



Hawkesbury City Council

ordinary  
meeting  
business  
paper

date of meeting: 14 July 2015

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 11pm. 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 3pm 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 register to speak on any items in the business paper other than the Confirmation of Minutes; Mayoral Minutes; Responses to Questions from Previous Meeting; Notices of Motion (including Rescission Motions); Mayoral Elections; Deputy Mayoral Elections; Committee Elections and Annual Committee Reports. To register, you must lodge an application form with Council prior to 3pm on the day of the meeting. The application form is available on Council's website, from the Customer Service Unit or by contacting the Manager - Corporate Services and Governance on (02) 4560 4444 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 relevant item is being considered. Speakers have a maximum of three minutes to present their views. The Code of Meeting Practice allows for three speakers 'For' a recommendation (i.e. in support), and three speakers 'Against' a recommendation (i.e. in opposition).

Speakers representing an organisation or group must provide written consent from the identified organisation or group (to speak on its behalf) when registering to speak, specifically by way of letter to the General Manager within the registration timeframe.

All speakers must state their name, organisation if applicable (after producing written authorisation from that organisation) and their interest in the matter before speaking.

## **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**

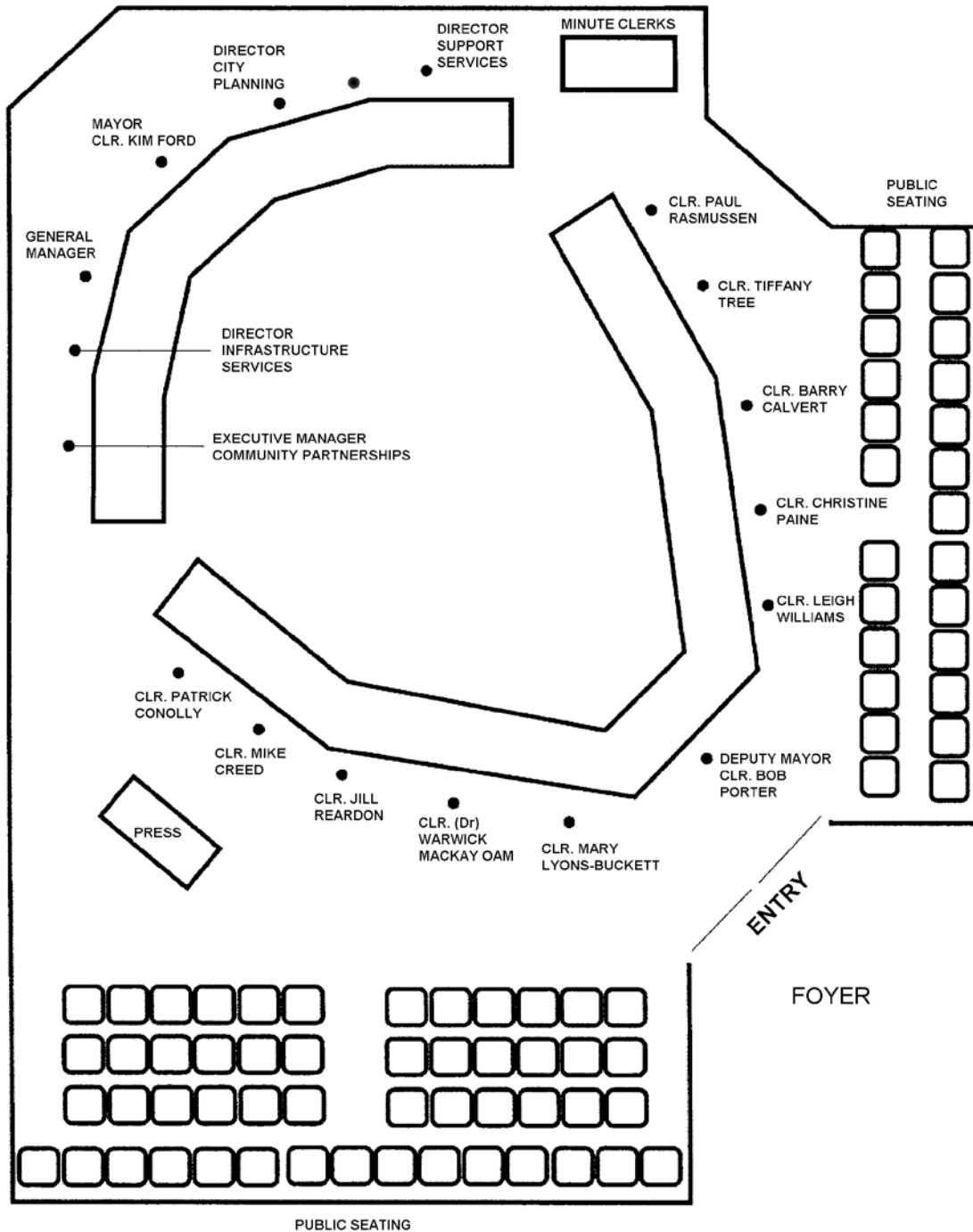
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>.

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 4444.

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**SECTION 3 - Reports for Determination**

**CITY PLANNING**

**Item: 109**                    **CP - Draft Affordable Housing Policy - (95498, 95496, 96328, 96332)**

**Previous Item:**        37, Ordinary (10 March 2015)  
                              27, Ordinary (24 February 2015)  
                              129, Ordinary (29 July 2015)  
                              79, Ordinary (26 May 2015)

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**REPORT:**

**Executive Summary**

At the Ordinary Meeting of Council held on 26 May 2015, consideration was given to a report in relation to a Draft Affordable Housing Policy.

At that meeting Council resolved that the report be received and that the Draft Affordable Housing Policy be placed on public exhibition for 28 days.

The purpose of this report is to consider submissions received and to propose that the Draft Affordable Housing Policy, subject to amendments outlined in the report, be adopted by Council.

**Consultation**

The Draft Affordable Housing Policy was placed on public exhibition from Friday, 5 June 2015 to Monday, 6 July 2015.

**Background**

At the Ordinary Meeting of Council held on 26 May 2015, consideration was given to a report in relation to a Draft Affordable Housing Policy. Council resolved as follows:

*"That:*

1.     *The information be received.*
2.     *Council place the draft Affordable Housing Policy on Public Exhibition for 28 days.*
3.     *A further report to Council be provided following the exhibition period."*

**Public Submissions**

In accordance with Part 2 of the above resolution the Draft Affordable Housing Policy was placed on public exhibition which commenced on Friday, 5 June 2014 and concluded on Monday, 6 July 2015.

Following the conclusion of the exhibition period, four submissions were received in respect of the Draft Affordable Housing Policy.

The submissions and comments addressing the submissions are as follows:

1. Ms Venecia Wilson

*Affordable housing is essential for the wellbeing of the community. I believe there should be mention of increased social services supporting lifestyle improvements in order that at least a percentage of residents requiring low cost accommodation have the opportunity to improve their circumstances where possible in order to allow re-entry to the market driven accommodation standard. There is nothing in this policy regarding education, training or social support. Whilst many in this situation would be unable to increase their income due to age and other factors, there would be a reasonable percentage which would benefit from social & training support in order to re-enter the private or home purchase market, thereby reducing reliance on assisted or low cost accommodation.*

**Comments**

The support for affordable housing as 'essential for the wellbeing of the community' is noted.

