



Hawkesbury City Council

ordinary  
meeting  
business  
paper

date of meeting: 09 April 2013

location: council chambers

time: 6:30 p.m.



mission  
statement

***“To create opportunities  
for a variety of work  
and lifestyle choices  
in a healthy, natural  
environment”***

## How Council Operates

Hawkesbury City Council supports and encourages the involvement and participation of local residents in issues that affect the City.

The 12 Councillors who represent Hawkesbury City Council are elected at Local Government elections, held every four years. Voting at these elections is compulsory for residents who are aged 18 years and over and who reside permanently in the City.

Ordinary Meetings of Council are generally held on the second Tuesday of each month (except January), and the last Tuesday of each month (except December), meeting dates are listed on Council's website. The meetings start at 6.30pm and are scheduled to conclude by 11:00pm. These meetings are open to the public.

When an Extraordinary Meeting of Council is held, it will usually also be held on a Tuesday and start at 6.30pm. These meetings are also open to the public.

### Meeting Procedure

The Mayor is Chairperson of the meeting.

The business paper contains the agenda and information on the items to be dealt with at the meeting. Matters before the Council will be dealt with by an exception process. This involves Councillors advising the General Manager by 3:00pm on the day of the meeting, of those items they wish to discuss. A list of items for discussion will be displayed at the meeting for the public to view.

At the appropriate stage of the meeting, the Chairperson will move for all those items which have not been listed for discussion (or have registered speakers from the public) to be adopted on block. The meeting then will proceed to deal with each item listed for discussion and decision.

### Public Participation

Members of the public can request to speak about an item raised in the business paper at the Council meeting. You must register to speak at a Council meeting. To register you must lodge an application form with Council prior to 3:00pm on the day of the meeting. The application form is available on the Council's website, from the Customer Service Unit and by contacting the Manager - Corporate Services and Governance on (02) 4560 4426 or by email at [council@hawkesbury.nsw.gov.au](mailto:council@hawkesbury.nsw.gov.au).

The Mayor will invite registered persons to address the Council when the item is being considered. Speakers have a maximum of five minutes to present their views. The Code of Meeting Practice allows for three speakers on the Proponent side (i.e. in support) and three for the Respondent side (i.e. in objection). If there are a large number of speakers for one item, speakers will be asked to organise for three representatives to address the Council for either the Proponent or Respondent side (six speakers in total).

### Voting

The motion for each item listed for discussion will be displayed for Councillors and public viewing, if it is different to the recommendation in the Business Paper. The Chair will then ask the Councillors to vote, generally by a show of hands or voices. Depending on the vote, a motion will be Carried (passed) or Lost.

### Planning Decision

Under Section 375A of the Local Government Act 1993, voting for all Planning decisions must be recorded individually. Hence, the Chairperson will ask Councillors to vote with their electronic controls on planning items and the result will be displayed on a board located above the Minute Clerk. This will enable the names of those Councillors voting For or Against the motion to be recorded in the minutes of the meeting and subsequently included in the required register. This electronic voting system was an innovation in Australian Local Government pioneered by Hawkesbury City Council.

### Business Papers

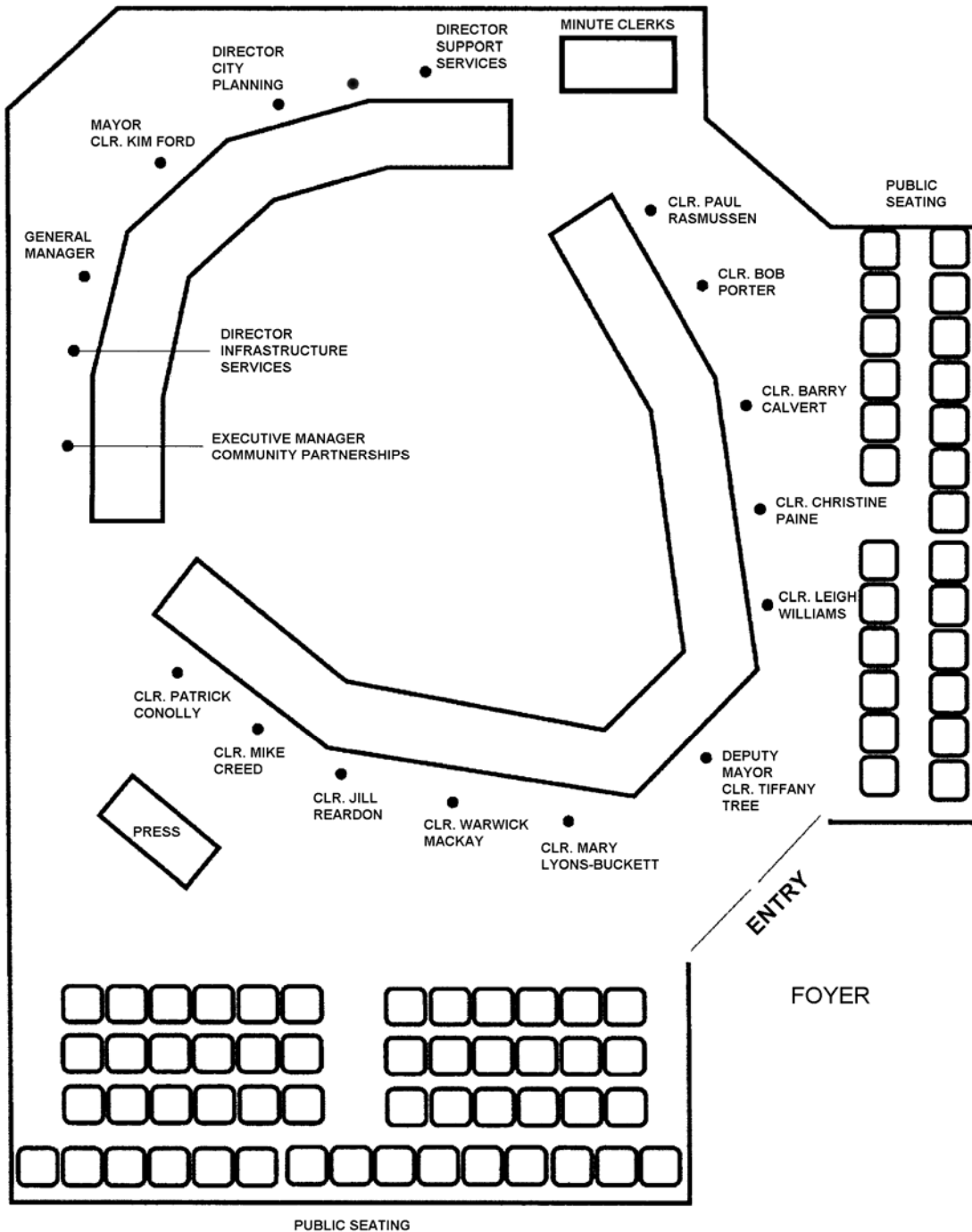
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

Hard copies of the business paper can be viewed at Council's Administration Building and Libraries after 12 noon on the Friday before the meeting, and electronic copies are available on CD to the public after 12 noon from Council's Customer Service Unit. The business paper can also be viewed on the public computers in the foyer of Council's Administration Building.

### Further Information

A guide to Council Meetings is available on the Council's website. If you require further information about meetings of Council, please contact the Manager, Corporate Services and Governance on, telephone (02) 4560 4426.

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**ORDINARY MEETING**  
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**SECTION 1 - Confirmation of Minutes**

The Minutes of the Ordinary meeting held 9 April 2013, are available and will be confirmed at the next Council meeting.

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notices of motion

**ORDINARY MEETING**

Notices of Motion

**ORDINARY MEETING**

Notices of Motion

**SECTION 3 - Notices of Motion**

**NM1 - Solar Street Lighting - (79351, 80093)**

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**Submitted by:** Councillor B Calvert

**NOTICE OF MOTION:**

That a report be brought to Council regarding solar street lighting and that this report addresses the following two items in particular:

1. The feasibility of requiring all future large housing estates (eg greater than 100 homes) to supply solar street lighting for the estate, and
2. The relative costs and possible strategies for converting existing street lighting to solar lighting in all other areas of the city.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**

Notices of Motion

**NM2 - Council's Code of Meeting Practice - (79351, 80093)**

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**Submitted by:** Councillor B Calvert

**NOTICE OF MOTION:**

That the Notice of Motion "Review of Council's Code of Meeting Practice" reported to the Ordinary meeting on 5 February 2013 be widened to include:

1. Any recommendations regarding engaging the community in making decisions (Micromex Research Study September 2011 page 15). This would include recommendations about the possibility of restoring the residents' "Questions Without Notice" session to Council meetings, or any similar options. \*\*
2. Any recommendations regarding providing transparent, accountable and respected leadership (Micromex Research Study September 2011 page 15)" \*\*\*

\*\* This point would be addressing the "effective functioning" of meetings as called for in the original Notice of Motion

\*\*\* This point would address the "efficient functioning" of meetings as called for in the original Notice of Motion.

