, Paul Rasmussen, Peter Reynolds, Sarah Richards, John Ross, 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, Manager Communications, Chief Financial Officer - Emma Galea, Events and Visitors Services - Suzanne Stuart, Manager Development Services - Cristie Evenhuis, Manager Corporate Services and Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

### APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor Tiffany Tree.

### 96 RESOLUTION:

RESOLVED on the motion of Councillor Reynolds and seconded by Councillor Conolly that the apology be accepted.

Councillor Ross arrived at the meeting at 6:44pm.

### DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

### Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

## ORDINARY MEETING

Minutes: 12 May 2020

### SECTION 1 - Confirmation of Minutes

#### 97 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett and seconded by Councillor Zamprogno that the Minutes of the Ordinary Meeting held on the Tuesday, 28 April 2020, be confirmed

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

**Against the Motion:** Nil.

**Absent:** Councillor Ross and Tree.



## ORDINARY MEETING

Minutes: 12 May 2020

### SECTION 2 – Mayoral Minutes

**Item: 082**                      **MM - Inequitable and Inconsistent application of the NSW Environment Protection Authority Waste Levy - (80093)**

---

**MOTION:**

RESOLVED on the motion of the Mayor, Councillor Calvert.

*Refer to RESOLUTION*

**98 RESOLUTION:**

RESOLVED on the motion of the Mayor, Councillor Calvert.

That:

1. Council write to the Local Member and relevant Ministers, including the Treasurer and the Minister for Energy and Environment, and the NSW Environment Protection Authority seeking a review of the NSW Waste Levy in terms of the inconsistency and inequity in the Waste Levy Boundaries, and seeking higher levels of reinvestment of the Waste Levy for Local Government.
2. Council organise a delegation to meet with the Local Member and relevant Ministers.

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

**Against the Motion:**              Councillor Ross.

**Absent:**                                  Councillor Tree.

**ORDINARY MEETING**

**Minutes:** 12 May 2020

**SUPPLEMENTARY REPORT**

**Item: 083**                      **MM - Strategic Transport Routes and Connections within the Hawkesbury  
Local Government Area - (80093)**

---

**MOTION:**

RESOLVED on the motion of the Mayor, Councillor Calvert.

*Refer to RESOLUTION*

**99 RESOLUTION:**

RESOLVED on the motion of the Mayor, Councillor Calvert.

That Council staff initiate a process to obtain quotations from relevant parties to work with Council and the community to develop Strategic Transport routes in the Local Government Area.

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

**Against the Motion:**                Councillors Conolly, Garrow, Richards and Zamprogno.

**Absent:**                                  Councillor Tree.

## ORDINARY MEETING

Minutes: 12 May 2020

### SECTION 3 – Reports for Determination

#### PLANNING DECISIONS

**Item: 084** CP - Proposed Modification of Existing Covenant - Building Envelope Restriction Lot 42, DP 1237854 - 85 London Place, Grose Wold - (95498)

**Directorate:** City Planning

---

#### **MOTION:**

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

*Refer to RESOLUTION*

#### **100 RESOLUTION:**

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

That consideration of this matter be deferred.

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, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillor Tree.

## ORDINARY MEETING

Minutes: 12 May 2020

### GENERAL MANAGER

**Item: 085**                      **GM - 2020 Digital Floodplain Management Australia Conference - (79351)**

**Directorate:**                General Manager

---

#### **MOTION:**

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

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

#### **101 RESOLUTION:**

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

That:

1. The report be received and noted.
2. Participation of nominated Councillors and staff as considered by the General Manager, in the 2020 Digital Floodplain Management Australia National Conference at a cost of \$200 for one login (user) and \$300 for up to six logins (users) be considered.
3. After participating in 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.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Tree.

#### **102 RESOLUTION:**

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

That:

1. Councillors Lyons-Buckett, Rasmussen and Wheeler participate in the 2020 Digital Floodplain Management Australia National Conference.
2. Community members of the Floodplain Advisory Committee be invited to fill the balance of the total of six participants.
3. Councillor Ross expressed interest in participating in the Conference if not all of the positions available to community members of the Floodplain Advisory Committee were filled.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Tree.

## ORDINARY MEETING

Minutes: 12 May 2020

**Item: 086**                      **GM - COVID-19 Virus Update - (79351)**

**Previous Item:**            066, Ordinary (31 March 2020)

**Directorate:**                General Manager

---

### **MOTION:**

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

***Refer to RESOLUTION***

### **103 RESOLUTION:**

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

That the report be received and noted.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Tree.

## ORDINARY MEETING

Minutes: 12 May 2020

### INFRASTRUCTURE SERVICES

**Item: 087**                      **IS - Road Naming Proposal Associated with DA0332/16 (396 Bells Line of Road) Kurmond - (95495, 79346)**

**Previous Item:**              009, Ordinary (18 February 2020)

**Directorate:**                Infrastructure Services

---

#### **MOTION:**

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

*Refer to RESOLUTION*

#### **104 RESOLUTION:**

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

That the names Amara Drive, Angophora Place, Olearia Place, Prunina Place and Villosa Place in the suburb of Kurmond and associated with DA0332/16 be adopted for use.

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

**Against the Motion:**        Councillor Ross.

**Absent:**                        Councillor Tree.

## ORDINARY MEETING

Minutes: 12 May 2020

### SUPPORT SERVICES

**Item: 088**                      **SS - Council Resolution Summary - July 2019 to December 2019 - (95496)**

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

**Directorate:**                Support Services

---

#### **MOTION:**

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

***Refer to RESOLUTION***

#### **105 RESOLUTION:**

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

That the Council Resolution Summary for 1 July 2019 to 31 December 2019, and those resolutions outstanding from previous summaries, be received and noted.

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

**Against the Motion:**        Councillor Ross.

**Absent:**                        Councillor Tree.

**ORDINARY MEETING**

**Minutes:** 12 May 2020

**Item: 089**                      **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

**Directorate:**                Support Services

---

**MOTION:**

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

***Refer to RESOLUTION***

**106 RESOLUTION:**

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

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

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

**Against the Motion:**            Councillor Ross.

**Absent:**                            Councillor Tree.



## ORDINARY MEETING

Minutes: 12 May 2020

### SECTION 4 – Reports of Committees

**Item: 090**                      **ROC - Civic and Citizenship Committee - 26 November 2019 - (95351, 96972)**

**Directorate:**                General Manager

---

**MOTION:**

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

*Refer to RESOLUTION*

**107 RESOLUTION:**

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

That consideration of this matter be deferred to the next Council Meeting to include a consolidated list of the 2020 Australia Day Award nominees.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillors Reynolds and Tree.

**Item: 091**                      **ROC - Local Traffic Committee - 20 April 2020 - (80245, 95495)**

**Directorate:**                Infrastructure Services

---

**MOTION:**

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

*Refer to RESOLUTION*

**108 RESOLUTION:**

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

That the Minutes of the Local Traffic Committee meeting held on 20 April 2020 be received and noted.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Tree.

---

## ORDINARY MEETING

Minutes: 12 May 2020

### QUESTIONS FOR NEXT MEETING

Item: 092

#### Councillor Questions with Notice

---

Responses to Councillor Questions with Notice listed in the Business Paper of 12 May 2019, were discussed. The following questions were not answered at the meeting.

#	Councillor	Question	Response
1	Wheeler	When will Council be provided with this report.	
2	Wheeler	When did Council determine that this program would be held.	
3	Wheeler	When were Councillors informed of it and invited to participate.	
4	Wheeler	The details of two additional questions, not yet provided.	
5	Wheeler	What has happened to the questionnaires the participants completed and when will this information be provided to all Councillors.	
6	Wheeler	How will this information be stored and disposed of when no longer required.	

The meeting terminated at 9:17pm.

Submitted to and confirmed at the Ordinary meeting held on 26 May 2020.

.....  
Mayor

ordinary

section 2

mayoral minutes

**ORDINARY MEETING**  
**SECTION 2 – Mayoral Minute**  
**Meeting Date: 26 May 2020**

**SECTION 2 – Mayoral Minutes**

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

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

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

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

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

ordinary

section 3

reports  
for determination

**ORDINARY MEETING**

**SECTION 3 – Reports for Determination**

**Meeting Date:** 26 May 2020

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**SECTION 3 – Reports for Determination**

**GENERAL MANAGER**

**Item: 093**                      **GM - Information regarding Councils spending during the 2016-2020 Term of Council - (79351)**

**Previous Item:**            047, Ordinary (10 March 2020)

**Directorate:**              General Manager

---

**PURPOSE OF THE REPORT:**

On 10 March 2020, Council considered a Notice of Motion regarding Council spending during the last six years. The purpose of this report is to submit information in accordance with Council's resolution.

**EXECUTIVE SUMMARY:**

At its Meeting on 10 March 2020, Council considered a Notice of Motion regarding Council spending during the current term of Council. In response Council resolved to receive information regarding the following financial matters:

For the last six years:

- Movements in the Contingency Reserve
- Full time equivalent staff, vacancies and costs
- Total cost of consultants itemised by matter
- Budgets and costs for legal advice itemised, by matter, and variation analysis
- Details of prepayments and impact on financial position
- Details of carryovers and impact on financial position
- Comparison of infrastructure backlog, maintenance and capital works

Information regarding:

- Estimated income to be generated through biodiversity offsets
- Estimated income to be generated through property-related activities
- Details of the Audit Committee's considerations of Council's December 2019 Quarterly Report
- Details of the 2019/2020 Works Program including works completed to date, works expected to be completed by 30 June 2020 and works not expected to be completed by 30 June 2020

The resolution included a request for the information to be provided in a transparent and easy to understand manner.

All Information requested has been prepared and is included in this report for Council's consideration.

**RECOMMENDATION:**

That the information regarding various financial matters, as resolved at the Meeting on 10 March 2020, and as included in this report be received and noted.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

---

**BACKGROUND**

At its Meeting on 10 March 2020, Council considered a Notice of Motion regarding Council spending during the last six years of Council. In response Council resolved as follows:

*“That Council prepare a report for Council’s consideration prior to the end of April 2020 providing further information regarding Council finances, specifically:*

- 1. Details of all transfers to and from Council’s contingency reserve for the last 6 years;*
- 2. The number of Full Time Equivalent staff and the vacancies and cost of those employees for the last 6 years;*
- 3. The total cost of all external consultants used for the last 6 years and itemised by matter and cost.*
- 4. A comparison of the total cost of legal advice incurred annually for the last 6 years, and the total cost of legal advice provided for in the original budgets adopted by Council. The report to include case-by-case commentary for any variances;*
- 5. Estimates of the total income to be generated through biodiversity offsets in the current and future financial years, an explanation of how this income will be generated, and why this wasn’t included in the original budget adopted by Council;*
- 6. Estimates of the total additional income to be generated through property-related activities in the current financial year, an explanation of how this income will be generated, and why this wasn’t included in the original budget adopted by Council.*
- 7. Details of the Audit Committee’s considerations of Council’s December 2019 Quarterly Report.*
- 8. Details of prepayments received over the last 6 years, and the impacts they have had on Council’s final financial position.*
- 9. Details of carryovers over the last 6 years, and the impacts they have had on Council’s final financial position.*
- 10. Comparison of infrastructure backlog, maintenance and capital works over the last 6 years.*
- 11. Details of the 2019/2020 Works Program specifically the following:*
  - Works completed to date*
  - Works expected to be completed by 30 June 2020*
  - Works that are expected not to be completed by 30 June 2020.*
- 12. All information in the report be provided in a manner that rate payers can understand and be transparent.”*

All information requested has been prepared and is included in this report for Council’s consideration.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

## **DISCUSSION**

In accordance with Council's resolution, information is provided for the last six financial years:

- 2014/2015
- 2015/2016
- 2016/2017
- 2017/2018
- 2018/2019
- 2019/2020 (Year to date – 31 March 2020)

In moving this motion Council specifically requested that all information in this report is to be provided in a manner that ratepayers can understand and is transparent. In order to address the Council resolution staff have prepared "Background" comments and attachments in relation to a number of matters. Their purpose is to provide context and explain some related and relevant matters.

Council staff appreciate the serious nature of this question. Therefore the information provided has been researched and confirmed before including the details in this report. This process of validation has identified some shortcomings in Council's historical processes. As a consequence practices are being reviewed to ensure that these shortcomings are addressed in the future.

### **1. Purpose of Report**

The purpose of the report is to provide information regarding Council's spending generally between 1 July 2014 and 31 March 2020.

### **2. Background**

A number of the matters relate to Council processes in relation to the development, adoption and review of budgets. It is therefore important to appreciate that Council's spending is governed by a range of factors, ranging from legislation such as the Local Government Act 1993 to Council Resolutions, the specific details of which can be summarised as follows:

- Integrated Planning and Reporting – **Attached as Attachment 1** (Under separate cover)
- Fit for the Future – **Attached as Attachment 2** (Under separate cover)
- Special Rate Variation – **Attached as Attachment 5** (Under separate cover)
- Mandatory provisions of the Local Government Act 1993 – e.g. Reviewing the Organisation Structure within 12 months of the new Council being elected – **Attached as Attachment 7** (Under separate cover)
- Council Resolutions – **Attached as Attachment 8** (Under separate cover)

### **3. Annual Operational Plan**

All of these elements come together in the production of the Annual Operational Plan. The Draft Operational Plan is presented to Councillors for information. Council then formally considers the Draft Operational Plan and resolves to place it on Public Exhibition and seek community feedback.

In the case of the current 2019/2020 Operational Plan, it was placed on Public Exhibition for a period of 28 days between Friday, 19 April 2019 and Friday, 17 May 2019 inclusive via: hard copy at Council's Administration Building, soft copy and consultation program on Council's website and Your Hawkesbury Your Say page. It was also advertised in the Hawkesbury Courier on Thursday, 26 April and on Thursday, 2 and 9 May 2019, and on Council's Facebook page.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

The manner in which Council has presented information in relation to the details contained in the Annual Operation Plan has varied over time. Between 2014 and 2020, some common features in the various plans include sections relating to:

- Major Infrastructure Works - Highlights or Snapshots
- The annual list of actions taken from the 4 year Delivery Program
- The explanation of links between the Community Strategic Plan and the Operational Plan and the Resources allocated.
- Financial Details – Estimates of Income and Expenditure

In this regard, the current 2019 / 2020 Operational Plan is no different – refer [https://www.hawkesbury.nsw.gov.au/\\_data/assets/pdf\\_file/0007/131974/2019-2020-Operational-Plan.pdf](https://www.hawkesbury.nsw.gov.au/_data/assets/pdf_file/0007/131974/2019-2020-Operational-Plan.pdf)

Pages 8 – 9: Contain a Snapshot of the Major Works and Highlights

Page 10: Contains some graphics to indicate:

- Where Council sources its funds from
- How Council expends its budget across a range of activities

Pages 12- 45: Contain the list of actions taken from the 4 Year Delivery Plan and programmed for completion during the course of 2019/2020

Pages 47 – 53: Contain a list of the various functions that Council performs across the course of the year, links the function to the Community Strategic Plan and the Operational Plan and confirms the resources that have allocated towards the delivery of that function

Pages 55 – 60: Contain a list of Strategic Initiatives that Council is proposing to undertake over the course of the year, links the Strategic Initiative to the Community Strategic Plan and the Operational Plan and confirms the resources that have allocated towards the delivery of that Strategic Initiative.

At the conclusion of the exhibition period the Draft Plan is considered at a further Council Meeting, including the details of any public submissions, at which time Council resolves to adopt the Operational Plan for the following financial year.

In the case of the 2019/2020 Operational Plan, 19 submissions were received during the exhibition period and the final Operational Plan was adopted on 12 June 2019.

#### **4. Questions contained within the Council Resolution.**

##### **4.1 Details of all transfers to and from Council's Contingency Reserve**

###### **Background**

Council has two categories of Reserves, Restricted and Internally Restricted.

Restricted Reserves are Reserves that are required to be established by external legislation, for example, Developer Contribution Reserves.

Internally Restricted Reserves are Reserves that are not required to be established by external Legislation. They are established and used by Council to facilitate its ongoing day to day operations.

The Contingency Reserve is one of 14 Internally Restricted Reserves used by Council.

The Contingency Reserve was established on 29 August 2006 as a part of the June Quarterly Review. Council resolved in part that:

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

2. *A contingency Reserve be established with any available surplus being transferred to this reserve to fund any future unforeseen budget adjustments or emergency expenditure.*

An amount of \$231,000 was transferred to this new reserve.

Council initially established a Contingency Reserve for the purpose of building up a funding source that could be accessed should a shortfall occur due to unfavourable or unforeseen circumstances. Over the years Council was able to build the balance of the Reserve by setting funds aside through favourable Budget variations.

In accordance with this intent, the Reserve has been used to fund unexpected necessary expenditure. In recent years the Reserve has also been used to fund resources engaged in activities that support the implementation of Council's Fit for the Future strategies – Review of Service Delivery Models and Review of Plant and Fleet Management. These are activities that generate savings or additional income for the organisation.

Whenever possible, either as part of a budget process or end of year close off, funds have been transferred to the Contingency Reserve to ensure it is maintained at a level enough to provide a buffer for unforeseen circumstances.

**Answer**

As at 1 July 2014, the Contingency Reserve had a balance of \$345,637. A balance of \$384,590 is projected as at 30 June 2020. Table 1 (below) shows details of all movements in and out of the Contingency Reserve.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**Table 1 - Movements in and out of the Contingency Reserve since 1 July 2014**

Year	Description	Amount
<b>Opening Balance 1 July 2014</b>		<b>345,637</b>
2014/2015	Regulatory Services Relocation - Dight Street Offices	-6,113
2014/2015	Hawkesbury Oasis Leisure Centre Equipment - urgent replacement of pool filter	-11,800
2014/2015	Redirection of 2014/2015 Budget Surplus to Contingency Reserve as part of End of Year Process	467,958
2015/2016	Funding of 2015/2016 Original Budget Deficit	-183,448
2015/2016	Communication material in relation to proposed merger with The Hills Council - Council Resolution 28 January 2016	-12,000
2017/2018	Transfer of unallocated Carryover Reserve funds to Contingency Reserve	120,978
2018/2019	Funding of Executive Manager - Operations to provide efficiency savings from Depot Operations	-133,715
2018/2019	Funding of Business Improvement Specialist to lead Business Improvement Initiatives	-115,437
2018/2019	Funding of IT Analyst position to provide assistance with Business Improvement Initiatives	-86,979
2018/2019	Replenishment of Reserve	93,037
2018/2019	Funding of December 2018 Quarterly Review Deficit	-236,283
2018/2019	Replenishment of Reserve from March 2019 Quarterly Review Surplus	59,335
2018/2019	Redirection of 2018/2019 Budget Surplus to Contingency Reserve as part of End of Year Process	120,000
2019/2020	Implementation of Fit for the Future Strategies - Depot Operations	-159,318
2019/2020	Implementation of Fit for the Future Strategies - Business Improvement	-117,076
2019/2020	Implementation of Fit for the Future Strategies - Information Services	-91,292
2019/2020	Implementation of Fit for the Future Strategies - Human Resources	-127,725
2019/2020	Replenishment of Reserve	614,595
2019/2020	Funding of December 2019 Quarterly Budget Review Deficit	-60,780
2019/2020	Clean-up on flood damaged properties - Council Resolution	-25,000
2019/2020	Proposed funding of March 2020 Quarterly Budget Review Deficit	-69,984
<b>Net movement in Reserve for the last 6 years as at 31 March 2020</b>		<b>38,953</b>
<b>Projected Opening Balance ast at 1 July 2020</b>		<b>384,590</b>
2020/2021	Saving/income resulting from implemention of Fit for the Future Strategies - Depot Operations	97,678
2020/2021	Saving/income resulting from implemention of Fit for the Future Strategies - Business Improvements	77,504
2020/2021	Saving/income resulting from implemention of Fit for the Future Strategies - Information Services	59,424
2020/2021	Implementation of Fit for the Future Strategies - Human Resources	-120,003
<b>Net movement in Reserve Draft 2020/2021 Budget</b>		<b>114,603</b>
<b>Projected Balance as at 30 June 2021</b>		<b>499,193</b>

#### 4.2 The number of Full Time Equivalent staff and the vacancies and cost of those employees

The following table contains a summary of Staff Positions (Filled and Vacant) for each year, together with the corresponding Full Time Equivalent (FTE) staff numbers for each year, plus the Total Cost of those staff for each year in terms of salary, wages and superannuation.

Year	Total Positions (Filled and Vacant)	FTE	\$ Cost
2014/15	319	301.1	\$21,237,000
2015/16	318	301.11	\$21,625,000
2016/17	317	302.11	\$21,951,000
2017/18	317	302.71	\$22,282,000
2018/19	325	309.81	\$23,620,000
2019/20	336	320.66	\$25,733,000

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**Attached as Attachment 10** (Under separate cover) is additional information in relation to this question. Included in Attachment 10 are:

- A year by year breakdown of staff movements over the course of each financial year
- Comments outlining relevant factors in relation to staff movements.
- Details of the Fit for the Future reviews completed.

In summary, the key points from the information provided include:

- Between 2014/15 and 2019/20 the Full Time Equivalent (FTE) staff numbers have increased from 301.1 to 320.66 – an increase of 19.56 FTE
- The reasons for the changes in numbers can be summarised as follows:
  - Seven positions (7 FTE) were created to carry out works and activities pursuant to the Special Rate Variation, comprising:
    - 3 Parks staff to carry out additional parks maintenance works
    - 2 Project Managers in construction to carry out the increase in works funded by the Special Rate Variation
    - 1 Project Manager in parks to carry out the increase in works funded by the Special Rate Variation
    - 1 Events staff member to facilitate the increase number and scope of events being held across the Local Government Area, by Council and the Community
  - Four Business Improvement positions (4 FTE) to Pursue Fit for the Future Service Delivery Review Objectives. These positions will cover their costs in time through reduced costs or increased revenue
  - Three positions (3 FTE) funded from the additional income they generate. It is noted that there is some overlap between one of these position and the Business Improvement positions
  - Two Positions (2 FTE) created either partly (Commonwealth Chain of Responsibility) or wholly (EPA Notice) to address external factors imposed by other bodies. Again, it is noted that there is some overlap between one of these position and the Business Improvement positions
  - Two additional roles (2 FTE) in Risk and Governance
  - A new Manager City Design and Economic Development (1 FTE)
  - A new Environmental Planning role (1 FTE) in Strategic Planning
  - One additional role (1 FTE) in Development Services
  - Two positions (0.8 FTE) to address the demands of supporting Council's Committees
  - One position (0.4 FTE) to address a long standing industrial relations matter.
- Over the same period of time ten Fit for the Future Service Delivery Reviews have been completed across the organisation.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**4.3 The total cost of all external consultants, itemised by matter and cost**

**Background**

Council engages external consultants for a range of reasons, for example:

- To perform specialist duties or undertake specialist works that are not within the day to day skills and abilities of Council staff. For example specialist advice in relation to the Power Purchase Agreement or the development of the long term Waste Strategy
- To carry out strategic studies to support related activities required by Government Legislation, for example the Demographic and Housing Study required to prepare the Local Strategic Planning Statement
- To provide advice in response to State Government initiatives and projects, for example flood advice in relation to the State Government Hawkesbury Floodplain Study – Resilient Valley Resilient Community
- To provide independent advice and support for the organisation in relation to industrial and safety matters
- To gather data and provide strategic advice to allow Council to secure future financial benefits, for example the Bio-Diversity Study that will underpin Councils potential to secure future income through the sale of Biobanking Credits
- To carry out additional work beyond the scope of Council's existing resources, for example \$15million Livability Grant

**Answer**

The engagement of external consultants and the resulting costs fluctuates from year to year depending on the number and type of projects undertaken in the year, the availability of the required expertise internally, and grant funds received.

Table 2 summarises the cost incurred in relation to external consultants for the financial years 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019 and, for 2019/2020, costs as at 31 March 2020.

**Table 2 – Summary of Total Costs – External Consultants**

Financial Year	Total Cost
2014/2015	\$744,929
2015/2016	\$636,757
2016/2017	\$807,220
2017/2018	\$745,811
2018/2019	\$1,189,790
2019/2020 (as at 31 March 2020)	\$772,372

Full details are included in **Attachment 11** to this report.

**4.4 Details of Prepayments received and the impacts they have had on Council's final financial position.**

**Background**

When Council develops its annual budget for a particular financial year, one of the principles that underpins its development is a reliance incorporating only those items of income and expenditure that can be reasonably expected to eventuate in that financial year. The budget cannot be based on "hunches" and guesswork.

As such, in relation to prepayments, because they are uncertain they cannot be reasonably factored into the budget papers for a particular financial year.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

The problem that this creates is twofold, namely:

1. When the prepayment is received, because it has not been budgeted for, it presents as additional income, which creates the impression of better financial performance, as the prepayment is for the following financial year.

As prepayments are sometimes received year after year, after the first prepayment, they tend to cancel each other out.

2. When the prepayments cease. For the financial year that this occurs in, because we had budgeted to receive a payment in that year, when we don't – because we received it a year early, it presents as less income for that financial period. This creates the impression of poor financial performance.

**Answer**

This section of the report relates primarily to the Commonwealth Financial Assistance Grants, as they are the most significant and most frequently prepaid.

When Council receives these funds, it generally happens towards the end of the financial year with little or no advanced notice. As such it is unknown whether a similar prepayment will re-occur in the following financial year.

As stated in the background, Council budgets from year to year based on a certain degree of certainty. Council cannot assume that something is going to happen just because it has happened in the past.

This is the position that Council finds itself in with some prepayments such as the Commonwealth Financial Assistance Grants. In recent years they have tended to be pre-paid a year in advance, but there is no guarantee that this will continue, especially in the current circumstances.

In accordance with the applicable Accounting Standards, funds relating to untied grants (such as the Commonwealth Financial Assistance Grants), are to be accounted for in the year they are received, regardless of the period they relate to.

Prepayments are further complicated by the lack of certainty that surrounds their release. At the time of preparing the Budget, Council does not know whether prepayments will occur. As such we are not in a position to include it in any future budgets.

In the year that the prepayment is made there will be surplus income in excess of the budget. This "surplus" income is allocated to a Reserve for future use. In the following year, income will be less than the budget, but the Reserve is available to use.

In summary, a prepayment of funds to Council has a favourable impact in the year it is received but leaves a corresponding initial unfavourable budgeted impact in the year in which it is budgeted to be received.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**Table 3 - Summary of and Impacts of Prepayments on Operating Income**

Financial Year	Amount prepaid (\$000's)	Budgeted Operating Grants (\$000's)	Actual Operating Grants (\$000's)	Notes
2014/2015	\$0	\$6,988	\$7,282	Minimal Variance due differences in other Grants
2015/2016	\$0	\$6,849	\$7,033	Minimal Variance due differences in other Grants
2016/2017	\$2,175	\$6,530	\$9,572	Total variance of \$3.1M - \$2.2M due to prepayment of Financial Assistance Grant (FAG)
2017/2018	\$2,273	\$6,422	\$7,694	Total variance of \$1.2M - variance due to differences in other Grants - first half of 2017/2018 FAG paid in 2016/2017 (\$2.2M) - second half of 2017/2018 FAG paid in 2017/2018 - first half of 2018/2019 FAG paid in 2017/2018 (\$2.3M). - In summary, one year's worth of FAG received in 2017/2018
2018/2019	\$2,254	\$6,487	\$11,093	Total Variance \$4.6M - variance due to differences in other Grants - first half of 2018/2019 FAG paid in 2017/2018 (\$2.3M) - second half of 2018/2019 FAG paid in 2018/2019 - first half of 2019/2020 FAG paid in 2018/2019 (\$2.3M) - In summary, one year's worth of FAG received in 2018/2019
2019/2020	?	\$8,246	?	Total Variance yet to be confirmed - first half of 2019/2020 FAG paid in 2018/2019 (\$2.3M) - second half of 2019/2020 FAG paid in 2019/2020 - If the first half of 2020/2021 FAG is prepaid in 2019/2020, there will be no variance arising from the FAG. - However, if there is no prepayment, there will be a shortfall in 2019/2020 of \$2.3M  Until such time as Council has confirmation or otherwise that it will be prepaid the first half of the 2020/2021 FAG the projected income from Operating Grants will show a shortfall, which in turn impacts on the projected Operating Result as an inflated Deficit amount.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**4.5 Details of Carryovers and the impacts they have had on Council's final financial position.**

**Background**

At the end of the financial year there are generally projects that:

- have commenced but are not fully completed,
- have not commenced but are committed, or
- are not committed but it is desired they are completed in the following financial year.

To enable completion of these projects, it is often necessary to carry over the associated unspent funds into the new financial year.

There are two types of carryovers – Operational carryovers and Capital carryovers.

Operational Carryovers are unspent funds associated with operational expenditure, carried over from one financial year to the next. Examples include funds for consultancy work in progress and funds associated with operational grants.

**Answer**

At the end of the financial year if Council has not spent all the money allocated to operational expenditure, that money is carried over into the next financial year (Operational Carryovers).

For example, if \$50,000 was allocated to a consultancy for a planning study, and by 30 June \$30,000 had been spent on that project, \$20,000 would be unspent and carry over to the next financial year.

This impacts Council's operating result at the end of the financial year. In the example, the unspent \$20,000 improves the operating result because \$50,000 in expenditure was budgeted to be spent but Council only spent \$30,000. Council retains the \$20,000 to complete the project - which it carries over to the next year.

However, unspent funds which carry over are added to the operating budget for that next year. In the example, when the unspent \$20,000 is added to the budget for the next year, it increases operating expenditure. This worsens the operating result for that year because an extra \$20,000 in excess of what was budgeted for, will be spent. Table 4 shows the operational carryover amounts for the last six years.