In regard to increasing social services, Council's adopted Hawkesbury Homelessness Action Plan (HHAP) in July 2014 - of which Council's Affordable Housing Policy is Action 4.1 - has *Guiding Principles* that were developed in collaboration with a range of State and Federal Government agencies and local support services. These *Guiding Principles* acknowledge that all levels of government and community have a role to play and need to work together effectively. These principles say (in part):

- "4. Homeless people are part of our community and should be treated with respect, having equal access to services and facilities to enable them to fully participate in their community;
5. All people should have access to housing that is affordable, sustainable and meets their individual needs; and
6. Homeless people are entitled to receive support to ensure that they can access and maintain suitable housing."

The Draft Affordable Housing Policy specifically refers (page 3) to the Australian Government's White Paper (2014), *Issues Paper 2: Reform of the Federation - Affordable Housing and Homelessness*, by saying in section 2.0:

*"Stable Housing is identified as a necessary pre-requisite for improved outcomes in employment, education, and the well-being and development of children and young people."*

The correlation between "increased social services" or "education, training or social support" and the wellbeing of communities is acknowledged. However, it is not considered appropriate to amend the Draft Affordable Housing Policy as these services are the primary responsibility of other levels of government and their agencies i.e. it is important to remain cognisant of Council's role as an advocate not a service provider.

2. Ms Nicole Ryan

*I am supportive of HCC undertaking activities to increase the availability of affordable housing in the area, particularly in the areas identified as 800 metres from transport and other services. It would seem that this issue has been ignored in previously approved developments, and we have lost the opportunity to provide low cost housing in the prime areas. The most important aspect is that the onus should be put on private developers to provide a percentage of low income and social housing as part of their application. It is not the role of HCC to directly provide housing, rather direct those who will financially gain from developing land to provide something back to society. HCC does not have the ability, expertise or resources to self-develop any land for this purpose. There must be appropriate developments put on place on the Council owned lands mentioned in the document so that it can be sold to a private developer who can achieve a suitable socio economic mix of residents with old people, young couples, working families, and welfare recipients with no skew towards any particular group. This will create a community. Critically, this must be done to maximise the return to the existing ratepayer base. We do not pay rates in order for our Council to subsidise housing, we pay for services to the entire community. We pay income tax for the senior levels of government to arrange social and welfare policy. HCC has to put the framework in place and stand back.*

**Comments**

Support for Council “undertaking activities to increase the availability of affordable housing in the area, particularly in the areas identified as 800 metres from transport and other services” is noted. As outlined in the Draft Affordable Housing Policy’s *Guiding Principles* this will “allow tenants ready access to a range of essential services and facilities (shops, medical facilities, schools, transport etc.)” in the identified residential areas of the Hawkesbury.

The purpose of the Draft Affordable Housing Policy is to develop a policy framework to support an increase in the supply of affordable housing (particularly affordable rental housing) to address the changing needs of the Hawkesbury community. As outlined in the Draft Affordable Housing Policy under section 6.0 a range of strategies can then be explored, including:

- Monitor demographic trends, housing demand supply, and affordability.
- Develop appropriate strategies aimed at increasing affordable housing supply.
- Advocate for increased affordable housing in suitable locations.
- Work in partnership with key stakeholders and agencies to increase affordable housing options.
- Review Council policies, plans and fees and charges in order to increase opportunities for affordable housing.
- Support government initiatives that increase the supply and understanding of the need for affordable housing.
- Support research initiatives that explore affordable housing options and increase the understanding of the need for affordable housing.

As mentioned in the previous report (Item 70, Ordinary Meeting 26 May 2015), one strategy Council is currently exploring (Item 37, Ordinary Meeting 10 March 2015) is to work in partnership with a community housing provider on a suitable identified portion of council owned land. This could potentially involve a contribution of land from Council and equity from the community housing provider with construction by a third party developer. If these individual site options are progressed they would be consistent with the policy but would warrant separate reports to Council for consideration and public consultation. Hence, no amendment to the draft policy is required.

3. Ms Maree McDermott OAM

*Overall I welcome the development of such a policy. Hawkesbury is no different to other parts of Sydney where the gap between those who now own a home and those who can get into the market and those who have no hope of home ownership or very sadly, no home at all, is very evident. It was always the aspiration of Australians to own a home and raise their family in it. It seems that those days are gone and the ownership of the family home has been overtaken with the aspirations of investments and investors removing home ownership from the life chances of so many Sydneysiders. Why should some people have 10, 20 or more properties and others not one? Because of this the impact of rental affordability has meant that those who would have once owned homes are now pushed down the ladder into renting and this further exacerbates the problems for people on low or supported incomes who may end up in insecure accommodation or homeless. This impacts on their quality of life and the division between rich and poor which is becoming apparent in Australian society. Does the Hawkesbury want this? It appears that this trend is going against the Community Strategic Plan cited in the preamble.*

*I note the growing homeless population in Windsor where I live.*

*Specifics*

*However what I read is a policy without any measurable actions and therefore no accountability back to the community. How will we know the impact and outcomes of the policy? We need KPI's. What is the objective of Council? How many people do we want to own their own home and how many first home buyers do we want to be able to afford properties in the Hawkesbury? Let's develop our own housing needs assessment with affordable housing targets in developments over a certain size.*

- *Monitor demographic trends, housing supply and affordability - who is responsible for this at council?*
- *Develop appropriate strategies - what will they be, how will we see them? I have read the Hawkesbury Homelessness Action Plan and note the actions listed in the back but again there are no measurables in terms of how many and what impact, how will we see homeless being truly addressed in terms of the number of people being assisted into accommodation, where are the pathways from the local prison, has a transport solution been developed etc?*
- *Advocate for increased affordable housing - to whom and when? Can you state a minimum number of representations to our State and Federal members? How about putting in submissions t reviews and consultation papers?*
- *Work in partnership with key stakeholders and agencies - who will these be and what will Council be saying to housing providers like Wentworth Area Housing?*
- *Support government initiatives - are there any? Don't we need to advocate for a change in what is getting in the way of ordinary people being able to afford a home to live in? Don't we need to come up with some of these initiatives?*
- *Support research initiatives that explore affordable housing options - these would be the initiatives that could be advocated to government.*

*Housing affordability is at crisis level, we all see it and hear about amongst our own children and friends. So this is why I would like some real leadership from our local council and some advocacy at both State and Federal levels about changes in government policy that would make a difference. Government at all levels need to recognize that they have a role to play in housing policy and that market failure in this area creates some of the problems that we have today. We need housing reform urgently*

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- *Larger investment on social/public housing with adequate and steady growth to meet the current and projected shortfall.*
- *Tax reform - looking at policy leavers like negative gearing and capital gains tax are exacerbating the problem. Expel the myth that this makes rental housing more affordable. Reduce incentives for speculative investment.*
- *Stamp duty reform - only on multiple properties, first home buyers to pay none.*
- *State governments provide land for social and affordable housing stock.*
- *Securing dedicated affordable housing in new developments.*
- *Enhance Rent Assistance to improve affordability for low income tenants to stop them sliding into homelessness.*

*I note that this policy is an adjunct to the homelessness Action Plan. I would recommend that the Homelessness Action Plan stand alone and the actions therein be reported on to form a part only of the policy of Housing Affordability. I have a keen interest in the supporting the victims of domestic violence and raising awareness of the issue over the last 30 years (which Council adopted a notice of motion on last month - thank-you!) and note that many women and children fleeing violence often fall into homelessness because of this crime. Will Council actively:*

- *Support a women's refuge for the Hawkesbury.*
- *Support short, medium and long term accommodation for women and children leaving refuges and transitioning back into safety and a normal life.*
- *Support existing services.*
- *Support the development of more support services and a Going Home Leaving Violence service in the Hawkesbury to keep women and children in their own homes thus keeping them out of the homelessness/refuge cycle.*

*I suggest that we look at who is becoming homeless these days. I note that older women are in housing stress and are becoming the new homeless. What about different models of housing, shared ownership, co-operative housing where there is a number of small apartments/bedsits for single people in a complex but where there is also a common room where people can share time together and reduce social isolation. I do not advocate such a scheme for people with complex needs. Size of houses - I note that while there are 188,000 people homeless every night in Australian there are some 20,000,000 spare rooms in Australia. Let's try and re-educate the need for huge homes. There are many innovative models that could be developed in the Hawkesbury. Our community is worth it.*

*Again, thank you for the development of the policy. I hope it can be strengthened with tangible benefits being transparent and therefore measurable so that we can see that this policy will make a difference to the community and can be reported on.*

## Comments

Support for the development of Council's Draft Affordable Housing Policy is noted.