**BACKGROUND:**

The Notice of Motion adopted on 5th February 2013 was as follows:

*"That following discussion at a Councillor Briefing Session a report be submitted to Council reviewing the Council's Code of Meeting Practice with a view to improving the efficient and effective functioning of Council meetings."*

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

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Notices of Motion

**NM3 - Rezoning in the Area West of the Hawkesbury River - (79351, 80104)**

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**Submitted by:** Councillor C Paine

**NOTICE OF MOTION:**

That as a matter of policy, Council indicate that it will not consider nor support any further applications to rezone land for residential purposes in the area west of the Hawkesbury River until such time as the existing infrastructure issues, particularly as related to traffic, have been addressed to Council's satisfaction.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

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Notices of Motion



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for determination

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 56            **GM - Review of Delegations of Authority Under Section 377 of the Local Government Act, 1993 - (79351)**

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**REPORT:**

**Executive Summary**

Under the provisions of section 380 of the Local Government Act 1993 (the Act), Council is required to review its delegations of authority during the first 12 months of each term of office.

The purpose of this report is to detail current delegations and recommend that Council reaffirm these delegations.

**Consultation**

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

**Background**

Under the provisions of section 380 of the Act, Council is required to review its delegations of authority during the first 12 months of each term of office.

Council's general power to delegate its functions is contained within section 377 of the Act and, for the Council's information, this section is reproduced hereunder:

- “(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:*
- (a) the appointment of a general manager,*
  - (b) the making of a rate,*
  - (c) a determination under section 549 as to the levying of a rate,*
  - (d) the making of a charge,*
  - (e) the fixing of a fee,*
  - (f) the borrowing of money,*
  - (g) the voting of money for expenditure on its works, services or operations,*
  - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
  - (i) the acceptance of tenders which are required under this Act to be invited by the council,*

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- (j) *the adoption of an operational plan under section 405,*
  - (k) *the adoption of a financial statement included in an annual financial report,*
  - (l) *a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
  - (m) *the fixing of an amount or rate for the carrying out by the council of work on private land,*
  - (n) *the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
  - (o) *the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
  - (p) *the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
  - (q) *a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
  - (r) *a decision under section 234 to grant leave of absence to the holder of a civic office,*
  - (s) *the making of an application, or the giving of a notice, to the Governor or Minister,*
  - (t) *this power of delegation,*
  - (u) *any function under this or any other Act that is expressly required to be exercised by resolution of the council.*
- (2) *A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Director-General except as provided by the instrument of delegation to the council."*

As Council will appreciate, in order to ensure the effective operation of the organisation Council delegates authority to the General Manager, committees and other organisations for a wide range of purposes. The General Manager then sub-delegates appropriate authorities to various staff to facilitate the efficient and effective day to day operation of the organisation.

Details of the existing ongoing delegations of authority extended by Council under section 377 of the Act are shown hereunder:

**Delegated Authority to the General Manager**

*"That:*

1. *Hawkesbury City Council in order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities delegates under s 377 of the Local Government Act 1993 to the General Manager the exercise of Council's powers functions duties and authorities contained in legislation and the functions of the Council as specified in:*
  - i) *the Local Government Act and related Acts, and;*
  - ii) *other Acts under which Council has powers authorities duties and functions.*
2. *This delegation is subject to the following limitations:*

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- i) *The provisions of the Local Government Act 1993 and any legislation relevant to the delegations;*
  - ii) *Council may by resolution direct the General Manager in the exercise of any function herein delegated;*
  - iii) *The General Manager shall exercise the functions herein delegated in accordance with and subject to:*
    - (a) *the provisions of the Local Government Act 1993 as amended;*
    - (b) *all and every policy of the Council adopted by Resolution and current at the time of exercise of the functions herein delegated.*
3. *This delegation shall commence on the date of commencement of duties as General Manager of Hawkesbury City Council and shall remain in force until specifically altered or revoked in writing."*

### **Delegated Authority - Various Committees**

#### **1. Hawkesbury Civics & Citizenship Committee**

- "(i) to recommend to Council policies drawn up by professional staff for:*
- *the conduct of the civic and citizenship awards including eligibility criteria, nomination and assessment processes.*
- (ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377,*
- (iii) to determine the selection of award recipients for several awards including but not limited to; Australia Day Awards and the Sports Medal and Sports Certificate Awards;..."*

#### **2. Heritage Advisory Committee**

- "(i) to recommend to Council policies drawn up by professional staff for:*
- *Heritage Assistance Grant Applications, review and recommendations;*
  - *Review of the Local Heritage Listings;*
  - *Organising Heritage Week and other heritage events in the Hawkesbury LGA;*
  - *Increasing community awareness of heritage matters.*
- (ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377;..."*

#### **3. Hawkesbury Human Services Advisory Committee**

- "(i) to recommend to Council policies drawn up by professional staff for:*
- *the design, implementation, monitoring and review of community plans and community planning processes to address the social; economic and environmental needs of residents;*
  - *the design, implementation, monitoring and review of strategies for improving access to services and facilities by disadvantaged groups consistent with Council's responsibilities with regard to equity and access to set down in state and federal legislation;*
- (ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377; ..."*

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### 4. Waste Management Advisory Committee

"(i) to recommend to Council policies drawn up by professional staff for:

- waste management procedures within the Hawkesbury City local government area;
- strategies to promote responsible waste disposal, waste avoidance, and waste recycling and reuse

(ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377. ..."

### 5. Floodplain Risk Management Advisory Committee

"(i) to recommend to Council policies drawn up by professional staff for:

- land use, planning and management under the EP&A Act;
- evacuation strategies;
- planning provisions within the Local Environment Plan;
- improving public infrastructure.

(ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377;..."

### 6. Hawkesbury Sustainability Advisory Committee

"(i) to recommend to Council policies drawn up by professional staff for:

- Natural Resource Management and volunteer networks,
- Energy efficiency and water use and recycling,
- Sustainability education and integration of Council's adopted Sustainability Principles and Objectives into Council and community activities,
- Environmental, water quality and Biodiversity matters within the Hawkesbury.

(ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377;..."

### 7. Audit Committee

(b) The Audit Committee shall have the following authorities delegated to it in accordance with the provisions of Section 377 of the Local Government Act 1993:

- To obtain any information it needs from any employee, via the General Manager, or external party (subject to their legal obligations to protect information).
- To discuss any matters with the external auditor or other external parties (subject to confidentiality considerations).
- To request the General Manager to authorise the attendance of any employee at Committee meetings.
- To obtain legal or other professional advice considered necessary to meet its responsibilities.
- To request any Councillor to attend.

### 8. General Manager's Performance Review Panel

"Council delegate authority to the 'GM Performance Review Panel' to undertake the process required for the review of the performance of the General Manager"

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In addition the Council has also appointed a number of community based management committees and has delegated authority for the care and control and management of their facilities and services to the committees under section 377 of the Act. The various facilities and services granted this general delegation of authority by Council are as follows:

### 1. Child Care Centres

- Hobartville - Hobartville Long Day Pre- School Inc
- Greenhills - Greenhills Child Care Centre Inc.
- Glossodia - Golden Valley Learning Centre Inc.
- McGraths Hill - McGraths Hill Children's Centre Inc.
- North Richmond - Elizabeth Street Extended Hours Pre-School Inc
- Wilberforce - Wilberforce Early Learning Centre Inc.

### 2. Pre-Schools

- Richmond Pre-School Inc
- Wilberforce Pre-School Inc.
- Windsor Pre-School Inc.