**Table 4 – Operational Carryovers**

Financial Year	Amount of Operational Carryovers	Favourable impact on <u>actual</u> Operating Result of current financial year	Unfavourable impact on <u>Budgeted</u> Operating Result in following financial year
2013/2014	\$1.6M	\$1.6M	\$1.6M
2014/2015	\$2.4M	\$2.4M	\$2.4M
2015/2016	\$2.2M	\$2.2M	\$2.2M
2016/2017	\$1.9M	\$1.9M	\$1.9M
2017/2018	\$2.2M	\$2.2M	\$2.2M
2018/2019	\$3.1M	\$3.1M	\$3.1M

As at 30 June 2019 (financial year 2018/2019), \$3.1 million in operating expenditure was carried over.

The operating surplus was therefore improved by that \$3.1 million.

The same \$3.1 million was added to the 2019/2020 operating budget, making the budgeted operating result "worse" by the same amount.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

As shown in the Table, operational carryovers average approximately \$2.2 million per year. It is likely a similar amount will be unspent as at 30 June 2020. This will bring the actual operating result as at 30 June 2020 more in line with the operating result adopted as part of the Original Budget, and as adjusted through Quarterly Reviews.

At the end of a financial year, generally there are also unspent funds relating to capital works. These are also carried forward to enable the completion of works without impacting on the new financial year's budget. Capital amounts carried forward do not impact on the operating result for the year but do impact on what funds are available at the end of the year compared to the budget.

Finally, it is extremely difficult to plan and deliver all projects within the strict 12 month budget window. Weather, sickness, economic conditions and unexpected site conditions all have the potential to impact on project timelines and projected expenditure. Most years a combination of these circumstances influence the final outcome. As this is an annual occurrence, the year on year situations tend to balance each other out.

#### **4.6 Comparison of infrastructure backlog, maintenance and capital works.**

The Annual Financial Statements, specifically Note 9(a) and the Report on Infrastructure Assets (previously known as Special Schedule 7) provide a snapshot of expenditure relating to Council's assets, including measuring of this expenditure against industry benchmarks. Asset expenditure benchmarks are a main measure of a council's financial sustainability.

Table 5 summarises asset related expenditure and associated performance against benchmark. Additional funds generated predominantly through the Special Rate Variation commencing in 2018/2019, has enabled an increase in maintenance and asset renewal, and consequently a reduction in backlog to better than the benchmark of 2%.

**Table 5 – Financial Results - Assets**

Financial Year	Infrastructure Backlog \$000's	Infrastructure Backlog Ratio Benchmark <2%	Asset Maintenance \$000's	Asset Maintenance Ratio Benchmark >100%	Asset Renewal Ratio Benchmark >100%
2014/2015	\$17,630	2.60%	\$11,042	86.26%	50.97%
2015/2016	\$15,182	2.22%	\$9,969	81.00%	69.20%
2016/2017	\$19,562	3.10%	\$12,749	95.00%	131.91%
2017/2018	\$17,159	2.27%	\$17,183	88.76%	65.45%
2018/2019	\$10,340	1.26%	\$18,011	98.77%	72.85%

Note: The actual results relating to Infrastructure Assets are calculated as part of the end of year process. Accordingly, the actual results for 2019/20 are not available at this time.

#### **4.7 A comparison of the total cost of legal advice incurred and the total cost of legal advice provided for in the original budgets adopted by Council. The report to include case-by-case commentary for any variances.**

##### **Background**

Council engages its Panel of Legal Advisers for a range of reasons, for example:

1. To provide specialist advice on detailed legal matters relating to a wide range of legislation and regulations
2. To support Council and staff in the negotiation and resolution of detailed contracts and disputes
3. To assisting Council staff in transacting day to day operational issues in respect of property, insurance, health and safety, industrial relations etc.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

4. To provide Council with confidential legally privileged legal advice in relation to sensitive matters.
5. To represent Council in proceedings in courts and tribunals.

**Answer**

In preparing the Original Budget each year Council reviews the recent trends in legal costs, any ongoing significant legal matters, and any matters that are likely to result in legal costs in the year being budgeted. Due to the unknown nature future legal costs, an annual Budget is set as a total, rather than by specific matter. Expenditure trends and the impact of specific ongoing cases likely to result in the total budgeted expenditure for the year to be exceeded are reflected in Quarterly Budget Reviews during the year.

Table 6 summarises the cost incurred in relation to legal services for the financial years 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019 and, for 2019/2020, costs as at 31 March 2020.

**Table 6 – Summary of Total Budgeted and Actual Costs – Legal Advice**

Financial Year	Original Budget	Actual Cost
2014/2015	\$300,000	\$254,735
2015/2016	\$300,000	\$366,258
2016/2017	\$297,000	\$386,639
2017/2018	\$300,000	\$302,741
2018/2019	\$250,000	\$761,349
2019/2020 (as at 31 March 2020)	\$255,000	\$367,924

Due to the confidential nature of some of this information, further details will be circulated by way of a memorandum to Councillors

Whilst a case-by-case commentary regarding variances from the original budgets cannot be provided, some major matters resulting in a significant variance to the Original Budget for the 2018/2019 and 2019/2020 are identified below:

**2018/2019**

Party/Address	Matter	Amount
Putty Road, Colo	Illegal land clearing and unauthorised development	\$113,741
Mitchell Road, Pitt Town	Storm-water Management Infrastructure	\$76,409
Council Investment Property	Pursuit of unpaid rent as a result of liquidation	\$51,728

**2019/2020 – as at 31 March 2020**

Party/Address	Matter	Amount
Council Investment Property	Pursuit of unpaid rent as a result of liquidation	\$93,530
Application for Caravan Park	Planning appeal	\$83,251
Development Application – building within flood plain	Planning appeal	\$61,388

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**4.8 Estimates of the total income to be generated through biodiversity offsets in the current and future financial years, an explanation of how this income will be generated, and why this wasn't included in the original budget adopted by Council.**

**Background**

The 1995 Threatened Species and Conservation Act 1995 introduced some significant changes to:

- The State's land clearing and conservation laws
- The way biodiversity was protected
- How development activities on land were regulated
- How the impacts of these activities on the natural environment were managed.

In the early years of the legislation State Government Agencies such as the Office of Environment and Heritage, were using guidelines and policies for guiding biodiversity assessment and conservation, for example Biodiversity Offsets Policy, Framework for Biodiversity Assessment. However, there were no references to these policies and practices in the legislation.

**Biobanking Legislation**

The amendment of the Threatened Species and Conservation Act - by the inclusion of a new Part 7A in 2006, formally introduced the NSW Biobanking scheme.

Biodiversity assessment was strengthened as the amended legislation required implementation of the Biobanking Assessment Method (BBAM).

To assist Council's decision making, advice was sought in early 2017 to ascertain the number and types of biodiversity credits that could potentially be generated from Council land. A total of 26 sites were reviewed and estimates prepared in relation to both the:

- In perpetuity management costs of managing the sites going forward
- potential credit sale price, based on the then prevailing market conditions.

The advice identified six properties – either wholly or partly owned by Council, that contained important plant communities, with the potential deliver a financial benefit to Council by way of the sale of Biobanking Credit. The estimated value of the credits was in the order of \$2,500,000.

In order to confirm the location and merits of potential Biobanking sites across the Local Government Area, A Bio-Diversity Study was commenced. That work is currently nearing completion and will be presented to Council in the near future. The results of the study will:

1. Give greater clarity to the value and merits of any future Biobanking opportunities for Council
2. Inform the completion of the Review of the Recreation and Open Space Strategy
3. Inform the development of Councils Property Strategy.

**Biodiversity Conservation Act**

The Threatened Species Conservation Act was subsequently replaced by the Biodiversity Conservation Act 2016.

The purpose of the Biodiversity Conservation Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

The Biodiversity Conservation Act allows for a range of conservation agreements to be registered on private lands. One type of conservation agreement is a Biodiversity Stewardship Agreement. These are in-perpetuity agreements and are registered on the property title. These sites generate 'biodiversity credits' which can be sold to offset the impacts of approved developments elsewhere.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

Landholders receive ongoing annual management payments and a potential profit from credit sales, once the credits are sold.

Whilst the Biodiversity Conservation Act came into operation on 25 August 2017, its commencement was postponed in certain Interim Designated Areas until 25 November 2019. A number of *peri-urban* areas – including Hawkesbury, Campbelltown, Wollondilly and Camden were identified as being an Interim Designated area.

When Council has completed its Bio-Diversity Study, it will be in a position to obtain further advice regarding the current value of biodiversity credits that could be generated from Council land.

More recently, the December 2019 Quarterly Review noted the current underlying problem of matching income and expenditure, and that the problem was being challenged by weak economic conditions and robust construction market. These challenges have been noted in a number of Quarterly Reviews. The December 2019 Quarterly Review then went on to confirm that the following “work is being undertaken to address this challenge:

- In terms of income generation – work is underway in regard to Biodiversity Off Sets and Property Management
- In terms of expenditure – work is underway in relation to energy and discretionary budgeted expenditure to identify any programs or projects that can be reduced in scope or deferred.”

**Answer**

Over time and subject to the completion of the relevant studies, there is potential for a substantial amount of additional income to be generated through the sale of Council’s Biobanking Credits. Progress in relation to the studies is reported in the mid-year and final reports on the Annual Operational Plan.

A further report will be presented to Council in the near future regarding the Bio-Diversity Study.

**4.9 Estimates of the total additional income to be generated through property-related activities in the current financial year, an explanation of how this income will be generated, and why this wasn’t included in the original budget adopted by Council.**

**Background**

Council has a substantial portfolio of property, elements of which have been the subject of previous briefings to Council. Council has a substantial property investment portfolio which currently generates in the order of \$2.2 million per annum. Council is looking to progressively improve this position over time. The purpose of the Property Strategy role is to:

- Work across the organisation to develop and implement long term strategies to optimise the economic, environmental and social value – capital and operational, of Council’s property portfolio
- Lead the Property Branch and work across the organisation to develop and implement corporate wide systems in relation to the rental acquisition, disposal, management and reporting of property related matters.

As stated previously, Council is in the process of developing its Property Strategy. Preliminary work has identified up to 11 properties that could become surplus to need and be candidates for disposal. A number of these sites are classified as “Community” land and would need to be re-classified at “Operational” land before they could be disposed of.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

Before the Property Strategy can be completed, Council must finalise some related matters that will inform the ultimate outcome, namely:

- Its Bio-diversity Study, to identify which properties Council needs to retain for their environmental value and potentially their value as an income stream via Biobanking credits
- Its Recreation and Open Space Strategy, to ensure that land required for future recreation and open space purposes is not prematurely disposed of.

Once these studies are completed Council will be in a position to complete its Property Strategy to guide and support the:

6. Future reclassification of land
7. Future disposal and/or development of Council land surplus to requirements.

The progress of these matters is being reported through the annual operational plan.

In addition to the above Council staff are also progressing initiatives in relation to a new dwelling in Grose Vale, to replace the property located at 2/8 The Driftway, Londonderry destroyed by fire in January 2019

More recently, the December 2019 Quarterly Review noted the current underlying problem of matching income and expenditure, and that the problem was being challenged by weak economic conditions and robust construction market. These challenges have been noted in a number of Quarterly Reviews. The December 2019 Quarterly Review then went on to confirm that the following “work is being undertaken to address this challenge:

- In terms of income generation – work is underway in regard to Biodiversity Off Sets and Property Management
- In terms of expenditure – work is underway in relation to energy and discretionary budgeted expenditure to identify any programs or projects that can be reduced in scope or deferred.”

**Answer**

Over time and subject to the completion of the relevant studies, there is potential for millions of dollars in additional income to be generated through the rationalisation and development/disposal of Council's surplus property assets. Progress in relation to the studies is reported in the mid year and final reports on the Annual Operational Plan.

Further information will be presented to Councillors in the near future regarding the Grose Vale project.

**5.0 Details of the Audit Committee's considerations of Council's December 2019 Quarterly Report.**

**Background**

Pursuant to Internal Audit Guidelines issued by the then Department of Local Government, Council established an Independent Audit Committee to provide independent assurance and assistance to Council on Risk Management, Control, Governance and its External Accountability Responsibilities.

Council's Independent Audit Committee currently comprises five members, including:

- Three Independent external members
- Two Councillors - with alternate Councillors in the event that the primary member cannot attend.

The Audit Committee is chaired by an external independent member. The Audit Committee meets no less than four times per annum, usually in March, June, September and December.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**Answer**

The Independent Audit Committee considered the December Quarterly Review Budget Statement at its meeting on 4 March 2020. The following information has been extracted from the Minutes relating to the Audit Committee's consideration of December Quarterly Review Budget Statement.

**“OFFICER'S RECOMMENDATION:**

*That the Audit Committee receive and note the report on the December 2019 Quarterly Budget Review Statement and the January 2020 Investment Report.*

**DISCUSSION:**

- *Discussion took place concerning the cost of workers compensation claims, and the impact manual labour and an ageing workforce on the incidence of claims.*
- *Staff explained to the Committee how the prepayment of grant funds impacted on Council's reported financial position, as Accounting Standards in place at the time of the receipt of some funds required Council to recognise the funds at that time. Staff explained that Council was unable to apply the accounting convention described as the “Matching Principle”, and this was confirmed by Council's Auditor - NSW Audit Office.*
- *Committee members emphasised the importance of making it clear that the current Accounting Standards prevents Council from applying the Matching Principle convention.*

**COMMITTEE RECOMMENDATION:**

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

That:

1. *The Audit Committee receive and note the report on the December 2019 Quarterly Budget Review Statement and the January 2020 Investment Report. In doing so the Audit Committee observed:*
  - a) *The advice received from Council's Auditors - the NSW Audit Office, that Accounting Standards in place at the time of preparing the Financial Statements for the years ended 30 June 2018 and 30 June 2019 required Council to recognise grant funds when received – not when expended, as Council had control over the funds.*
  - b) *That the application of the Accounting Standards in line with the advice outlined in point 1, currently precludes Council from adopting the “Matching Principle” convention in relation to its financial reporting.*
  - c) *That when the December 2019 Quarterly Budget Review Statement was considered in the context of Council's financial performance in recent years, the financial results for both the years ended 30 June 2018 and 30 June 2019 were more favourable, due to the pre-payment of government grants.*
  - d) *Note that the recent change in Accounting Standards will improve Council's ability to adopt the “Matching Principle” convention and in doing so, make further adjustments to Council's financial position and reporting as at the 30 June 2020. “*

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**6.0 Details of the 2019/2020 Works Program specifically the following:**

- **Works completed to date**
- **Works expected to be completed by 30 June 2020**
- **Works that are expected not to be completed by 30 June 2020.**

**Background**

In responding to this enquiry, the information provided relates to infrastructure works. Works on some projects also continue over different financial years as a matter of the nature of the project type, scale and practical timing.

**Answer**

Total number of works projects is 204. As at 30 April 2020 the anticipated status of projects is as follows:

- |  |             |       |          |
|--|-------------|-------|----------|
| • Completed:                           | 60 projects | 29.5% | \$12.61M |
| • Expected to be completed by June 30: | 96 projects | 47.0% | \$15.04M |
| • Not expected to be completed:        | 48 projects | 23.5% | \$24.98M |

The works not expected to be completed include:

- Vineyard release area works \$9.8M  
Delayed due to the delay in the finalization of the Contributions Plan
- Pitt Town Developer Contribution funded roadworks \$2.84M  
Works are designed but subject to community consultation.

At this time four projects are not expected to have had a practical commencement or financial commitment. These projects are:

- Johnson/ Hawkesbury Street Pitt Town Drainage Relocation \$27,501  
Project is on hold pending integration with other adjoining park works.
- Bull Ridge Rd –Road Rehabilitation Budget \$24,000  
Works have been delayed to the end of year to integrate with additional adjoining roadworks included in the 2020/2021 budget.
- Windsor CWA Building works \$76,160  
Works are to undertake access improvements, which may require planning approval or heritage exemption, If heritage exemption is obtained, works can commence sooner.
- Upper Colo Reserve Demountable – facilities for caretaker \$58,274  
This project has been delayed due to the need for Bushfire Code risk compliance. Project requires reassessment of both scope of works and operational management of this site following bushfire event.

**Attached as Attachment 12** (under separate cover) is detail of works projects in each category.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**ATTACHMENTS:**

**AT - 1-12**      Under one separate cover.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**CITY PLANNING**

**Item: 094**                      **CP - Draft Hawkesbury Local Housing Strategy - (95498)**

**Directorate:**                City Planning

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to advise Council of the finalisation of the Draft Hawkesbury Local Housing Strategy, and to seek Council's endorsement to place the Draft Strategy on public exhibition.

**EXECUTIVE SUMMARY:**

The objective of preparing the Draft Hawkesbury Local Housing Strategy is to set a clear plan for housing in the Hawkesbury LGA for the next 10 and 20 years.

Preparation of a Local Housing Strategy is a State Government requirement of all councils in Metropolitan Sydney in order to address the Sydney Region Plan and Western City District Plan, including housing targets, and aligning housing growth with supporting and necessary infrastructure and social services. Strategic studies such as this inform the Local Strategic Planning Statement.

The Draft Hawkesbury Local Housing Strategy is included as Attachment 1.

The Department of Planning, Industry and Environment together with the Greater Sydney Commission prepared a Local Housing Strategy Guideline and Template to support councils in developing local housing strategies. The Guideline and Template is provided as Attachment 2.

The key issues to emerge from housing research associated with the Draft Hawkesbury Local Housing Strategy include:

- Need to accommodate steady growth – 5 year target of 1,150 dwellings and growth to continue to 2036
- Limited diversity in the housing stock
- Emerging mismatch between household size and dwelling type/size
- Pockets of housing stress and a growing need for more affordable housing
- Significant constraints are a major barrier to development (flooding, bushfire risk, ANEF aircraft contours, biodiversity/vegetation, heritage considerations).

Key Recommendations of the Draft Hawkesbury Local Housing Strategy include:

- Focus new housing growth in urban release areas and encourage some smaller dwellings in these areas to increase housing diversity
- Maximise the potential of existing urban lands
- Increase the supply of smaller dwellings in both established and new areas
- Continue to expand affordable housing options and further enhance Council's existing Affordable Housing Policy
- Maintain a long term supply of residential land by investigating potential new urban areas
- Develop a program to monitor housing land supply and housing delivery
- Address homelessness through continued implementation and updates to Homelessness Action Plan.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**RECOMMENDATION:**

That Council:

1. Receive and note the Draft Hawkesbury Local Housing Strategy;
2. Endorse the Draft Hawkesbury Local Housing Strategy attached as attachment 1 to this report, be placed on public exhibition in accordance with Council's Community Engagement/ Participation Plan; and
3. Receive a post exhibition report with a summary of issues raised through submissions.

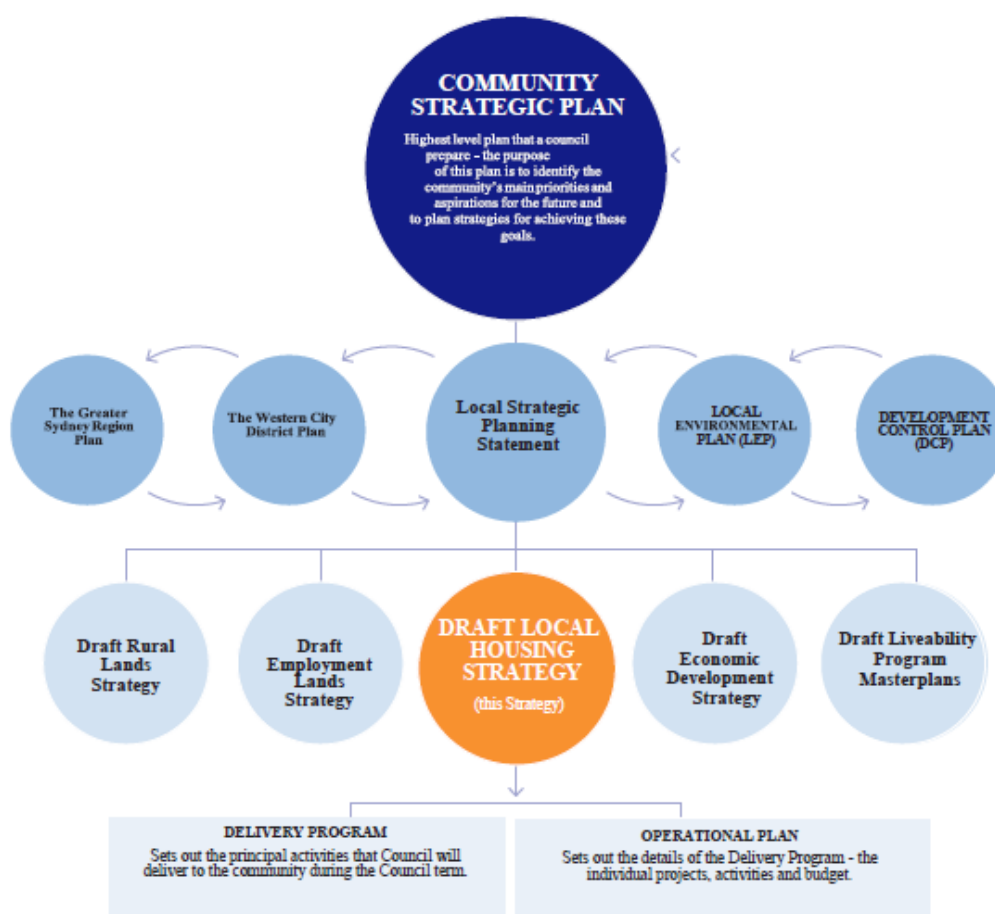
---

**BACKGROUND**

The current strategy that guides residential land use in the LGA is the Hawkesbury Residential Land Strategy which was adopted in May 2011. Now nine years old, the Hawkesbury Residential Land Strategy was prepared under a previous State Government Planning Framework. However, given the NSW State Government released the new planning framework in March 2018, preparation of a new strategy is necessary to ensure alignment of information with the Sydney Region Plan – A Metropolis of Three Cities objectives and also with the objectives of the Western City District Plan. Council commissioned Hill PDA Consulting to undertake the Hawkesbury Local Housing Strategy.

A local housing strategy establishes the council's vision for providing housing in a local government area and links that with housing objectives and targets of the NSW Government and Greater Sydney Commission strategic plans, including regional and district plans. Figure 1 indicates the relationship between state and local strategic plans and subsequent actions through Council's Delivery Program, and Operational Plan.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**



**Figure 1 – Relationship of State and Local Strategic Plans**

The Draft Hawkesbury Local Housing Strategy has been prepared following consideration of demographic factors, local housing supply and demand, and local land-use opportunities and constraints. This report recommends that Council place the Draft on public exhibition in order to seek wider community views.

The Draft Hawkesbury Local Housing Strategy has identified areas of cultural, environmental, heritage or local character significance through consideration of constraints and opportunities.

**Objectives and Aims**

The Hawkesbury Local Housing Strategy has been prepared in order to:

- Set a clear plan for housing in the LGA for the next 10 and 20 years;
- Forecast anticipated housing growth for the next 20 years in five year intervals;
- Identify the economic, environmental and social factors, relevant to the LGA to provide additional housing opportunities;
- Identify opportunities for affordable and local housing and present Council's response for housing and how the housing components of the Western City District Plan and A Metropolis of Three Cities can be delivered locally;
- Identify market trends of where people want to live in the LGA and housing types required to meet the future housing demand of the changing demographics;
- Identify the amount and housing types required to address particular needs including affordable housing, adaptable housing for seniors and people with disability, local workers housing and student housing;
- Identify infrastructure needed to support the anticipated housing demand in the LGA;

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

- Consider the urban structure of the LGA and its role in the District and Region, including any cross boundary issues and opportunities;
- Identify opportunities to integrate local level planning for housing with broader state and Regional infrastructure, employment, open space and other elements of the built and natural environment;
- Identify areas within the LGA that are able to accommodate further future developments due to its location, environmental amenity and infrastructure capacity;
- Identify areas within the LGA that are to be conserved for reasons of cultural, environmental, heritage, flooding or local character significance;
- Provide recommendations to accommodate future growth and unprecedented potential spikes in growth.

***Methodology***

The Department of Planning and Environment created a “Local Housing Strategy Guideline”, which provides a step-by-step process for producing a Local Housing Strategy. Figure 2 below illustrates the steps to producing a Local Housing Strategy contained within the guideline, while Figure 3 highlights the methodology.

**Step 1** is focused on the local context and background, and analysing the evidence base to inform the next steps in the strategic planning process.

The focus of this step is:

- The planning and policy context;
- The LGA snap shot; and
- An analysis of the evidence base.

**Step 2** will identify Council’s housing vision, the priorities for Council’s stakeholders and its community and identifying and evaluating the options for delivering new housing.

**Step 3** the template provided should be used to create the Hawkesbury Local Housing Strategy.

**Step 4** creates a monitoring and reporting process for the purposes of informing reviews of the Hawkesbury Local Housing Strategy.

The link below provides the Department of Planning and Environment’s ‘Local Housing Strategy **Guideline and Template**’.

<https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/Local-Housing-Strategy-Guideline-and-Template.ashx>

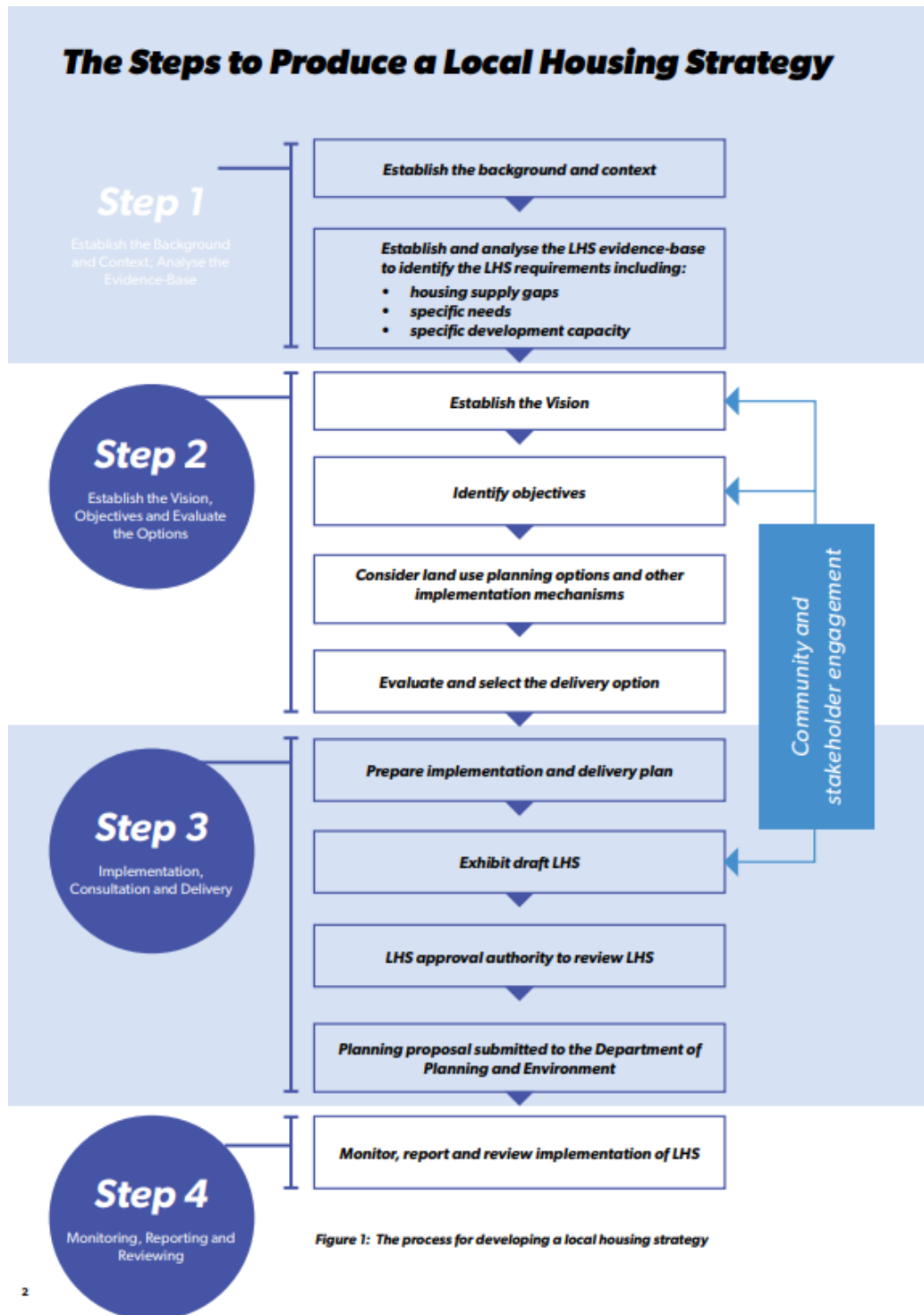


Figure 2: Steps to producing a Local Housing Strategy



**Figure 3: Consultants Approach to Project Methodology**

### **Structure of Strategy**

The Strategy has been structured as follows:

Section 1	Introduction
Section 2	Policy Context
Section 3	Analysis of housing needs
Section 4	Constraints to future housing development
Section 5	Capacity within existing land supply
Section 6	Planning considerations
Section 7	Strategic directions

### **Key Findings of the Draft Hawkesbury Local Housing Strategy**

The key findings of the Draft Hawkesbury Local Housing Strategy are:

- The population of the Hawkesbury LGA is estimated to be 67,083 (2018) living in predominantly detached, single dwellings, with only 13% of the LGA's housing being medium or high density.
- The population of the LGA has seen a gradual increase, but this has varied across the LGA with some areas declining such as Windsor Downs. In contrast, Pitt Town has registered a significant increase at a rate of 5.6 per cent per annum. The remainder of the LGA had average growth or stable populations.
- The Hawkesbury LGA's median household income is \$1,663 which is below that of Greater Sydney (\$1,745). An examination of differences in household income levels between the Hawkesbury LGA and Greater Sydney demonstrates that there are higher proportions of lower-income households (those earning less than \$650 per week), and lower proportions of higher-income households, particularly over \$3,500 per week.
- In 2016, around 10.5% of Hawkesbury LGA households were experiencing housing stress, compared with 11.8% in Greater Sydney. Whilst Hawkesbury had a lower proportion of housing stress than Greater Sydney, it is important to note that this is significantly varied across the LGA with pockets of high housing stress in South Windsor and Wilberforce.
- Discussions with local agents indicated that the market is starting to slow, with sale prices dropping over the last 18 months. Combined with the banks tightening of lending, this has started to increase housing stress in the LGA. Agents suggest a strong need for a variety of smaller and mid-range development suited to both the young professionals with young families and the over 55-year-olds who are looking to downsize near activated village areas.
- The demand for housing is likely to increase. The NSW Department of Planning Industry and Environment forecast that the annual population growth rate is expected to increase steadily from

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

0.9% (2016-2021) to 1.4% to (2031-36). In terms of total population forecasts, the LGA is forecasted to have 74,800 persons in 2026, 79,400 in 2031 and 85,050 in 2036.