Regarding the inclusion of measurable actions, the purpose of the Draft Affordable Housing Policy is to develop a policy framework to support a range of strategies aimed at increasing the supply of affordable housing (particularly affordable rental housing) to address the changing needs of the Hawkesbury community and the loss of affordable housing (for rent or purchase) for low and fixed income families and individuals. The Draft Affordable Housing Policy sets the context and scope of the framework to enable a range of appropriate strategies to be developed to meet the aim of the policy, once adopted. Suggested strategies are listed in section 6.0 STRATEGIES and it is not proposed to include details such as measures at the policy level but rather when the detailed strategies are developed and reported to Council.

Strategies developed and adopted by Council are measured through Council's annual Operational Plan which includes measures in line with Council Community Strategic Plan and Delivery Program and reported in Council's Operational Plan and Annual Report.

In relation to actions identified under Council's Hawkesbury Homelessness Action Plan (HHAP) these are reviewed quarterly by a working group of the Hawkesbury Housing Forum and Council against the identified Measures and Outcomes. Other agencies and community representatives have a role to play which includes joint activities and partnerships. Additional measures, such as the Vulnerability Index (VI) Survey of homeless people were conducted in 2012 and 2014 by partner agencies with support from Wentworth Community Housing. Specific Actions/Strategies under the HHAP are listed with identified key agencies, timeframes, measures and outcomes under the following headings:

1. Planning and Coordination
2. Policy and Advocacy
3. Partnership/Resource Sharing
4. Affordable Housing and Housing Option
5. Transport
6. Information
7. Funding for New Homelessness Services/Facilities

Additional information is included in the Appendices of the HHAP:

- A. Individual Agencies Responses
- B. Other Local Homelessness Workshop Actions
- C. NSW Protocol for Homeless People in Public Places (Oct. 2012)
- D. Outcomes of the NSW Going Home Staying Home Reform of Specialist Homelessness Services for the Nepean Region (2014).

Hence no amendment to the Draft Affordable Housing Policy is proposed on this matter.

#### 4. Brian and Margaret Smith

*We appreciate the opportunity to contribute to the development of Council's Draft Policy on Affordable Housing.*

*Sections 1 to 5 are largely factual and we confine our comments to Part 6 - Strategies.*

#### *General*

*We believe a policy document should be clear and precise and not open to different interpretation. The current wording is vague and fails to identify clear actions and responsibilities.*

*We are concerned that Housing Affordability is to be a component of the Hawkesbury Homelessness Action Plan. Although there is an overlap homelessness should be dealt with as a separate problem with different, multiple causes and solutions many of which require emergency responses. Provision of affordable housing in the Hawkesbury is a long term project.*

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### *Dot Points in Sequence*

- *The word 'monitor' should be replaced with 'recognize'. To monitor can result in watching but doing nothing.*
- *'Develop appropriate strategies' is worthy but needs to identify by whom, how and when to ensure that strategies are developed, ratified by Council and implemented within an agreed schedule. Clear accountability is essential.*
- *'Advocacy' is fine but the target of advocacy needs definition. Is it State Government? Is it the developer?*
- *The **Key** stakeholders need to be clearly nominated as there are far too many minor players in this area to be effective. When acting in partnership some degree of commitment and financial support should be identified.*
- *We suggest the insertion of five words "in order to **minimise cost, remove obstacles and increase...***
- *As above 'support' is vague. **Contribute to** is far more participatory.*

*We trust that our comments will receive careful consideration.*

### **Comments (with minor amendments to wording in Section 6.0)**

The comment regarding affordable housing being a long term project is noted. The Draft Affordable Housing Policy is both complementary to Council's Hawkesbury Homelessness Action Plan and stands alone as a policy framework under which specific affordable housing strategies can be developed.

With regard to suggested changes to the wording of specific dot points for section 6.0 STRATEGIES:

- 'Monitor' suggests an ongoing role while 'recognise' is more of a 'one-off' action which can complement each another. It is agreed that this point include 'recognise' to now read: "**recognise** and monitor demographic trends, housing demand supply and affordability".
- At a policy level, 'develop appropriate strategies' is intentionally broad to allow a range of strategies aimed at increasing affordable housing supply. At the strategy level more details identifying 'who, how and when' would be required to implement an agreed schedule. An example of a current strategy from Council's Ordinary Meeting of 10 March 2015 (Item 37) has been referenced to demonstrate this relationship. The aim of this specific strategy is to develop an affordable rental housing partnership on an identified suitable parcel of council owned land. As stated, this strategy is still under discussion with a local social housing provider. The Draft Affordable Housing Policy is intended to provide the framework from which this and any number of other strategies can be developed.
- 'Advocate' is a term commonly used in this context and it is considered sufficient at the policy level and would include (but not be limited to) advocating to other levels of government and the private sector. To specifically nominate advocacy actions in the Policy could result in a limitation if there is a State or Private sector restructure that introduces a new identity in this field.
- Partnerships with a specific 'key stakeholders' would be identified at a strategy level and would include levels of commitment and any financial contributions.
- It is agreed that 'contribute to' is more participatory and be included in this point to read: 'support and **contribute to** research initiatives that explore affordable housing options and increase the understanding of the need for affordable housing.' No other amendments to the Draft Affordable Housing Policy are proposed on this matter.

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**Conformance to the Hawkesbury Community Strategic Plan**

The proposal is consistent with the *People & Place* Theme and Directions:

- Offer residents a choice of housing option that meets their needs whilst being sympathetic to the qualities of the Hawkesbury; and
- Have friendly neighbourhoods, connected communities, and supported households and families.

and is also consistent with the nominated strategy in the Community Strategic Plan being:

- Encourage affordable, diverse and quality housing solutions in serviced areas.

**Financial Implications**

There are no immediate financial implications arising from this report.

**RECOMMENDATION:**

That the:

1. Report regarding the Draft Affordable Housing Policy be noted.
2. Draft Affordable Housing Policy be adopted subject to amendments outlined in the report.

**ATTACHMENTS:**

**AT - 1** Draft Affordable Housing Policy



**AT - 1 Draft Affordable Housing Policy**

## HAWKESBURY CITY COUNCIL POLICY (Draft)

## Affordable Housing

**1.0 PURPOSE**

The purpose of this (draft) policy is to increase the supply of affordable housing (including affordable rental housing) in serviced residential areas of the town centres of the Hawkesbury Local Government Area (LGA).