### 3. Children & Family Centres

- Bligh Park Children's Centre Management Committee
- Hawkesbury Early Intervention Centre – The Stewart Street Centre Management Committee

### 4. Community Buildings / Neighbourhood Centres & Halls

- Bilpin Hall - The Bilpin District Hall Inc
- Blaxland Ridge Community Centre- Blaxland Ridge Community Centre Management Committee Inc
- Bowman Cottage - Bowman Cottage Management Committee
- Glossodia Community Centre - Glossodia Community & Neighbourhood Centre Inc.
- Hawkesbury Skills Centre, Bosworth Street, Richmond – Hawkesbury Skills Inc.
- Horrie Eley Hall Colo Heights - Colo Heights Neighbourhood Centre & Reserve Management Committee
- McGraths Hill Community Centre - Peppercorn Services Inc.
- Maraylya Hall - Maraylya Hall Management Committee Inc
- North Richmond Community Centre - North Richmond Community Services Inc
- Richmond Neighbourhood Centre - Richmond Community Services Inc.
- St Albans School of Arts - St Albans School of Arts Management Committee
- South Windsor Family Centre – Peppercorn Services Inc.
- Tingingi Community/ Youth Centres & Bligh Park Neighbourhood Centre- Bligh Park Community Services Inc
- Wilberforce School of Arts - Wilberforce School of Arts Inc
- Yarramundi Community Centre - Yarramundi Community Centre Inc

### 5. Playing Fields / Parks

- Active Playing Fields previously determined by Council - Hawkesbury Sports Council Inc
- Bowen Mountain Park - Bowen Mountain Management Committee
- McMahon Park - McMahon Park Management Committee
- St Albans - St Albans Sport & Recreation Association

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### 6. Cemeteries

- Lower Portland - Lower Portland Cemetery Committee
- Pitt Town - Pitt Town Cemetery Committee
- St Albans - St Albans Cemetery Committee

### 7. Externally Funded Services

The following services have been delegated to the care and control of Peppercorn Services Inc.:

- Hawkesbury Community Transport Service (HACC)
- Hawkesbury Community Medical Transport Service
- Hawkesbury Youth Transport Service
- Families NSW Community Youth Hub
- Families NSW EIPP Family Support Service
- Forgotten Valley Family Support Service
- Forgotten Valley Community Builders Project
- Forgotten Valley Vacation Care
- Richmond Occasional Child Care Service
- Hawkesbury Family Day Care
- Peppercorn Easy Care Lawn Mowing Service
- Centre Based Meals Program
- Forgotten Valley Pre-school
- Isolated Residents Transport

### 8. Hawkesbury Sister City Association

*“Pursuant to the provisions of Section 377 of the Local Government Act 1993, that Council delegate authority to the Hawkesbury Sister City Association to promote, on Council’s behalf, understanding at all levels of the local community on a continuing basis with Sister Cities and/or City/Country Alliances as determined from time to time by the Association and Council, and to develop and conduct sporting, youth, cultural and other appropriate exchange programs in association with established Sister City relationships and/or City/Country Alliances.”*

As indicated at the commencement of this report it is now necessary for the Council to review these delegations of authority in accordance with section 380 of the Act. Having regard to the efficient and effective operation of the organisation, it is considered that these delegations of authority are appropriate and should now be reaffirmed by Council.

#### Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Have transparent, accountable and respected leadership and an engaged community.

#### Funding Implications

There are no funding implications associated with this report.



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**RECOMMENDATION:**

That having reviewed the delegations of authority granted by Council, as required under the provisions of section 380 of the Local Government Act 1993, Council resolve to reaffirm and to not alter the basis of such delegations, as detailed in the report to Council on this matter, and that such delegations remain in force until otherwise altered or reviewed by Council.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

CITY PLANNING

Item: 57 CP - Draft Hawkesbury Community Strategic Plan 2013 to 2032 - Public Exhibition of the Draft Plan - (95498)

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**REPORT:**

**Introduction**

On 11 December 2012 Council considered a report proposing the public exhibition of the Hawkesbury Community Strategic Plan (Review) 2013 - 2032 (HCSP) and resolved as follows:

*"That:*

- 1. Subject to the graphical formatting of the document being completed, the Draft Community Strategic Plan as attached to the report be adopted for public exhibition purposes based on the public consultation process adopted by Council on 9 October 2012.*
- 2. A further report be submitted to Council at the conclusion of the public exhibition period."*

This report details the exhibition process and the submissions received as a result of the exhibition of the draft HCSP 2013-2032.

**Public Exhibition**

The HCSP was exhibited from 17 January 2013 to 15 March 2013 being a period of eight weeks. The outcomes of the Community Engagement Strategy adopted by Council on 9 October 2012 resulted in the following distribution of the draft HCSP:

- Approximately 270 copies distributed through static displays in libraries and Council's foyer.
- Approximately 150 copies distributed through static displays in Neighbourhood Centres and community facilities, including the Oasis Leisure Centre, the Senior's Centre, and Richmond TAFE
- Approximately 242 copies distributed through static displays in four major registered clubs.
- Approximately 475 copies distributed through manned 'road-shows' in three shopping centres.
- 50 copies distributed in a mail-out to public authorities.
- Approximately 70 copies distributed through other presentations, including: a North Richmond community group, Rotary, Hawkesbury Community Interagency, Windsor Business Group, the Community Participation Forum on 27 February 2013, and a static display at the Hawkesbury Australian Citizenship Ceremony in January 2013.

Copies were accessible electronically through promotion of information on Council's website and advertising on the Hawkesbury e-News (HeN) via CommunityNet [communitynet@tricom.org.au](mailto:communitynet@tricom.org.au). Council's records indicate that there were 79 page views of the draft HCSP.

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In summary, the exhibition of the HCSP included distribution in hard copy and electronically, advertising in print and online media, information available on Council's website, a pro-forma submission form, a "Frequently Asked Questions" fact sheet, an enquiries phone number, a telephone answering machine, a dedicated email address, unmanned physical displays, staffed road shows, a community participation forum, notification to Council committees, formal presentations to a number of groups and Mayoral speeches.

The two main methods by which persons, groups and government agencies could provide comment to Council were directly in the form of a standardised Submission Form, letter, email or phone message, or by attending the Community Participation Forum.

### Submissions Received

As a result of the public exhibition of the HCSP, Council received 22 submission forms/letter/emails and six community participation forum questionnaires. It is noted that a late submission from NSW Office of Communities Aboriginal Affairs was received by Council on 27 March 2013. Due to the lateness of the submission a detailed response could not be provided in the Submissions table. The submission mainly dealt with operational matters of Council such as acknowledging traditional aboriginal custodians in Council documents and at Council functions and meetings, flying the Aboriginal flag on days of significance to the Aboriginal community, and liaison between Council staff and local Aboriginal community members via forums or an advisory group. These matters can be separately considered by Council at a later date.

The comments made by respondents have been summarised in two tables attached to this report.

The tables also include responses to the submissions. In terms of the forum questionnaire the comments made by respondents were consistent with the comments in the submission forms/letter/emails (six of the seven questionnaire respondents also made written submissions) therefore staff responses have been confined to circumstances whereby specific changes to wording within the HCSP has been proposed.

Common themes in the submissions included:

- concern that the HCSP lacked detail
- want to see the proposed Delivery Program and Operational Plan
- the importance of rural character, heritage, environmental protection, provision of infrastructure, providing solutions to current traffic and transport problems
- want a clearer understanding how the directions, strategies, goals and measures related to each other
- want to see relationship to State Plan
- want a proactive and respectful Council

In the "Response" column of the attached tables, recommendations are made for amendment of the HCSP. These amendments have been included in a track change version of the HCSP which is attached to this report.

Respondents also queried the meaning of some terms or requested that they be defined. In response an explanatory note has been added advising of the Explanation and Terms and normal dictionary definitions.

### Staff amendments to the CSP

Council staff have also further reviewed the HCSP as a result of preparing the draft Delivery Program 2014 - 2017 and Operational 2013/2014, the recent release of the *Western Sydney and Blue Mountains Regional Plan*, December 2012 and advice provided to all councils by the DLG on 18 March 2013.

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As a result the following amendments are proposed:

- Additional wording explaining role of visions, directions, strategies goals and measures
- Revised Mayoral message
- New sections explaining how the HCSP was developed and “Where are we now” (Note this has been added as a result of suggestions from the DLG. This information is background information to give context to the HCSP and does not alter the visions, directions, goals or measures)
- Addition of sections relating to the goals of *NSW 2021 A Plan to Make NSW Number One*, the priorities of the *Western Sydney and Blue Mountains Regional Action Plan*, and identification of Delivery Partners (Note this has been added as a result of public submissions and suggestions from the DLG and does not alter the visions, directions, goals or measures)
- Deletion of “How you can comment on this plan”
- Various minor typographical corrections
- In Looking After People and Place
  - Goals 2 and 10 have been combined as these are essentially the same.
  - Measure 8 - “affordable” has been inserted before “service” to be consistent with Goal 10.
  - Measure 10 - “Funding” has been deleted - this will allow non-funding assistance to community safety providers to be recognised.
  - Additional Measure - “Visitation to cultural and heritage centres”.
- In Caring for Our Environment
  - Strategy 1 - “waterways” has been added after river in order to recognise waterways in addition to the Hawkesbury River.
  - Goal 9 has been deleted as this is a repeat of Goal 2.
  - Measures 7 and 9 have been combined and reworded to “Council’s greenhouse gas emissions” in order to be consistent with Goal 4.
  - Measure 6 has been reworded to “Council’s energy and water use per capita”.
  - Measure 8 was written as an action therefore it has been reworded to “Adherence to adopted sustainability indicators”.
  - Additional Measure 9 - “Council’s use of recycled materials”.
- In Linking the Hawkesbury
  - Strategy 2 - Change the word “partnerships” to “relationships”.
  - Measure 1 - “modes and routes” has been deleted and the boarder term “services” inserted.
  - Measure 2 - “affordable” has been inserted after “agreed”.
  - Measures 4 - Add the following words to the end of the existing wording “compared to long term renewal costs”.
- In Supporting Business and Local Jobs
  - Additional Measure - “Defence and Aviation Industry indicators”.