- The capability of the existing urban area to accommodate additional dwellings has been assessed on a theoretical basis. This work has focused on the potential for additional housing in walking distance of centres. Lots with relatively fewer development constraints have been identified and the maximum extent of development has been estimated based on current planning controls. The maximum extent of development has been assumed to mean detached dwellings on R2 zoned land, medium density housing on R3 zoned land and residential flats on R1 zoned land (calculated to the maximum permissible height).

Estimated development capacity in existing centres

Centre	Estimated capacity
Windsor	150 additional dwellings
South Windsor	1,600 additional dwellings
Richmond	720 additional dwellings
Hobartville	1,320 additional dwellings
North Richmond	730 additional dwellings

Source: HillPDA

**Figure 4: Existing Zoned Land Development Capacities**

The Greater Sydney Commission has set housing targets for Hawkesbury LGA. The LGA currently appears to be tracking slightly below the 2016-2021 targets. However, market commentators generally predict housing market conditions to improve in 2021.

Timeframe	District Plan target	Status
0-5 years (2016-2021)	1,150 dwellings	Dwellings completed 2016- 2019: 659 dwellings* Dwellings in pipeline 2019 to 2021: 385 dwellings**
20 years	No target stated	Suggested target of around 4,000 additional dwelling 2016- 2036 based on an average completion of 200 dwellings per annum.

Source: \*DPIE housing activity database 1 July 2016- 30 June 2019; \*\*Cordell Connect projects with completion dates listed 1 July 2019- 30 June 2019

**Figure 5: Housing Target**

The estimated development capacity in centres and Greenfield release areas is considered to be adequate for the short to medium term. However, additional housing opportunities will need to be identified for growth beyond 2031.

Projected capacity arising from release areas

Release area	Total dwelling yield
Vineyard (Stage 1)	2,400 additional net dwellings
Redbank	1,400 additional net dwellings (excl. existing seniors living facility)
Jacaranda Ponds	570 dwellings

Source: HillPDA

**Figure 6: Housing Target Meeting Capacities Through Greenfield Developments**



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

***Development Opportunities and Constraints***

Initially, these investigations focussed on existing centres to maximise the benefits of good access to jobs, infrastructure and services. Small-scale opportunities for up-zonings and infill development have been identified. However, there are very limited opportunities within the centres due to the extensive constraints that apply. In particular, flooding and the limited capacity of flood evacuation routes discourage any significant increase in population in the 1:100 ARI. The severely restricts growth opportunities in the major centres of Windsor, Richmond and North Richmond. The ANEF zones of the RAAF Base Richmond also prohibits increased housing densities in key locations.

Heritage and the community's desire to balance growth with the importance of maintaining character are also important considerations. Regardless, this strategy supports small scale infill development near centres, provided that character and safety are not compromised. Selected sites for rezoning in or adjacent to existing centres have been identified for detailed investigation and, if appropriate, rezoning in the forthcoming amendment to the Hawkesbury Local Environmental Plan 2012.

Several opportunities have emerged for further investigation:

- The Stage 2 Vineyard release area – planning for this area is advancing, however, the route of the proposed Outer Sydney Orbital may impact on development potential. Monitoring of the planning for the Orbital is required to determine the potential impact on the development potential of the release area.
- Redbank Investigation Area – the original planning proposal for the Redbank release area excluded a parcel of RU4 zoned land at 322 Grose Vale Road, which was previously identified as a longer-term opportunity area in the 2011 Hawkesbury Residential Land Strategy. The site has an approximate area of 34 hectares. It is recommended that environmental investigations be undertaken to determine the suitability of this land being rezoned to allow predominantly residential development. These investigations will need to consider the appropriateness of the Metropolitan Rural Area in the context of this location and the limited development opportunities elsewhere in the LGA.
- Wilberforce urban expansion options - A potential expansion of residential land to the east of the existing urban area, subject to servicing constraints. The additional housing capacity generated through the potential rezoning of rural areas to the east of Wilberforce to residential would create sufficient additional capacity to offset the expansion of the neighbourhood centre in the south, while also ensuring there is sufficient capacity within the neighbourhood centre to effectively meet the needs of an expanded population.

**DISCUSSION**

The Draft Hawkesbury Local Housing Strategy reviews the current Hawkesbury Residential Land Strategy which was adopted in May 2011. It also provides an opportunity to bridge any gaps and aligns with the NSW Planning Frameworks, the Sydney Region Plan and Western City District Plan objectives.

The aim of the Hawkesbury Local Housing Strategy is to set a clear plan for housing in the LGA for the next 10 and 20 years. The Strategy will tie Council's vision for housing with the State Government led strategic plans. The Strategy will present Council's response for housing and how the housing components of the 'Western City District Plan' and 'A Metropolis of Three Cities' will be delivered locally.

In developing the Hawkesbury Local Housing Strategy, consideration was given to the evidence base including demographic factors, the supply and demand for housing and local land use opportunities and constraints among other factors.

The Hawkesbury Local Housing Strategy aligned the anticipated housing growth with supporting and necessary infrastructure and social services such as educational facilities, health facilities, open spaces and public transport. The Strategy identified opportunities for growth in the right places to support a

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

growing population, ageing community and a change in household structure. The Strategy provides an implementation strategy for the delivery of new housing and related infrastructure. The Hawkesbury Local Housing Strategy recognises the background, constraints and opportunities, heritage values, rural character, flood impacts and history of the Hawkesbury LGA and incorporates the community's vision and aspirations for the future development of land use in the LGA.

The Strategy integrates local level planning with broader State and Regional Plans for infrastructure, employment, open space and other elements of the built and natural environments.

The recommendations of the strategy will assist Council to guide its future residential land use planning by embedding actions in the Draft Local Strategic Planning Statement 2040.

The Hawkesbury Local Housing Strategy has identified the following strategic directions to guide the development of future housing:

- New growth should continue to be primarily focused within the state identified release areas and managed through the growth centres planning process
- Maximise the potential of existing urban areas which are well serviced by existing infrastructure (transport, health, education and other urban services)
- Increase the supply of smaller dwellings including dwellings that are suited to older persons in locations within walkable access to shops, health services and community facilities
- Continue to expand affordable housing through implementation mechanisms that encourage the provision of affordable housing
- Accommodate continued incremental growth in rural villages, whilst maintaining the local character and respecting environmental constraints
- Establish a program to annually monitor development approvals and the supply of zoned and serviced land to inform future decisions on land release and servicing.

The Draft Hawkesbury Local Housing Strategy commissioned by Council to support the Draft Hawkesbury Local Strategic Planning Statement 2040 has been finalised and is presented to Council seeking endorsement to place it on public exhibition and present a post exhibition report to Council upon completion of the exhibition period.

Essentially, the Strategy will replace the existing Hawkesbury Residential Lands Strategy 2011. It also provides an opportunity to bridge any gaps and align with the NSW Planning Frameworks, the Sydney Region Plan and Western City District Plan objectives.

The recommendations of the Strategy will assist Council to guide its future residential land use planning by embedding actions in the Draft Local Strategic Planning Statement 2040.

#### **COMMUNITY ENGAGEMENT**

Once endorsed, the Draft Hawkesbury Local Housing Strategy will be publicly exhibited in accordance with Council's Community Engagement/Participation Plan and a report presented to Council on the outcomes of public exhibition prior to Council's consideration of adopting the Hawkesbury Local Housing Strategy. Engagement and responses from the community will be encouraged via Council's engagement platforms.

#### **CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

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

##### Our Leadership

- 1.4 Reinforcing and establishing effective strategic partnerships - Build strong relationships and shared responsibilities.
- 1.5 Regulation and Compliance:

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

Our Assets

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

4.3 Places and Spaces - Provide the right places and spaces to serve our community

Our Future

5.1 Strategic Planning Governance

5.2 Management of Aboriginal and Non Aboriginal and the Built Environment - Value, protect and enhance our built environment as well as our relationship to Aboriginal and Non Aboriginal history

5.3 Shaping our Growth - Respond proactively to planning and the development of the right local infrastructure

**FINANCIAL IMPACT**

The preparation of the Hawkesbury Local Housing Strategy is an Operational Plan action and has been budgeted for accordingly.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

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

**ATTACHMENTS:**

**AT - 1** Draft Hawkesbury Local Housing Strategy (*Distributed under separate cover*).

**AT - 2** Local Housing Strategy Guideline and Template (*Distributed under separate cover*).

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**Item: 095**                      **CP - Amended Draft Hawkesbury Local Strategic Planning Statement (LSPS) 2040 and Hawkesbury Demographics Study - (95498, 124414)**

**Previous Item:**            170, Ordinary (24 September 2019)  
                                 232, Ordinary (10 December 2019)  
                                 029, Ordinary (25 February 2020)

**Directorate:**              City Planning

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to:

- Seek Council's endorsement to submit the Amended Hawkesbury Local Strategic Planning Statement 2040 for the Greater Sydney Commission's Assurance Process prior to being considered by Council for final adoption.
- Present the Hawkesbury Demographics Study.

**EXECUTIVE SUMMARY:**

The making of the Local Strategic Planning Statement is a statutory requirement in accordance with the *Environmental Planning and Assessment Act 1979*, which will be followed by the overall review of the Hawkesbury Local Environmental Plan 2012 and Hawkesbury Development Control Plan.

The Amended Draft Hawkesbury Local Strategic Planning Statement 2040 has been updated to reflect feedback and input received. It is a 20 year land use vision for Council which includes special local characteristics, shared community values and actions to manage growth and change and provides a line-of-sight between the State, District and Local Level (Community Strategic Plan 2017-2036) Planning Frameworks.

The Amended Draft Hawkesbury Local Strategic Planning Statement 2040 provides consistent strategic reasoning that can be used when:

- explaining the land use requirements to the community;
- justifying the decision of a development application;
- providing expert evidence at the Land and Environment Court; and when
- a council wants to review its strategic direction.

One of the keys to effective planning is a thorough understanding of key demographic indicators. The Hawkesbury Demographics Study has been prepared in order to provide an understanding of key demographics that will be incorporated into current and future studies. These include a range of matters including housing, employment lands, rural lands and recreation and open space in addition to being a key resource document for all departments across the organisation.

The Amended Draft Hawkesbury Local Strategic Planning Statement 2040 is consistent with the recently completed Hawkesbury Demographics Study.

The process involves submitting the Draft Hawkesbury Local Strategic Planning Statement 2040 for the Greater Sydney Commission's review and assurance process, whereby all state agencies consider whether the Draft has sufficiently reflected the Sydney Region Plan and Western City District Plan.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**RECOMMENDATION:**

That Council:

1. Adopt the Hawkesbury Demographics Study contained within Attachment 1 to this report.
2. Endorse the submission of the Amended Draft Hawkesbury Local Strategic Planning Statement 2040 contained within Attachment 2 to this report for the Greater Sydney Commission's review and assurance process prior to being considered by Council for final adoption.

---

**BACKGROUND**

*Hawkesbury Demographics Study*

The Hawkesbury Demographics Study is included as Attachment 1, and has been structured as follows:

- Key Insights and Analysis of Strengths Weaknesses and Threats
- Policy and Planning Context
- Analysis of Demographics
- Analysis of Households and Dwellings information
- Analysis of Employment Information
- Projections
- Key insights and implications for Council

The Hawkesbury Demographics Study will be an underpinning resource document for all strategic planning work including the Local Housing Strategy, Employment Lands Study, Rural Lands Study, Recreation and Open Space Plan. The Study will also be a key resource document for all departments across the organisation, in order to ensure a consistent and reliable set of indicators.

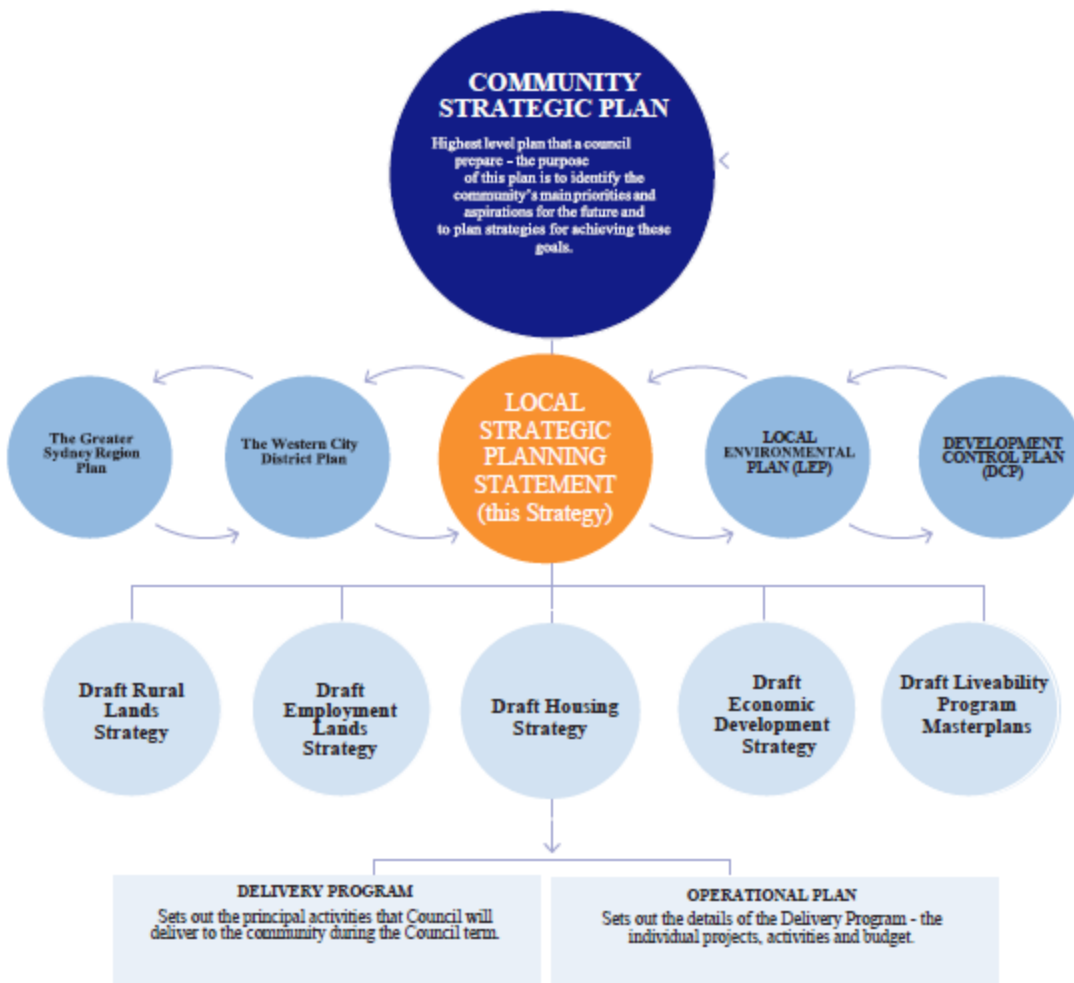
*Amended Draft Hawkesbury Local Strategic Planning Statement 2040*

The *Environmental Planning and Assessment Act 1979* is the principle planning and development assessment legislation in New South Wales. The *Environmental Planning and Assessment Act 1979* was amended in November 2017, coming into effect in March 2018, with the adoption by the NSW State Government of the Sydney Region Plan - A Metropolis of Three Cities and Five District Plans, including the Western City District Plan which the Hawkesbury LGA falls within.

The amendment of the *Environmental Planning and Assessment Act 1979* shifted the emphasis of planning from a regulatory focus to provide a logical progression from national, state and regional issues to local planning issues whereby planning is able to achieve a shared outcome that better reflects the context and nature of the local community. This leads to more connected, functional and cohesive planning at all levels. Figure 1 below illustrates the line-of-sight between the key strategic priorities identified at regional, district and finer grained planning at a local level.

The Draft Hawkesbury Local Strategic Planning Statement 2040 is a requirement under section 3.9 of the *Environmental Planning and Assessment Act 1979*. The Draft Hawkesbury Local Strategic Planning Statement 2040 sets out a 20 year vision for land use in the Hawkesbury LGA, the special characteristics which contribute to identity, shared community values to be maintained and enhanced, and how growth and change will be managed into the future. Figure 1 indicates the relationship between state and local strategic plans and subsequent actions through Council's Delivery Program, and Operational Plan.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**



**Figure 1 – Relationship of State and Local Strategic Plans**

The making of the Local Strategic Planning Statement is a statutory requirement in accordance with the *Environmental Planning and Assessment Act 1979*, which will be followed by the overall review of the Hawkesbury Local Environmental Plan 2012 and Hawkesbury Development Control Plan.

The Greater Sydney Commission and the Department of Planning, Industry and Environment have been guiding the Local Strategic Planning Statement making process since 2018 through technical working group forums and on-going meetings and collaboration.

Council has previously undertaken the initial health check/review of the Hawkesbury Local Environmental Plan 2012 against the Western City District Plan – Planning Priorities, Objectives and Actions. The Health Check Report was presented to Council in October 2018. The health check/review had identified that the Hawkesbury Local Environmental Plan 2012 is mostly consistent with the planning priorities and objectives within the Western City District Plan. The Greater Sydney Commission assessed the Hawkesbury LEP Health Check and provided assurance to proceed with the Local Strategic Planning Statement making process.

The Amended Draft Hawkesbury Local Strategic Planning Statement 2040 has been prepared with significant input from Councillors through various workshop sessions and the community, both through the Community Strategic Plan 2017-2036 engagement, in addition to the community engagement between 1 October to 13 November 2019. A post exhibition report was presented to Council in December 2019

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

providing the outcome of the public exhibition of the Draft Hawkesbury Local Strategic Planning Statement 2040. Further feedback was received at and following the 25 February 2020 Ordinary Meeting.

A preliminary health check meeting was held with the Greater Sydney Commission, the Department of Planning Industry and Environment and other Government agencies on 22 November 2019 to discuss the Draft Hawkesbury Local Strategic Planning Statement 2040. Comments were received from the Greater Sydney Commission following the meeting and amendments have been made to the Draft Hawkesbury Local Strategic Planning Statement 2040 accordingly. A further health check of the Draft Hawkesbury Local Strategic Planning Statement 2040 was held on 30 January 2020, and again on 14 February 2020, which was attended by relevant Council Officers. Further comments were provided by the Greater Sydney Commission and Government agencies to amend the Draft Hawkesbury Local Strategic Planning Statement 2040 in preparation for assurance purposes. The amended Draft Hawkesbury Local Strategic Planning Statement 2040 is provided as Attachment 1.

*Draft Hawkesbury Local Strategic Planning Statement 2040*

The Draft Hawkesbury Local Strategic Planning Statement 2040 has been prepared in accordance with section 3.9 of the *Environmental Planning and Assessment Act 1979*, which requires the statement to identify:

- the basis for strategic planning in the area, having regard to economic, social and environmental matters,
- the planning priorities for the area that are consistent with any strategic plan applying to the area and (subject to any such strategic plan) any applicable community strategic plan under section 402 of the *Local Government Act 1993*,
- the actions required for achieving those planning priorities,
- the basis on which the council is to monitor and report on the implementation of those actions.

The aim of the Local Strategic Planning Statement is to provide alignment between Regional, District Plans and Local Plans to give effect to the District Plans. The Draft Hawkesbury Local Strategic Planning Statement 2040 sets out a 20 year vision for land use in the Hawkesbury LGA, the special characteristics which contribute to identity, shared community values to be maintained and enhanced, and how growth and change will be managed into the future. The Draft Hawkesbury Local Strategic Planning Statement 2040 is a pivotal tool for managing local strategic planning in the Hawkesbury LGA based on the vision and values of the Hawkesbury Community Strategic Plan 2017-2036.

The Draft Hawkesbury Local Strategic Planning Statement 2040 contains four themes of Infrastructure, Community, Productivity and Sustainability and addresses the 10 Directions of the Sydney Region Plan – ‘A Metropolis of Three Cities’.

The Draft Hawkesbury Local Strategic Planning Statement 2040 is an evolving document which can be amended at any stage. However, a major review and update of the document is required every seven years in accordance with section 3.9 of the *Environmental Planning and Assessment Act 1979* and endorsed by the Greater Sydney Commission.

*Timeline of the Draft Local Strategic Planning Statement Making*

The preparation of the Draft Hawkesbury Local Strategic Planning Statement 2040 included a number of milestones and moving forward will require more processes before the Draft Hawkesbury Local Strategic Planning Statement 2040 is published. Table 1 illustrates a timeline of milestones achieved in order to make the Draft Hawkesbury Local Strategic Planning Statement 2040.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**Table 1: Timeline of the Draft Hawkesbury Local Strategic Planning Statement 2040**

Date	Milestone	Comments
March 2018	Release of Sydney Region Plan – A Metropolis of Three Cities Release of Five District Plans – Western City District Plan	The EP&A Act amendment came into effect with the release of the planning frameworks.
7 June 2018	Technical Working Group 1 LEP Roadmap - provide an outline of the aims and objectives of the program to update the LEP and give effect to the District Plans	Attended by Council's Strategic Planning Staff
5 July 2018	Technical Working Group 2 Local Strategic Planning Statement -to outline the aims and objectives of the LSPS -provide an opportunity for councils to work together to undertake joint gap analysis, identify opportunities for joint studies, and discuss common project plan issues.	Attended by Council's Strategic Planning Staff
20 July 2018	Rural lands Technical Working Group -provide resources, support and guidance for Councils to undertake their LEP Health Check, focusing on rural lands planning priorities and actions in the district plan. -support councils in understanding how the planning priorities and actions related to rural lands in the district plan can be delivered through the LSPS and LEP. -to participate in discussions on place-based planning for rural lands.	Attended by Council's Strategic Planning Staff
26 July 2018	Technical Working Group 3 Sustainability -provide resources, support and guidance for councils to undertake their LEP Health Check, focusing on Sustainability Planning Priorities and Actions in the District Plans. This will feed into the wider program to review and update LEPs to align with the District Plans.	Attended by Council's Strategic Planning Staff
2 August 2018	Technical Working Group 4 Housing and Liveability -provide resources, support and guidance for Councils to undertake their LEP Health Check focussing on liveability planning priorities and actions in the District Plan.	Attended by Council's Strategic Planning Staff
14 August 2018	Technical Working Group 5 Productivity -provide resources, support and guidance for Councils to undertake their LEP Health Check focussing on productivity planning priorities and actions in the District Plan.	Attended by Council's Strategic Planning Staff



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

6 September 2018	Technical Working Group 6 Infrastructure and Collaboration -provide resources, support and guidance for Councils to undertake their LEP Health Check focussing on Infrastructure and Collaboration planning priorities and actions in the District Plan.	Attended by Council's Strategic Planning Staff
2 October 2018	LEP Road Map Councillor Briefing	Conducted by Strategic Planning Staff
30 October 2018	Report to Council – LEP Health Check LEP Health Check and Report submitted to Greater Sydney Commission for their review.	Council resolved to progress with the LSPS work.
21 December 2018	Greater Sydney Commission letter received to proceed to LSPS making.	
19 March 2019	LSPS Councillor Briefing	
30 and 31 March 2019	LSPS Councillor Workshops	
9 April 2019	Greater Sydney Commission Assurance Meeting	Presented by Strategic Planning Staff
3 September 2019	LSPS Councillor Briefing	
24 September 2019	Draft LSPS Report to Council	
1 October to 13 November 2019	Draft LSPS Public Exhibition	
30 October 2019	Draft LSPS Community Information Session	Presented by Strategic Planning Staff
31 October 2019	Draft LSPS Community Stall (Riverview Windsor and Richmond Market Place Richmond)	Presented by Strategic Planning Staff
7 November 2019	Draft LSPS Community Information Session	Presented by Strategic Planning Staff
22 November 2019	Draft LSPS Preliminary Review – Assurance program with GSC and DPIE	Attended by Strategic Planning Staff
10 December 2019	Draft LSPS Post Exhibition Report to Council	
30 January 2020	Draft Final LSPS Technical Health Check	Attended by Strategic Planning Staff
25 February 2020	Consideration by Council of submission of Draft LSPS for Greater Sydney Commission assurance process – further feedback and input received during and subsequent to the Meeting	
26 May 2020	Consideration by Council of submission of Draft LSPS for Greater Sydney Commission assurance process	
June 2020	Subject to availability - LSPS Greater Sydney Commission Assurance panel	
June 2020	Letter of assurance to be provided by Greater Sydney Commission.	
June 2020	Subject to Assurance process, Council considers the Final adoption of the LSPS. Work continues to review and update the Hawkesbury LEP 2012 and Development Control Plan	

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

June 2021	Final submission of Hawkesbury LEP 2012 update to the Greater Sydney Commission and Department of Planning, Industry and Environment or at least Gateway Determination received for the planning proposal to update the Hawkesbury LEP 2012.	
-----------	--	--

### Relevant Legislation

*Environmental Planning and Assessment (EP&A) Act 1979.*

### DISCUSSION

#### *Legislative Requirements*

The amendment to the *Environmental Planning & Assessment Act 1979* came into effect in March 2018, which embedded a statutory requirement for Councils to review and amend their LEPs to implement the visions of the Sydney Region Plan. Since that time Council Strategic Planning Officers have been working to implement the LEP Road Map Project to give effect to the Sydney Region Plan and Western City District Plan in the Greater Sydney Region.

The Sydney Region Plan and District Plans inform the preparation and endorsement of the Local Strategic Planning Statement and the preparation and assessment of planning proposals.

Council has three years to complete the LEP review, which began in 2018. This involves:

- reviewing the strategic planning frameworks and LEP against the relevant District Plan objectives and actions - completed in December 2018;
- identifying the gaps that the current LEP's have against the Western City District Plan - completed in December 2018;
- undertaking new and reviewing existing planning strategies and frameworks to support the gap bridging - three planning strategies were commissioned which are almost at finalisation stage now; and
- preparing a local strategic planning statement which will guide the update of the LEP and Development Control Plan – Draft Hawkesbury Local Strategic Planning Statement 2040 reported to Council on 24 September 2019 and was exhibited from 1 October to 13 November 2019.

#### *Line of Sight*

The Hawkesbury Local Environmental Plan 2012 and Development Control Plan will be updated to align with the Draft Hawkesbury Local Strategic Planning Statement 2040. This process aligns and strengthens the line of sight in the strategic planning framework at Regional, District and Local levels.

Once the Draft Hawkesbury Local Strategic Planning Statement 2040 is finalised and adopted by Council it will become a land use planning document that will provide consistent strategic reasoning in:

- explaining the land use requirements to the community;
- justifying the decision of a development application;
- providing expert evidence at the Land and Environment Court; and
- assisting Council to review its strategic direction.

Following the LEP Health Check in October 2018 and receipt of the assurance to progress the Draft Local Strategic Planning Statement work, Council has now prepared and completed exhibition of the Draft Hawkesbury Local Strategic Planning Statement 2040.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

The Draft Hawkesbury Local Strategic Planning Statement 2040 is based on the 10 Directions and four themes identified through the Sydney Region Plan and the Western City District Plan. The four themes being:

- **Infrastructure and Collaboration** – a city supported by infrastructure
- **Liveability** – a city for people with diverse and affordable housing and great places to bring people together
- **Productivity** – a well connected city with jobs and skills for its people
- **Sustainability** – a city in its landscape and an efficient city that mitigates climate change and contributes to net zero emissions by 2050.

*Amended Draft Hawkesbury Local Strategic Planning Statement*

The Amended Draft Hawkesbury Local Strategic Planning Statement 2040 has captured the relevant characteristics and issues that affect the LGA under these four themes and demonstrates a line-of-sight which unifies planning priorities identified through State, Regional, District and Local Community Strategic frameworks.

Planning Priorities and Actions within the Draft Hawkesbury Local Strategic Planning Statement 2040 will inform a range of policies and strategies.

The Draft Hawkesbury Local Strategic Planning Statement 2040 is based on the vision and values of the Hawkesbury Community Strategic Plan 2017-2036, indicating how these visions and values give effect to the regional or district plan, based on local characteristics and opportunities.

*Process to Finalise - Assurance*

Following previous amendments made to the Draft Hawkesbury Local Strategic Planning Statement 2040, the Greater Sydney Commission's process 'Health Check' and Assurance Process has commenced.