This policy should be read in conjunction with:

- The Hawkesbury Homelessness Action Plan
- The Hawkesbury Residential Land Strategy
- State Environmental Planning Policy (Affordable Rental Housing) 2009.
- Hawkesbury Community Strategic Plan 2013-2032 (CSP)

**2.0 BACKGROUND**

On July 29, 2014 Council adopted the Hawkesbury Homelessness Action Plan (HHAP). One of the actions of the HHAP was to develop an Affordable Housing Policy for the Hawkesbury Local Government Area (LGA).

Council reports of the Hawkesbury area have identified the steady decline in housing that is affordable to families and individuals on low to medium incomes - for purchase or in the private or social rental housing sectors. House prices and private rentals are rapidly increased both in this LGA and across Greater Western Sydney. Stable housing is identified 'as a necessary pre-requisite for improved outcomes in employment, education, and the well-being and development of children and young people.

The number of NSW owned social housing properties (for low income & disadvantaged tenants) in this LGA has declined significantly\* - and at a faster rate than social housing in Greater Western Sydney.

The rise in *Lone Person Households* and the increase in smaller family size in this area are expected to continue - which will require an increase in smaller housing properties to accommodate the changing needs of the community.

Vacancy rates in the private rental market are expected to remain very low (between 1% to 2% vacancy) – which will add further pressure to the availability of affordable housing for low to middle income families in the private rental market.

The gap between household income and the cost of housing continues to widen\* - with Hawkesbury households in the Lowest and Medium Lowest Income Quartiles seeing the greatest negative growth.

The continuing decline of affordable housing will negatively impact on the liveability for purchasers and renters in the low to middle income brackets - leading to greater housing stress and homelessness for an increasing number of families and individuals.

The Hawkesbury Community Strategic Plan 2013-2032 (CSP) has defined what Council would like to achieve in regard to communities and housing:

People & Place (Vision Statement): "A community in which the area's character is preserved and lifestyle choices are provided with sustainable, planned, well serviced development, within strongly connected, safe and friendly neighbourhoods."

Direction 2 (D2): "Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury."

Direction 6 (D6): "Have friendly neighbourhood, connected communities, and supported households and families."



HAWKESBURY CITY COUNCIL POLICY (Draft)  
Affordable Housing

Strategy 2 (S2): "Encourage affordable, diverse and quality housing solutions in serviced areas."

### 3.0 SCOPE

The Hawkesbury Residential Land Strategy identifies areas for quality affordable housing in well serviced areas.

Strategies should be linked to those areas that have good access to a range of essential services and facilities (shops, schools, medical services, transport etc.).

As a *Guiding Principle*, social and affordable housing projects should be located within 800 metres of well serviced residential towns (as indicated in the Hawkesbury Residential Land Strategy). The areas include: Windsor/South Windsor, Richmond, North Richmond, and urban release areas within 800 metres of a train station.

### 4.0 DEFINITIONS

- **Affordable housing** – refers to housing (primarily rental housing) that is not more than 30% of the income of families and individuals in the lowest 40% of incomes.
- **Housing Stress** – refers to households in the lowest 40% of incomes who are paying more than 30% of income on housing costs.
- **Social Housing** – covers rental housing provided by the government and/or by a community housing provider targeted for low income or disadvantaged households where the tenant usually pays no more than 25% of their income in rent.

### 5.0 RELATED LEGISLATION/POLICY

- Reform of the Federation White Paper - Roles and Responsibilities in Housing and Homelessness
- Senate Inquiry into Affordable Housing in Australia
- NSW Parliamentary Inquiry into Social, Public and Affordable Housing
- Australian Building Standards and Codes
- A Plan for Growing Sydney, NSW Department of Planning and Environment

### 6.0 STRATEGIES

Hawkesbury City Council will, as part of council's commitment to the Hawkesbury Homelessness Action Plan (HHAP), undertake the following strategies/activities for affordable housing for the Hawkesbury Area:

- **Recognise and Monitor** demographic trends, housing demand supply, and affordability
- Develop appropriate strategies aimed at increasing affordable housing supply
- Advocate for increased affordable housing in suitable locations
- Work in partnership with key stakeholders and agencies to increase affordable housing options
- Review Council policies, plans and fees and charges in order to increase opportunities for affordable housing
- Support government initiatives that increase the supply and understanding of the need for affordable housing
- Support **and contribute to** research initiatives that explore affordable housing options and increase the understanding of the need for affordable housing

<sup>1</sup> Australian Government White Paper (2014), Issues Paper 2: Reform of the Federation – Affordable Housing and Homelessness

<sup>2</sup> ABS Census of Population and Housing, 1991 to 2011.

<sup>3</sup> Hawkesbury Profile, Change in Household Income Quartile

oooO END OF REPORT Oooo

## ORDINARY MEETING

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### INFRASTRUCTURE SERVICES

**Item: 110**                    **IS - Acquisition and Provision of Lot 1 in DP 1197894 and Lot 1 in DP 1193603 - Blaxlands Ridge Road, Blaxlands Ridge - (95495, 79344, 79346, 14893)**

**Previous Item:**        11, Ordinary (31 January 2006)  
                                 360, Ordinary (28 October 2014)

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#### **REPORT:**

##### **Executive Summary**

This report outlines issues relating to the acquisition and provision of road access to Lots 1 and 2 in Deposited Plan 1193603 (formerly known as Lot 109 in Deposited Plan 751656) (556B and 556D Blaxlands Ridge Road, Blaxlands Ridge) and recommends that acquisition in accordance with the current requirements of the Office of Local Government be progressed.

##### **Consultation**

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

##### **Background**

Highland Park Pty Limited owns Lots 1 and 2 in Deposited Plan 1193603 (formerly known as Lot 109 in Deposited Plan 751656), being 556B and 556D Blaxlands Ridge Road, Blaxlands Ridge. The access provided to the property, at the time of its creation, was over Roberts Creek in the south-west corner of the property by way of a Crown Public Road via East Kurrajong Road. This legal access is extremely steep as well as traversing over Roberts Creek.

Practical access to the property is however, obtained from Blaxlands Ridge Road via a section of Crown Public Road through Lot 2 in DP 547929 and Lot 1 in DP 790059 (approximately 600m). There is, however, a missing link (approximately 240m) from these two properties leading to Lot 2 in DP 1193603. The missing link is over Crown Land where a formed track currently exists. It is apparent that access over the missing link has been in place for decades. Furthermore, utilities such as electricity and telephone exist within the bounds of this corridor. Attached as Attachment 1 is a site plan of the subject properties.

The Crown Lands Division of NSW Trade & Investment has previously indicated that there would be no objection in principle with Council acquiring the required land for the continuity of the Road Reserve (20.115m wide) over the existing track (being the area referred to as the missing link). This land, subject to Departmental consent, could be acquired by Council for the public purpose of 'Road' under the relevant legislature provisions and due compensation. A condition of the Department's approval would be that Council also acquire the existing Crown Public Road Reserve which links Blaxlands Ridge Road to the Missing Link (through Lot 2 in DP 547929 and Lot 1 in DP 790059).