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- In Shaping Our Future Together
  - Measure 3 - has been reworded to "Number of Council's volunteers".
  - Measure 4 - "Financial" has been deleted - this will allow non-financial assistance to community groups to be recognised.
  - Additional Measure - "Results of participation in partnerships" to reflect Strategy 2.
  - Additional Measure - "Compliance with reporting requirements" to reflect Strategies 3 and 5.
  - Additional Measures - Community satisfaction with Council services and facilities.

### Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Have transparent, accountable and respected leadership and an engaged community
- A balance set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles.

It should be noted that this report follows a review of the Community Strategic Plan and is essentially consistent with all Themes of the Strategy.

### Financial Implications

The expenses associated with this matter have been provided for in the 2012/2013 Adopted budget.

### RECOMMENDATION:

That:

1. Council adopt the amended Hawkesbury Community Strategic Plan 2013 - 2032 as attached to this report.
2. Subject to any necessary minor editing and layout amendments the adopted Hawkesbury Community Strategic Plan 2013 - 2032 be published.

### ATTACHMENTS:

- AT - 1** Draft Hawkesbury Community Strategic Plan 2013 - 2032 - Summary of Submissions - *(Distributed Under Separate Cover)*
- AT - 2** Draft Hawkesbury Community Strategic Plan 2013 - 2032 - Community Participation Forum Feedback - *(Distributed Under Separate Cover)*
- AT - 3** Amended Hawkesbury Community Strategic Plan 2013 - 2032 - *(Distributed Under Separate Cover)*

oooO END OF REPORT Oooo

**Item: 58 CP - RSPCA NSW Request for Deed of Agreement for the Rehousing of Companion Animals - (39906, 96330)**

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**REPORT:**

**Executive Summary**

A request from RSPCA NSW has recently been received, for Council to enter into a Deed of Agreement with their organisation. The agreement is to assist to continue developing relationships with a number of councils across the State with a view to better facilitating the placement and rehousing of suitable companion animals, and ultimately reducing euthanasia rates through supportive networks.

**Consultation**

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

**Background**

Following the introduction of the RSPCA's "Drive For Lives" initiative, the number of regional councils with which the RSPCA liaise has steadily grown. It is generally felt it is beneficial for all concerned if processes were standardised and roles clarified through the development and implementation of a Deed of Agreement for the rehousing of Companion Animals. Considering the existing relationship with Council and its Companion Animal Shelter, it was determined by the RSPCA NSW that Hawkesbury City Council would be included in the first round of the State-wide roll-out.

Upon receiving such a request, the management team of the Companion Animal Shelter was consulted, so as to ascertain if the agreement would be beneficial to Council's operations, and to ensure that the Deed would not place any unreasonable demands on Council's operations.

The consultation process revealed that the terms of the Deed of Agreement would result in benefits to Council in relation to having better opportunities for the housing of companion animals in the future, with no disadvantages being identified.

The Deed will formalise the terms of requests from Council for assistance in rehousing companion animals which otherwise may be euthanised due to suitable homes not being identified through Council's normal welfare support systems.

**Conformance to Community Strategic Plan**

The proposal is consistent with the Looking After People and Place Directions statement;

- Have friendly neighbourhoods, connected communities, and supported households and families.

**Financial Implications**

No financial implication in relation to this report

**ORDINARY MEETING**

**Meeting Date:** 9 April 2013

**RECOMMENDATION:**

That Council agree to the terms of the Deed of Agreement submitted by the RSPCA NSW in respect of Council's Companion Animal Shelter and the General Manager be authorised to sign the Agreement and return it to the RSPCA NSW for execution by that organisation.

**ATTACHMENTS:**

**AT - 1** Copy of Proposed Deed of Agreement between the RSPCA NSW and Hawkesbury City Council

**ORDINARY MEETING**

**Meeting Date: 9 April 2013**

**AT - 1 Copy of Proposed Deed of Agreement between  
RSPCA NSW and Hawkesbury City Council**

**DEED OF AGREEMENT**

**PARTIES**

**The Royal Society for The Prevention of Cruelty to Animals, New South Wales  
(RSPCA)**

**AND**

**Hawkesbury City Council  
(Council)**





**ORDINARY MEETING**

**Meeting Date:** 9 April 2013

**THIS DEED** dated 31 January 2013

**PARTIES**

**The Royal Society for The Prevention of Cruelty to Animals, New South Wales** of 201 Rookwood Road, Yagoona, New South Wales  
(RSPCA)

And

**Hawkesbury City Council** of 366 George Street, Windsor, New South Wales  
(Council)

**BACKGROUND**

- A. Council may wish to place certain animals with the RSPCA so as to maximise their prospect of adoption.
- B. The RSPCA agrees to accept the surrender of animals from Council in accordance with the terms and conditions of this Deed.

**OPERATIVE PROVISIONS**

**1. Interpretation and Definitions**

1.1 In the interpretation of this Deed:

- (a) References to legislation or provisions of legislation include changes or re-enactments of the legislation and statutory instruments and regulations issued under the legislation as well as any amendments to that legislation;
- (b) Words denoting the singular include the plural and vice versa; words denoting individuals or persons include bodies corporate and vice versa; references to documents or agreements also mean those documents or agreements as changed, novated or replaced, and words denoting one gender include all genders;
- (c) Grammatical forms of defined words or phrases have corresponding meanings;
- (d) Parties must perform their obligations on the dates and times fixed by reference to the capital city of the state of New South Wales;
- (e) Reference to an amount of money is a reference to the amount in the lawful currency of the Commonwealth of Australia;
- (f) If the day on or by which anything is to be done is a Saturday, a Sunday or a public holiday in the place in which it is to be done, then it must be done on the next business day;

## ORDINARY MEETING

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- (g) References to a party are intended to bind their executors, administrators and permitted transferees; and
- (h) Obligations under this Deed affecting more than one party bind them jointly and each of them severally.

### 2. Obligations of Council

#### 2.1 Council must:

- (a) Comply with the mandatory holding period prescribed by section 64 of the *Companion Animals Act 1998* (CAA);
- (b) Comply with the notice provisions set out in section 63 of the CAA;
- (c) Cause the register maintained under the CAA to be updated to show the Council as the registered owner of the animal;
- (d) Obtain a certificate reflecting clause 2.1(c) of this Deed and provide it to the RSPCA,

as a pre-condition of seeking the consent of the RSPCA to the transfer of an animal under this Deed.

### 3. Request for Placement with the RSPCA

#### 3.1 Council must:

- (a) Liaise with the nominated RSPCA contact to confirm that the animal can be accommodated prior to collection or delivery of the animal being coordinated;
- (b) Provide to the RSPCA detailed information regarding the estimated breed, age and temperament of the animal ;
- (c) Advise the RSPCA of any health issues that have become apparent during the animals impound period, along with all relevant veterinary history as applicable;
- (d) Advise the RSPCA of any communicable diseases to which the animal may have been exposed;
- (e) Advise the RSPCA of any declarations or orders under the CAA relating to the animal; and

**ORDINARY MEETING**

**Meeting Date:** 9 April 2013

- (f) Advise the RSPCA of any other matter that may be material to the making of a decision as to whether the animal is suitable for adoption (collectively "Request for Placement").

3.2 Council accepts that the RSPCA rely on it providing complete and accurate information required by clause 3.1 of this Deed in the consideration of the Request for Placement of an animal with the RSPCA.

**4. Consideration of Request for Placement by RSPCA**

4.1 The RSPCA after receiving a Request for Placement will:

- (a) Make a determination as to whether the animal is suitable for adoption;
- (b) Make a determination as to whether the RSPCA has sufficient resources to accommodate the animal; and
- (c) Advise the Council as to the result of such determinations.