Before Council can commence the Hawkesbury Local Environmental Plan 2012 update and embed the actions of the Draft Hawkesbury Local Strategic Planning Statement 2040 into policy and strategy documents, an assurance of the draft Local Strategic Planning Statement has to be sought from the Greater Sydney Commission, which includes an assessment of the Draft Hawkesbury Local Strategic Planning Statement 2040 against the Western City District Plan to ensure the consistency of the planning priorities and objectives.

Essentially there is a requirement for the Greater Sydney Commission and Department of Planning, Industry and Environment to approve all Draft Local Strategic Planning Statements prior to Council adopting the Final Hawkesbury Local Strategic Planning Statement 2040.

A preliminary and a formal health check meeting was held between Council's Strategic Planning officers, the Greater Sydney Commission and Government agencies during November 2019 to January 2020 to assess the Draft Hawkesbury Local Strategic Planning Statement 2040 against the Western City District Plan. There have now been three sessions with the Greater Sydney Commission on 22 November 2019, 30 January 2020, and most recently on 14 February 2020 that have provided feedback on the Draft Hawkesbury Local Strategic Planning Statement 2040.

Particular issues raised through these meetings have included:

- Positive feedback on many aspects of the Draft Hawkesbury Local Strategic Planning Statement 2040 (particularly, major infrastructure, opportunities for collaboration, acknowledgement and recognition of aboriginal communities, heritage and character, agriculture, tourism and visitor economy, scenic and cultural landscapes, flooding in the Hawkesbury Nepean Valley, approach to urban heat island effect and sustainability)

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

- Need for more emphasis on priorities and actions of the Western City District Plan, particularly Infrastructure and Sustainability (Metropolitan Rural Area)
- Metropolitan Rural Area (policy context of no new rural residential development)
- Metropolitan Rural Area (place based approach, not broad brush planning)
- Metropolitan Rural Area (background growth only in towns and villages)
- Identify local growth of industrial land
- Where possible reflect work undertaken in background studies (Local Housing, Rural Lands, Employment Lands) in the Local Strategic Planning Statement
- Spatial representation (Structure Plans) with assistance being provided by the Department of Planning, Industry & Environment
- Spatial representation (Productivity, Liveability and Sustainability) with assistance being provided by the Department of Planning, Industry & Environment

*Next Steps*

The Amended Draft Hawkesbury Local Strategic Planning Statement 2040 is presented to Council at this meeting to seek Council's endorsement to submit the Draft to the Greater Sydney Commission for Assurance purposes.

Subject to Council's consideration of the matter, the Greater Sydney Commission and Department of Planning, Industry and Environment will assess the Draft Hawkesbury Local Strategic Planning Statement 2040 in June and advise Council of whether or not the Draft has sufficiently addressed the Sydney Region Plan and Western City District Plan.

Council will be advised of the outcome of the Assurance process before considering the final adoption of the Draft Hawkesbury Local Strategic Planning Statement.

**COMMUNITY ENGAGEMENT**

The Draft Hawkesbury Local Strategic Planning Statement 2040 was publicly exhibited from Tuesday, 1 October to Wednesday, 13 November 2019 for a period of 42 days in accordance with Council's Draft Community Participation Plan 2019.

The public exhibition was advertised in the newspaper publication, hard copies of the exhibition were placed at Council's Administration Centre, letters including the exhibition materials were sent out to relevant stakeholders and agencies, and the exhibition was also placed on Council's Website and on 'Your Hawkesbury Your Say' online engagement.

Council's Strategic Planning Officers have also engaged the community through information sessions and pop-up stalls in the shopping centres. These sessions were held to spread awareness and highlight the importance and contents of the Draft Hawkesbury Local Strategic Planning Statement 2040 to the local community.

To assist dissemination of Draft Hawkesbury Information, the following items were given and displayed during the sessions and pop-up stalls:

- Draft Hawkesbury Local Strategic Planning Statement 2040 banner;
- Draft Hawkesbury Local Strategic Planning Statement 2040 post cards;
- Draft Hawkesbury Local Strategic Planning Statement 2040 fact sheets; and
- Draft Hawkesbury Local Strategic Planning Statement 2040 hard copies for viewing.

During the public exhibition period, Council received a number of enquiries regarding the Draft Hawkesbury Local Strategic Planning Statement 2040 through phone and at the counter. All enquirers were encouraged to put in a written submission.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

*Submissions*

A total of 42 submissions were received. The submissions were generally supportive of the Draft Hawkesbury Local Strategic Planning Statement 2040. All submitters were acknowledged for their submissions through an acknowledgement letter. The general issues raised in submissions included:

- Issues of housing affordability, social and affordable housing in the Hawkesbury;
- Recognition and quantification of local housing needs;
- Need for a Region-wide Affordable Housing Strategy;
- Need for a diversity of housing including student housing and seniors housing;
- Council to promote water sensitive urban design principles in all development and asset management works;
- Inclusion of cultural objectives – arts and culture, festivals, live music and public art and address any deficit;
- Stronger and collaborated relationship with the local Aboriginal community;
- Increase Cultural diversity within the Hawkesbury;
- Include public arts in public domain plans and cash in on joint-use and tourism opportunities;
- Importance of partnership between Council and Hawkesbury Harvest;
- Importance of the role of agriculture to accentuate the rural identity of Hawkesbury;
- Metropolitan Rural Area – Hawkesbury is Sydney's rural recreational space;
- Challenges of managing rural residential land and its effects on the current and future agricultural industries/activities;
- Smart cities- enhance and secure a living and productive landscape;
- Encourage out of season activities such as temporary events, pop-up dining etc.;
- Management of environment to reduce bushfire hazards;
- Lack of varied accommodation in the Hawkesbury to attract tourists;
- Hawkesbury lacks tourist attractions to entice visitors to stay overnight;
- Hawkesbury lacks a tourism market and message;
- Leverage the opportunities of the Western Sydney Airport;
- Role of Bilpin located near Wollemi World Heritage National Park and Blue Mountains, has demand for tourism – demand for eco-style accommodation in the area;
- New tourist focussed businesses are investing in Bilpin along the Bells Line of Road;
- Strengthen transport and education infrastructure to increase levels of access;
- Utilise planning as an integral role in determining the health and wellbeing outcomes of people;
- Consider Aboriginal lands for appropriate development to promote business and economic opportunities;
- Provision of tree canopies along pathways to provide shade and protection from UV light to help prevent skin cancer;
- Partnership with RAAF, Western Sydney University and Equine industry to create the agglomerated Clarendon Precinct;
- Community sport, active recreation, and social infrastructure are essential to building well connected and healthy communities. Importance of retail expansion and new generation mixed use developments;
- Cluster of residential developments where possible to allow for a critical mass of population to enable viable retail developments;
- Manage and reduce urban hazards by managing exposure to air, and noise pollution through using complementary planning approaches; and
- Management of contaminated land and waste and resource recovery outcomes.

Where possible, the Draft Hawkesbury Local Strategic Planning Statement 2040 has been amended to reflect the points raised in submissions.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

Additionally, further amendments have also been made to reflect Councillor feedback on the Draft Hawkesbury Local Strategic Planning Statement 2040 as part of briefings, workshops and at ordinary Meetings. In addition to the points raised above, this has included providing a greater focus and emphasis on:

- Sporting facilities
- Tourism opportunities and gateways
- World Heritage and Grose River
- Hawkesbury River
- South Creek
- Connectivity – transport, smart tech and telecommunications
- Fertile Floodplains
- Natural Disasters including flooding and bushfire
- Consideration of environmental sustainability and climate change including alignment with State strategic plans (Greater Sydney Region Plan and Western City District Plan)
- Spatial representation with maps
- Reflect announcement that Hurlstone School now not coming
- Protection of character and local needs
- Highlight what is important to retain

**CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

Given the Local Strategic Planning Statement is a document that covers many aspects, the report is consistent with all Focus Areas, Directions and Strategies within the CSP. As such all of the CSP Directions and Strategies have not been listed.

**FINANCIAL IMPACT**

Six councils within the Western City District have been provided funding of \$2.5 M and another five councils will be provided funding to assist with their LEP review and update.

Council has not received any funding from the Greater Sydney Commission or any other government agency to undertake the Local Strategic Planning Statement works. The entire work in preparing the Draft Hawkesbury Local Strategic Planning Statement 2040 has been undertaken by Council Officers through available resources.

The supporting strategic studies are funded through Council's funds and no funding subsidy was made or offered by any NSW Government agency.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

Does not align specifically with a Fit for The Future Strategy. The Amended Draft Hawkesbury local Strategic Planning Statement includes a number of actions that will need to be considered in the development of the new Delivery Program.

**ATTACHMENTS:**

**AT - 1** Hawkesbury Demographics Study (*Distributed under separate cover*).

**AT - 2** Draft Hawkesbury Local Strategic Planning Statement 2040 (*Distributed under separate cover*).

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**Item: 096**                      **CP - NSW State Government - Improving the Review of Local Infrastructure Contributions Plans - (95498)**

**Directorate:**                City Planning

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to:

- Advise Council that the Department of Planning, Industry and Environment is currently exhibiting draft plans and policies relating to proposed reforms aimed at improving the infrastructure contributions system in NSW
- Seek Council's consideration and endorsement of a draft Hawkesbury City Council submission to be lodged with the Department of Planning, Industry and Environment (Attachment 1).

**EXECUTIVE SUMMARY:**

The Department of Planning, Industry and Environment has placed plans and policies relating to infrastructure contributions on exhibition until 12 June 2020. Development contributions are payments made by a developer to a consent authority to contribute to shared local infrastructure, facilities or services and certain types of State infrastructure. Development contributions may be in the form of money, land dedication, buildings, or works in kind. The proposed plans and policies include:

1. Improving the review of local infrastructure contributions plan;
2. Criteria to request a higher S7.12 percentage;
3. Environmental Planning and Assessment Regulation 2000 proposed amendments;
4. Planning agreements practice note; and
5. Special Infrastructure Contributions Guidelines.

The application and implication of each of the infrastructure contribution related documents is detailed and discussed in the report.

It is recommended that following consideration of the plans and policies that Council make a submission in order to highlight matters that should be considered further by the NSW State Government, but also to indicate support where applicable.

Overall, the reforms are welcomed and supported, but in summary, the draft submission prepared for Council's consideration and endorsement:

- Supports the removal of grandfathered plans from the review process
- Suggests that the Department prepare an infrastructure items list on a district level
- Supports amendments to the Environmental Planning and Assessment Regulations 2000
- Supports the planning agreement Practice Note and template planning agreement
- Outlines Council's experiences and issues associated with the review of the Vineyard Contributions Plan
- Supports the Special Infrastructure Contributions Guidelines and welcomes the opportunity to seek funding for infrastructure.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**RECOMMENDATION:**

That Council:

1. Receive and note the information regarding the NSW State Government's Review of Local Infrastructure Contributions Plans.
2. Endorse the draft submission on the Department of Planning, Industry and Environment review of infrastructure contributions draft plans and policies attached as Attachment 1 to this report.

---

**BACKGROUND**

It is acknowledged that the Infrastructure Contribution Plans, Planning Agreements and Special Infrastructure Contributions have been instrumental in facilitating the provision of infrastructure that results as a consequence of development. It is a tool for delivering innovative or complex infrastructure and public benefit outcomes in connection with planning proposals and development applications. The Special Infrastructure Contributions play a role in assisting to achieve the objectives for a place, facilitate development and protect public safety and amenity such as but not limited to road upgrades, schools or education facilities, health infrastructure and emergency services facilities.

There is a complex history that lies behind the development contributions system in NSW. It is a history characterised by numerous legislative reviews and subsequent reforms. Prior to the 1950's, land subdivision was relatively inexpensive and NSW like other states in Australia was extensively subdivided. Developers did not pay for infrastructure, nor for the services required for its development. Instead such costs were met from the public funds, local or State.

The fast pace of subdivision in the 1940's and 1950's and the growing need for public services meant that public authorities were unable to adequately meet demand. The call arose for developers to contribute to the provision of infrastructure as a condition of subdivision approval.

In 1980, the NSW Government decided that there should be a policy to ensure that developers contribute to the funding of local infrastructure that would result from the demand as a consequence of the development that occurs. The Section 94 (now Section 7.11) was legislated in the *Environmental Planning & Assessment Act*. However, the contributions collection under this Act was only fully utilised since 1989. Since then, a number of reforms have taken place to improve the contribution collection to ensure efficiency and certainty in the infrastructure delivery process.

Development contributions are payments made by a developer to a consent authority to contribute to shared local infrastructure, facilities or services and certain types of State infrastructure. Development contributions may be in the form of money, land dedication, buildings, or works in kind.

Generally, development contributions are collected by authorities:

- To augment the funding of municipal infrastructure by taxing those who benefit directly from infrastructure improvement;
- Because it is economically efficient for developer charges to be levied on those responsible for the development so that infrastructure costs are included in development decision-making; and
- Because it is equitable to charge those individuals who benefit from public investment in infrastructure.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

Currently there are five main types of developer contributions in NSW:

1. **Section 7.11 (previously S94) Contributions** – often referred to as a local infrastructure contribution and are paid to the local council (stated as a condition of consent on DA approvals);
2. **Section 7.12 (previously S94A) Contributions** – a levy paid to the local council which is a percentage of the proposed cost of carrying out the development (mostly 0.5% for development valued between \$100,001 and \$200,000 and 1% for development over \$200,000);
3. **Planning Agreements** – negotiated between the developer and the planning authority outlining the agreed developer contribution. These are used as an alternative or adjunct to S7.11 contributions and S7.12 levies.
4. **Provision of affordable housing** – levy collected by the council in designated areas for development that reduces the availability of or creates a need for affordable housing.
5. **Special Infrastructure Contribution** – paid by developers to help fund key elements of State and Regional infrastructure in growing areas of Greater Sydney and Regional NSW. This fund is collected under *Division 7.1, Subdivision 4 of the EP&A Act*.

The exhibition can be viewed on the NSW Planning Portal and closes on 12 June 2020. Council has until 12 June 2020 to make a submission on these plans and policies. The link below provides access to the NSW Planning Portal where the exhibition material can be viewed.

<https://www.planningportal.nsw.gov.au/draftplans/on-exhibition>

The Western Sydney Planning Partnership – Local Developer Contributions Project Working Group is also preparing a joint submission of which Hawkesbury City Council is a part.

#### **Relevant Legislation**

*Environmental Planning and Assessment Act (EP&A Act) 1979 and Environmental Planning and Assessment Regulation 2000.*

#### **DISCUSSION**

This section discusses the proposed reforms and the implications for the Hawkesbury. It should be noted that generally, the reforms are supported and welcomed.

##### **1. Improving the review of local infrastructure contributions plan:**

The review process is triggered when a local S7.11 development contributions plan exceeds the thresholds set out in the *EP & A Act* which is currently \$20,000 per lot/dwelling and \$30,000 per lot/ dwelling in identified urban release / Greenfield areas. Its purpose is to ensure that contributions plans above the thresholds reflect reasonable costs of providing necessary local infrastructure to support development.

The current thresholds have not been changed since their introduction in 2008 and 2010. This means that their value has continuously fallen in real terms over the past 10 years, while capital and land infrastructure have continued to increase. The risk is that as costs continue to increase due to inflation and other factors, the value threshold will mean most S7.11 local infrastructure contribution plans will be required to go through a review process.

The proposed reforms or system improvements include:

- Increasing the value thresholds that trigger the review process (refer to options in section 2.2);
- Implementing an annual indexation mechanism for the thresholds that trigger the review process, based on the CPI;
- Review of the IPART terms of reference;
- Removal of existing exemptions to the review process, known as grandfathered contributions plans; and

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

- Removal of existing requirement for councils to re-exhibit an IPART reviewed contributions plan following the receipt of advice from the Minister's nominee. See also detailed paper on proposed amendments to the EP&A Regulation.

It is important to note that the thresholds for review are no longer maximum caps on s7.11 local infrastructure contributions. Instead they are a trigger for when a s7.11 contributions plan is to go through the review process. Once councils have an IPART reviewed contributions plan, levies above the threshold can be charged.

While the thresholds were originally introduced as maximum amounts for contributions (or caps), above which councils were not able to levy s7.11 contributions, their role as maximum caps was removed in 2017 for most areas as part of the NSW Government Housing Affordability Strategy. The caps have remained in place in some areas eligible to apply for Local Infrastructure Growth Scheme (LIGS) funding.

**Three threshold options proposed:**

- 1) Index the existing \$20,000 and \$30,000 per lot/dwelling thresholds by the ABS Consumer Price Index - All Groups Sydney (CPI) from June 2010 to the latest available quarter.
- 2) Increase the thresholds to \$35,000 per lot/dwelling and \$45,000 per lot/dwelling in Greenfield (urban release areas).
- 3) Implement one single threshold of \$45,000 for all IPART reviewed contributions plans

Councils are able to levy contributions that are higher than the specified thresholds, but only once their plan is an IPART reviewed contributions plan. All s7.11 contributions plans, regardless of the review process, are required to demonstrate nexus between development and the infrastructure to be funded through the s7.11 contributions plans.

**Option 1:**

This option involves indexing the existing \$20,000 and \$30,000 per lot/dwelling thresholds by the ABS Consumer Price Index - All Groups Sydney (CPI) from June 2010 to the latest available quarter. The CPI is a well-understood, accessible and widely used index and it is updated quarterly.

Many local contributions plans already use the CPI as an indexing mechanism for local contributions, making the proposed changes consistent with existing approaches to the indexation of local contributions plans. However, this index does not fully reflect the actual increase in infrastructure delivery and land costs as it is based on increase in prices of general household expenditure.

**Option 2:**

This option involves increasing the thresholds to \$35,000 per lot/dwelling and \$45,000 per lot/dwelling in Greenfield (urban release areas). This is more in line with increasing infrastructure delivery costs and land costs associated with building local infrastructure since 2010. This option is also consistent with the levels of development contributions in transitional areas as prescribed in the EP&A (Local Infrastructure Contributions) Amendment Direction 2017 applicable on 30 June 2020. This will provide certainty and continuity for the development industry in these transitional areas.

**Option 3:**

A third option is to simplify the system by applying a single threshold where all s7.11 contribution plans would be subject to an IPART review. This would remove the existing split between Greenfield (urban release areas) and all other areas with the additional benefit of removing the administrative requirements associated with including areas in the list of urban release areas in Schedule 2 of the Ministerial Direction.

It is suggested that a single threshold of \$45,000 per lot or dwelling could be applied and any council that proposed to levy above this amount would first need to have their plan reviewed by IPART.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

This option would remove Schedule 2 of the Ministerial Direction, and the Ministerial Direction would be updated to clarify that one single threshold applies across NSW.

**Indexation of thresholds:**

The *EP&A Regulation* already allows councils to make annual or quarterly amendments to existing s7.11 contributions plans to reflect variations to index figures adopted by the plan. The *EP&A Regulation* includes the CPI as a common index for this purpose.

Since the CPI is a well-understood and widely used index, the Department proposes to implement an annual adjustment of the thresholds, using the CPI published figures for the March quarter. A similar methodology is already used to reflect annual variations to Special Infrastructure Contributions (SICs). A common methodology provides consistency within the system and simplicity to ensure the adjustment is well-understood.

**What if the local contribution plan is below the threshold?**

All s7.11 local development contributions plans need to reflect reasonable costs of providing necessary local infrastructure to support development. They are based on demand for infrastructure created by the development (called nexus) and the share of the total demand that the developer must pay (called apportionment).

In preparing a contributions plan, all councils (whether or not they are required to go through the review process) must publicly exhibit a contributions plan for a minimum period of 28 days and must consider any submissions received.

The increase in the thresholds will mean that contributions plans below the threshold will not be required to go through the review process and will not be limited to the essential works list. They will however still need to reflect reasonable costs of providing necessary local infrastructure to support development, be exhibited and be in line with statutory requirements and practice notes.

**Review of IPART terms of reference:**

The IPART terms of reference was established at the same time as the maximum caps on infrastructure contribution rates and subsequently updated in 2018. With the replacement of maximum caps for thresholds triggering the review process, the context and purpose of the review process has changed.

The existing terms of reference are broadly worded and therefore unclear on the scope of certain aspects of the review. The open-ended wording on some of the review requirements has resulted in IPART being required to:

- Consult widely throughout each iteration of the review rather than being able to tailor the consultation scope to the specific requirements of each review; and
- Undertake detailed analysis of every aspect of the plan notwithstanding the level of impact.

Additionally, the current terms of reference includes duplications with the practice note in relation to assessment criteria and services. Having detailed guidance in two separate documents reduces transparency and adds complexity to the system. There is a need to ensure that the IPART terms of reference remain up-to-date, transparent and respond to the changing role and scope of the review.

It is proposed to review the existing terms of references to:

- Clarify the purpose of the terms of reference and remove duplications with the practice note to ensure the practice note remains the source of detailed guidance on the review process;
- Consider introducing a targeted review of additional information to facilitate quicker review in situations where a plan has already been reviewed, allowing a targeted review rather than requiring IPART to review the whole plan when additional information is supplied;

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

- Simplify consultation requirements so that IPART is only required to consult with the relevant council. While IPART may still consult with other parties as appropriate on a case by case basis and as detailed in the practice note, the updated terms of reference would not make this a requirement; and
- Modernise and clarify wording, references and definitions.

**Removal of existing exemptions from the review process:**

Currently the review process and the essential works list do not apply to land identified in Schedule 1 of the Ministerial Direction. The grandfathering of contribution plans through Schedule 1 was introduced when the \$20,000 and the \$30,000 per lot/dwelling thresholds were established as maximum amounts above which councils were not able to levy s7.11 contributions (caps).

Since the maximum caps have been removed and the thresholds now operate as triggers for the review process, it is no longer appropriate to exempt these contribution plans from the review process.

There are several benefits associated with removing these existing exemptions from the IPART review process to:

- Support IPART's role in ensuring that the contributions system remains transparent and accountable by encouraging councils to review outdated contributions plans;
- Remove references to outdated and superseded contributions plans from Schedule 1 of the Ministerial Direction; and
- Simplify the operation of the Ministerial Direction to clarify that the review process applies to all contribution plans that meet the review triggers.

The removal of grandfathering will provide additional certainty about the operation of the review process. It complements other system improvements proposed in this paper, such as increasing the thresholds that trigger the review and updating IPART's terms of reference.

**Remove re-exhibition requirements for councils:**

Currently, councils are required to re-exhibit the contributions plan for a further 28 days following the issuing of advice to council by the Minister or Minister's nominee on amendments required to the contributions plan. Council must then consider submissions received. During the re-exhibition of a contributions plan councils are constrained in their ability to make any further changes as a result of any submissions received.

This amendment will therefore remove the requirement for councils to re-exhibit their IPART reviewed contributions plan. This does not reduce the community's ability to contribute to the review process. The community is able to provide upfront input during council's exhibition of the draft plan and during the exhibition of IPART's draft findings report and recommendations.

**Implications for the Hawkesbury LGA:**

Council relies upon and considers development contributions as a key financial source for infrastructure development required to support new development and resulting increased population in the area. Council recognises and acknowledges the impact of the unchanged threshold caps since over the past 10 years the increasing cost of land prices and infrastructure has resulted in significant funding shortfalls.

Therefore, the proposed indexation mechanism on the threshold is considered to be a long awaited improvement and positive initiative to the current developer contributions system in order to minimise any financial stress for Council in the provision of new infrastructure.

In terms of the indices to be used to index the threshold, it is apparent that CPI is a much more broadly used index throughout many councils in NSW, and likewise the State Special Infrastructure (SIC) is also indexed using CPI. This perhaps would enable a single methodology for the entire developer contribution system. However, given the fact that this index is not a true reflection of actual increase in infrastructure

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

delivery and land costs as it is based on increases in prices of general household expenditure, it is considered to be a viable option to opt for an index which better reflects the increasing cost of land and infrastructure.

Given the three options for consideration, it is apparent a blanket application of one option throughout the state is not a viable idea given each LGA has different opportunities and constraints and very different growth targets.

In Council's case option 2 and option 3 both are both considered to be the preferred options. Given the Hawkesbury does not anticipate a significant amount of residential development in comparison to adjoining local government areas including Blacktown, The Hills Shire and Penrith, having a higher threshold will enable Council to collect a reasonable amount of funds to deliver necessary infrastructure. A threshold of \$45,000 does not require IPART review and can easily be incorporated into the Hawkesbury Contributions Plan through a review of the plan process.

The removal of exemptions of the grandfathered plans from the review process is supported.

The rezoning of the Vineyard Precinct Stage 1 by the state government without a Contributions Plan in place has proved to be problematic. The subsequent review process undertaken by IPART has been onerous, and based on IPART's final recommendations has left Council with considerable uncertainty in terms of funding necessary infrastructure. Whilst the IPART final recommendations are currently being considered by the Department of Planning, Industry and Environment it is considered important to outline Council's experiences with the IPART process in relation to the Vineyard Precinct Stage 1.

## **2. Criteria to request a higher S7.12 percentage:**

Section 7.12 fixed development consent levies operate as 'flat rate levies', meaning they are charged as a percentage of the proposed development cost. They were introduced into the *EP&A Act* in 2005 as an alternative to s7.11 development contributions and are generally used in rural, infill and mixed-use areas.

The Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) sets 1% as the standard highest maximum percentage which councils can levy under a s7.12 development contributions plan.

<b>Proposed cost of the development</b>	<b>Maximum percentage of the levy</b>
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5 percent
More than \$200,000	1.0 percent

The *EP&A Regulation*, however, identifies specific areas which are subject to higher maximum percentage levies if listed in clause 25K(1)(b).

The intent of fixed percentage levies is to deliver an efficient outcome for both developers and the consent authority by providing a low-cost charge on development in areas where nexus (the connection between proposed development and the demand created) and apportionment (the share of the total demand that the developer must pay) may be difficult to establish. This is particularly useful in regional areas, established urban areas or mixed-use areas where development rates are difficult to predict.

The State is not proposing to increase the overall s7.12 maximum rate as specified under clause 25K(1)(a) of the *EP&A Regulation*, this will be maintained at 1% of the cost of development. This is because the charge is a flat rate levy on development costs, which track closely to construction costs overtime.

Section 7.12 is designed to deliver an efficient outcome for both developers and the government where provision of the infrastructure benefits a dispersed set of contributors, and the connection, or nexus, between the development and required infrastructure is difficult to identify.

It is often difficult to measure demand arising from non-residential development. Consequently, in some areas it can be more efficient and effective to collect contributions through a s7.12 fixed levy. This can be

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

especially true in areas which are experiencing high levels of development to accommodate employment opportunities.

The proposed criteria discussed in the reforms paper are based on three key principles to increase the maximum percentage:

- The area being proposed for a higher maximum percentage levy must be identified in a strategic plan as a strategic centre, local centre or economic corridor;
- It must have an existing or identified potential for significant employment growth; and
- Planning controls will need to reflect and support the planned increase in population and employment capacity of the identified area.

Based on the above principles, two sets of potential assessment criteria, for either an increase of the maximum percentage to up to 2%, or up to 3%, have been developed for discussion and feedback.

**Criteria for a maximum levy of 2%:**

The strategic plan must identify the centre as having potential for significant employment growth over the next 25 years. There are a few ways to quantify the significant increase in employment including:

- Supporting at least 25% more new jobs than the number of additional residents planned to be accommodated in the contribution area;
- Facilitating an increase of at least 25% more employment opportunities than currently available; and
- An increase in additional non-residential gross floor area greater than 20% of existing total non-residential gross floor area.

In order to be considered for a higher maximum percentage levy, it is important that the proposed area is identified as a strategic centre, local centre or economic corridor in a strategic plan, which may be a regional plan, or district plan.

It is important to ensure that planning controls reflect the planning outcomes, strategic direction and targets identified for the centre in the relevant strategic plan. This includes any planned increase in population and employment capacity identified at the strategic level.

**Criteria for a maximum levy of 3%:**

To justify a levy that is three times the legislative maximum percentage, the area must have a significant district presence and as such it will require more interconnecting or wide-reaching level of infrastructure provision. This might include major parklands and sports-fields, or district libraries and other community facilities.

**Implications for the Hawkesbury LGA:**

The proposal to increase the maximum percentage of the levy to 2%-3% is welcomed.

In the case of the Hawkesbury, Council meets the criteria of the key principle, should Council opt to increase the maximum percentage levy to 2%. Windsor and Richmond are identified as a Strategic Centre in the Sydney Region Plan – 'A Metropolis of Three Cities' and in the Western City District Plan.

Hawkesbury has a higher base employment target of 16,500, while current employment is 10,300 jobs which means that council has to plan for a 60% increase in employment opportunities in order to meet its employment target.

In order to meet this 60% employment target, Council will have to increase its non-residential gross floor area by an additional 20%, which is achievable through expanding employment lands.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

There is an opportunity for Council to re-think it's S7.12 contribution levy and whether Council wishes to take advantage of this opportunity to increase the maximum percentage to 2% in the Strategic Centre of Windsor and Richmond.

However, there could be a lack of support from the Department of Planning, Industry and Environment to achieve this increased percentage levy due to the various constraints within the Hawkesbury, including flooding, evacuation capacity, and Metropolitan Rural Area status which still has a relatively unclear policy context of its application in the Hawkesbury LGA.

**3. Environmental Planning and Assessment Regulation 2000 proposed amendments:**

The Environmental Planning and Assessment Act 1979 (the EP&A Act) and Environmental Planning and Assessment Regulation 2000 (the EP&A Regulation) set out the statutory requirements for infrastructure funding contribution collection and use in NSW.

The Department of Planning, Industry and Environment (the Department) is proposing changes to the EP&A Regulation for:

- Reporting and accounting on contributions received through contributions plans and planning agreements;
- Online publication of reports and information related to infrastructure contributions received by councils and planning authorities via development contributions plans and planning agreements;
- The making of contributions plans requiring Independent Pricing and Regulatory Tribunal (IPART) review; and
- Minor administrative amendments related to fixed development levies (s7.12) in Gosford and Wollongong City Centres.