Council, at its meeting on 28 October 2014, considered a report pertaining to this matter and resolved as follows:

*"That:*

1. *Council undertake compulsory acquisition (under sections 177 and 178 of the Roads Act 1993 (NSW) and sections 186 and 187 of the Local Government Act 1993 (NSW)) of:*

**ORDINARY MEETING**

**Meeting Date:** 14 July 2015

- (a) Lot 1 in Deposited Plan 1197894; and
  - (b) Lot 1 in Deposited Plan 1193603
- (the Land) for the purpose of dedication as a public road.*
2. *Council approve the making of an application to Crown Lands for the transfer of the sections of Crown Road from Blaxlands Ridge Road through to and including the section within Lot 109 DP 751656 in accordance with its condition of consent for the acquisition of the Land by Council dated 26 June 2013.*
  3. *Council approve the making of an application to the Minister for Local Government for the issue of a proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the Land.*
  4. *Council approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the Land.*
  5. *The Seal of Council be affixed to any documents required to be executed under Seal as part of the compulsory acquisition process for the Land.*
  6. *Grant delegation to the General Manager to execute any documents on behalf of Council, associated with the compulsory acquisition process, which do does not require the Seal of Council to be affixed.*
  7. *Council dedicate the land as a public road under Section 10 of the Roads Act 1993 (NSW) once the acquisition has been completed.*

In accordance with points 1, 3, 4 and 7 of the previous resolution, Council through its solicitors Marsdens Law Group, made an application to the Minister for the Local Government for the issue of a proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the land.

On 8 January 2015, the Office of the Minister for Local Government declined Council's request to acquire the subject portion of land because it was believed that Council intended to exercise its powers on behalf of a third party (ie Highland Park Pty Limited) and that, whilst Council has the power to compulsorily acquire land for public road under the Roads Act 1993, that power does not extend to acquire land for the private benefit of another party.

The Office of the Minister for Local Government invited Council to provide evidence that sufficiently demonstrated that the acquisition of the subject land is necessary to meet a broader public purpose and community need.

On 25 January 2015, evidence that the acquisition of the subject land is necessary to meet a broader public purpose was provided to The Office of the Minister for Local Government for their consideration.

On 11 June 2015, the Office of the Minister for the Local Government indicated that, whilst Council has demonstrated the existence of a public purpose for the proposed acquisition, Council is required to provide further evidence that Council has considered and determined for itself that a public purpose exists for the acquisition of Crown Land. Such evidence should be in the form of a Council Report and associated Minutes.

Accordingly, the reason for this report is to confirm the purpose for which Council is seeking to undertake the acquisition of Lot 1 in DP 1197894 and Lot 1 in DP 1193603.

### Demonstrating a Public Purpose

Section 186 of the Local Government Act 1993 (the Act) provides that a Council may acquire land for the purpose of exercising its approved functions.

Section 22 of the Act provides that a Council has the function conferred or imposed upon it by or under any other Act.

Section 7(4) of the Roads Act 1993 provides as follows:

*"The Council of a local government area is the roads authority for all public roads within the area, other than:*

- (a) any freeway or Crown Road, and*
- (b) any public road for which some other public authority is declared by the regulations to be the roads authority."*

If Council exercises its powers of acquisition to procure the dedication of Lot 1 in DP 1197894 and Lot 1 in DP 1193603 as public road it therefore follows that the acquisition will accord with Council's approved functions as a public roads authority and in the manner required under Section 186 of the Act.

At the present time, there is no continuity of legal and practical access to certain properties in the vicinity of the land proposed to be acquired with existing formed roads passing through Crown Land and not being dedicated as public roads.

This presents obvious issues with respect to legal access to properties within Council's Local Government Area and also presents issues with respect to the maintenance and cost of the formed roads that are assumed to be public roads by members of the public.

In that regard, in endorsing its consent to the acquisition by Council, NSW Crown Lands noted the following:

- "1. The acquisition will establish a continuity of legal and practical access to the land comprising Lots 1 in DP 1193603 and Lot 2 in DP 1193603 (formerly comprising Lot 109 in DP751656).*
- 2. The acquisition will ensure that the entire length of the road will be under the control of one roads authority (Council). "*

The intention of Council in acquiring the land in question is to overcome the issues referred to above and to ensure that legal and practical access is available over the existing formed roads. In that regard, Council would be acquiring the land for the sole purpose of dedication as a public road.

There will not be an exchange or transfer of ownership and there will not be a conferral of a private or otherwise exclusive benefit to the owners of Lots 1 and 2 in DP 1193603.

Finally, whilst the proposal by Council to acquire the land may indirectly benefit the owners of Lots 1 and 2 in DP 1193603 to the extent that it satisfies a condition of development consent, the following should be noted:

- 1. Council will not be filing an application with the Office of Local Government on behalf of the landowner.
- 2. Any private benefit derived by the landowner is not the purpose of the acquisition.

**ORDINARY MEETING**

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3. The commercial arrangement between Council and the owners of Lots 1 and 2 in DP 1193603 makes no provision for the resale or transfer of ownership of any part of Council's interest in the land once acquired. The purpose of the commercial agreement is to simply facilitate the acquisition of the land and the dedication of that land as a public road sooner than would have otherwise been the case if Council was required to fund that acquisition itself.

**Conformance to the Hawkesbury 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 connections for the benefit of residents, visitors and businesses

In addition to the above, Council's strategic plan includes an objective to establish a framework within which local infrastructure demands can be equitably met and managed.

**Financial Implications**

There are no financial implications arising from this report. All costs will be met by the Highland Park Proprietary Limited including although not limited to costs associated with the construction of a sealed road for the full length of the road from Blaxlands Ridge Road to the land comprising Lots 1 and 2 in DP 1197894 (through Lot 2 in DP 547929 and Lot 1 in DP 790059).

**RECOMMENDATION:**

That:

1. Council continue to endeavour to acquire the land comprised within folio identifiers:
  - a) 1/1197894; and
  - b) 1/1193603,

(the Land) for the purpose of dedicating the Land as a public road pursuant to Council's approved functions as a public roads authority under the Roads Act 1993 (NSW) and the Local Government Act 1993 (NSW) and for the reasons noted in this report and in accordance with Council's previous resolution of 28 October 2014.
2. The Office of Local Government be provided with a copy of the report and resolution and be requested that in the light of this information that Council's previous request for the issue of a Proposed Acquisition Notice be reconsidered.