**5. Acceptance of Request for Placement by RSPCA**

5.1 In the event that the RSPCA accepts the Request for Placement, the:

- (a) Council must comply with the *Prevention of Cruelty to Animals Act 1979 (NSW)* and the *Prevention of Cruelty to Animals Regulation 2012* in relation to the transporting of the animal from the Council to the Shelter, where it is agreed that Council will facilitate such transport;
- (b) Council must complete and sign a RSPCA surrender form in the form annexed to this Deed (or any subsequent amendment to that form) for each and every animal accepted;
- (c) Council must not charge the RSPCA any fee in respect of any animal accepted under this Deed;
- (d) Council will be responsible for any costs incurred during the period the animal was in Council's care, and up until such time the RSPCA receives the animal, including any veterinary expenses
- (e) RSPCA must not charge Council a surrender fee in respect of any animal accepted under this Deed; and

- (f) RSPCA will bear the cost of any subsequent treatment and/or euthanasia due to disease, behavioural or other reason.

**6. Refusal of Request for Placement by RSPCA**

6.1 In the event that the Request for Placement is refused by the RSPCA, if Council decide to euthanase the animal then Council must:

- (a) Ensure that such euthanasia is carried out in accordance with the provisions of the *Prevention of Cruelty to Animals Act 1979 (NSW)* and the *Prevention of Cruelty to Animals Regulation 2012*, in a manner that causes the animal to die quickly and without unnecessary pain; and
- (b) Bear all costs involved in such euthanasia and cadaver disposal.

**7. Indemnity**

7.1 Council acknowledges that the RSPCA relies on it in relation to accuracy, completeness and correctness of the information provided to it by Council pursuant to clause 3.1 of this Deed.

7.2 Council hereby indemnifies and agrees to hold the RSPCA indemnified in respect of any claim, costs, action, suit, complaint, liability, demand, proceeding (Claim) arising from Council providing incorrect, incomplete or inaccurate information to the RSPCA under this agreement, including its liability for legal costs and insurance excesses in respect of any such Claim.

7.3 Subject to clause 7.2 of this Deed, the RSPCA indemnifies the Council in respect to any Claim arising after the date of placement of an animal.

7.4 For the avoidance of doubt, the indemnity in clause 7.3 shall not apply to any loss caused or in any way contributed to by the Council providing inaccurate or incomplete information to the RSPCA under clause 3.1 of this Deed.

**8. Termination**

This Deed may be terminated upon either party giving seven (7) days written notice of termination.

**9. Notices**

A communication required by this Deed, by a party to another, must be in writing and may be given to them by being:

- (a) Delivered personally; or
- (b) Posted to their address specified in this Deed, or as later notified by them, in which case it will be treated as having been received on the second business day after posting; or
- (c) Faxed to the facsimile number of the party with acknowledgment of receipt received electronically by the sender, when it will be treated as received on the day of sending; or
- (d) Sent by email to their email address, when it will be treated as received on that day

**10. General**

10.1 If a provision of this Deed or a right or remedy of a party under this Deed is invalid or unenforceable in a particular jurisdiction:

- (a) It is read down or severed in that jurisdiction only to the extent of the invalidity or unenforceability; and
- (b) It does not affect the validity or enforceability of that provision in another jurisdiction or the remaining provisions in any jurisdiction.

This clause is not limited by any other provision of this Deed in relation to severability, prohibition or enforceability.

10.2 This Deed states all the express terms agreed by the parties in respect of its subject matter. It supersedes all prior discussions, negotiations, understandings and agreements in respect of its subject matter.

**ORDINARY MEETING**

**Meeting Date:** 9 April 2013

10.3 Nothing in this Deed gives a party authority to bind any other party in any way. Nothing in this Deed imposes any fiduciary duties on a party in relation to any other party or constitutes a partnership or joint venture agreement.

10.4 This Deed is governed by the laws of New South Wales and the parties submit to the exclusive jurisdiction of the courts of New South Wales or any competent Federal court exercising jurisdiction in New South Wales.

10.5 This Deed may be:

- (a) Executed in any number of counterparts and all of those counterparts taken together constitute one and the same instrument; and
- (b) Will become binding by exchange of hard copy counterparts or facsimile or email transmission of signed counterparts.

10.6 This Deed may only be amended by the agreement of all parties recorded in writing.

10.7 Each party must promptly at its cost do all things, including executing all documents, necessary or desirable to give full effect to this Deed.

10.8 No party has relied on any statement by any other party not expressly included in this Deed. No party to this Deed may rely on the words or conduct of any other party as a waiver of any right unless the waiver is in writing and signed by the party granting the waiver.

10.9 The parties must negotiate in good faith to resolve any issues that arise in the implementation of this Deed or that affect the carrying out of the terms of this Deed. Any resolution is to be subject of a written variation to this Deed pursuant to clause 10.6.

10.10 Each party will pay their own costs in relation to this Deed.

**ORDINARY MEETING**

**Meeting Date:** 9 April 2013

**EXECUTED AS A DEED**

**SIGNED SEALED & DELIVERED** by )  
The Royal Society for The Prevention )  
of Cruelty to Animals New South )  
Wales in accordance with s127(1) of )  
the Corporations Act (Cwlth) )

\_\_\_\_\_  
Signature of Director

\_\_\_\_\_  
Signature of Director

\_\_\_\_\_  
Name of Director

\_\_\_\_\_  
Name of Director

**SIGNED SEALED & DELIVERED** by )  
Hawkesbury City Council by its )  
General Manager in accordance with )  
s335 of the Local Government Act )  
1993 or by the delegate of the General )  
Manager in accordance with s378 of )  
the Local Government Act 1993 in the )  
presence of: )

\_\_\_\_\_  
Signature of General Manager /  
Delegate

\_\_\_\_\_  
Name of Delegate

\_\_\_\_\_  
Signature of witness

\_\_\_\_\_  
Print name of witness

oooO END OF REPORT Oooo

**INFRASTRUCTURE SERVICES**

**Item: 59**            **IS - Macquarie Street, Windsor - Former KFC Site and Costs Associated With Demolition and Carpark Construction - (95495)**

**Previous Item:**     212, Ordinary (27 November 2012)  
                             84, Ordinary (29 May 2012)  
                             52, Ordinary (24 April 2012)  
                             33, Ordinary (28 February 2012)

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**REPORT:**

**Executive Summary**

This report responds to a Council resolution seeking advice on costs relating to restoration of carparking spaces at the Macquarie and Kable Streets Carpark, and the history of actions regarding alternate uses of the site.

The cost of building demolition and restoration of the site for carparking is estimated at \$203,500. The building was previously leased for a KFC outlet which also provided public amenities. Following cessation of the lease, the building has remained vacant with fitout remaining in place. Council has received numerous enquiries relating to potential leasing of the building, however, no action has been taken in this regard due to the intention to demolish the building. The report is submitted for Council's consideration.

**Consultation**

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

**Background**

The former KFC building at the Macquarie and Kable Streets Carpark is owned by Council, and is currently vacant following termination of the lease in December 2011. The premises comprise a fast food restaurant including seating and a "drive-thru", and is located within a public carpark area.

Council at its meeting of 27 November 2012, following consideration of a report relating to the use of the former KFC site for carparking and toilets resolved, inter alia, for a report to be brought back to Council:

*"On the cost of the restoration for 33 car parking spaces in the Macquarie and Kable Streets Carpark and a brief history of previous actions regarding possible alternate uses for the site"*

The future use of this site was first considered by Council in February 2012, when a report was submitted to Council, following the conclusion of the existing lease and notification by the lessee that they would not be seeking a renewal of the lease.

That report, in consideration of advice that the previous lessee would not be seeking to remove the fitout, and the potential rental income that would be generated for Council, as well as a number of leasing enquiries received, recommended that expressions of interest be sought for lease of the site, with a requirement to provide public amenities.

Council resolved to request a further report detailing the costs of demolition, construction of carparking and provision of a public toilet at that location.



## ORDINARY MEETING

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The matter was then reported to Council in May 2012. This report identified the costs of demolition as \$203,500 made up as follows:

<b>Demolition of existing KFC Building:</b>	
<i>Building Demolition (including removal and tipping fees)</i>	\$25,000
<i>Development Application Fees</i>	\$2,500
<i>Asbestos Removal</i>	\$5,000
<i>Temporary Fencing and Sediment Control Devices</i>	\$5,000
<i>Disconnection of Services (Water, Gas, Electricity, etc)</i>	\$5,000
	<b>\$42,500</b>

<b>Car Parking:</b>	
<i>Reconstruction of Bitumen Surface</i>	\$85,000
<i>Design and Survey</i>	\$5,000
<i>Line Marking and Sign Posting</i>	\$8,000
<i>Kerb and Guttering (including wheel stops)</i>	\$28,000
<i>Street Lighting Installation</i>	\$35,000
	<b>\$161,000</b>

with the additional cost of providing new public amenities at \$223,100.