The amendments to the *EP&A Regulation 2000* aim to:

- Provide greater direction and transparency in the practical application of the contributions framework;
- Improve accountability and monitoring within the contributions framework;
- Facilitate necessary probity and governance including auditing; and
- Promote efficient infrastructure provision for development.

The *EP&A Regulation* contains requirements for councils to achieve accountability and monitoring within the developer contributions framework. This includes the way funds received are managed, record keeping, public participation requirements and the procedure for approving, amending, reviewing and repealing contributions plans.

In 2018 Nick Kaldas, former NSW Deputy Police Commissioner and Director of Internal Oversight Services for the UN's Relief Works Agency, was engaged to undertake a holistic review of governance across the planning system including a review of decision-making.

Among other matters, the Kaldas Review identified areas for improvement to ensure best practice against international standards, including in interactions between levels of government.

Part 4, Divisions 5 and 6 of the EP&A Regulation set out accounting and public access requirements for contributions, levies and contributions plans.

It is proposed to amend the *EP&A Regulation* to:

- Require reporting by councils on development contributions generally rather than just monetary contributions i.e. works, services or facilities accepted in part or full satisfaction of the contribution obligations, land dedicated in part or full satisfaction of the contribution obligations in addition to monetary contributions;

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

- Require more detailed reporting on infrastructure contributions such as specific project and location; and
- Require councils to publish contributions plans, indexed s7.11 contribution rates, annual statements, and contributions registers on their website or on the NSW Planning Portal.

Part 4 Division 1A of the EP&A Regulation sets out requirements for contributions received via planning agreements. It is proposed to amend the EP&A Regulation to require planning authorities to provide additional reporting and accounting information for planning agreements as follows:

- planning agreements register to include the type of development proposed;
- annual financial reports to include: - monetary amounts actually received and expended:
  - works in kind delivered, value and location including of assets held by receiving agencies; and
  - land dedications received, value and location.
- Require planning authorities to publish a Register of Agreements, copies of planning agreements and annual reports on their website or on the NSW Planning Portal (in line with current Departmental practice of publishing planning agreements entered into by the Minister for Planning).
- Remove prescriptive requirements related to explanatory notes for proposed planning agreements and address through a Practice Note (see Draft Secretary's Practice Note on Planning Agreements in infrastructure contributions improvements package).
- Require explanatory notes for planning agreements to be prepared in accordance with the Practice Note.

**Implications for the Hawkesbury LGA:**

The reforms to the *Environmental Planning and Assessment Regulation 2000* will require reporting by councils on development contributions generally rather than just monetary contributions i.e. works, services or facilities accepted in part or full satisfaction of the contribution obligations, land dedicated in part or full satisfaction of the contribution obligations in addition to monetary contributions.

More detailed reporting on infrastructure contributions such as specific project and location will be mandatory. Councils will have to publish contributions plans, indexed s7.11 contribution rates, annual statements, and contributions registers on their website or on the NSW Planning Portal.

This means that Council will have to review and update its current contributions plans to reflect the reforms and ensure that the contribution plans are more transparent and accountable by clearly including the infrastructure delivery schedule with costs.

**4. Planning agreements practice note:**

Planning agreements are used widely in the planning system as a tool for delivering innovative or complex infrastructure and public benefit outcomes in connection with planning proposals and development applications.

Planning agreements authorise development contributions for a variety of public purposes, some of which extend beyond the scope of section 7.11 and 7.12 (local infrastructure contributions), or section 7.24 (special infrastructure contributions) of the *EP&A Act*. For example, these additional purposes could include the recurrent funding of public facilities provided by councils, the capital and recurrent funding of transport, the protection and enhancement of the natural environment, and the monitoring of the planning impacts of development.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

Planning agreements are negotiated between planning authorities and developers in the context of applications for changes to environmental planning instruments (planning proposals) or for consent to carry out development (development applications).

Planning agreements provide a flexible framework under which the planning authorities can share responsibility for the provision of infrastructure in new release areas or in major urban renewal projects. They permit tailored governance arrangements and the provision of infrastructure in an efficient, co-operative and coordinated way.

Since the commencement of the Environmental Planning and Assessment Amendment (Development Contributions) Act 2005, the use of planning agreements has steadily grown across NSW. There is a range of reasons why the use of planning agreements has become widespread.

- Developers recognise that their own developments benefit from the provision of public facilities and are seeking greater involvement in determining the type, standard and location of these facilities;
- Planning agreements provide a flexible means of achieving tailored development outcomes and focused public benefits, including agreement by communities to the redistribution of the costs and benefits of development;
- Planning agreements can provide enhanced and more flexible infrastructure funding opportunities and better planning implementation; and
- Planning agreements allow for the flexible delivery of infrastructure for a development proposal which may have good planning merit but be out of sequence with broader strategic planning processes.

**Implications for the Hawkesbury LGA:**

The planning agreement Practice Note is supported and welcomed. The Practice Note will provide guidance to Council in preparing a high standard and transparent Planning Agreement Policy. A template is also provided with the Practice Note which will enable consistency in the agreements structure throughout the state.

**5. Special Infrastructure Contributions Guidelines:**

Special Infrastructure Contributions (SICs) are a key part of the State developer contributions framework and operate under Division 7.1 Subdivision 4 of the Environmental Planning and Assessment Act 1979.

A Special Infrastructure Contribution is paid by developers to help fund key elements of state and regional infrastructure in growing areas of Greater Sydney and regional NSW.

The purpose of these Guidelines is to give greater clarity about:

- The purpose and objectives of the SIC framework applying to current SICs (particularly how to manage expenditure) and the development and implementation of prospective SICs;
- The key principles guiding the State Government in implementing and administering the SIC framework;
- The method for determining a new SIC; and
- The process for allocating SIC revenue to infrastructure investment once a SIC has been determined.

Special Infrastructure Contribution's will be part of this coordination process by supporting new infrastructure in high growth areas as part of the land-use planning system. They provide a source of funding to State and local governments, and a basis for partnering with the private sector on the delivery of infrastructure. The Special Infrastructure Contribution aims to help achieve the objectives for a place, facilitate development and protect public safety and amenity.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

Five Key principles of the Special Infrastructure Contribution frameworks are:

- Principle 1 - The SIC will relate to new growth and urban renewal;
- Principle 2 - The SIC will support the achievement of place objectives;
- Principle 3 - The SIC will be reasonable and fairly apportioned;
- Principle 4 - The SIC will be relevant, current and outcome-focused; and
- Principle 5 - The SIC will be transparent and predictable.

**Implications for the Hawkesbury LGA:**

The reforms to the Special Infrastructure Contributions Guideline are supported and welcomed. Vineyard Precinct Stage 1 was rezoned and released as part of the North West Growth Centres SEPP initiative by the NSW State Government without a Contributions Plan in place.

Council can, and indeed will be applying for Special Infrastructure Contribution funds to implement infrastructure delivery in the Vineyard Precinct. The guideline provides clear understanding and criteria of the Special Infrastructure Contribution funding which will assist Council staff in making robust funding applications.

**COMMUNITY ENGAGEMENT**

No community engagement is required for this matter as the Department of Planning, Industry and Environment is exhibiting these reforms.

**CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

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

Our Leadership

- 1.4 Reinforcing and establishing effective strategic partnerships - Build strong relationships and shared responsibilities.
- 1.5 Regulation and Compliance:

Our Future

- 5.1 Strategic Planning Governance - Encourage informed planning, balanced growth and community engagement
- 5.3 Shaping our Growth - Respond proactively to planning and the development of the right local infrastructure

**FINANCIAL IMPACT**

There are no financial impacts with respect to this report, but should the reforms and proposed changes be adopted then Council may have to allocate budget to review the current Hawkesbury Development Contributions Plans S7.11 and S7.12.

Also, should the application for SIC funds (mostly partial) be approved by the State Government, funding for infrastructure delivery in the Vineyard Precinct will be provided.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

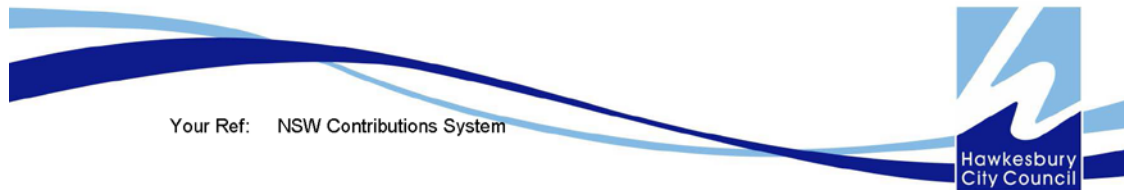
The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal will enable Council to continue to provide and maintain service levels to meet established community expectations as budgeted for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

**ATTACHMENTS:**

**AT - 1** Draft Submission to Department Planning, Industry and Environment.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**AT - 1 Draft Submission to Department Planning, Industry and Environment**



Your Ref: NSW Contributions System

The Executive Director  
Planning Policy  
Department of Planning, Industry and Environment  
Locked Bag 5022  
Parramatta NSW 2124

Dear Sir/Madam

**Submission – Various Draft Plans and Policies - NSW Contributions System**

Hawkesbury City Council (Council) would like to thank you for the opportunity to make a submission on the above mentioned Draft Plans and Policies currently on exhibition until 12 June 2020.

Council acknowledges that the Infrastructure Contribution Plans, Planning Agreements and Special Infrastructure Contributions have been instrumental in facilitating the provision of infrastructure that results as a consequence of development. It is a tool for delivering innovative or complex infrastructure and public benefit outcomes in connection with planning proposals and development applications. The Special Infrastructure Contribution's play a role in assisting to achieve the objectives for a place, facilitate development and protect public safety and amenity such as but not limited to road upgrades, schools or education facilities, health infrastructure and emergency services facilities.

In summary our submission provides comment on:

- Indexation
- Vineyard Developer Contributions Plan
- S7.12 percentage
- Environmental Planning and Assessment Regulation 2000 proposed amendments
- Planning Agreements Practise Note
- Special Infrastructure Contributions Guidelines

Having reviewed the above mentioned documents, Council's detailed comments on each of the document is as follows:

**Improving the review of local infrastructure contributions plan:**

Council relies upon and considers development contributions as a key financial source for the provision of infrastructure required to support new development and the resulting increased population in the area. Council recognises and acknowledges the impact of the unchanged threshold caps over the past 10 years, the increasing cost of land prices and the significant infrastructure shortfalls that have resulted.

**Indexation**

Therefore, the proposed indexation mechanism on the threshold is considered to be a long awaited improvement and positive initiative to the current developer contributions system in order to minimise any financial stress for Council in the provision of new infrastructure.

In terms of the indices to be used to index the threshold, it is apparent that CPI is a much more broadly used index throughout many councils in NSW, and likewise the State Special Infrastructure (SIC) is also indexed using CPI. We understand that a single methodology for the entire developer

366 George Street (PO Box 146) WINDSOR NSW 2756 | Phone: (02) 4560 4444 | Facsimile: (02) 4587 7740 | DX: 8601 WINDSOR  
Hours: Monday to Friday 8:30am - 5pm | Email: [council@hawkesbury.nsw.gov.au](mailto:council@hawkesbury.nsw.gov.au) | Website: [www.hawkesbury.nsw.gov.au](http://www.hawkesbury.nsw.gov.au)



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

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**



contribution system would be beneficial, however, given the fact that this index is not a true reflection of actual increase in infrastructure delivery and land costs as it is based on increases in prices of general household expenditure, it is considered to better that we use an index which better reflects the increasing cost of land and infrastructure.

Given the three options for consideration, it is apparent a blanket application of one option throughout the state is not a viable idea given each LGA has different opportunities and constraints and very different growth targets.

In the case of Hawkesbury option 2 and option 3 both are both considered to be the preferred options. Given that Hawkesbury does not anticipate a significant amount of residential development in comparison to adjoining local government areas including Blacktown, The Hills Shire and Penrith, having a higher threshold will enable Council to collect a reasonable amount of funds to deliver necessary infrastructure. A threshold of \$45,000 does not require IPART review and can easily be incorporated into the Hawkesbury Contributions Plan through a review of the plan process.

Council supports the removal of exemptions of the grandfathered plans from the review process.

**Vineyard Developer Contributions Plan**

Council would like to take this opportunity to highlight that the rezoning of the Vineyard Precinct Stage 1 by the NSW State Government without a Contributions Plan in place has proved to be problematic. The subsequent review process undertaken by IPART has been onerous, and based on IPART's final recommendations has left Council with considerable uncertainty in terms of funding necessary infrastructure. Whilst the IPART final recommendations are currently being considered by the Department of Planning, Industry and Environment it is considered important to outline Council's experiences with the IPART process in relation to the Vineyard Precinct Stage 1.

*Vineyard Precinct Contributions Plan – Issues with IPART & Department of Planning*

- The State Government rezoned the land in December 2017, without a Contributions Plan or Development Control Plan
- This resulted in a "Hardship Application" being submitted to Council to purchase land that was identified as a drainage corridor in the rezoning.
- The compulsory acquisition process has now concluded and based on advice from the Valuer General, Council has had to agree to pay (we have no appeal rights) an amount considerably higher than IPART has recommended for land costs.
- In early 2018 Council engaged GLN Planning – recognised experts in the field of Developer Contribution Plans, to complete the Contributions Plan that had been commenced by the Department of Planning. This cost Council \$60,000, and additionally Council also engaged KD Wood to provide advice on land valuations as they applied to the area of the Draft Contributions Plan.
- Council subsequently exhibited the Draft Contributions Plan, formally adopted it and forwarded it to IPART for validation.
- IPART have since reviewed the Council's Draft contributions plan and prepared 2 draft reports and a final report – released 29 November 2019.
- Council has had to make submissions on 2 occasions which has cost a further \$70,000. This process has involved significant information requests, both formal & informal, and a significantly increased level of scrutiny. This has proved to be overly resource intensive and time consuming.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**



- Based on the Final IPART Report – there is a shortfall of \$15.54M in Contributions to be collected across the Precinct for the purposes of land acquisition. If the Department of Planning, Industry and Environment adopts the IPART recommendations there is virtually no scope to adjust the plan, and any shortfall will have to be funded from the general Hawkesbury rate base.
- There have been inconsistencies between assessments – IPART's position(s) evolves and shifts based on assessment of each individual Contributions Plan.
- Significant variance in land valuations between Council's independent valuations (including Valuer General) versus IPART appointed valuers with regard to:
  - Unconstrained R2 zoned land
  - Flood Liable Land
  - Constrained Land

Based on Council's valuations, differences in acquisition rates are:

- R2 zoned land (unconstrained) \$300/m<sup>2</sup> IPART recommend \$200/m<sup>2</sup>
- R3 zoned land (unconstrained) \$400/m<sup>2</sup> IPART recommend \$400/m<sup>2</sup>
- Blended Rate \$350/m<sup>2</sup> IPART recommend apply their R2 and R3 rates
- Flood Liable Land \$100/m<sup>2</sup> IPART recommend \$85/m<sup>2</sup>
- Constrained Land \$140-\$160/m<sup>2</sup> dependant on the degree of affectation – IPART \$120/m<sup>2</sup>.
- District Park 5 land IPART due to protected vegetation reduce value by -\$7.88M
- The valuations obtained by IPART to inform their Final Report is completely inconsistent with three independent valuers. It should also be noted that IPART'S final position differs with that of a second firm that they engaged to inform their First Draft Recommendations Report.
- The position in IPART's Final Report with respect to land acquisition costs does not appear to be supported by clear and consistent evidence.
- Two separate State organisations (IPART and the Valuer General) have distinctly different opinions on land valuations within the Vineyard Precinct. This raises considerable concerns with the whole contributions planning and land acquisition process on a wider basis.
- In terms of Hardship Applications, across the North West Growth Area it is understood that these are increasing in number, with Council's powerless through the entire process. Issue with hardship applications when appealed to Department of Finance, Services and Innovation:
  - Council is not consulted or able to provide representations during the appeal process.
  - No justification of the decision provided other than "the hardship application satisfied the criteria under the Local Government Act".
  - No appeal mechanism for Council, decision is final.
- Hardship applications when sent to the Valuer General for determination have astronomical costs to process which is an issue for all Councils.

In summary, primary issues associated with IPART review of the Vineyard Contributions Plan:

- Underfunding for growth infrastructure in Vineyard which will slow provision of essential infrastructure (with comparison of the resulting rates with other North West Growth Centre contribution rates endorsed by IPART).

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**



- Expectation that Hawkesbury residents must fund growth infrastructure since there is insufficient funds allowed for in the plan following the IPART review. There is no State Government funding from the Local Infrastructure Growth Scheme, and the subsidised loan is now only partially unfunded for essential infrastructure.
- Inconsistent (one-dimensional) interpretation by IPART of what is a reasonable cost in this assessment compared with its other assessments.
- Inconsistent logic applied by IPART with selective adherence to Department of Planning and Environment's consultant reports to suit cost reduction recommendations.
- Out of touch recommendations on what it will actually cost Council to deliver facilities to the community e.g. no allowance of funds at all to integrate natural vegetation (zoned open space) into open space areas (e.g. with walking trails, rehabilitation works etc), standard collector road cost for Boundary Rd upgrade, simply halving full width cost rates for half width rates etc.
- Onerous process where extensive information provided by Council on some issues which IPART made significant cost reduction recommendations on (e.g. open space, constrained land values, need for channel stabilisation works) that was not represented in IPART's draft report.
- Decisions which will serve to cause further delays to plan finalisation/infrastructure provision since Council cannot collect sufficient contributions to fund likely infrastructure needs by development in the interim.

**Criteria to request a higher S7.12 percentage:**

Council welcomes the new approach to improve decision-making in relation to Council requests to increase the maximum percentage for S7.12 levies as provided for under *EP&A Regulation 2000*. This process provides additional requirements to strengthen or extend the desired development context for which the plan applies.

The S7.12 fixed development consent levies operate as a 'flat rate levy' and was introduced into the *EP&A Act 1979* in 2005 as an alternative to S7.11 development contributions and are generally used in rural, infill and mixed-used areas.

In the case of the Hawkesbury LGA, application of S7.12 levies has been useful especially in rural areas where the development rates are difficult to predict. However, in this approach to further strengthen the desired development context under S7.12, there is no elaboration or discussion of S7.12 in the context of rural lands.

The discussion paper seems to be more focussed on areas that are anticipating significant growth with a total oversight of the application of S7.12 on rural lands.

It is suggested that the Department should prepare a district level infrastructure items list, with an allowance for case-by-case basis consideration.

***Environmental Planning and Assessment Regulation 2000* proposed amendments:**

Council welcomes the amendments to the *Environmental Planning and Assessment Regulation 2000* particularly relating to development contributions plans and planning agreements.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**



**Planning Agreements Practise Note:**

Council welcomes and supports the planning agreements Practise Note and the template planning agreement.

**Special Infrastructure Contributions Guidelines:**

Council welcomes the Special Infrastructure Contributions Guidelines. State Infrastructure Contribution (SIC) is part of the coordination process to support new infrastructure in high growth areas as part of the land use planning system. The delivery of infrastructure is through collaboration with local councils, utility providers and the development industry to coordinate capital investment in growth areas to deliver the necessary infrastructure that supports housing and employment growth.

The Vineyard Precinct Stage 1 was rezoned and released as part of the North West Growth Centres SEPP initiative by the NSW State Government. Council can, and indeed will be applying for Special Infrastructure Contribution funds to implement infrastructure delivery in the Vineyard Precinct. The guideline provides clear understanding and criteria of the Special Infrastructure Contribution funding which will assist Council staff in making robust funding applications.

Council is committed and always willing to work closely with the State Government (Department of Planning, Industry and Environment) in ensuring that the process of collecting funds for public infrastructure is efficient, transparent and accountable at all times. Council requests that the issues raised through this submission are considered by the Department when finalising this review.

Thankyou for the opportunity to provide a submission with respect to this matter.

Should you require any further clarification in relation to the issues raised in this submission, please contact Council's Manager Strategic Planning, Mr Andrew Kearns on (02) 4560 4604.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**SUPPORT SERVICES**

**Item: 097**                      **SS - March 2020 Quarterly Budget Review Statement - (95496)**

**Previous Item:**            098, Extraordinary (12 June 2019)

**Directorate:**               Support Services

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to inform Council of the current and projected financial performance and financial position and to seek adoption of proposed changes required to the Budget within the 2019/2020 Adopted Operational Plan.

**EXECUTIVE SUMMARY:**

The Integrated Planning and Reporting (IP&R) Framework outlines that Councils are required to present a summary of the Council's financial position at the end of each quarter. It is the mechanism whereby councillors and the community are informed of the Council's progress against the Original Budget and the last revised budget along with any recommended changes and reasons for major variances.

This report and the relevant attachment provide information on Council's financial performance and financial position for:

- The third quarter of the 2019/2020 financial year; and
- The resulting budgeted financial position including the Budget variations proposed.

The Responsible Accounting Officer has revised Council's income and expenditure for the 2019/2020 financial year and recommends revising estimates in line with Council's financial performance as at the end of March 2020, and as projected for the remainder of the financial year.

In reviewing Council's financial performance as at the end of March 2020, a number of external factors have been identified that have impacted negatively on Council's financial performance against the 2019/2020 Adopted Operational Plan. As being experienced across the globe, the main external factor having a significant impact on Council's budgeted financial position and operations is the COVID-19 Pandemic. The bushfire, flood and prevailing economic conditions (prior to COVID) are also having an impact.

Whilst every endeavour has been made to estimate the impacts these external factors may have, the situation continues to evolve and accordingly, some of the assumptions used to prepare this Quarterly Budget Review Statement may be impacted. This could result in the financial results for the year ending 30 June 2020 varying from the results forecasted.

The Quarterly Budget Review Statement – March 2020 recommends a number of variations that result in an overall Deficit budgeted position of \$70K. Proposed unfavourable Budget variations are in excess of proposed favourable variations. It is proposed that the Deficit is budgeted to be funded through the Contingency Reserve resulting in an overall balanced budget being maintained.

Despite the various challenges, the projected 2019/2020 Operational Plan will:

- Remain with a balanced budget, with no external borrowings

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

- Maintain staff in productive employment, thereby helping to maintain expenditure in the local economy
- Include revised provisions to ensure prompt responses to hardship cases involving residents, business and Council's commercial tenants

Council's focus on maintaining services to the community is in line with advice from the NSW State Government.

**RECOMMENDATION:**

That:

1. The information contained in the report regarding the Quarterly Budget Review Statement – March 2020, be noted, including the impacts of the bushfire, flood, prevailing economic conditions and the COVID-19 Pandemic.
2. The Quarterly Budget Review Statement – March 2020, attached as Attachment 1 to this report, be adopted.

---

**BACKGROUND**

Following the adoption of the Original Budget in June each year, the Budget is amended throughout the year to reflect any unspent amounts carried over, and necessary Budget variations to enable the delivery of the Operational Plan.

In regard to the 2019/2020 Budget, adopted on 12 June 2019, this has been amended to reflect amounts carried over from the 2018/2019 financial year, reflecting discussions at the Councillor Briefing held on 21 May 2019, outlining the progress of works and identifying works to be carried into the 2019/2020 Operational Plan. The 2019/2020 Budget has also been amended to reflect amounts adopted as part of the September 2019 Quarterly Budget Review Statement adopted on 26 November 2019; and the December 2019 Quarterly Budget Review Statement adopted on 25 February 2020. Subject to Council's endorsement, the Budget will be further amended with the proposed variations contained within this Quarterly Budget Review Statement.

**Relevant Legislation**

Clause 203 of the Local Government (General) Regulation 2005 requires a revised estimate of income and expenditure for the year to be prepared by reference to the estimate of income and expenditure set out in the Operational Plan for the year.

The Quarterly Budget Review Statement is the mechanism stipulated by the Local Government (General) Regulation 2005 for Councils to revise the adopted Operational Plan for the year to reflect the actual financial performance as at the end of each Quarter, and projected to the end of the financial year. This review ensures Council's Budget remains current and relevant throughout the financial year, and provides early indication of progress in achieving financial targets.

The Integrated Planning and Reporting (IP&R) Framework outlines that Councils are required to present a summary of the Council's financial position at the end of each quarter. It is the mechanism whereby councillors and the community are informed of the Council's progress against the Original Budget and the last revised budget along with recommended changes and reasons for major variances.

The minimum standards applying to the contents of the Quarterly Budget Review Statement are detailed within the [Office of Local Government's Quarterly Budget Review Statement Guidelines](#). The Guidelines mandate that either one of three options is be used to report the Estimates of Income and Expenses. Council currently reports in the following formats - by Consolidated Entity and by Community Strategic Plan

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

Theme. The options regarding the reporting Council's Estimates of Income and Expenditure have recently been considered by Council, with any changes to be incorporated into the September 2020 Quarterly Budget Review Statement.

## **DISCUSSION**

The Quarterly Budget Review Statement – March 2020 recommends a number of variations that result in an overall Deficit budgeted position. Proposed unfavourable Budget variations are in excess of proposed favourable variations. It is proposed that the Deficit is budgeted to be funded through the Contingency Reserve resulting in an overall balanced budget being maintained. Variations proposed are necessary to ensure appropriate budget allocations are available to deliver Council's Adopted Operational Plan. The Quarterly Budget Review Statement - March 2020 is attached as Attachment 1 to this report.

In reviewing Council's financial performance as at the end of March 2020, a number of external factors have been identified that have impacted negatively on Council's financial performance against the 2019/2020 Adopted Operational Plan.

Council's 2019/2020 Adopted Operational Plan has fully allocated the available resources and funding to works, services and projects. Accordingly, Council has limited capacity to respond to adverse external influences.

As is being experienced across the globe, the main external factor having a significant impact on Council's budgeted financial position and operations is the COVID-19 Pandemic. The successive natural disasters and prevailing economic conditions (prior to COVID) are also having an impact.

Whilst every endeavour has been made to estimate the impacts these external factors may have, the situation continues to evolve and accordingly, some of the assumptions used to prepare this Quarterly Budget Review Statement may be impacted. This could result in the financial results for the year ending 30 June 2020 varying from the results forecasted.

Despite the various challenges, the projected 2019/2020 Operational Plan will:

- Remain with a balanced budget, with no external borrowings
- Maintain staff in productive employment, thereby helping to maintain expenditure in the local economy
- Include revised provisions to ensure prompt responses to hardship cases involving residents, business and Council's commercial tenants

Council's focus on maintaining services to the community is in line with advice from the NSW State Government.

### Financial Position

The Quarterly Budget Review Statement recommends Budget adjustments that result in an overall balanced budget adjustment for the quarter, and in the opinion of the Responsible Accounting Officer, maintains a satisfactory short term financial position for Council. The Responsible Accounting Officer Statement is included in within this Quarterly Budget Review Statement attachment.

While the short term financial position for Council at this stage is likely to remain satisfactory, this could be at risk if the external factors outlined above deteriorate further or in the event other matters having an adverse impact on Council's budgeted income and expenditure arise during the remainder of the financial year.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

Council has incorporated the projected impacts of the COVID-19 Pandemic into the Quarterly Budget Review Statement - March 2020 resulting in negative impact of \$639K on Council's projected bottom line result. This deterioration is a result of reduced income due to facility closures, provision of rental assistance, the slow-down of housing development, implementation of additional hardship support, inspections associated with businesses closed for social distancing purposes and the general economic down-turn.

Attachment 1 to this report includes an executive summary of Council's financial performance as at the end of the third quarter of 2019/2020, and provides further details within financial reports provided.

The Attachment also details all the major budget variations proposed in this Quarterly Budget Review Statement. The majority of the proposed variations are minor or not operationally significant in nature.

The more significant items of the Quarterly Budget Review Statement - March 2020 are:

- ***Adjustments Resulting from Unexpected External Factors – Net Unfavourable Variance \$958K***

As outlined above, all budget lines have been reviewed and assumptions made to account for impacts from a range of unexpected external factors including successive natural disasters (bushfires, floods and significant storm events), prevailing economic conditions and the COVID-19 Pandemic.

The following variances are included in this Quarterly Budget Review:

Estimated Costs

- Additional services and measures undertaken to ensure public and staff safety \$101K;
- Cost of closing the Hawkesbury Leisure Centres \$100K;
- Allocation towards the provision of hardship assistance \$260K;
- Additional costs to support fire-fighting efforts \$50K;
- Restoration of Parks after flooding \$25K; and
- Restoration of Slab Barn after storm event \$60K.

Projected Reduced Income

- Development Services income reduced by \$240K;
- Health Fines and Inspections reduced by \$68K;
- Companion Animal Sales and Impounding Income reduced by \$130K;
- Car-parking Infringement Income reduced by \$118K;
- Animal Control Income reduced by \$46K; and
- Interest Income reduced by \$20K;

Projected Savings

- Reduction in Local Economic Development Program due to social distancing \$87K;
- Cancellation of events and associated promotions due to social distancing \$141K; and
- Reduction in catering costs and conference costs due to social distancing \$32K.

- ***Lower Portland Ferry Operation – Net Favourable Variance \$32K***

During the time the Ferry was being overhauled, operational, contract and running costs were reduced, resulting in a net saving of \$32K.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

- ***Sewerage Management Facility Inspection Income – Favourable Variance \$61K***

As a result of a business improvement review undertaken, a more effective scheduling process has been implemented for the inspection of Sewerage Management Facilities. In line with the Septic Safe Program issued from the then Department of Local Government, the main objectives of the Inspection Program is to prevent pollution and public health issues that can arise from poorly functioning septic systems. In line with the trend observed as at the end of the reporting period, an increase in income of \$61K has been included in this Quarterly Budget Review Statement.