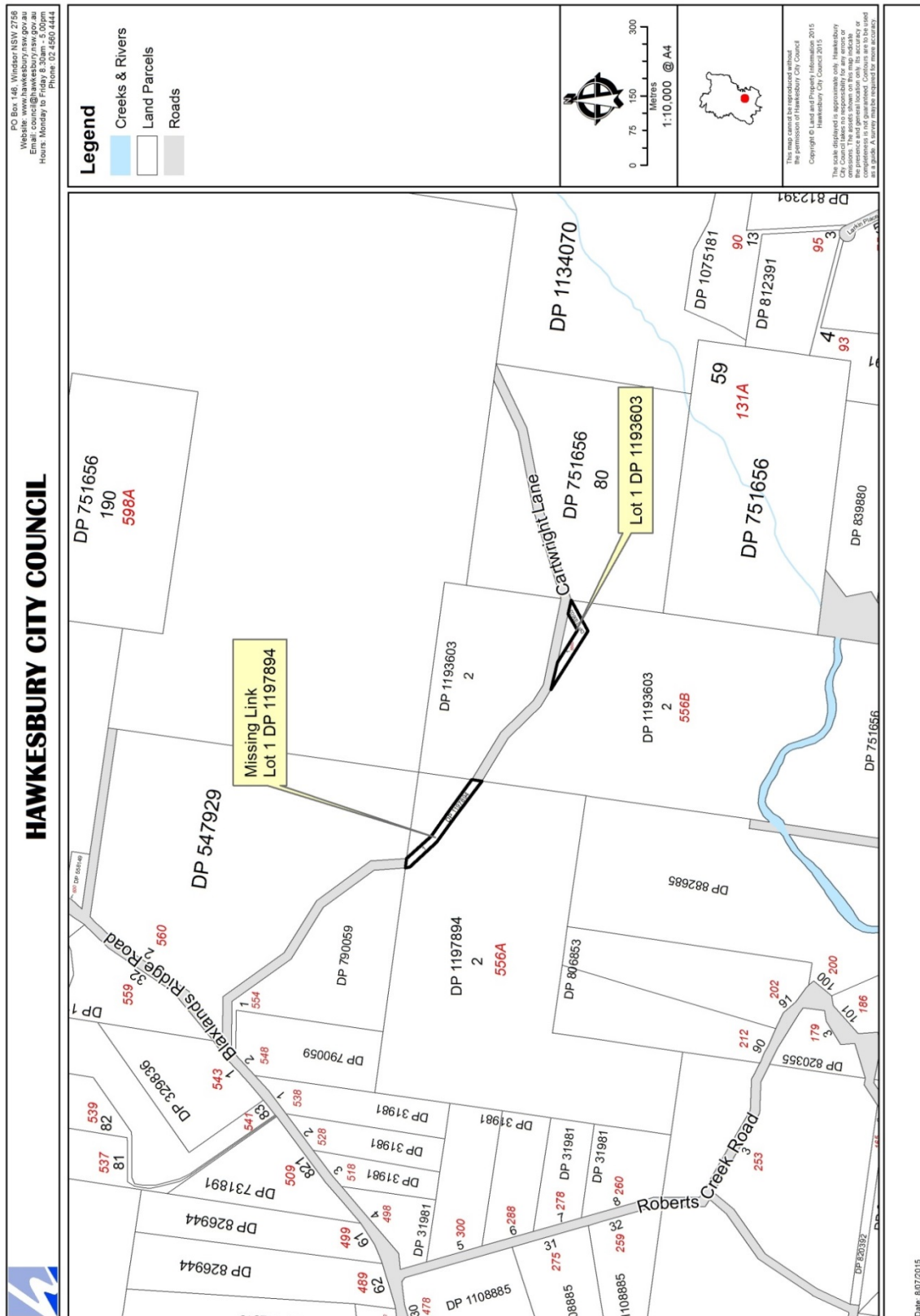
**ATTACHMENTS:**

**AT - 1** Site Plan of Lot 1 in DP 1197894 and Lot 1 in DP 1193603

ORDINARY MEETING

Meeting Date: 14 July 2015

AT - 1 Site Plan of Lot 1 in DP 1197894 and Lot 1 in DP 1193603



oooO END OF REPORT Oooo

**ORDINARY MEETING**

**Meeting Date:** 14 July 2015



ordinary

section 4

reports  
of committees

**ORDINARY MEETING**  
**Reports of Committees**

**ORDINARY MEETING**  
**Reports of Committees**

**SECTION 4 - Reports of Committees**

**ROC**                      **Heritage Advisory Committee - 7 May 2015 - (80242)**

The meeting commenced at 5:30pm in Council Chambers.

- Present:**                      Professor Ian Jack, Chairperson  
                                       Mr Jonathan Auld, Deputy Chairperson  
                                       Mr Glenn Falson, Community Member  
                                       Ms Janice Hart, Community Member  
                                       Ms Judith Newland, Community Member  
                                       Ms Michelle Nichols, Community Member  
                                       Ms Carol Roberts, Community Member
- Apologies:**                      Councillor Patrick Conolly, Hawkesbury City Council
- In Attendance:**                      Mr Matthew Owens, Hawkesbury City Council  
    Mrs Shari Hussein, Hawkesbury City Council  
    Mrs Robyn Kozjak - Minute Taker, Hawkesbury City Council

**REPORT:**

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Mr Auld and seconded by Mr Falson that the Minutes of the Heritage Advisory Committee held on the 19 February 2015, be confirmed.

**Attendance Register of Heritage Advisory Committee**

Member	27/11/14	19/02/15	07/05/15		
Councillor Patrick Conolly	✓	✓	A		
Mr Glenn Falson	✓	✓	✓		
Ms Janice Hart	✓	✓	✓		
Mr John Miller	✓	A	Resigned from Committee	Resigned from Committee	Resigned from Committee
Professor Ian Jack	✓	✓	✓		
Ms Carol Roberts	A (Belated apology)	A	✓		
Mr Jonathan Auld	✓	✓	✓		
Ms Michelle Nichols	A	✓	✓		
Ms Judith Newland	✓	✓	✓		

Key:    A = Formal Apology                                      ✓ = Present                                      X = Absent - no apology

**SECTION 4 - Reports for Information**

**ITEM: 1                    HAC - Annual Heritage Reporting 2014/2015 - (80242)**

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**RECOMMENDATION TO COMMITTEE:**

That the information be received.

**MOTION:**

RESOLVED on the motion of Mr Auld, seconded by Ms Roberts.

*Refer to COMMITTEE RECOMMENDATION*

**COMMITTEE RECOMMENDATION:**

That the information be received.

**ITEM: 2                    HAC - Local Heritage Incentive Scheme 2014/2015 - (80242)**

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**DISCUSSION:**

- Mrs Hussein reported seven out of twelve successful applicants had not submitted claims for funding and suggested this may have been due to the inability to secure tradespersons to undertake the works and meet the claim period deadline. Mrs Hussein advised unfortunately there was no provision for Council to issue an extension of time to those applicants as it was not the governing body for the funding.

*5:35pm - Ms Nichols arrived at the meeting*

The Chair congratulated staff on facilitating the local heritage incentive scheme for slab barns.

**RECOMMENDATION TO COMMITTEE:**

That:

1. The information about the Local Heritage Incentive Scheme 2014/2015 provided in this report be noted.
2. That a further report be provided to the Committee and then the Council after the scheme has been completed.

**MOTION:**

RESOLVED on the motion of Ms Newland, seconded by Ms Hart.

*Refer to COMMITTEE RECOMMENDATION*

**COMMITTEE RECOMMENDATION:**

That:

1. The information about the Local Heritage Incentive Scheme 2014/2015 provided in this report be noted.
2. That a further report be provided to the Committee and then the Council after the scheme has been completed.

**ITEM: 3                    HAC - Heritage Grant Funding Applications 2015/2016 - (80242)**

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**RECOMMENDATION TO COMMITTEE:**

That the information in the report be noted.

**MOTION:**

RESOLVED on the motion of Mr Falson, seconded by Mr Auld.

*Refer to COMMITTEE RECOMMENDATION*

**COMMITTEE RECOMMENDATION:**

That the information in the report be noted.

**ITEM: 4                    HAC - Heritage of Western Sydney - Colonial Heritage Application - (80242)**

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**DISCUSSION:**

- Mrs Hussein reported on the HoWS group's proposal to create a smart phone application to be used to map some of the most significant early colonial settlements in Western Sydney and along the Hawkesbury Nepean corridor.
- Mrs Hussein reported the group had not sought funding support from other councils (councils which do not form part of the group), and relied upon financial assistance from the participating councils. Mrs Hussein added funding was sought from the Office of Environment & Heritage, however that was not successful due to the department having difficulty in aligning the project with a specific category.
- Mr Falson advised he had travelled around the UK recently and he had found the use of an App was very helpful whilst touring the region.
- Mrs Hussein sought further information from Mr Falson regarding the type of App he used overseas and it was agreed Mr Falson would provide further details to Mrs Hussein.