The works would provide up to 33 carparking spaces subject to the location of a new amenities building. Council resolved to reallocate funding from a number of projects and allocate funding from Section 94 and Section 94A to fund the demolition and carpark works and amenities construction. A further report requested, on the location of the amenities, was presented to Council in November 2012.

Demolition and carpark construction has not been undertaken pending a determination on provision of the amenities building. Since the cessation of use by KFC, Council has received numerous requests from a wide range of businesses for the lease of the building, including the continued provision and maintenance of public toilets/amenities.

A separate report is being prepared detailing alternate sites for additional public amenities in Windsor, and it is anticipated that this report will be presented to Council in May 2013.

### **Conformance to Community Strategic Plan**

The proposal is consistent with the Linking the Hawkesbury Directions statement;

- Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connection for the benefit of residents, visitors and businesses.

The proposal is also consistent with the Looking After People and Place Directions statement;

- Be a place where we protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Identifying the Community needs, establish benchmarks, plan to deliver and advocate for the required services and facilities

### **Financial Implications**

There are no financial implications arising as a result of this information report.

**ORDINARY MEETING**

**Meeting Date:** 9 April 2013

**RECOMMENDATION:**

That in view of Council's previous resolutions, Council proceed with the demolition of the former KFC building and the restoration of carparking spaces at the Macquarie and Kable Streets Carpark.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

Item: 60

IS - Memorial Plinth in Honour of George William Evans and William Cox - (95495)

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**REPORT:**

**Executive Summary**

Following public representation in relation to the upcoming Bicentenary of Crossing of Blue Mountains, the Member for Londonderry, Mr Bart Bassett MP, in recognition of the contribution made by George William Evans and William Cox, sought funding from the NSW Government.

A one-off grant of \$2,500 (plus GST) has now been offered by the Premier of New South Wales towards the construction of an appropriate monument to honour the contributions by George William Evans and William Cox.

**Consultation**

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

**Background**

The Bicentenary of the Crossing of Blue Mountains will be celebrated over the next three years to mark some of Australia's most significant historic milestones.

A number of major events have been planned, centered around the Blue Mountains. One of the central figures in the events to be celebrated, George William Evans, was a former Hawkesbury resident. Councillors will be aware that George William Evans was awarded the Commemorative Plaque as part of Hawkesbury's 2013 Australia Day Awards.

George William Evans played an important part in the history of the Hawkesbury and also Australia. He was one of the first farmers of the Hawkesbury and was instrumental in surveying the route westward from Emu Ford (now known as Penrith) across the Great Dividing Range and beyond. It was his explorations that led to the creation of Bathurst.

The Member for Londonderry, following public representations and in recognition of the contribution made by George William Evans and William Cox, sought funding to erect a memorial plinth in their recognition.

Advice has now been received that a one-off grant of \$2,500 (plus GST) has been offered by the Premier of New South Wales to Council for the construction of a suitable monument to honour the contributions by George William Evans and William Cox.

Subject to Council's approval, arrangements will be made for the design and installation of an appropriate commemorative plaque, to coincide with the upcoming Blue Mountains Crossings Bicentenary celebrations.

**Conformance to Community Strategic Plan**

The proposal is consistent with the Looking After People and Place Directions statement;

- Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Develop and implement a plan to conserve and promote heritage.

**ORDINARY MEETING**

**Meeting Date:** 9 April 2013

**Financial Implications**

Funding in the amount of \$2,500 (plus GST) to be provided as a one-off grant from the Premier of New South Wales will be incorporated into the current budget.

**RECOMMENDATION:**

That:

1. The offer of funding in the amount of \$2,500 (plus GST) offered by the Premier of New South Wales, towards the construction of a monument to honour the contributions by George William Evans and William Cox, in surveying and construction of the road through the Blue Mountains, be accepted.
2. The Premier of New South Wales and the Member for Londonderry be thanked for the grant offer.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

**Meeting Date:** 9 April 2013

**SUPPORT SERVICES**

**Item: 61**            **SS - Cost of Provision of Infrastructure - (95496, 96332)**

**Previous Item:**        4, Notice of Motion (5 February 2013)

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**REPORT:**

**Executive Summary**

At the Council Meeting held on 5 February 2013, consideration was given to a Notice of Motion regarding rates collected from some selected suburbs and the cost of providing services to these suburbs.

At this meeting, Council resolved:

*"That a report be submitted to Council, providing details of the proportion of total rates collected and the proportion of Council's total cost of providing services such as garbage collection, road construction including maintenance and rehabilitation, construction and maintenance of kerb and gutter, and park maintenance and improvements for:*

- a) *Bligh Park, McGraths Hill and Richmond*
- b) *Ebenezer, Tennyson and Blaxlands Ridge"*

The purpose of this report is to provide the information requested in the above resolution, to the extent it is available.

The report recommends that the information be received and noted.

**Consultation**

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

**Background**

At the Council Meeting held on 5 February 2013, consideration was given to a Notice of Motion regarding rates collected from some selected suburbs and the cost of providing services to these suburbs.

At this meeting, Council resolved:

*"That a report be submitted to Council, providing details of the proportion of total rates collected and the proportion of Council's total cost of providing services such as garbage collection, road construction including maintenance and rehabilitation, construction and maintenance of kerb and gutter, and park maintenance and improvements for:*

- a) *Bligh Park, McGraths Hill and Richmond*
- b) *Ebenezer, Tennyson and Blaxlands Ridge"*

The information requested, to the extent it is available, is provided in this report.

**ORDINARY MEETING**

**Meeting Date: 9 April 2013**

**Ordinary Rates Collected**

Table 1 below shows the proportion of ordinary rates collected from each of the suburbs identified in relation to the total ordinary rates levied across all areas within the LGA, for each of the 2009/2010, 2010/2011, 2011/2012, 2012/2013 financial years, and what is proposed for 2013/2014.

Rates levied from each of the identified suburbs are based on the combined land valuations within each suburb as per the NSW Valuer General. As can be seen in Table 1 below, in the urban areas of Bligh Park, McGraths Hill and Richmond, the proportion of the rates collected is low compared to the proportion of the number of properties within each suburb. This reflects the lower property values that generally prevail in these suburbs. On the other hand, in the more rural suburbs of Ebenezer, Tennyson and Blaxland Ridge, the proportion of rates levied is higher than the proportion of the total number of properties within these suburbs. This is a reflection of higher value properties.

*Table 1 – Ordinary Rates*

Suburb	No. of Properties	% of Total Properties	% of Land Valuations	Ordinary Rates 2009/2010	Ordinary Rates 2010/2011	Ordinary Rates 2011/2012	Ordinary Rates 2012/2013	Proposed Ordinary Rates 2013/2014
<b>Total Ordinary Rates</b>	<b>24,752</b>			<b>\$23,670,221</b>	<b>\$24,725,584</b>	<b>\$25,787,451</b>	<b>\$27,084,375</b>	<b>\$28,005,243</b>
Bligh Park	2,247	9%	5.04%	5.22%	5.21%	5.14%	5.19%	6.89%
McGraths Hill	907	4%	2.68%	2.20%	2.52%	2.49%	2.63%	3.15%
Richmond	2,422	10%	6.52%	7.22%	7.17%	7.19%	7.11%	8.48%
<b>Total</b>	<b>5,576</b>	<b>23%</b>	<b>14.24%</b>	<b>14.64%</b>	<b>14.90%</b>	<b>14.82%</b>	<b>14.93%</b>	<b>18.52%</b>
Ebenezer	352	1%	1.98%	2.10%	2.08%	2.06%	1.93%	1.66%
Tennyson	141	0.6%	1.02%	1.05%	1.06%	1.04%	0.99%	0.75%
Blaxland Ridge	202	0.8%	0.99%	1.04%	1.05%	1.05%	0.99%	0.87%
<b>Total</b>	<b>695</b>	<b>2.4%</b>	<b>3.99%</b>	<b>4.19%</b>	<b>4.19%</b>	<b>4.15%</b>	<b>3.91%</b>	<b>3.28%</b>

**Infrastructure Maintenance Expenditure**

Council's expenditure on maintaining its infrastructure includes, but is not limited to, roads and parks maintenance. This expenditure is funded through a combination of rating income, revenue from other sources, and funding from other levels of government. Of particular relevance to this report and information contained therein, as a major source of funding for Council, in addition to ordinary rates, is the Financial Assistance Grant received from the Federal Government. This Grant has a general component which goes towards the total funding sources for all Council's operations, and a roads component which goes specifically towards funding of roadworks.