- ***Savings from Electricity and Street Lighting – Net Favourable Variance \$201K***

Council has implemented several energy efficiency measures, including the replacement of street lights with LED bulbs and the installation of solar panels on a range of buildings. Additionally, Council entered into a Power Purchase Agreement in order to reduce the rates charged for large sites and street lighting usage. As a result, total additional savings of \$201K are projected to be achieved for the remainder of the year.

- ***Deferral of Infrastructure Borrowings – Net Favourable Variance \$818K***

Within Council's Long Term Plan, are a range of infrastructure loans totaling \$40M to be drawn-down over a ten year period. Each year, the Budget is developed on this basis, with the 2019/2020 Original Budget including a \$7M loan to be drawn down. Council reviews available cash balances and the likely timing of the use of these funds, prior to the consideration of taking out loans. Council also takes into consideration the current returns of investments. Accordingly, it has been determined that the loan built into the current Budget will not be required this financial year, with sufficient cash funding available and investment returns much lower than interest payable on external loans. Consequently, a net saving of \$818K is included in this Quarterly Budget Review Statement, with \$269K savings in interest expense and \$549K principal repayments. It is important to note, that this is a deferral of the loan and when conditions change, it is likely that this loan will be required in future years.

- ***Interest Income on Investments – Unfavourable Variance \$95K***

When developing the Original Budget, an estimated return of 2.4% was used, based on returns being achieved at the time. At the time of reporting, returns of approximately 1% are being received. To date, Council has been able to achieve the additional infrastructure projects identified to be funded from external loans internally, due to the available cash balances. This has resulted in savings in interest expense, which will also be considered as part of the March Quarterly Review, and will offset some of the losses experienced in investment income. A reduction of \$95K is included in this Quarterly Budget Review Statement to account for these changes.

- ***Workers Compensation – Unfavourable Variance \$120K***

As a result of an increase in the number of cases requiring significant medical intervention, a total unfavourable variance of \$120K is included in this Quarterly Budget Review Statement. The engagement of an Occupational Therapist to review the workforce and case history, to develop a plan to minimize future incidents has occurred and the review is currently underway.

- ***Legal Expenditure – Unfavourable Variance \$100K***

As outlined in the December Quarterly Budget Review Statement, a number of significant planning matters are currently being appealed to the Land and Environment Court, requiring a further unfavourable variance of \$100K in this Quarterly Budget Review Statement. While it is anticipated that some costs will be recovered, the timing and amount of this income is difficult to predict.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

- ***Car-parking Infringement Income – Unfavourable Variance \$98K***

The level of income received from the issuing of car-parking infringements is lower than was projected during the development of the Original Budget, being \$770K for the full year; with \$457K received as at the end of March 2020. In response to the assessment of community priorities, resources were redirected to Community Enforcement Activities. Accordingly, included in this Quarterly Budget Review Statement is a reduction of \$98K.

- ***Companion Animal Impounding Income – Net Unfavourable Variance \$55K***

As a result of changes in the handling of lost companion animals by other councils, the number of animals impounded at the Companion Animal Shelter has declined, resulting in a reduction of \$55K to the projected result as at the end of the financial year.

- ***Animal Control Income – Net Unfavourable Variance \$52K***

The Animal Control Officer position has been vacant for the majority of the financial year and has only recently been filled. During this vacancy, the activities associated with this role were undertaken on a reactive basis. This has led to a decline in animal registration and infringement penalties, projected to be \$52K less than the Budget.

- ***Investment Property Portfolio Valuation – Unfavourable Variance \$30K***

Every three years Council is required to undertake a full revaluation of the investment property portfolio, which was undertaken last year for the cost of \$30K. In the interim years, an externally provided indexation is to be applied, and in previous years this has cost less than \$10K. This was anticipated to be covered within the normal lease valuations budget allocation and was not specifically budgeted. After a procurement process, the quote of \$30K was accepted for the indexation work. Accordingly, a budget variation of this amount is included in this Quarterly Budget Review Statement.

- ***Oasis Aquatic and Leisure Centre – Unfavourable Variance \$25K***

Due to changes in the operation of the Oasis Aquatic and Leisure Centre, including extending the opening times of the outdoor pool and extended opening hours during extreme heat events a budget variation of \$25K is required.

- ***Bensons Lane Sporting Complex Renewal***

The Hawkesbury Sports Council has provided \$180K towards the renewal of the Bensons Lane Sporting Complex. Included in this Quarterly Budget Review is the associated increase in the capital renewal and contributions income, in line with this amount.

- ***Changes to the timing of the Vineyard Infrastructure Loan***

Due to the delays associated with the approval of the Vineyard Precinct Developer Contributions Plan, it has been determined that it is prudent to defer the draw down of the \$16.5M infrastructure loan, to be funded from this Plan. While there is no bottom line impact of this adjustment, the Operating Result worsens by \$33K as a result of difference between the forecasted loss in interest earned on the unexpended loan, the loan subsidy and the loan interest expense.

- ***Grants – Additional Works and Programs Totalling \$856K***

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

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

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

- *Roads to Recovery Program* – Council has been advised that the Roads to Recovery Program allocation for the 2019/2020 to 2024/2025 period is \$5.4M. Council has increased its allocation of the funding for 2019/2020 by \$50K to match against expenditure already budgeted.
- *Floodplain Management Program Grant* – Council has received notification from the Office of Environment and Heritage of a total allocation of \$201K from the Floodplain Management Program. An amount of \$53K to be spent towards the review of the 2012 Hawkesbury Floodplain Risk Management Study and Plan; and \$143K for the development of Floodplain Risk Management Studies and Plans for Macdonald and Colo Rivers, and Webbs and Greens Creeks
- *Commonwealth Bushfire Recovery Grant* – In response to the extensive bushfires experienced across the country during the financial year, an allocation of \$1.3M has been granted from the Commonwealth Government to assist in the recovery from the Gospers Mountain Bushfire. An amount of \$500K is anticipated to be expended in this financial year, with the remainder to be used within the following 12 months.
- *Bushfire Community Resilience & Economic Recovery Grant* – Council has received an allocation of \$250K towards programs to assist the community and businesses in the recovery from the effects of the Gospers Mountain Bushfire. It is planned to spend \$105K prior to the end of the financial year and hence has been included in this Quarterly Budget Review Statement. The remainder will be expended prior to September 2020.

• ***Grants – Adjustments due to Accounting Standard Change***

In accordance with a change in accounting standards, grant revenue is now recognised in the year in which it is expended, for those grants that are tied to specific deliverables. If the cash component of the grant is received prior to expenditure, the unexpended amount is now required to be recognised as a liability and not as income. These adjustments do not impact upon Council's net bottom line result, but may impact upon the Operating Result.

Accordingly, there are several major adjustments relating to this change, as outlined below:

- *Liveability Grant* – It is anticipated that \$250K of this grant will be expended during 2019/2020, as against the current budget of \$3.9M. Accordingly, a reduction of \$3.7M in expenditure and an increase of \$250K in income have been included in the Quarterly Budget Review Statement.
- *Privately Owned Heritage Remediation (Stage 2)* – The grant that was received last financial year, has been fully spent in 2019/2020 (\$250K). Therefore, income has been increased by \$250K to offset this expenditure.
- *Black Spot Program Roundabouts* – A review of the expected delivery for the Blackspot Program Roundabouts has required a \$1.8M reduction in both new capital infrastructure and capital grant income in this Quarterly Budget Review Statement. It is now expected that the delivery will occur early in 2020/2021 for roundabouts at the following locations:
  - o Argyle and Mileham Streets, South Windsor
  - o Woods and Mileham Streets, South Windsor
  - o George and James Streets, South Windsor
  - o George and Ham Streets, South Windsor

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

- **Reserve Funded Adjustments**

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

- *Section 64 Sewer Plan Reserve* – The interest to be allocated to this Reserve has decreased by \$24K due to the change in the annualised return from what was projected when developing the Original Budget.
- *Section 7.11 Developer Contributions Reserve* – As a result of the prevailing economic conditions and the impact of COVID-19 on the housing construction market, a reduction of \$328K has been included in this Quarterly Budget Review Statement. An additional \$35K reduction for interest due to the change in the returns outlined above and the reduction in income has also been included.

Associated with the delay in the approval of the Vineyard Precinct Section 7.11 Developer Contributions Plan, the infrastructure projects to be funded from the loan have also been deferred, with a reduction of \$9.7M.

- *Section 7.12 Developer Contributions Reserve* – In line with income received, an increase in developer contributions of \$59K has been included in this Quarterly Budget Review Statement.
- *Property Reserve* – In line with forecasted expenditure in relation to the recovery of outstanding rental for Hawkesbury House, an amount of \$20K has been included.
- *Contingency Reserve* – In line with the resolution of Council at the meeting held 25 February 2020, an amount of \$25K has been included for the removal of rubbish in flood affected areas.
- *Risk Management Reserve* – As a result of several large claims, the cost of Public Liability expenses to be encountered during the financial year will exceed the current \$50K Budget by \$69K. Accordingly, an unfavourable variance of this amount is included within this Quarterly Budget Review Statement.
- *Domestic Waste Management Reserve* – In line with services provided, an increase in income of \$24K is included. The interest to be allocated to this Reserve has decreased by \$21K due to the change in the annualised return.
- *Waste Management Facility Reserve* – In order to prevent contamination, in particular from asbestos, green waste material is currently being mulched and transferred to an offsite facility, resulting in an adjustment of \$142K. As a result of staff turnover, general operation costs have increased by \$26K in order to provide the necessary training, clothing and equipment; and to cover vacancies, while ensuring operations were maintained. Unforeseen equipment break-downs resulted in an additional \$28K in capital expenditure.
- *Sewer Reserve* – The renewal of the sewer management system that was deferred last financial year has now been undertaken, with \$75K to be expended in this financial year. Electricity savings as a result of the Power Purchasing Agreement and Solar panels of \$77K has been included.



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

### Contingency Reserve

Council established a Contingency Reserve for the purpose of building up funding that could be accessed should a Budget Deficit arise due to unfavourable unforeseen circumstances. Over the years Council was able to set funds aside through favourable Budget variations.

As detailed in this report, external factors outside Council's control have resulted in proposed unfavourable budget variations not being able to be completely offset by favourable budget variations, resulting in a budgeted overall Deficit position.

It is proposed to use the Contingency Reserve, in line with the purpose it was intended for, and fund the projected budgeted Deficit overall accordingly. This will result in an overall balanced budget position being maintained. This will reduce the Contingency Reserve from the current projected closing balance as at 30 June 2020 of \$454K to \$384K.

The Quarterly Budget Review Statement includes a number of minor adjustments and reallocation of funds that have not been detailed above. Further details can be found in the attachment to this report.

### **Performance against Financial Sustainability Benchmarks**

The Office of Local Government developed Financial Sustainability ratios, benchmarks and a timeframe to be met in order to be termed "Fit for the Future". Council developed a Long Term Financial Plan to achieve financial sustainability, which was adopted by Council on 28 November 2018. The Long Term Financial Plan incorporates strategies to meet these benchmarks, as required by the Office of Local Government by 30 June 2021.

The table below provides an update of Council's performance against the Financial Sustainability Benchmarks, as determined as part of the Fit for the Future Framework.

**Table 1**

Financial Sustainability Ratio	Benchmark	Original Budget 2019/2020	Amended Budget 2019/2020 After Dec Quarterly Budget Review Statement	Proposed Budget 2019/2020 After Mar Quarterly Budget Review Statement
Operating Performance	$\geq 0$	-0.004	-0.133	-0.087
Own Source Revenue	$> 60\%$	84.0%	81.5%	82.0%
Asset Renewal	$> 100\%$	118.5%	179.6%	179.1%
Infrastructure Backlog	$< 2\%$	1.4%	0%	0%
Asset Maintenance	$> 100\%$	85.3%	100.7%	99.23%
Debt Service	0%-20%	4.7%	4.8%	0.6%
Real Operating Expenditure per Capita	Decrease	Decrease	Increase	Increase

As shown in the table above, the proposed amendments included in the Quarterly Budget Review Statement will result in changes to the projected Financial Sustainability Ratios:

- a) The Operating Performance Ratio improves to -0.087 due to the change in accounting standards in relation to grants, mainly due to the reduction in the expenditure associated with the Liveability Grant.
- b) The Debt Service Ratio reduced to 0.6% as a result of the deferral of the Infrastructure Borrowing Loan and the delay with the Vineyard Infrastructure Loan. The benchmark is still being achieved and this impact is likely to be temporary, with the loan to be taken out in future years.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**COMMUNITY ENGAGEMENT**

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

**CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

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

Our Leadership

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

**FINANCIAL IMPACT**

The matters raised in this report have direct financial implications. If adopted, the budget adjustments proposed will be added to the current 2019/2020 Budget.

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

The subject of this report does not directly align with a specific Fit for the Future Strategy, but does impact on the overall Fit for the Future objectives, being to attain financial sustainability and meet all Fit for the Future benchmarks by 2020/2021.

**ATTACHMENTS:**

**AT - 1** The Quarterly Budget Review Statement - March 2020 (*Distributed under separate cover*).

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**Item: 098**                      **SS - Monthly Investments Report - April 2020 - (95496, 96332)**

**Previous Item:**            150, Ordinary (10 March 2020)

**Directorate:**               Support Services

---

**PURPOSE OF THE REPORT:**

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

**EXECUTIVE SUMMARY:**

This report indicates that Council held \$57.74 million in investments at 30 April 2020 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

**RECOMMENDATION:**

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

---

**BACKGROUND**

Council held \$57.74 million in investments as at 30 April 2020. Details on the composition of the Investment Portfolio, and its compliance with Council's Investment Policy are provided below. Details include the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, the percentage of the total portfolio, exposure to credit ratings bands and the spread of maturities.

**1. Composition of Investment portfolio**

Tables 1 to 3 below provide details regarding the \$57.74 million in investments held as at 30 April 2020.

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

<b>Product Type</b>	<b>Face Value</b>	<b>% of Total</b>
At Call Deposits	\$2,500,000	4.3%
TCorp Cash Fund	\$2,123,039	3.7%
Term Deposits - Fixed Rate	\$53,120,000	92.0%
<b>Grand Total</b>	<b>\$57,743,039</b>	<b>100.0%</b>

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

<b>Long Term Credit Rating</b>	<b>Face Value</b>	<b>% of Total</b>
AA-	\$55,620,000	96.3%
NSW TCorp Cash Fund	\$2,123,039	3.7%
<b>Grand Total</b>	<b>\$57,743,039</b>	<b>100.0%</b>

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**Table 3 – Fixed Term Deposits**

Institution	Long Term Rating	Short Term Rating	Maturity	Rate	Face Value
<b>ANZ</b>	AA-	A-1+	6 May 20	2.25%	\$2,000,000
			6 May 20	2.35%	\$1,000,000
			25 May 20	2.25%	\$1,000,000
			18 Jun 20	1.90%	\$1,000,000
			30 Sep 20	1.00%	\$1,000,000
			4 Nov 20	1.50%	\$2,000,000
			9 Dec 20	1.25%	\$1,000,000
			9 Dec 20	1.50%	\$2,000,000
<b>Commonwealth Bank of Australia National Australia Bank</b>	AA-	A-1+	8 Jul 20	1.63%	\$1,000,000
	AA-	A-1+	25 May 20	1.53%	\$1,000,000
			25 May 20	1.50%	\$1,500,000
			8 Jul 20	1.53%	\$1,500,000
			12 Aug 20	1.66%	\$3,500,000
			12 Aug 20	1.70%	\$1,000,000
			23 Sep 20	1.47%	\$1,000,000
			14 Oct 20	1.52%	\$2,000,000
			14 Oct 20	1.51%	\$1,000,000
			22 Oct 20	1.53%	\$620,000
			20 Nov 20	1.45%	\$1,500,000
			12 Jan 21	1.55%	\$1,500,000
			13 Jan 21	1.30%	\$1,000,000
			13 Jan 21	1.04%	\$1,000,000
			10 Feb 21	1.50%	\$1,000,000
			19 Feb 21	1.50%	\$1,000,000
			5 Mar 21	1.30%	\$2,000,000
			29 Apr 21	1.10%	\$1,000,000
	AA-	A-1+	3 Jun 20	2.07%	\$1,000,000
			18 Jun 20	1.90%	\$1,500,000
			24 Jun 20	1.83%	\$1,000,000
<b>Westpac</b>			8 Jul 20	1.60%	\$3,500,000
			23 Sep 20	1.53%	\$4,000,000
			22 Feb 21	1.50%	\$1,000,000
			17 Mar 21	1.31%	\$3,000,000
			7 Apr 21	1.00%	\$1,000,000
			21 Apr 21	1.00%	\$1,000,000
			29 Apr 21	1.00%	\$1,000,000
<b>Total</b>					<b>\$53,120,000</b>

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

## 2. Compliance with Investment Policy

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

**Table 4 – Exposure Limits to credit ratings bands**

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

**Table 5 – Term to Maturity**

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

## 3. Portfolio Return

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

**Table 6 – Portfolio Return**

30 April 2020	Weighted Average Return (Running Yield)
Hawkesbury City Council – Investment Portfolio	0.13%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.05%
<b>Performance Relative to Benchmark</b>	0.08%

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

## Relevant Legislation

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

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**DISCUSSION**

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

- The COVID-19 pandemic has caused a global shock essentially blowing economies off course and into uncharted territory since there has not been a global pandemic of this nature in modern times. Much of the economic data lags current events which are developing quickly, but the outlook will become clearer in the coming months as data regarding the effects of the initial COVID related lockdowns become known. It is highly likely the market outcomes will closely follow the economic forecasts of the depth of the contraction and the likely recovery both domestically and internationally.
- Both consumer and business confidence plunged to record low levels which is unsurprising given the uncertainty and the shock of the situation. A more balanced assessment was provided by the NAB business conditions index that fell to levels worse than the Global Financial Crisis, but not as poor as the 1990/1991 recession.
- Figures from the Australian Bureau of Statistics suggest domestic unemployment will rise to 10% by June which is also the prediction of the Reserve Bank who expect a strong recovery in the second half of the calendar year.
- The Reserve Bank's actions to provide liquidity to domestic Authorised Deposit Taking Institutions by lending them three year term monies at a fixed rate of 0.25% has helped to keep both Term Deposit and Floating Rate Notices margins slightly above pre-crisis levels and restore investor confidence in the banking sector although all the major bank share prices remain at around 60% of the levels they were in February 2020.
- The Reserve Bank's policy of cutting the cash rate to 0.25% and targeting a level of 0.25% for the three year government bond while making term funding available to all Authorised Deposit Taking Institutions who can post collateral at a fixed rate of 0.25% has stabilised the interest rate curve at low levels, resulting in a likely long period of very low interest rates.
- The problems for Authorised Deposit Taking Institutions (if any) are likely to be longer term ones of bad debts from mortgage arrears. The full economic effects of lockdowns and more lately the effects of the partial removal of lockdowns are at this stage largely unknown and since the COVID-19 pandemic is without precedent it is very hard to predict.
- The response within Australia to not just reduce interest rates to record low levels, but to also introduce quantitative easing has taken the interest rate curve to record low levels. Caution is recommended against locking in longer term fixed rates at these levels. Short term risk is low, so it is recommended to buy the most attractive term deposits out to one year.
- It is recommended that maturing investments where cash is not immediately needed, be re-invested with investment grade rated institutions at the best rates available. This is an expansion on the recommendations of last month of investing only in the major banks. It would seem at this point the financial threats to all Authorised Deposit Taking Institutions have receded, but a degree of caution is still to be exercised given that this month all the major banks who have reported half yearly results have taken large provisions for future losses.

During the reporting period, the investment portfolio decreased by \$0.49 million reflecting funds received, payments made, and redemption of invested funds and lodging of new term deposits, which is driven by cash flow requirements.

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

### Restriction of Funds

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

**Table 7 – Restriction of Funds**

Restriction Type	Amount
External Restrictions –S7.11 and S7.12	\$11,840,825
External Restrictions - Other	\$15,286,179
Internal Restrictions	\$13,599,459
Unrestricted	\$17,016,576
<b>Total</b>	<b>\$57,743,039</b>

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

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

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

### COMMUNITY ENGAGEMENT

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

### CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

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

#### Our Leadership

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

### FINANCIAL IMPACT

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

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**FIT FOR THE FUTURE STRATEGY CONSIDERATIONS**

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

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**



**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

**Item: 099**                      **SS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)**

**Directorate:**                Support Services

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to table two Disclosure of Pecuniary Interests and Other Matters Returns, which have been recently lodged by Designated Persons, as required by Clause 4.21(a) of Council's Code of Conduct.

**EXECUTIVE SUMMARY:**

Councillors and other members of Council staff identified as Designated Persons under Council's Code of Conduct are required to complete a Pecuniary Interest Return form identifying any pecuniary and other types of interests that they hold as at their date of commencement with Council.

Two Returns have recently been lodged with the General Manager, and are now tabled at the first Council meeting held after the required lodgement date.

**RECOMMENDATION:**

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

---

**BACKGROUND**

Councillors and other members of Council staff who hold a position involving the exercise of functions that, in their exercise, could give rise to a conflict between the person's duty as a member of staff and the person's private interest, are identified by Council as a "Designated Person", as defined by Clause 4.8 of Council's Code of Conduct (the Code).

Designated Persons are required by Clause 4.21(a) of the Code to complete a Return form identifying any pecuniary and other types of interests that they hold as at their date of commencement with Council.

The Return form must be lodged with the General Manager within three months of the Designated Person's date of commencement with Council (or within three months of the position being designated) and must be tabled at the first Council meeting held after the required lodgement date.

**Policy considerations**

Section 440AAB of the Local Government Act, 1993, relates to the register of Pecuniary Interest Returns made by Councillors and Designated Persons, and the tabling of these Returns:

*"440AAB Register and tabling of returns*

- (1) The general manager must keep a register of returns disclosing interests that are required to be lodged with the general manager under a code of conduct.*
- (2) Returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by*

**ORDINARY MEETING**  
**SECTION 3 – Reports for Determination**  
**Meeting Date: 26 May 2020**

*the code of lodgement, or if the code does not specify a day, as soon as practicable after the return is lodged."*

In accordance with Section 440AAB(1) of the Act and Clause 4.24 of the Code, a register of all Returns lodged by Councillors and Designated Persons, in accordance with Clause 4.21 of the Code, is currently kept by Council, as required by this part of the Act and the Code.

In accordance with Section 440AAB(2) of the Act and Clause 4.25 of the Code, all Returns lodged by Councillors and Designated Persons under Clause 4.21(a) of the Code, must be tabled at the first Council meeting held after the required lodgement date.

#### **DISCUSSION**

With regard to Section 440AAB(2) of the Act and Clause 25 of the Code, the following Clause 4.21(a) Returns have been lodged:

<b>Position</b>	<b>Return Date</b>	<b>Date Lodged</b>
Bushfire Recovery Coordinator	13 February 2020	28 April 2020
Building Services Officer	26 February 2020	14 May 2020

The above Designated Persons have lodged their Clause 4.21(a) Returns prior to the due dates (being three months after the Return Dates), as required by the Act and the Code for the receipt of the Returns.

The above details are now tabled in accordance with Section 440AAB(2) of the Act and Clause 4.25 of the Code, and the abovementioned Returns are available for inspection, if requested.

#### **COMMUNITY ENGAGEMENT**

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

#### **CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036**

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

##### Our Leadership

1.5 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.

#### **FINANCIAL IMPACT**

There are no financial implications applicable to this report.

#### **ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

ordinary

section 4

reports  
of committees

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**SECTION 4 – Reports of Committees**

**Item: 100      ROC - Civic and Citizenship Committee - 26 November 2019 - (95351, 96972)**

**Previous Item:**      90, Ordinary (12 May 2020)

**Directorate:**      General Manager

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to present the Minutes of the Hawkesbury Civic and Citizenship Committee, held on 26 November 2019 and provide a consolidated list of the 2020 Australian Day Award nominees.

**RECOMMENDATION:**

That the Minutes of the Hawkesbury Civic and Citizenship Committee Meeting held on the 26 November 2019 be received and noted.

---

**DISCUSSION**

The Hawkesbury Civic and Citizenship Advisory Committee met on 26 November 2019 to discuss the nominations for the 2020 Australia Day Awards. There were several nominations for each category in which the Committee discussed and determined the final winners. The categories for the 2020 Australia Day Awards for which nominations were received:

- Citizen of the Year
- Young Citizen of the Year
- Volunteer Person of the Year
- Community Arts Award
- Local Hero Award
- Environment Award
- Commemorative Plaque
- Cultural Heritage Award
- Community Organisation of the Year
- Sports Person of the Year
- Young Sports Person of the Year
- All Abilities Sports Person of the Year

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

Those nominated to receive a 2020 Australia Day Award have been included in a consolidated list of all nominees in alphabetical order:

Alicia Facchin
Allen Yuletian-Taddeo
Arabella Logan
Ashleigh Hill
Australian Resource Centre for PTSD Ltd
Cameron Bailey
Carolyn McInnes
Charlotte Brown
Chris Underwood
Christine Tracy
Community Action for Windsor Bridge (CAWB)
Diane Sweeney
Douglas Bathersby
Ellen Jones
Emily Jamgotchian
Harry Terry
Hawkesbury Amature Swimming Club
Hawkesbury Helping Hands
Hawkesbury Remakery
Hawkesbury Salvation Army
Holly Dalrymple
James Hill
Jasper Sinclair
Jenny Lloyd
Jesse Wijnans
Jessica Wagner
John Jose
John Nichols
Josh Ferris
Louise Hawkins
Madaline Boyle
Madyson Disbray
Malcolm Bobrige
Michelle New
Molly Mamo
Neil Dand
Peter Nicholson
Pink Finss Charity

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

Renee Hardy
Richie Benson
Sandy Freeman
The Hawkesbury Schools Harvest Project – Windsor High School

The outcome of the Minutes (Attachment 1) were sensitive in nature and required an embargo on the release of information.

All items raised in the Minutes of the Hawkesbury Civic and Citizenship Advisory Committee have no policy or financial implications for Council, and are presented for information only.

Council at its meeting on 12 May 2020 deferred this item to the next meeting of Council to include a consolidated list of the 2020 Australia Day Award nominees.

**ATTACHMENTS:**

**AT -1** Minutes - Hawkesbury Civic and Citizenship Advisory Committee - 26 November 2019.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**AT - 1 Minutes - Hawkesbury Civic and Citizenship Advisory Committee - 21 November 2019**

Minutes of the Meeting of the Hawkesbury Civic and Citizenship Committee held in the Large Committee Rooms, Council Offices, Windsor, on 26 November 2019, commencing at 4:05pm.

**ATTENDANCE**

Present: Councillor Patrick Conolly  
 Councillor Sarah Richards  
 Councillor Nathan Zamprogno  
 Mr Barry Adams, Community Representative  
 Ms Melissa Barry, Community Representative  
 Miss Elizabeth Hitches, Community Representative  
 Mrs Jan Barklely-Jack, Community Representative

Apologies: Mr David Bertenshaw, Hawkesbury Sports Council  
 Mr Ted Brill, Hawkesbury Historical Society

In Attendance: Mrs Suzanne Stuart, Corporate Communication Manager  
 Mrs Kaysie Cordi, Events and Community Engagement Co-ordinator  
 Ms Linda Perrine, Director City Planning  
 Mrs Tracey Easterbrook, Administrative Support Coordinator

**RESOLVED** on the motion of Elizabeth Hitches and seconded by Melissa Barry that the apologies be accepted.

**Attendance Register of Hawkesbury Civic and Citizenship Committee**

Member	09.04.2019	26.11.2019
Councillor Patrick Conolly	✓	✓
Councillor Sarah Richards	✓	✓
Councillor Nathan Zamprogno	✓	✓
Mr David Bertenshaw	✓	A
Mrs Melissa Barry	✓	✓
Mr Barry Adams	✓	✓
Ms Elizabeth Hitches	✓	✓
Prof Ian Jack	✓	*
Mr Ted Brill	X	A
Mrs Jan Barklely-Jack	-	✓

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

*\* Professor Ian Jack passed away on 4 September 2019*

Mrs Suzanne Stuart addressed the committee to discuss the following;

- Welcomed Mrs Jan Barklely-Jack to the Hawkesbury Civic-Citizenship Committee and;
- Provided the opportunity for committee members to express their condolences on the passing of Professor Ian Jack.



**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

- It was noted that Professor Ian Jack had been a member of the Hawkesbury Civic and Citizenship Committee for a number of years.

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Patrick Conolly and seconded by Barry Adams that the Minutes of the Hawkesbury Civic and Citizenship Committee held on the 27 November 2018, be confirmed.

**MOTION:**

RESOLVED on the motion of Ms Barry, seconded by Mr Adams.

That standing orders be suspended and that Item 3 be brought forward in the agenda to be dealt with.

**SECTION 2 – Reports for Determination**

**Item: 1                      Review of Council Committees - (79351, 96972)**

**Directorate:**              General Manager

---

**Review of Council Committees**

**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

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**Stage two will involve:**

- Considering the feedback from stage one.
- Engaging with Councillors.
- Considering if there is a transition phase eg. Waste Management and Environmental Sustainability take the opportunity to meet together.
- Completing 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.

---

**COMMITTEE RECOMMENDATION:**

That Hawkesbury Civic and Citizenship Committee members complete the electronic survey which will be distributed via email.