**ORDINARY MEETING**  
**Reports of Committees**

- Ms Roberts referred to the reference to heritage/history brochures on page 46 of the report, and asked if the group proposed to create brochures.
- Mrs Hussein clarified that the group had not proposed to create brochures, rather, it had suggested the creation of an App would be a useful educational tool to deliver information across the region in relation to Western Sydney's colonial heritage.
- Mrs Hussein advised she would inform the Committee should any significant items arise from future meetings with the HoWS group.

**RECOMMENDATION:**

That the information be received.

**MOTION:**

RESOLVED on the motion of Ms Roberts, seconded by Ms Newland.

*Refer to COMMITTEE RECOMMENDATION*

**COMMITTEE RECOMMENDATION:**

That the information be received.

**SECTION - General Business**

Nil.

The meeting closed at 6:10pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**Reports of Committees**

**ROC Floodplain Risk Management Advisory Committee - 11 June 2015 - (86589)**

The meeting commenced at 4:15pm in Council Chambers.

**Present:** Councillor Kim Ford, Chairperson  
Councillor Bob Porter, Deputy Chairperson  
Councillor Mary Lyons-Buckett, Hawkesbury City Council  
Councillor (Dr) Warwick Mackay OAM, Hawkesbury City Council  
Councillor Jill Reardon, Hawkesbury City Council  
Mr Les Sheather, Community Representative  
Mr Trevor Devine, Community Representative  
Mr Ted Books, Community Representative  
Mr Damian Moon, Community Representative

**Apologies:** Mr Harry Panagopoulos, Office of Environment and Heritage  
Snr Inspector, Robert Bowman, Department of Primary Industries  
Ms Kirstan Smelcher, Department of Defence  
Mrs Louise Markus MP, Federal Member for Macquarie  
Mr John Hart, Roads and Maritime Services  
Mr Dominic Perrottet MP, Member for Hawkesbury  
Mr Geoffrey Bessell, Community Representative  
Mr Kevin Jones, SES  
Mr Peter Cinque, SES

**In Attendance:** Mr Chris Amit, Hawkesbury City Council  
Mr Matthew Owens, Hawkesbury City Council  
Mrs Shari Hussein, Hawkesbury City Council

**REPORT:**

**RESOLVED** on the motion of Councillor MacKay and seconded by Councillor Reardon that the apologies be accepted.

**CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Councillor Porter and seconded by Mr Sheather that the Minutes of the Floodplain Risk Management Advisory Committee held on the 9 April 2015, be confirmed.

**Attendance Register of Floodplain Risk Management Advisory Committee**

Member	20/11/14	26/02/15	09/04/15	11/06/15	
Councillor Kim Ford, Chair	✓	✓	✓	✓	
Councillor Bob Porter, Deputy Chair	✓	✓	✓	✓	
Councillor Mary Lyons-Buckett	✓	✓	✓	✓	
Councillor Jill Reardon	✓	A	✓	✓	
Councillor (Dr) Warwick Mackay OAM	A	✓	✓	✓	
Mr Peter Cinque OAM - (SES Sydney Western Division)	A	A	A	A	
Mr Harry Panagopoulos - (Office of Environment and Heritage)	✓	✓	A	A	
Ms Kirstan Smelcher - (Dept of Defence)	X	X	X	A	
Snr Inspector Robert Bowman - (Industry & Investment NSW ) - Primary Industries	A	A	A	A	
Mr Kevin Jones - (SES Headquarters)	A	A	✓	A	
Mr Les Sheather - (Community Member)	✓	✓	✓	✓	
Mr Geoffrey Bessell - (Community Member)	✓	✓	✓	A	
Mr Damian Moon (Community Member)	✓	✓	A	✓	
Mr Trevor Devine - Deputy Chairperson	✓	✓	✓	✓	
Mr Ted Books (Community Member)	✓	✓	✓	✓	

Key: A = Formal Apology                      ✓ = Present                      X = Absent - no apology

**SECTION 3 - Reports for Determination**

**ITEM: 1                   FRMAC - Declarations of Interest - (86589)**

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**RECOMMENDATION TO COMMITTEE:**

That:

1.    General disclosures of interest listed in this report be received.
2.    Other specific disclosures of interest be declared if deemed appropriate.

**MOTION:**

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

*Refer to COMMITTEE RECOMMENDATION*

**COMMITTEE RECOMMENDATION:**

That:

1.    General disclosures of interest listed in this report be received.
2.    Other specific disclosures of interest be declared if deemed appropriate.

**ITEM: 2                   Floodplain Risk Management Advisory Committee Review - (86589)**

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**DISCUSSION:**

- Councillor Porter spoke against the recommendation, advising he believed the Committee was important for the whole of the Hawkesbury and should be retained in its present form. Councillor Porter added he believed it was the Committee's obligation to follow through not only the issues arising out of the Floodplain Risk Management Study and Plan, but also consideration should be given for potential future issues which may arise and require the Committee's input.
- Mr Sheather advised he was reluctant to support the suspension of the Committee, not only as he believed flooding to be the most important issue in the Hawkesbury, with potential damage to assets estimated at \$8 billion, but also on the basis he had concern the Committee may not be resurrected, if suspended. Mr Sheather added he believed the Committee would benefit from a review in September which would give clear direction to the Committee to enable it to deal with flood related matters more effectively.
- Mr Books raised concern ongoing local flooding issues would remain unresolved should the Committee be disbanded, and made specific reference to runoff from existing and future developments into the Hawkesbury's clogged (unmaintained) feeder creeks, causing water to back up and increase local flooding.
- Councillor Lyons-Buckett advised she supported a suspension of the Committee for the purpose of reviewing and framing its objectives as she perceived the Committee as being a strong advisory role with a wealth of local knowledge which could be drawn upon to assist integral authorities such as the SES regarding evacuation strategies, plans etc.



**ORDINARY MEETING**  
**Reports of Committees**

- Mr Moon advised he believed the Committee should not be disbanded in any way and whilst awaiting the outcome of the Taskforce report, suggested the Committee meet less frequently until such time as the report is received.
- Mr Owens reminded the Committee the recommendation to Council was to suspend the Committee in order to review its Constitution, not to dissolve the Committee.

**RECOMMENDATION TO COMMITTEE:**

That the Committee recommend to Council that:

1. Meetings of the Hawkesbury Floodplain Risk Management Advisory Committee be temporarily suspended until at least September 2015.
2. The Council review the suspension of the Committee at the Extra Ordinary Meeting of Council on 15 September 2015, upon consideration of the release or otherwise of the Hawkesbury-Nepean Floodplain Review Taskforce report.
3. The future review of the Committee Constitution be undertaken upon release of the Hawkesbury-Nepean Floodplain Review Taskforce report. That review is to consider the content and recommendations of that report and should align the Committee Constitution to assist in the implementation of measures to manage the flood risk to life and property in the Hawkesbury Local Government Area.

**MOTION:**

RESOLVED on the motion of Councillor Porter, seconded by Mr Devine.

***Refer to COMMITTEE RECOMMENDATION***

**COMMITTEE RECOMMENDATION:**

That the Floodplain Risk Management Advisory Committee recommends that Council retains the Floodplain Risk Management Advisory Committee in its present form until September 2016 (the end of the Council term).