Council also receives funding from Roads and Maritime Services (RMS) through the Roads to Recovery and Regional Roads Programs. These funds are specifically to be allocated to roads, as nominated by Council, based on priorities. Funds are also allocated through the Federal Government's Roads to Recovery Program for allocation to Council nominated roads.

**ORDINARY MEETING**

**Meeting Date: 9 April 2013**

Council, through the annual Operational Plan, determines the allocation of funds to its major infrastructure maintenance activities. The allocated funds are then utilised across various areas in the LGA, based on appropriate asset management principles, priorities, customer requests and risk mitigation. As there is no stipulated annual allocation of funding to specific areas, the expenditure in suburbs and overall urban and rural areas therefore varies from one year to another.

- **Road Infrastructure Maintenance**

**Road Maintenance**

Expenditure on road maintenance generally comprises various activities including an annual reseal program across various locations in the LGA, and road maintenance activities including pot hole patching, grading, gravel sheeting, shoulder grading, heavy patching and edge patching.

Road maintenance activities are carried out through a combination of day labour and contractors. The costs incurred in delivering road maintenance services include labour rates, plant hire rates (based on time on the job and /or distance travelled), materials and overheads. As the asset information currently held in Council’s systems does not at this stage go down to specific locations, it is difficult to calculate the exact cost per activity for each respective selected suburb.

In general terms, the cost per activity for areas that are a significant distance from the operational centre, would be higher than the same cost applicable to areas that are closer to the centre. This is as a result of the cost of travelling to the job in terms of labour cost, and fuel costs, plus associated overheads, as well as plant hire rates based on distance and/or time being higher.

In relation to materials, there may also be a variation in the materials used, impacting on cost and maintenance required. Also to be noted is that the frequency and extent of roadworks maintenance will depend on the level and type of traffic flow, which varies between normal vehicles in most urban areas, to heavy vehicles and higher speed zones within or approaching rural areas. The structure and composition of the rural road network also necessitates different maintenance frequency and schedules as to that generally applied to the more urban areas.

Whilst road reseals are accounted for by location, the remaining road maintenance expenditure is accounted for as a total, by activity rather than by project. It is therefore difficult to establish accurately how much funds were spent on those activities on each of the identified suburbs.

Council is currently in the process of implementing an asset management system which will enable more detailed information on expenditure on assets on specific locations. It is expected that details currently unavailable will become available in the future to enable better reporting.

Table 2 below shows the expenditure on road reseals, expressed as a proportion of the total expenditure incurred, on the reseal program, as applicable to the selected suburbs respectively for each of the financial years 2009/2010, 2010/2011 and 2011/2012.

In general reseals are carried out on an age basis, that is, optimally at a 10 - 15 year cycle. Relative age of suburbs can therefore influence expenditure on a suburb basis.

*Table 2 - Reseals*

Suburb	2009/2010	2010/2011	2011/2012
<b>Total</b>	<b>\$1,298,449</b>	<b>\$1,288,069</b>	<b>\$1,691,870</b>
Bligh Park	Nil	Nil	Nil
McGraths Hill	4%	0.16%	Nil

**ORDINARY MEETING**

Meeting Date: 9 April 2013

Suburb	2009/2010	2010/2011	2011/2012
Richmond	9%	11%	12%
<b>Total %</b>	<b>13%</b>	<b>11.16%</b>	<b>12%</b>
Ebenezer	4%	2%	Nil
Tennyson	5%	Nil	Nil
Blaxland Ridge	1%	0.47%	2%
<b>Total %</b>	<b>10%</b>	<b>2.47%</b>	<b>2%</b>

Roadworks maintenance expenditure on other general activities other than the reseals, is allocated separately on the basis of whether a road is sealed or unsealed, with the area of St Albans and surrounds being accounted for separately. As no location specific details are recorded, it is difficult to provide a break down of these costs per suburb.

The proportion of roadworks maintenance expenditure for sealed, unsealed roads, and the St Albans and surrounds area, excluding reseals, is shown in Table 3 below:

*Table 3 – Road Maintenance*

Road Type	2009/2010	2010/2011	2011/2012
<b>Total</b>	<b>\$2,663,984</b>	<b>\$2,745,567</b>	<b>\$2,882,001</b>
Sealed	52.77%	53.08%	50.16%
Unsealed	35.85%	35.64%	42.97%
St Albans & surrounds	11.38%	11.28%	6.87%

The sealed road network consists of a combination of urban and rural areas, whilst unsealed roads and works on St Albans and surrounds are predominately rural roads.

As referred to earlier in the report, Council receives funding from RMS to fund various maintenance activities on regional roads within the LGA. These maintenance activities are not recorded separately per location, and it is therefore difficult to provide information on amounts expended on regional roads within or surrounding the selected suburbs.

#### ***Kerb and Guttering and Drainage Maintenance***

Council undertakes various maintenance activities on the kerb and guttering and drainage networks across the LGA. These maintenance activities are not recorded separately per location, and it is therefore difficult to provide information on amounts expended on these activities within or surrounding the selected suburbs.

- **Parks Infrastructure Maintenance**

Council maintains a significant number of parks and playgrounds across the LGA. Whilst maintenance on parks is not recorded separately per park, this expenditure is accounted for by separately defined areas incorporating a number of suburbs. Expenditure on the suburbs selected for analysis is included within expenditure recorded for the areas which also include other surrounding suburbs. The areas are defined as follows:

- Bligh Park and South Windsor
- McGraths Hill, Pitt Town, Oakville and Maraylya
- Richmond Park
- Richmond and Hobartville



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- Glossodia and Freemans Reach (includes all parks in rural areas not included above)

Table 4 shows the proportion expended on each of the defined areas as a proportion of the total expenditure. This does not include funding provided to the Hawkesbury Sports Council for ongoing maintenance of Council's sporting fields.

*Table 4 – Parks Maintenance & Repairs*

Suburb	2009/2010	2010/2011	2011/2012
<b>Total</b>	<b>\$321,695</b>	<b>\$300,321</b>	<b>\$346,380</b>
Bligh Park and South Windsor	25.57%	20%	24.53%
McGraths Hill, Pitt Town, Oakville and Maraylya	13.47%	7.98%	13.34%
Richmond Park	14.69%	32.07%	22.36%
Richmond and Hobartville	23.31%	23.26%	19.77%
Glossodia, Freemans Reach	22.95%	16.71%	19.99%

- **Infrastructure Capital Works**

In addition to ongoing infrastructure maintenance, Council expends funds in major renewal works and to a lesser extent, new assets. The allocation of capital works funding is based on appropriate asset management principles, priorities, customer requests and risk mitigation. As there is no stipulated annual allocation of funding to specific areas, the expenditure in suburbs, and overall urban and rural areas, will vary from one year to another.

Whilst capital expenditure projects on road construction and road rehabilitation are accounted for by location, funds varying between \$0.5M and \$1.2M annually, are allocated to major road asset renewal works across various locations throughout the LGA. Some of this expenditure may relate to the identified suburbs.

As referred to earlier in the report, Council receives funding from the Federal Government through the Roads to Recovery Program. Amounts expended under this Program are included in the figures reported. Council has discretion regarding location of works when applying for grant funding.

Specific works recorded against the identified suburbs over the last three financial years are shown in Table 5.

*Table 5 – Road Construction and Rehabilitation*

Suburb	2009/2010	2010/2011	2011/2012
<b>Total</b>	<b>\$4,752,669</b>	<b>\$6,762,519</b>	<b>\$3,796,715</b>
Bligh Park	Nil	Nil	Nil
McGraths Hill	Nil	Nil	Nil
Richmond	Nil	Nil	1.21%
Ebenezer	3.98%	7.52%	Nil
Tennyson	11.05%	Nil	Nil
Blaxland Ridge	Nil	Nil	Nil

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During the last three financial years, a number of kerb and guttering and drainage capital projects were undertaken across various locations throughout the LGA. Whilst capital expenditure projects on kerb and guttering and drainage are accounted for by location, funds varying between \$50K and \$200K were spent on major kerb and guttering and drainage network renewal works across various locations throughout the LGA. Some of this expenditure may relate to the identified suburbs.

Table 6 shows the proportion expended within each of the identified suburbs.