**Item: 2                      Distribution of Code of Conduct to Committee Members (95496, 96972)**

**Directorate:**              Support Services

---

**DISCUSSION:**

The Manager of Corporate Communications was in attendance at the meeting and advised the Committee of the following:-

- The Model Code of Conduct and associated Procedures for the Administration of the Code of Conduct were prescribed by the Office of Local Government in December 2018.
- In accordance with the requirements of the Local Government Act 1993, Council adopted a new Code of Conduct (the Code) and Procedures for the Administration of the Code of Conduct (the Procedures) on the 12 March 2019, based on the prescribed Model Code of Conduct and Procedures.
- The amendments to the Code and the Procedures are substantial and include:-
  - i. New standards relating to discrimination, harassment, bullying, work health and safety, behaviour at meetings, access to Council information, and maintenance of Council records;
  - ii. The incorporation of pecuniary interest provisions which were previously contained in the Local Government Act and Regulation;
  - iii. A new requirement for Councillors and designated persons to disclose a new interest in returns of interests within three months of becoming aware of the interest;
  - iv. New rules governing the acceptance of gifts and benefits;
  - v. New provisions relating to appropriate use of social media.
- Council's new Code of Conduct applies to all official representatives of Council, including Councillors, staff, and representatives on advisory committees.
- As outlined in the report to the Committee, the new Code of Conduct contains additional requirements for all committee representatives acting in their official Council capacity in the following areas:
  - i. Pecuniary interest and non-pecuniary conflict of interests
  - ii. Declaration of gifts and benefits
  - iii. Recordkeeping requirements.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

- Council has also chosen to incorporate some new provisions relating to the use of social media which apply to all committee representatives.
- The Hawkesbury Civic and Citizenship Committee members that had not previously signed for copies of Council's new Code of Conduct and associated Procedures signed as received and noted..

**COMMITTEE RECOMMENDATION:**

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

That all Hawkesbury Civic and Citizenship Advisory Committee members receive and sign for copies of Council's new Code of Conduct and associated Procedures.

**Item: 3                      Election of Chairperson and Deputy Chairperson - (96972)**

**Directorate:**              General Manager

---

The Manager of Corporate Communications called for nominations for the position of Chairperson.

A nomination was received for Ms Elizabeth Hitches.  
Ms Elizabeth Hitches accepted the nomination.

---

**COMMITTEE RECOMMENDATION:**

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

That an election for the position of Chairperson of the Hawkesbury Civic and Citizenship Committee for the 2019/2020 term of the Committee be carried out.

As there were no other nominations Mrs Stuart declared Ms Hitches as the Chairperson of the Hawkesbury Civic and Citizenship Committee for the 2019/2020 term of the Committee.

Mrs Stuart handed the meeting over to the incoming Chair.

Ms Hitches assumed the Chair.

Ms Hitches called for nominations for the position of Deputy Chairperson.

A nomination was received for Mr Barry Adams.  
Mr Barry Adams accepted the nomination.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Ms Barry, seconded by Ms Hitches.

That an election for the position of Deputy Chairperson of the Hawkesbury Civic and Citizenship Committee for the 2019/2020 term of the Committee be carried out.

As there were no other nominations Ms Hitches declared Mr Adams as the Deputy Chairperson of the Hawkesbury Civic and Citizenship Committee for the 2019/2020 term of the Committee.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**Item: 4**                      **Selection of 2020 Hawkesbury Australia Day Award Recipients - (96972)**

**Directorate:**              General Manager

---

Councillor Richards declared a less than significant non-pecuniary interest in this matter. She left the meeting and did not take part in voting or discussion on the Environmental Award and Local Hero Award nominations.

---

**OFFICERS RECOMMENDATION:**

That the Hawkesbury Civic and Citizenship Advisory Committee:

1. Note the assessment criteria outlined in the report and adopt and use this criteria to assess nominations received for the 2020 Australia Day Awards.
  2. Accept nominations based on the adopted criteria and determine the award recipients.
- 

**DISCUSSION:**

- The Committee discussed the nominations for each category of awards.
- 

**COMMITTEES RECOMMENDATION:**

**Citizen of the Year**

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

That Malcolm Bobrige be awarded the Citizen of the Year.

**Community Organisation of the Year**

RESOLVED on the motion of Mr Adams, seconded by Ms Barry.

That Pink Finns be awarded the Community Organisation of the Year.

**Young Citizen of the Year**

RESOLVED on the motion of Councillor Conolly, seconded by Ms Hitches.

That Jesse Wijnans be awarded the Young Citizen of the Year.

**Environmental Award**

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

That Hawkesbury Remakery be awarded the Environmental Award.

**Local Hero Award**

RESOLVED on the motion of Ms Barry, seconded by Councillor Zamprogno.

That Richie Benson be awarded the Local Hero Award.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

RESOLVED on the motion of Mr Adams, seconded by Councillor Conolly.

That Michelle New also be awarded the Local Hero Award.

**Volunteer of the Year**

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

That Diane Sweeny be awarded the Volunteer of the Year.

**Community Arts Award**

RESOLVED on the motion of Ms Hitches, seconded by Mr Adams.

That Madyson Disbray be awarded the Community Arts Award.

**Cultural Heritage Award**

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

That The Hawkesbury Schools Harvest Project - Windsor High School be awarded the Cultural Heritage Award.

**Commemorative Plaque**

RESOLVED on the motion of Councillor Conolly, seconded by Ms Barry.

That no suitable nominations for the Commemorative Plaque Award were received, so the nominations were discarded.

**Sports Person of the Year**

RESOLVED on the motion of Ms Barry, seconded by Mr Adams.

That Madaline Boyle be awarded the Sports Person of the Year.

**Junior Person Sports of the Year**

RESOLVED on the motion of Ms Hitchens, seconded by Mr Adams.

That Jasper Sinclair be awarded the Junior Person of Sports of the Year.

**All Abilities Sports Person of the Year**

RESOLVED on the motion of Councillor Conolly, seconded by Ms Barry.

That Renee Hardy be awarded the All Abilities Sports Person of the Year.

RESOLVED on the motion of Ms Hitches, seconded by Mr Adams.

That Sandy Freeman also be awarded the All Abilities Sports Person of the Year.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**SECTION 3 – Reports for Information**

**Item: 5**                      **Annual Report Hawkesbury Civic and Citizenship Committee - (96972)**

**Directorate:**              General Manager

---

**MOTION:**

RESOLVED on the motion of Councillor Zamprogno, seconded by Mr Adams.

That the report be received and noted.

**Item: 6**                      **Civic and Citizenship and Councillor Workshop - (96972)**

**Directorate:**              General Manager

---

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Ms Barry, seconded by Councillor Conolly.

That the information in this report be received and noted.

**SECTION 4 – General Business**

**2020 Australia on the Hawkesbury Update:**

- 2020 Sponsors: Windsor RSL, Richmond Club, Hillbilly Cider and SES.
- Local bands and performers will provide live entertainment on stage.
- Roving entertainment will be at the event.
- Emergency Service will be in attendance: SES, RAAF, Police and RFS.
- Size of event space has been reduced, and moved closer to the trees to provide shade.
- Potential activities: Dragon boat racing, Water Skiing and Jet Skiing.
- Food trucks will be onsite; additional tucks will be at the event to reduce waiting in line.
- Rides, waterslides and Remakery craft activities available.

The meeting terminated at 5:15pm.

Submitted to and confirmed at the next Hawkesbury Civic and Citizenship Committee.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**Item: 101**      **ROC - Access and Inclusion Advisory Committee - 27 February 2020 - (124569, 96328)**

**Directorate:**              Support Services

---

**PURPOSE OF THE REPORT:**

The purpose of this report is to present the Minutes of the Hawkesbury Access and Inclusion Advisory Committee, held on 27 February 2020.

**RECOMMENDATION:**

That the Minutes of the Hawkesbury Access and Inclusion Advisory Committee Meeting held on the 27 February 2020 be received and noted.

---

**DISCUSSION**

The Hawkesbury Access and Inclusion Advisory Committee met on 27 February 2020 and considered staff reports on various matters as shown in the minutes attached as Attachment 1 to this report

The following items in the Minutes do not have any policy or financial implications for Council however they are discussed below in the context of post meeting actions.

**Item: 1**              **Audit of Public Amenities – (124569, 96328)**

The Committee considered an audit of public amenities for the purpose of prioritising refurbishment or renewal works in 2020/2021.

The Committee considered there to be a lack of information to assist with their determinations at this meeting.

The Committee considered this matter and resolved the following:

1. *The Hawkesbury Access and Inclusion Committee requests further information from Council regarding the Audit process used, the Audit tool that was used and the Audit outcomes within two weeks to the Committee.*
2. *Council provides details of amenities blocks in the Hawkesbury that have been deemed up to standard.*
3. *Having received additional information, the Hawkesbury Access and Inclusion Committee to reconvene on 19 March 2020 at 4pm with the aim to prioritise the public amenities Audit, with Council to book a room for this meeting.*

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**Officer's Comment**

Subsequent to the meeting, the Committee were advised that some of the information requested by the Committee could best be addressed by having the Council officer with the necessary technical expertise prepare a thorough presentation and attend an upcoming meeting to address Committee questions.

Due to the COVID-19 restrictions a further meeting has not yet been held and this matter will be considered at the Committee meeting on 28 May 2020

**Item: 2            HAIAC - Access and Inclusion Check-list Criteria (124569, 96328)**

**Discussion**

The Committee considered that it was unable to make a determination without the Version 1 of the Hawkesbury Access and Inclusion Checklist being presented to the Committee.

The Committee considered this matter and resolved the following:

1. *That the Hawkesbury Access and Inclusion Committee is to receive the Version 1 of the Hawkesbury Access and Inclusion Checklist for review within two weeks.*
2. *That Council is to further develop the Draft toward a Final Draft and identify the changes made for Version 2 specific to children, the LGBTIQ community and people living with dementia prior to the Hawkesbury Access and Inclusion Committee meeting in April 2020.*

**Officer's Comment**

Subsequent to the meeting, The Committee will be provided with the reference frameworks and the original Access and Inclusion Checklist to enable the Committee to consider what information should be included in an amended checklist.

**ATTACHMENTS:**

**AT - 1**    Minutes of Hawkesbury Access and Inclusion Committee - 27 February 2020.



**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**AT - 1 Minutes of Hawkesbury Access and Inclusion Committee - 27 February 2020**

Minutes of the Meeting of the Hawkesbury Access and Inclusion Committee held by audio-visual link, on, Thursday, 27 February 2020 commencing at 4:00pm.

**Present:** Mr David Gearin, (Deputy Chair) Community Representative  
 Councillor John Ross, Hawkesbury City Council  
 Ms Jessica Brunskill, Community Representative  
 Mr Desmond Crane, Community Representative  
 Ms Jennifer Moses, Community Representative  
 Ms Terri Mottram, Community Representative  
 Mr Malcolm Wilbow, Community Representative

**Apologies:** Councillor Barry Calvert, (Chair) Hawkesbury City Council  
 Ms Meagan Ang, Hawkesbury City Council

**In Attendance:** Ms Patricia Sundin, Hawkesbury City Council  
 Ms Jessica Inness, Support Choice Australia

**RESOLVED** on the motion of Mr Crane and seconded by Ms Brunskill that the apologies be accepted.

Member	02/05/2019	27/06/2019	29/08/2019	24/10/2019	27/02/2020
Councillor Barry Calvert	✓	✓	A	A	A
Councillor John Ross	✓	✓	✓	✓	✓
Ms Jessica Brunskill	A	A	A	✓	✓
Mr Desmond Crane	✓	X	✓	✓	✓
Mr David Gearin	✓	✓	✓	✓	✓
Ms Jennifer Moses	✓	✓	✓	✓	✓
Mr Terri Mottram	✓	✓	✓	✓	✓
Ms Alison Carpenter	✓	✓	A	✓	✓
Mr Malcolm Wilbow	✓	A	✓	✓	✓

**Key:** A = Formal Apology    ✓ = Present    x = Absent - no apology

*Mr David Gearin held the Chair position at this meeting in the absence of Councillor Calvert.*

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Mr Crane and seconded by Ms Brunskill that the Minutes of the Hawkesbury Access and Inclusion Advisory Committee held on the 24 October 2019 be confirmed, with an amendment made to the Attendance at the meeting to include Ms Alison Carpenter and Mr Malcolm Wilbow as present.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**SECTION 3 - Reports for Determination**

**Item: 1**                      **HAIAC - Audit of Public Amenities (124569, 96328)**

**Division:**                      Support Services

---

**OFFICER'S RECOMMENDATION:**

That:

1. The information be received and noted
  2. The Committee consider the audit of public amenities and provide a priority preference for renewal works
- 

**DISCUSSION:**

The Committee considered that they would like more insight into how Council assesses each facility.

The Committee considered that there is a lack of indication as to why the listed toilets were not considered accessible.

The Committee would like Council to provide an idea of how they would prioritise the list.

Mr Crane noted that the toilets at Wilberforce Shopping Centre were not on the list, yet they are not accessible.

Mr Gearin noted that community members using the Church Street Park in South Windsor must cross to the Hawkesbury Oasis Aquatic and Leisure Centre to use an accessible toilet.

The Committee developed a framework to use to consider priorities for the list and would like some feedback from Council as to its content.

**FRAMEWORK**

1. Usage – surrounding uses
2. Access to site – pathways - terrain (gradient) - hours of operation
3. Inclusiveness
4. Condition – lighting
5. Demographics
6. Proximity to other accessible toilets (not on the list)
7. Safety of access

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Ms Moses and seconded by Ms Carpenter.

That:

1. The Hawkesbury Access and Inclusion Committee requests further information from Council regarding the Audit process used, the Audit tool that was used and the Audit outcomes within two weeks to the Committee.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

2. Council provides details of amenities blocks in the Hawkesbury that have been deemed up to standard.
3. Having received additional information, the Hawkesbury Access and Inclusion Committee to reconvene on 19 March 2020 at 4pm with the aim to prioritise the public amenities Audit, with Council to book a room for this meeting.

**Item: 2**                      **HAIAC - Access and Inclusion Check-list Criteria (124569, 96328)**

**Division:**                      Support Services

---

**OFFICER'S RECOMMENDATION:**

That:

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

**DISCUSSION:**

The Committee noted that the tenses and grammar used in the Access and Inclusion Checklist needs to be reviewed.

The Committee noted that the list needed to be user friendly, including streamlining of the language used and items to be more clearly categorised.

The Committee considered that it was unable to make a determination without the Version 1 of the Hawkesbury Access and Inclusion Checklist being presented to the Committee.

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Councillor Ross and seconded by Mr Crane.

That the Hawkesbury Access and Inclusion Committee is to receive the Version 1 of the Hawkesbury Access and Inclusion Checklist for review within two weeks.

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

That Council is to further develop the Draft toward a Final Draft and identify the changes made for Version 2 specific to children, the LGBTIQ community and people living with dementia prior to the Hawkesbury Access and Inclusion Committee meeting in April 2020.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**SECTION 4 - General Business**

There were no General Business matters discussed.

The meeting terminated at 6:18pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**Item: 102**      **ROC - Floodplain Risk Management Advisory Committee - 16 April 2020 - (86589, 124414)**

**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 16 April 2020.

**RECOMMENDATION:**

That in relation to the Minutes of the Floodplain Risk Management Advisory Committee Meeting held on the 16 April 2020:

1. Council receive and note the Floodplain Risk Management Advisory Committee in respect to Item 1 and General Business.
2. Council endorse the Committee Recommendations in respect of Item 2, namely:
  - a) Officers prepare an update to the Regional Flood Mitigation Policy that incorporates the existing Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley and other relevant documents.
3. Council endorse the Committee Recommendations in respect of Item C in General Business, namely:
  - a) Council contacts the relevant authorities to gather data regarding the Hawkesbury River hydrology levels following the February 2020 flood event.
  - b) Council investigates the responsibility and management of sediment control from the construction project in Marsden Park, which appears to be completely unregulated and is filtering into South Creek.

Council supports the applications for grant funded projects listed by Council Officers, through the Floodplain Management Grants Program.

---

**DISCUSSION**

The Committee considered staff reports on a range of matters as shown in the attached minutes (Attachment 1). The following items require specific consideration by Council.

Two matters, contained within the minutes of the Floodplain Risk Management Advisory Committee have policy or financial implications to Council. They therefore require specific consideration by Council, the details of which are discussed in the report below.

In relation to Item 1 and General Business, as they have no policy or financial implications for Council, they are presented for information only.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**Item 2: Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley**

Officers provided the Committee with an outline and background in relation to the Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley, advising that Council adopted this Policy at its Ordinary Meeting on 13 December 2011.

Committee members highlighted that the Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley includes a reference to the Commonwealth and NSW State Government, and expressed concerns about removing this Policy as it was the only link to the Federal Government and their responsibility.

Committee members highlighted that the existing Policy was written as more of a statement of Councils position.

Committee members agreed that the Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley should be enhanced and not removed from Council's Policy Register.

Following discussion and consideration of the matter, the Floodplain Risk Management Advisory Committee resolved:

*That the Floodplain Risk Management Advisory Committee:*

1. *Rescind the previous resolution that recommended the removal of Policy Number PEL0005Z Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley.*
2. *Recommend that Council prepare an update to the Regional Flood Mitigation Policy that incorporates the existing Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley and other relevant documents.*
3. *This Draft Updated Policy be included in the next Floodplain Risk Management Advisory Committee Meeting Agenda on 25 June 2020 for review.*

Officers Comment

Consideration of the matter and drafting of an amended policy can be achieved by the next Committee Meeting on 25 June 2020. As such the recommendation is considered appropriate.

**General Business**

**C. Update on Flood Grants**

Officers provided an update on progress associated with the current grant funded projects, under the Floodplain Management Grants Program, and potential new projects.

Committee members also discussed the filtration build up in the Hawkesbury River after the recent flood event, and that the river is having trouble settling down. It was suggested that a study be considered looking at the effects on the condition of the depths of the river, river hydrology and recovery of river after the recent flood event.

Officers stated that this would be quite a large project and would require a significant amount of funding. Committee members discussed investigating what studies in regards to hydrography have already been undertaken by other parties.

It was noted by a Committee member that the RMS had conducted works to mark the sandbars following the recent flood event, as these were a hazard and that there could be a possibility to measure these again and determine changes.

Committee members also noted that there is unregulated silt from construction sites in Marsden Park, filtering into South Creek. A recommendation was made to investigate this further.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

Following discussion and consideration of the matter, the Floodplain Risk Management Advisory Committee resolved:

*That the Floodplain Risk Management Advisory Committee recommends that Council:*

1. *Contacts the relevant authorities to gather data regarding the Hawkesbury River hydrology levels following the February 2020 flood event.*
2. *Investigates the responsibility and management of sediment control from the construction project in Marsden Park, which appears to be completely unregulated and is filtering into South Creek.*
3. *Supports the applications for grant funded projects listed by Council Officers, through the Floodplain Management Grants Program.*

Officers Comment

Through state agency representatives in attendance at the Committee Meeting information with respect to gathering information on the Hawkesbury River hydrology levels has already started to be received. As such contacting the relevant authorities is considered appropriate.

This is the same for recommendation point 2, although it should be noted that this is not a compliance investigation which is the responsibility of other authorities given the location outside of the Hawkesbury LGA.

In terms of the applications for grant funding through the Floodplain Management Grants Program, this has already been actioned by the due date of 30 April 2020 based on feedback from Committee Members and state agency representatives.

**ATTACHMENTS:**

**AT - 1** Minutes of Floodplain Risk Management Advisory Committee - 16 April 2020.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**AT - 1 Minutes of Floodplain Risk Management Advisory Committee - 16 April 2020**

Minutes of the Meeting of the Hawkesbury Floodplain Risk Management Advisory Committee held by audio-visual link, on Thursday, 16 April 2020 commencing at 4:02pm.

**Present:** Councillor Mary Lyons-Buckett, Chairperson  
 Councillor Paul Rasmussen, Deputy Chairperson  
 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  
 Mr Sadeq Zaman, Office of Environment and Heritage  
 Mr Peter Cinque (OAM), SES

**Apologies:** Councillor Amanda Kotlash, Hawkesbury City Council  
 Mr Kevin Jones, SES

**In Attendance:** Mr Andrew Kearns, Hawkesbury City Council  
 Ms Colleen Haron, Hawkesbury City Council  
 Ms Megan Berrell, Hawkesbury City Council  
 Mr Stephen Yeo, Infrastructure NSW  
 Ms Virginia Ellis, Representative of Member for Hawkesbury

Member	18/04/2019	27/06/2019	26/09/2019	05/12/2019	27/02/2020	16/04/2020
Councillor Mary Lyons-Buckett	✓	✓	✓	✓	✓	✓
Councillor Amanda Kotlash	A	✓	A	✓	✓	A
Councillor Paul Rasmussen	A	✓	A	✓	X	✓
Councillor Danielle Wheeler	✓	✓	A	✓	✓	✓
Councillor Peter Reynolds	✓	✓	✓	✓	✓	✓
Ms Carol Edds	✓	✓	✓	✓	✓	✓
Mr Harry Terry	A	✓	✓	✓	✓	✓
Ms Margaret Mackisack	✓	✓	✓	✓	✓	✓
Mr Kim Ford	A	A	✓	✓	✓	✓
Mr Maurice Smith	A	A	✓	✓	✓	✓
Mr Kevin Jones – (SES Headquarters)	✓	A	✓	X	✓	A
Mr Peter Cinque OAM – (SES Sydney Western Division)	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

Mr Cinque joined the meeting at 4:08pm.  
 Mr Cinque left the meeting at 4:30pm.



**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Mr Smith and seconded by Ms Mackisack that the Minutes of the Floodplain Risk Management Advisory Committee held on the 27 February 2020, be confirmed with the additions detailed below and noting that further discussion would be undertaken during the meeting regarding these matters.

Committee members raised the following matters associated with the minutes:

**Item 1**

- In relation to the following point: *“It was highlighted that the effects of the Grose River flood was unprecedented with extremely fast rates of rise which were 1 metre an hour for 4-5 hours at North Richmond.”*
  - Some Committee members believed that the statement made at the previous meeting by SES representatives was that the Grose River flood was not unprecedented, and that floods of this capacity were not considered unusual for this particular area.
- A request was made to include an additional observation from the February 2020 Flood Event by Committee Members, being: “That the low water level of Warragamba Dam had by default mitigated the flooding of the Valley.”
- In relation to the following point: *“‘Animals Get Ready’ program was not effective, with a number of properties with large numbers of animals at houses impacted.”*
  - Committee members clarified that reference was being made to: “A number of properties with large numbers of animals were evidently unaware of the Animals Get Ready Program highlighting the need for further communication with the community.”

**Item 3**

- In relation to the Recommendation: *“That the Floodplain Risk Management Advisory Committee recommend that Council withdraw the Policy – Regional Flood Mitigation in the Hawkesbury-Nepean Valley policy from Council’s website.”*
  - Some Committee members did not recall a recommendation being made to remove the Policy from Council’s website. It was noted that this particular Policy was included for further discussion as part of the current meeting’s Agenda.

**SECTION 3 - Reports for Determination**

**ITEM: 1**                      **FRMAC - Draft Development on Flood Liable Land Policy 2020 - (86589, 124414, 95498)**

**Previous Item:**        4, FRMAC (31 August 2017)  
                              3, FRMAC (19 April 2018)  
                              3, FRMAC (25 October 2018)  
                              1, FRMAC (18 April 2019)  
                              3, FRMAC (27 February 2020)

**Directorate:**            City Planning

---

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**OFFICERS RECOMMENDATION:**

That the Floodplain Risk Management Advisory Committee:

1. Receive and note the information within this Report; and
2. Recommend that Council endorse the draft Development on Flood Liable Land Policy 2020 for the purposes of public exhibition.

**DISCUSSION:**

- Officers provided an overview of the Draft Development on Flood Liable Land Policy 2020, providing the Committee a brief description of the Hazard Vulnerability Categories of the Australian Disaster Resilience Handbook, being:
  - H1 - Generally safe for vehicles, people and buildings.
  - H2 - Unsafe for small vehicles.
  - H3 - Unsafe for vehicles, children and the elderly.
  - H4 - Unsafe for vehicles and people.
  - H5 - Unsafe for vehicles and people. All building types vulnerable to structural damage. Some less robust building types vulnerable to failure.
  - H6 - Unsafe for vehicles and people. All building types considered vulnerable to failure.
- An enquiry was made regarding the construction of houses below the 1:100 flood level, and how this is possible. Officers advised that in terms of the Draft Policy, as part of the development application process, Officers would consider depths, velocities and building capacities to withstand these floods.
- Committee members raised concerns regarding Hazard Vulnerability Category H1 which specifies that 300mm of water is generally safe for vehicles, people and buildings. The Committee expressed that this is confusing and contradictory to other sources of information, which provide messages to not drive into flood waters.
- Officers advised that these are National Categories that were adopted from the Australian Disaster Resilience Handbook which is considered to be best practice in terms of Hazards. Additionally, that the Draft Policy is an interim measure until Council finalises a new DCP chapter relating to flooding.
- Committee members believed that the message portrayed in the Draft Policy was confusing and needs to be refined.
- An enquiry was made in relation to whether there was a deadline for the Draft Development on Flood Liable Land Policy 2020 to be completed. Officers advised that although there is a strong desire to improve the current Policy as quickly as possible, there is no statutory deadline to undertake this work.
- Committee members noted that particular provisions need to be included in the Draft Policy for places such as aged care facilities which should be outside of vulnerable areas.
- It was noted that in Table 2 of the Draft Policy, the Development Application assessment process should assess the existing capacity and cumulative impact, and that emergency services should be considered and evaluated.
- An enquiry was made in relation to the permissibility of cut and fill and land levels. Officers explained that the Draft Policy does not encourage earthworks or new fill being brought onto land. This is to prevent changes to flood behaviour, but a small amount of pre-existing material on the land can be redistributed to even out topography for building purposes.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

- Officers stated that the preference is that the Floodplain Risk Management Advisory Committee are supportive of the Draft Development on Flood Liable Land Policy 2020, before it is presented to Council.
- A recommendation was made by the Committee in relation to Committee members providing written feedback to Officers, that could be considered and incorporated into the Draft Development on Flood Liable Land Policy 2020.
- The amended Draft Policy would be considered by the Committee at the next meeting on 25 June 2020.

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Councillor Rasmussen and seconded by Mr Ford.

That the Floodplain Risk Management Advisory Committee recommends:

1. Committee members provide written feedback to Council Officers regarding the Draft Development on Flood Liable Land Policy 2020.
2. The Draft Policy be amended and presented at the next Floodplain Risk Management Advisory Committee Meeting on 25 June 2020.

**ITEM: 2**                      **FRMAC - Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley - (86589, 124414, 95498)**

**Previous Item:**        ROC - Ordinary (30 August 2011)  
                              281 - Ordinary (13 December 2011)  
                              ROC - Ordinary (31 March 2020)

**Directorate:**            City Planning

---

**OFFICERS RECOMMENDATION:**

That the Floodplain Risk Management Advisory Committee recommend that Council remove Policy Number PEL0005Z Regional Flood Mitigation in the Hawkesbury-Nepean Valley Policy from Council's Policy Register.

**DISCUSSION:**

- Officers provided the Committee with an outline and background in relation to the Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley, advising that Council adopted this Policy at its Ordinary Meeting on 13 December 2011.
- Committee members highlighted that the Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley includes a reference to the Commonwealth and NSW State Government, and expressed concerns about removing this Policy as it was the only link to the Federal Government and their responsibility.
- Committee members highlighted that the existing Policy was written as more of a statement of Councils position.
- Committee members agreed that the Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley should be enhanced and not removed from Council's Policy Register.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Councillor Wheeler and seconded by Councillor Rasmussen.

That the Floodplain Risk Management Advisory Committee:

1. Rescind the previous resolution that recommended the removal of Policy Number PEL0005Z Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley.
2. Recommend that Council prepare an update to the Regional Flood Mitigation Policy that incorporates the existing Policy for Regional Flood Mitigation in the Hawkesbury-Nepean Valley and other relevant documents.
3. This Draft Updated Policy be included in the next Floodplain Risk Management Advisory Committee Meeting Agenda on 25 June 2020 for review.

**SECTION 5 - General Business**

**A. 2020 Floodplain Management Australia National Conference - Toowoomba**

- Officers advised the Committee that due to the current COVID-19 pandemic, Floodplain Management Australia have recently announced that they will not be running the in-person National Conference in Toowoomba this year, and were looking at options for a virtual conference instead.
- Officers will resubmit the planned presentation to the 2021 Floodplain Management Australia National Conference which will be held in Sydney.

**B. Floodplain Management Australia – NSW/ACT Chapter Meeting Minutes – 20 February 2020**

- Officers provided an overview of the most recent Meeting of the Floodplain Management Australia – NSW/ACT Chapter which took place on 20 February 2020, highlighting matters that would be of particular interest to the Committee.

**C. Update on Flood Grants**

- Officers provided an update on progress associated with the current grant funded projects, under the Floodplain Management Grants Program, and potential new projects.
- Discussion commenced regarding flood evacuation and resilience in caravan parks and the desire for a review of Policy or potentially a new Policy for the relocation of mobile homes on flood liable land.
- Reference was made to the Shoalhaven Project which involved drafting of the Local Approvals Policy and the drafting of 30 separate Emergency Plans, noting that grant funding made this project possible. Committee members requested that Council use the documentation from Shoalhaven to assist with the application for grant funding.
- Officers clarified that additional caravan parks on flood liable land would be highly unlikely, and that there are existing LEP and DCP provisions to justify that position. It was also noted that this matter is currently at the stage of submitting an application for grant funding.
- Committee members enquired whether there are existing evacuation plans in place for caravan parks. Officers advised that there are, but that these vary in standard, and there is a need to provide a template and guidance in order to develop consistency between the various plans.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

- Committee members enquired about the timeline to source the Grose River data. Infrastructure NSW representatives advised that the Regional Flood Study 2019 includes some relevant data as the flood mapping product that was developed covered that portion of the Grose River Valley. It was stated that the 2D Flood Study should be completed by May 2021 but that some data from that study may be available earlier.
- Committee members discussed the filtration build up in the Hawkesbury River after the recent flood event, and that the river is having trouble settling down. It was suggested that a study be considered looking at the effects on the condition of the depths of the river, river hydrology and recovery of river after the recent flood event.
- Officers stated that this would be quite a large project and would require a significant amount of funding. Committee members discussed investigating what studies in regards to hydrographics have already been undertaken by other parties.
- It was noted by a Committee member that the RMS had conducted works to mark the sandbars following the recent flood event, as these were a hazard and that there could be a possibility to measure these again and determine changes.
- Committee members noted that there is unregulated silt from construction sites in Marsden Park, filtering into South Creek. A recommendation was made to investigate this further.
- The Department of Planning, Industry and Environment representative advised that they would be able to source relevant information in terms of Hawkesbury River hydrology and siltation. Subsequent to the meeting some of this material was provided and distributed to Committee members. This information will be included in the Business Papers for the next Committee Meeting.

**RECOMMENDATION:**

**RESOLVED** on the motion of Mr Smith and seconded by Councillor Wheeler.

That the Floodplain Risk Management Advisory Committee recommends that Council:

1. Contacts the relevant authorities to gather data regarding the Hawkesbury River hydrology levels following the February 2020 flood event.
2. Investigates the responsibility and management of sediment control from construction sites in Marsden Park, which appears to be completely unregulated and is filtering into South Creek.
3. Supports the applications for grant funded projects listed by Council Officers, through the Floodplain Management Grants Program.

**D. Action Sheet**

- Officers advised that there is correspondence being added in to the Action Sheet and once updated, this will be distributed to Committee members prior to the next Committee Meeting.

**E. Richmond Bridge Duplication Project**

- Officers noted that there was a previous recommendation made by the Floodplain Risk Management Advisory Committee to invite members of the Infrastructure Committee to attend a Floodplain Risk Management Advisory Committee Meeting to discuss the Richmond Bridge Duplication Project.
- It was explained that due to the current circumstances and that this meeting being the first Committee meeting held via audio-visual/teleconference, that a decision was made to invite the Infrastructure Committee to attend the next Floodplain meeting on 25 June 2020.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**ADDITIONAL GENERAL BUSINESS**

**Committee Structure**

- An enquiry was made regarding the postponement of the 2020 Local Government Elections and whether this means Committee memberships will be extended until the end of term in 2021.
- Officers advised that the review of Committee Structures is still being undertaken including the outcome of the survey of Committee members and that once this has been completed, further details will be provided.

**Air Space and Flood Severity**

- A Committee member stated that the air space in the Warragamba Dam had significantly reduced the severity of the recent flood event, and that it was understood that Infrastructure NSW have developed their modelling but there is no actual figure obtained yet.

**Flood Levels from Smaller Creeks and Roads**

- An enquiry was made whether there were any recordings of measurements taken of the flood levels in smaller creeks and on roads, etc. Officers advised that the Bureau of Meteorology river gauges capture heights in various locations and that Council surveyors were unable to get out at the time of the flood to record levels, due to the equipment required for the task being on the other side of the river. Officers stated that they would investigate whether Council surveyors have been able to take measurements following the flood.
- It was noted that two river gauges were out of action during the flood event, at Yarramundi and Sackville. Infrastructure NSW representatives advised that the drone survey that was undertaken didn't cover the full Valley, and that they are currently trying to obtain data from Transport for NSW and the fixed cameras on ferry crossings.
- Committee members expressed their gratitude to Infrastructure NSW representatives who contribute valuable information and assistance to the Floodplain Risk Management Advisory Committee.

The meeting terminated at 6:00pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**Item: 103      ROC - Environmental Sustainability Advisory Committee - 11 May 2020 - (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 11 May 2020.

**RECOMMENDATION:**

That in relation to the Minutes of the Environmental Sustainability Advisory Committee Meeting held on the 11 May 2020:

1. Council receive and note the Environmental Sustainability Advisory Committee in respect to Items 2, 3 and General Business.
2. Council endorse the Committee Recommendations in respect of Item 1, namely:
  - a) Receive and note the first report card under the Upper Hawkesbury River Water Quality Monitoring Program.
  - b) Notes the completion of the Stage 1 - Scoping Study for the Hawkesbury-Nepean River Coastal Management Program.
  - c) Endorse the findings and proposed approach of the Stage 1 - Scoping Study for the Hawkesbury-Nepean River Coastal Management Program and transition to Stage 2.
  - d) That Council seek funding for development of the Coastal Management Plan through a grant application with partner Councils.
  - e) That Council promote the partnership approach and seeks support of local State and Federal parliamentarians within the Local Government Area.
  - f) That Council writes to wider catchment Councils to seek their involvement in subsequent stages of the CMP planning process.

---

**DISCUSSION**

The Committee 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 1, contained within the minutes of the Environmental Sustainability Advisory Committee have policy or financial implications to Council. They therefore require specific consideration by Council, the details of which are discussed in the report below.

In relation to Items 2, 3 and General Business, as they have no policy or financial implications for Council, they are presented for information only.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**Item 1: Upper Hawkesbury River Water Quality Monitoring Program and Update on the Whole of Hawkesbury River System Coastal Management Program Scoping Study**

The Committee were presented with the first report card of a water quality monitoring program that Council had received funding through the then Office of Environment and Heritage to assess the water quality of the Hawkesbury River within the Hawkesbury LGA.

Officers outlined that the results of the first report perhaps unsurprisingly highlight the poor water quality, but importantly provides a benchmark to measure any actions undertaken to improve water quality, as sizeable a task that is.

Additionally, the Committee were also provided with updates in terms of the Whole of Hawkesbury River System Coastal Management Program Scoping Study including progress on the development of the Scoping Study and next steps in the work and includes a copy of the Final Scoping Study.

Following discussion and consideration of the matter, the Environmental Sustainability Advisory Committee resolved:

*"That the Environmental Sustainability Advisory Committee:*

- 1. Receive and note the first report card under the Upper Hawkesbury River Water Quality Monitoring Program.*
- 2. Notes the completion of the Stage 1 - Scoping Study for the Hawkesbury-Nepean River Coastal Management Program.*
- 3. Endorse the findings and proposed approach of the Stage 1 - Scoping Study for the Hawkesbury-Nepean River Coastal Management Program and transition to Stage 2.*
- 4. Recommends that Council seek funding for development of the Coastal Management Plan through a grant application with partner Councils.*
- 5. Recommends that Council promote the partnership approach and seeks support of local State and Federal parliamentarians within the Local Government Area.*
- 6. Recommends that Council writes to wider catchment Councils to seek their involvement in subsequent stages of the CMP planning process."*

Officers Comment

Proceeding with the Coastal Management Plan Project with other councils in the Hawkesbury Estuary has considerable benefit, but only if a fair approach to funding of the following stages is agreed to by all councils involved.

Details of cost sharing arrangements among the partner Councils are yet to be finalised, however several options have been canvassed within the Scoping Study report. A number of methods have been proposed to calculate this cost as shown in Table 1. Partner Councils will make a decision about the most appropriate funding strategy to ensure completion of the Coastal Management Plan within the timeframe suggested in Stage 1.



**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**Table 1. Example cost sharing arrangements to fund Stage 2-4 of the Coastal Management Plan.**

Potential Option	Central Coast	Northern Beaches	Ku-ring-Gai	Hornsby Shire	Hills Shire	Hawkesbury City	State* (DPIE)
Equal Funding	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%	66.7%
Local Government Area Population	10.2%	7.9%	3.7%	4.5%	5.0%	2.0%	66.7%
Contributing Catchment Size	7.0%	1.1%	0.2%	3.4%	2.5%	19.1%	66.7%
Coastal Environment Area Size	19.9%	2.9%	0.1%	6.1%	1.1%	3.2%	66.7%

*Potential Cost Sharing Arrangements*

Partner councils each invested 10% (\$10K) of the total cost for the development of the Stage 1 Scoping Study, with 50% funded by the NSW Government. The cost associated with similar partnership and funding model is shown in Table 1. In addition, recent changes to the NSW Coast and Estuary Grant Program has resulted in proportionally less of a contribution by partner Councils. Additionally, the grant program will now provide additional support for project administration.

The Hawkesbury City Council contribution for Stage 2 to 4, depending on the cost sharing agreement agreed by the group ranges significantly from approx. \$26,000 (2%) to \$248,300 (19.1%) of the total estimated project cost. The group has been advised that if there is an expectation that the Hawkesbury City Council contribution is in the order of \$248,300 that this is simply not feasible. Should an equitable cost sharing arrangement be agreed then this will be significantly less than if Council did not partner with neighbouring councils to prepare its own Coastal Management Plan by December 2021.

In addition, given the strong influence of catchment processes and the prevalence of catchment-based issues across the Hawkesbury-Nepean River, it may be possible to attract additional Coastal Management Plan funding from the eighteen (18) catchment councils and agencies that have management responsibilities within the Hawkesbury-Nepean catchment.

The development of the Coastal Management Plan is a sound investment in the coastal economy of the Hawkesbury-Nepean River. Using a system-wide approach will provide a vehicle for the coordinated and strategic management of the river system and create a program that can more effectively and efficiently improve river health and amenity in the wider Hawkesbury-Nepean River system.

**ATTACHMENTS:**

**AT - 1** Minutes of Environmental Sustainability Advisory Committee - 11 May 2020.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**

**Meeting Date: 26 May 2020**

**AT - 1 Minutes of Environmental Sustainability Advisory Committee - 11 May 2020**

Minutes of the Meeting of the Hawkesbury Environmental Sustainability Advisory Committee held by audio-visual link, on Monday, 11 May 2020 commencing at 5:00pm.

**Present:** Ms Olivia Leal-Walker, Community Representative, Chairperson  
Councillor Amanda Kotlash, Hawkesbury City Council, Deputy Chairperson  
Councillor John Ross, Hawkesbury City Council  
Mr Eric Brocken, Community Representative  
Mr David Gregory, Community Representative  
Ms Jennifer Moses, Community Representative

**Apologies:** Councillor Danielle Wheeler, Hawkesbury City Council

**In Attendance:** Mr Andrew Kearns, Hawkesbury City Council  
Mr Justin Murphy, Hawkesbury City Council  
Ms Adriana Genova, Hawkesbury City Council  
Ms Megan Berrell, Hawkesbury City Council

Member	13/05/2019	16/09/2019	09/12/2019	17/02/2020	17/02/2020
Ms Olivia Leal-Walker	✓	✓	A	✓	✓
Councillor Amanda Kotlash	✓	A	✓	✓	✓
Councillor Danielle Wheeler	✓	✓	✓	✓	A
Councillor John Ross	✓	✓	✓	X	✓
Mr David Gregory	A	✓	✓	A	✓
Ms Jennifer Moses	✓	✓	✓	A	✓
Dr Jane De Gabriel	A	Maternity Leave	Maternity Leave	Maternity Leave	Maternity Leave
Mr Eric Brocken	✓	X	✓	✓	✓
Ms Danielle Wolf	✓	X	✓	A	-

**Key:** A = Formal Apology      ✓ = Present      x = Absent - No Apology

*The Chairperson welcomed Council's Environmental Sustainability Coordinator, Ms Adriana Genova and Ms Genova introduced herself to the Committee.*

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Ms Leal-Walker and seconded by Councillor Kotlash that the Minutes of the Environmental Sustainability Advisory Committee held on the 17 February 2020 be confirmed, with the amendment of Mr Gregory listed as an Apology once.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**SECTION 2 - Reports for Determination**

**Item: 1**                      **ESAC - Upper Hawkesbury River Water Quality Monitoring Program and Update on the Whole of Hawkesbury River System Coastal Management Program Scoping Study - (126363, 124414, 95498)**

**Previous Item:**        7, ESAC (4 September 2017)  
                              4, ESAC (14 May 2018)  
                              6, ESAC (16 September 2019)

**Directorate:**            City Planning

---

**OFFICER'S RECOMMENDATION:**

That the Environmental Sustainability Advisory Committee:

1.     Receive and note the first report card under the Upper Hawkesbury River Water Quality Monitoring Program.
  2.     Notes the completion of the Stage 1 - Scoping Study for the Hawkesbury-Nepean River Coastal Management Program.
  3.     Endorse the findings and proposed approach of the Stage 1 - Scoping Study for the Hawkesbury-Nepean River Coastal Management Program and transition to Stage 2.
  4.     Recommends that Council seek funding for development of the Coastal Management Plan through a grant application with partner Councils.
  5.     Recommends that Council promote the partnership approach and seeks support of local State and Federal parliamentarians within the Local Government Area.
  6.     Recommends that Council writes to wider catchment Councils to seek their involvement in subsequent stages of the CMP planning process.
- 

**DISCUSSION:**

- Officers provided an overview of the Upper Hawkesbury River Water Quality Monitoring Program and an update on the whole of Hawkesbury River System Coastal Management Program Scoping Study.
- Committee members raised concerns that the Upper Hawkesbury River Water Quality Monitoring Program 2018-2019 Summary Report, produced by Office of Environment and Heritage, is heavily focused on reporting and monitoring rather than potential actions.
- A question was raised in relation to the expectation for Council to respond and community involvement. Concerns were raised that the monitoring program was not sophisticated enough to measure actions regarding education and awareness.
- Comments were raised that Council should be careful about what it uses the Report Card for.
- Officers explained that Council can take action under the existing Coastal Zone Management Plan, but moving forward action will be taken under a new Coastal Management Plan. It was also explained that if the new Plan is not adopted by December 2021, under new legislation, Council will not be able to apply for any more funding for projects relating to coastal zone management.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

- Committee members agreed that the funding option that included a Hawkesbury City Council contribution amount of up to \$248,300 (19.1% of the total estimated project cost) for Stage 2 to 4, is far too much and could not be supported.
- Officers clarified that it has been made very clear to partner Councils that Hawkesbury City Council will not be contributing such a significant amount.

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Councillor Ross, seconded by Ms Leal-Walker.

That the Environmental Sustainability Advisory Committee:

1. Receive and note the first report card under the Upper Hawkesbury River Water Quality Monitoring Program.
2. Notes the completion of the Stage 1 - Scoping Study for the Hawkesbury-Nepean River Coastal Management Program.
3. Endorse the findings and proposed approach of the Stage 1 - Scoping Study for the Hawkesbury-Nepean River Coastal Management Program and transition to Stage 2.
4. Recommends that Council seek funding for development of the Coastal Management Plan through a grant application with partner Councils.
5. Recommends that Council promote the partnership approach and seeks support of local State and Federal parliamentarians within the Local Government Area.
6. Recommends that Council writes to wider catchment Councils to seek their involvement in subsequent stages of the CMP planning process.

**SECTION 3 - Reports for Information**

**Item: 2**                      **ESAC - Hawkesbury City Council Net Zero Emissions and Water Efficiency Strategy - (126363, 124414, 95498)**

**Directorate:**              City Planning

---

**OFFICER'S RECOMMENDATION:**

That the information be received and noted.

---

**DISCUSSION:**

- Officers provided an overview of Councils Net Zero Emissions and Water Efficiency Strategy, advising that Kinesis is currently using the community emissions data platform to drill down into finer suburb detail and provide further community emissions data based on growth within the Hawkesbury LGA. This data will assist to develop recommendations and actions, including potential LEP and DCP clauses that can be implemented to reduce future community emissions.
- Officers highlighted that the aim is for the Net Zero Emissions and Water Efficiency Strategy to go on Public Exhibition in alignment with Hawkesbury Fest, to be held the first week of August 2020

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

and that there is an online survey being drafted for the community to participate in, which will be circulated to the Committee for input prior to being released.

- Committee members discussed water treatment plants in the Hawkesbury, and options for utilising waste water. It was noted that there are sewerage plants at the RAAF Base in Richmond, North Richmond and smaller ones associated with residential areas, nursing homes and schools etc. A query was raised regarding whether these will be captured in the data platforms.
- Officers advised that Kinesis data collection is as a whole and not specifically broken down, but there will be a baseline for both community and corporate data, which includes greenhouse gases and pumping emissions.

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Ms Leal-Walker, seconded by Councillor Kotlash.

That the information be received and noted.

**Item: 3**                      **ESAC - Cooling the City Masterclass, Penrith City Council, 18 February 2020 and Western Sydney Regional Organisation of Councils Programs to Address Urban Heat Issues (126363, 124414, 95498)**

**Directorate:**              City Planning

---

**OFFICER'S RECOMMENDATION:**

That the information in this report be received and noted.

---

**DISCUSSION:**

- Officers provided an overview of the Cooling the City Masterclass held on 18 February 2020, highlighting that four Council staff were in attendance. It was noted that the clear message on the day was that it is essential for Council to have a multi-faceted approach.
- Committee members discussed potential projects, such as Cool Streets, an initiative to empower communities to cool the planet, one street at a time.
- Officers stated that the Urban Heat Clauses will look at tree planting and the whole package rather than individual parts.
- It was highlighted that the benefit of being part of Western Sydney Regional Organisation of Councils, is the opportunity to learn what other Councils are doing in relation to Sydney's urban heat issues.

**COMMITTEE RECOMMENDATION:**

**RESOLVED** on the motion of Councillor Kotlash, seconded by Councillor Ross.

That the information in this report be received and noted.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**SECTION 4 - General Business**

**A. Western Sydney Regional Organisation of Councils - Western Sydney Energy Program**

Business Energy Advice Program

- Officers advised the Committee that the Business Energy Advice Program is a Western Sydney Regional Organisation of Councils Energy project, giving the opportunity for businesses with under 20 employees, to receive advice on Federal and State Government resources available in relation to creating a better energy future.
- It was noted that due to the current Pandemic, there has not been a start date set for this program, but it should begin to be implemented over the next few months.

Transport Working Group

- Officers stated that the Transport Working Group is another project of the Western Sydney Regional Organisation of Councils Energy Program, and that the Working Group will be meeting in July 2020 to discuss electric vehicles and the opportunity for funding of public infrastructure.
- Committee members enquired whether Council will be convening or installing electrical vehicle chargers. Officers clarified that Council will not specifically be installing the chargers, but creating a Policy to allow other companies to install.
- Committee members suggested Council seeks input from local businesses and shopping centre owners, for suitable locations of electrical vehicle chargers.

**B. Keep Australia Beautiful –NSW- Sustainable Cities Awards: Renewable Energy Category**

- Officers advised that Council will be applying for the Sustainable Cities Awards, particularly the Renewable Energy Section of the Awards Program, highlighting that the Hawkesbury City Solar Program has been operational for almost 12 months and that the results from operational data can be used to assist and promote the application.

**C. NSW Department of Education: Centre of Excellence in Agricultural Education at the Western Sydney University Campus.**

- Officers provided an overview of the NSW Department of Education: Centre of Excellence in Agricultural Education at the Western Sydney University Campus and advised that Council staff had recently met with the Principal, Mr Kris Beazley, to learn about the Centre and its plans in the Hawkesbury. The Centre is expected to have its first students enrol in 2021.

**D. Sustainability Tips 2020: Facebook Campaign**

- Officers noted that as highlighted at the last Committee meeting, Officers have met with Corporate Communications to plan a monthly campaign via social media. The campaign is focused on educating residents about how to make changes at home and work, which will reduce their emissions and make their homes and behaviours more sustainable.
- Committee members were enthusiastic about the campaign, stating that the topics are comprehensive, but a comment was made that the wording may not be suitable for community members who do not have any sustainability knowledge. A suggestion was made to make the messages more customer focused.
- Officers appreciated the feedback and advised that they are happy to receive input to incorporate into the campaign.

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**

**ADDITIONAL GENERAL BUSINESS**

**Sustainable House Day**

- The Committee mentioned Sustainable House Day, to be held on 20 September 2020 and the opportunity for Council to support and encourage this.
- An example of a holistic approach to sustainability was made as the Tiny Homes Project, by North West Disability Services at the Secret Garden, which is looking at sustainable building materials to demonstrate energy efficiency in smaller homes.

*Councillor Ross and Councillor Kotlash left the meeting at 6:31pm.*

- The meeting closed with a positive sentiment from a Committee Member, commending Hawkesbury City Council on their continual efforts in relation to Environmental Sustainability initiatives.

The meeting terminated at 6:35pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**SECTION 4 – Reports of Committees**  
**Meeting Date: 26 May 2020**



ordinary

section 5

notices of motion

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 26 May 2020**

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 26 May 2020**

**SECTION 5 – Notices of Motion**

**Item: 104**                      **NM1 - Local Government Leadership and Awareness Program - (79351, 138882)**

---

**Submitted by:** Councillor Wheeler.

**NOTICE OF MOTION:**

That:

1. Prepare a report in which the following questions are answered regarding the series of school engagements hosted in the Council Chambers by the Mayor and Councillor Richards in March 2020.
  - a) When will Council be provided with the report as outlined in the resolution of 31 October 2017 regarding the options of establishment of Local Government Leadership and Awareness Program for local schools?
  - b) When did Council determine that this program would be held?
  - c) When were Councillors informed of it and invited to participate?
  - d) Who composed the questions for the survey, the topics for the debating sessions?
  - e) What has happened to the questionnaires the participants completed, and when will a summary of the findings be provided to all Councillors?
  - f) How will this information be stored and disposed of when no longer required?
  - g) Append a copy of the 2019 and 2020 invitation to schools, the survey, and cover letter which was attached to it by way of information for teachers, students and parents.
  - h) What was the total cost of this program, including staff time?

**FINANCIAL IMPACT**

No financial implications.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 26 May 2020**

**Item: 105**                      **NM2 - Demolition of the old Windsor Bridge - (79351, 125612)**

---

**Submitted by:** Councillor Lyons-Buckett.

**NOTICE OF MOTION:**

That Council:

1. Make immediate representation to the NSW Premier and relevant Ministers seeking a delay in the demolition of the Windsor Bridge until ongoing discussions on the matter, and a report due to Council arising from Resolution 285/18/3 is received.
2. Such representation to be undertaken by the Mayor and General Manager, or delegates, at the earliest possible opportunity.
3. Advise Robyn Preston MP, Member for Hawkesbury of this request and seek her assistance on the matter.

**BACKGROUND**

The replacement bridge in Windsor has opened. Currently Council has an outstanding resolution about historic Windsor Bridge, relation to potential refurbishment and use of the bridge, including an outstanding report on the matter due to be submitted to Council in 2020. At our last meeting it was noted in the Council Resolution Summary that correspondence between the RMS and Council was ongoing, as were discussions with the Local Member.

Despite quite deeply divided opinion on the replacement bridge location, there appears to be widespread support to retain the old bridge, with the aim of integrating it into the town as a functioning item of infrastructure, with potential to be used for community and commercial purposes.

**NOTE BY MANAGEMENT**

The Mayor and General Manager have made ongoing representations to the Local Member regarding the retention of the existing bridge, including providing copies of relevant studies.

The most recent representations took the form of a letter confirming the duration and nature of previous representations.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 26 May 2020**

**Item: 106**                      **NM3 - Collection of Domestic Sullage - (79351, 138881)**

---

**Submitted by:** Councillor Kotlash.

**NOTICE OF MOTION:**

That Council include an additional action in the Draft Operational Plan to:

1. Identify and investigate alternative commercially viable and environmentally sound options for our community in relation to the pump out and collection of domestic sullage, and report the results to Council.
2. It is envisaged that this would involve working with the community to promote and implement any such alternative options.

**BACKGROUND**

Residents within the Hawkesbury currently pay pump out rates significantly higher than adjoining Local Government Areas, due to the subsidies that State Government pay to the relevant landowners in these areas.

While Council has made representations to the local Member regarding this matter, to date we have not been successful in obtaining any subsidies for Hawkesbury residents.

There are now a number of examples where individual land owners across the state, including those living on some tiny inner-city sites, have been able to treat all of their waste on site and avoid the need to connect to an outside sewerage service.

In undertaking this action, some relevant considerations may include:

1. **Characterises the properties that have a pump-out system and investigates alternatives.**

This might include, but should not be limited to:

- the number and general locations of these properties
- the size of these properties and an indication of why they require this particular type of system
- how pump-out charges are determined
- possible alternative on-site treatment systems, including cost comparisons to pump-out
- an estimate of the reduction in operating costs to the sewage treatment plant/s that receive the sullage from our pump-out systems if it was to be treated elsewhere
- an estimate of any changes in the foreshadowed cost of future upgrades/maintenance needed to our sewage treatment plants if domestic sullage was treated elsewhere
- The evaluation of Council's current policy on collection of domestic sullage (Policy No. PES0001Z). This policy is dated 14 March 2000 and is in need of review and updating.

2. **How other Councils deal with pump-outs**

- their charges and their specifications for needing to have a pump-out system
- whether there are any options for sharing contracts for pump-out services
- What sort of support, if any, other Councils get from the State or Federal governments for their residents who have a pump-out system?

**ORDINARY MEETING**  
**SECTION 5 – Notices of Motion**  
**Meeting Date: 26 May 2020**

3. **A description of the environmentally vulnerable areas of the Hawkesbury** that might be protected by our pump-out systems. This information could be used to seek government assistance. Relevant information could include:

- locations of wetlands and other ecologically sensitive areas;
- whether there is any protection afforded to downstream seafood growers, by the number of pump-out systems in the Hawkesbury; and
- how pump-out systems might protect the quality of the water being treated by the drinking water filtration plant at North Richmond.

This work will enable council and residents to evaluate the use of pump out systems in the LGA and potentially enable cost-appropriate alternatives to be introduced, thereby reducing costs to residents, protecting public health and the environment and enabling more effective lobbying for government assistance.

**FINANCIAL CONSIDERATIONS**

If this initiative is included in the Draft Operational Plan, it can be incorporated into the annual work program of the relevant staff.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**  
**Questions for Next Meeting**  
**Meeting Date: 26 May 2020**

**QUESTIONS FOR NEXT MEETING**

**Item: 107**                      **Councillor Questions with Notice from Previous Meeting and Response - 12 May 2020 - (79351)**

---

Questions and Responses in relation to follow up questions asked with no responses given at the 12 May 2020 Council Meeting.

#	Councillor	Question	Response
1	Wheeler	When will Council be provided with this report.	The General Manager has advised that in relation to a Notice of Motion from Councillor Richards and Council resolution 339 of the 31 October 2017 that a report would be provided regarding the options available for the establishment of the Local Government Leadership and Awareness Program. This report has not been prepared at this stage. Council will be provided with this report before 30 September 2020.

**ORDINARY MEETING**  
**Questions for Next Meeting**  
**Meeting Date: 26 May 2020**

#	Councillor	Question	Response
2	Wheeler	When did Council determine that this program would be held.	<p>Council has not determined that the Local Government Leadership and Awareness Program be held.</p> <p>In 2019 and 2020, as an interim measure, a program of Mayoral Morning Teas have been held with the Mayor and students from high schools and primary schools in the Hawkesbury. In 2019 the Member for Macquarie Ms Templeman was invited to participate in the high school Mayoral Morning Tea and in 2020 Councillor Richards was invited to participate in the primary and high school Mayoral morning teas with the Mayor.</p> <p>The program of Mayoral Morning Teas did not require the approval of Council to be held as the funding allocation is approved in the 2019/2020 Operational Plan Civic and Citizenship budget. Within this budget there is discretion to run civic and citizenship events. The Mayoral Morning Teas have been held in 2019 and 2020. The cost in each year was between \$300 - \$400 to hold the morning teas.</p>
3	Wheeler	When were Councillors informed of it and invited to participate.	Councillors were not informed of the Mayoral Morning teas or invited to participate in the Mayoral Morning Teas in 2019 or 2020. These Mayoral Morning Teas were an opportunity for the Mayor to meet the students at the local primary and high schools.
4	Wheeler	The details of two additional questions, not yet provided.	The two additional questions were developed by the Mayor and Councillor Richards for the students to debate. Council staff do not have any details of these questions and were not involved in their development.



**ORDINARY MEETING**  
**Questions for Next Meeting**  
**Meeting Date: 26 May 2020**

#	Councillor	Question	Response
5	Wheeler	What has happened to the questionnaires the participants completed and when will this information be provided to all Councillors.	<p>The completed questionnaires and letters from 2020 are stored in Council's record system.</p> <p>Many of the students voluntarily included their names on the questionnaires. These names will be redacted and a copy of the questionnaires can be circulated to all Councillors.</p>
6	Wheeler	How will this information be stored and disposed of when no longer required.	<p>The completed questionnaires and letters from 2019 and 2020 are stored in Council's record system. In line with State Records Disposal Schedule GA39.4.14.4 under Corporate Management – Reporting – Surveys and Questionnaires the material will be disposed of after three years.</p>

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**Confidential Reports**  
**Meeting Date: 26 May 2020**

**CONFIDENTIAL REPORTS**

**Item: 108**                      **IS - Tender No. T00099 - Operation of Lower Portland Ferry - (95495, 79344, 112333)**

**Directorate:**                      Infrastructure Services

---

**REASON FOR CONFIDENTIALITY**

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

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

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

---

**ORDINARY MEETING**  
**Confidential Reports**  
**Meeting Date: 26 May 2020**

**Item: 109**                      **IS - Licence Agreement with Flow Systems - Irrigation of Fernadell Park - (95495, 112106, 129547)**

**Directorate:**                      Infrastructure Services

---

**REASON FOR CONFIDENTIALITY**

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

*Specifically, the matter is to be dealt with pursuant to Section 10A(2)(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.*

---

**ORDINARY MEETING**  
**Confidential Reports**  
**Meeting Date: 26 May 2020**

**Item: 110**                      **SS - Lease to Buth and Leang - Shop 11, Wilberforce Shopping Centre - (95496, 112106, 132105, 132099, 145339)**

**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.*

---



ordinary  
meeting

end of  
business  
paper

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