*Table 6 – Kerb and Guttering and Drainage Capital Works*

<b>Suburb</b>	<b>2009/2010</b>	<b>2010/2011</b>	<b>2011/2012</b>
<b>Total</b>	<b>\$1,104,162</b>	<b>\$945,117</b>	<b>\$526,807</b>
Bligh Park	Nil	Nil	Nil
McGraths Hill	Nil	Nil	Nil
Richmond	16.44%	29.45%	34.72%
Ebenezer	Nil	Nil	Nil
Tennyson	Nil	Nil	Nil
Blaxland Ridge	Nil	Nil	Nil

During the last three financial years, Council spent in the vicinity of \$1M annually on parks assets renewals. Funding of up to \$270K per year was sourced through grant funding. Table 7 shows the proportion of the cost of parks capital works undertaken within the identified suburbs, as compared to total spent.

*Table 7 – Parks Capital Works*

<b>Suburb</b>	<b>2009/2010</b>	<b>2010/2011</b>	<b>2011/2012</b>
<b>Total</b>	<b>\$861,888</b>	<b>\$1,010,081</b>	<b>\$1,073,073</b>
Bligh Park	Nil	Nil	Nil
McGraths Hill	Nil	Nil	Nil
Richmond	47.7%	21.67%	5.91%
Ebenezer	Nil	Nil	Nil
Tennyson	Nil	Nil	Nil
Blaxland Ridge	Nil	Nil	Nil

In addition to the above, Council provides funding to Hawkesbury Sports Council (HSC) to deliver capital works within sporting fields across the LGA. HSC have provided the capital works expenditure over the last three financial years within the identified suburbs as outlined in Table 8. The works are funded through a combination of Council capital works funds, grant funding and sporting fields user charges.

*Table 8 - Hawkesbury Sports Council Capital Works*

<b>Suburb</b>	<b>2009/2010</b>	<b>2010/2011</b>	<b>2011/2012</b>
Bligh Park	\$21,117	Nil	Nil
McGraths Hill	Nil	\$4,857	\$103,764
Richmond	\$174,466	\$129,642	\$71,665
Ebenezer	Nil	Nil	Nil
Tennyson	Nil	Nil	Nil
Blaxland Ridge	Nil	Nil	Nil

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- Domestic Waste Services**

In addition to ordinary rates levied on each property, Council applies an annual Domestic Waste Charge per service used, to each property in the LGA. The same annual charge applies equally to each service regardless of location. Funds collected through this charge are restricted and can only be applied towards the running of the Domestic Waste Program, which includes the general waste collection service, the recycling service and the kerbside collection service.

General waste collection is undertaken by Council's staff utilising Council's own garbage trucks. The recycling service and kerbside collection services are undertaken by external contractors. Costings provided below relate to the general waste collection service only. In relation to contracted services, Council pays a lump sum annually and can therefore only calculate an approximate cost per property, rather than a mileage cost.

The number of services within each of the identified suburbs is shown in Table 9 below.

*Table 9 – Domestic Waste Services*

<b>Suburb</b>	<b>No of Services</b>
Bligh Park	2,292
McGraths Hill	928
Richmond	2,701
Ebenezer	344
Tennyson	145
Blaxland Ridge	195

Costs incurred in the provision of the Domestic Waste Service include garbage truck running costs such as fuel, maintenance, registration, insurance and depreciation, as well as the drivers' wages costs. The combined annual mileage travelled by Council's garbage trucks is approximately 174,850Kms. The approximate average transport cost per km as of 2011/2012 is approximately \$8.05/Km. This cost does not include overheads and tipping costs applicable to the Program.

The average truck distance travelled for each bin lift (service) in densely populated areas ranges between 40 and 80 metres (including distance travelled to and from the Depot); with the applicable costs per bin lift ranging between \$0.32 and \$0.64 per bin lift. This cost range could be applied to the identified urban suburbs of Bligh Park, McGraths Hill and Richmond.

The average truck distance travelled for each bin lift (service) in less densely populated areas ranges between 100 and 300 metres (including distance travelled to and from the Depot); with the applicable costs per bin lift ranging between \$0.81 and \$2.42 per bin lift annually. This cost range could be applied to the identified rural suburbs of Ebenezer, Tennyson and Blaxland Ridge.

Whilst the cost per service is lower for densely or urban areas than it is for the more rural areas with less properties, the annual charge is charged equally per service regardless of the area.

In relation to contracted waste collection services, the cost to Council includes transport costs and wages costs plus any applicable overheads. The total contract costs are included in the overall Program costs, when determining the annual fee to be charged per service.

It should be noted that domestic waste charges are a fee and are not included in the ad valorem rate.

## ORDINARY MEETING

Meeting Date: 9 April 2013

### Summary

In summary, the report provides to the extent possible, relevant information concerning the proportion rates collected from the identified suburbs of Bligh Park, McGraths Hill, Richmond, Ebenezer, Tennyson and Blaxland Ridge respectively, and the proportion of Council's total cost of providing services such as garbage collection, road construction including maintenance and rehabilitation, construction and maintenance of kerb and gutter and park maintenance, and improvements for these suburbs.

The above details are provided for information.

### Conformance to Community Strategic Plan

The proposal is consistent with the Directions statement;

- Be financially sustainable to meet the current and future needs of the community based on a diversified income base, affordable and viable services

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Maintain and review a sustainable long term financial framework.

### Financial Implications

There are no funding implications arising from this report.

### RECOMMENDATION:

That the information concerning the proportion of rates collected from the identified suburbs of Bligh Park, McGraths Hill, Richmond, Ebenezer, Tennyson and Blaxland Ridge respectively, and the proportion of Council's total cost of providing services such as garbage collection, road construction including maintenance and rehabilitation, construction and maintenance of kerb and gutter and park maintenance, and improvements for these suburbs, be received and noted.

### ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

**ORDINARY MEETING**

**Meeting Date:** 9 April 2013

**CONFIDENTIAL REPORTS**

**Item: 62**            **GM - Complaint Under Council's Code of Conduct against Councillor P Rasmussen - (79351) CONFIDENTIAL**

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**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 in closed session pursuant to Section 10A(2)(i) of the Act as it relates to alleged contraventions of Council's Code of Conduct requirements applicable under section 440 of the Local Government Act 1993 and it is considered that deliberation of the matter in open session would not be in 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**

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**Item: 63 CP - Tender No. 00921 - Provision of Containerised Garden Organics Collection and Processing Service - (95498, 96330) CONFIDENTIAL**

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**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**  
Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

**Councillors Questions from Previous Meetings and Responses - (79351)**

**REPORT:**

**Questions – 26 March 2013**

#	Councillor	Question	Response
1	Lyons-Buckett	Asked who was responsible for incorporating this heritage listing Yobarnie Keyline Farm into the Hawkesbury LEP.	<p>The Director City Planning advised that the addition of a State Heritage Listed item into the Hawkesbury LEP is currently the responsibility of Council. The listing amendment will be added to the LEP either via an administrative “house keeping” amendment or attach the matter to another Planning Proposal. It is expected that this will be undertaken this year.</p> <p>It should be noted that the amendment to the Hawkesbury LEP does not affect the State Listing status as all the implications of that State Listing are not affected if it is not listed in the Hawkesbury LEP.</p>
2	Lyons-Buckett	Asked for clarification if the Mayor was the unidentified figure referred to in the Hawkeye column of the Gazette regarding comments in relation to Heritage and future growth in the Hawkesbury LGA.	The General Manager advised that as the information mentioned in the article was not provided by Council staff, the enquiry should be directed to the author of the article.
3	Paine	Asked if Council staff could investigate if Bilpin Spring Lodge is complying with the conditions in relation to the number of guests that are able to stay at the property.	The Director City Planning advised that the matter is being investigated as to compliance with any development consent conditions.

**ORDINARY MEETING**

Questions for Next Meeting

#	Councillor	Question	Response
4	Calvert	<p>Requested clarification on two outstanding matters in relation to 1 Serpentine Lane, Bowen Mountain and the ongoing investigation.</p> <ol style="list-style-type: none"><li>1. Does Council direct excessive storm water onto the property?</li><li>2. Has Council decided to direct water onto this property and how was this decided?</li></ol>	<p>The Director Infrastructure Services advised that Council is undertaking investigation into this matter and further advice will be provided to Council. It should be noted that the drainage culvert discharging across this property has been in place for many decades with no further diversion of flows occurring. Council will be undertaking any necessary repairs and other works to protect both the road and drainage infrastructure, and the adjoining property.</p>

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**





ordinary  
meeting

end of  
business  
paper

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