**SECTION 5 - General Business**

Mr Sheather referred to the Hawkesbury-Nepean Valley Flood Management Taskforce - Stakeholder Reference Panel meeting he had attended with Mr Owens and Mr Jackson on 28 April 2015, and gave an overview of the points raised at that meeting. Mr Sheather added he believed the meeting was very constructive and commended the Panel for comprehensively addressing all of the issues identified by the Committee.

Mr Owens thanked Mr Sheather for his attendance and assistance at the Panel meeting and advised as the (pending) report was a Cabinet in Confidence document, no decisions as a result of those discussions would be made until the release of the report.

- Mr Moon asked that the Committee voice its disappointment at the attendance record of the SES at FRMAC meetings, advising a representative from that organisation had attended only once in the current term and attendance was irregular in the previous term.

**ORDINARY MEETING**  
**Reports of Committees**

- Councillor Porter made reference to an issue previously reported to Council regarding water retention/ponding at Sackville and other areas in the Hawkesbury due to congested channels. Councillor Porter reported he had subsequently taken it upon himself to make arrangements for an inspector from the Local Land Services to attend effected properties to investigate what action could be taken to clear the channels. Councillor Porter sought Council's support in the matter as he believed it shouldn't fall to an individual councillor to take action. Councillor Porter added property owners had expressed their willingness to remove the congestive material at their own expense.
- Mr Books agreed with Councillor Porter's concerns and made reference to a time in the 1950's when Council embarked (via contractors) on the task of clearing channels including Rickaby's Creek and Bakers, Bushells and Pitt Town Lagoons. Mr Books referred to (present-day) McKenzie's Creek which is choked with rubbish and restricted drainage which not only affects the Hawkesbury area but also affects areas back towards Badgerys Creek. Mr Books raised grave concern the choked channels added to local flooding and advised the more recent rise in the river and subsequent water over the McGraths flats was caused by backed-up water which couldn't get away.
- Mr Sheather made reference to Councillor Porter's comments in relation to ponding at Sackville and advised a further issue due to water retention over that area was the foul odours and fluorescent blue slick in the river (similar to an oil spill) originating from rotting weeds in Currency Creek.
- Mr Sheather suggested at the next FRMAC meeting (should a meeting proceed), that the SES be invited to brief the Committee on the status of their involvement in evacuation and education matters.

The meeting terminated at 5:12pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

**Councillor Questions from Previous Meeting and Responses - (79351)**

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**REPORT:**

**Questions - 30 June 2015**

#	Councillor	Question	Response
1	Calvert	Requested information regarding the progress of the question raised at the Ordinary Meeting on 3 February 2015 regarding resolution 357 of the Ordinary meeting on 28 October 2014, which related to a proposed submission to the RMS.	The Director Infrastructure Services advised that a submission to the RMS was sent by Council however no formal response has been received. The matter was discussed with RMS at a meeting in May where strategic responses to transport issues were sought. A further written request has been sent to the RMS requesting a response.
2	Paine	Requested an update on the Jolly Frog Hotel.	The Director City Planning advised that the owner of the property is still being pursued in relation to the lodgement of a development application for the site. The existing Orders on the site have also been pursued resulting in recent work to re-secure the site and fencing following vandalism. The previous asbestos issue following the fire has been resolved.

**ORDINARY MEETING****Questions for Next Meeting**

#	Councillor	Question	Response
3	Paine	Enquired when works on the footpaths in developed area of Pitt Town will begin.	<p>The Director City Planning advised that in large subdivisions the final road seal and construction of footpaths are bonded (Bank guarantee to Council to defer construction) until the dwelling construction is substantially finalised. This is to prevent damage during dwelling construction.</p> <p>The final road seal for earlier stages of the development has recently been completed. The footpath installation for the stages where dwelling construction is almost completed will be finalised within the next three months.</p>
4	Paine	Requested that the shoulders of Bathurst Street, Pitt Town be reviewed and, if required, repaired.	The Director Infrastructure Services advised that instructions have been given for inspection of Bathurst Street, Pitt Town and repair if required.
5	Lyons-Buckett	Requested a review of the number of disabled parking spaces at the North Richmond shopping centre car park.	The Director Infrastructure Services advised that a review of disabled parking spaces at the North Richmond shopping centre commenced in March following representations by Councillors regarding concerns raised by Coles. Council staff conducted audits on mobility permit usage in the car park. This indicated that the existing designated spaces were generally fully utilised with mobility permit vehicles also using other spaces. Staff have recently met with Coles Management, who are now consulting with Centre Management to ensure that additional disabled parking spaces that may be provided take into consideration the needs of the overall shopping centre before any decisions on location/increased disabled spaces are made.

**ORDINARY MEETING**

Questions for Next Meeting

#	Councillor	Question	Response
6	Lyons-Buckett	Requested an update on the report from Sydney Water regarding the provision of water and sewage in Kurrajong and Kurmond.	<p>The Director City Planning advised that a response has not yet been received to Council's request. A meeting with Sydney Water representatives was held on 30 June 2015 where the response to Council's submission was also requested.</p> <p>Subsequent discussion has been held with the relevant Sydney Water representative and the response will continue to be pursued.</p>
7	Mackay	Requested an update on the development of the road on Punt Road, Pitt Town.	<p>The Director City Planning advised that a development application (DA0262/15) has been submitted for the construction of Punt Road and car park. The road construction will be required to be to Council's road construction standards contained in the DCP for a rural road. This construction will include stormwater drainage.</p>
8	Mackay	Requested an explanation for the height of house pads on in the 11 lot subdivision in Hall Street, Pitt Town.	<p>The Director City Planning advised that the Part 3A Concept Approval for the Pitt Town Development (issued 10 July 2008) contained a condition that the northern precincts, particularly Cleary and Thornton, should raise the habitable floor levels of proposed dwellings to 18.7m AHD (equivalent to the 1 in 200 year flood level), via a combination of site filling or house raising. For this reason much of the site has included some controlled filling in the issued approvals.</p> <p>The site adjacent to Punt Road has not yet obtained an approval for subdivision but some fill material has been stockpiled at the site for future use. This fill is currently being validated for contamination but the final fill levels have not yet been approved.</p>

**ORDINARY MEETING****Questions for Next Meeting**

#	Councillor	Question	Response
9	Reardon	Requested that the side of the road along Grose Vale Road, near, the water tank, be repaired.	The Director Infrastructure Services advised that instructions have been given for the repair of the road at the location mentioned.
10	Creed	Enquired if Council has investigated reports of illegal events that were held in the Richmond Lowlands and, if so, what were the ramifications of these investigations.	The Director City Planning advised that whilst investigations are still underway it appears that there have been other unauthorised events in the locality. The relevant landowners will be contacted in writing to request additional information or explanation of those activities and the appropriate action (infringement or other) will be taken depending on the outcome of the investigations.
11	Creed	Requested that an item be brought to a Councillor Briefing Session detailing the services and community support the Library provides as well as borrowing and member numbers.	The Director Support Services advised that a presentation is scheduled to be provided at the Councillor Briefing Session on Tuesday, 4 August 2015 regarding the Council's library service.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**CONFIDENTIAL REPORTS**

**CONFIDENTIAL REPORTS**

**Item: 111**                    **IS - Tender No. 00961 - Construction of Fixed Jetty and Bank Stabilisation Structure at Governor Phillip Reserve, Windsor - (95495, 79354)**

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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)(d) of the Act as it relates to details concerning tenders for the supply of goods and/or services to Council and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

*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**

**Item: 112**                    **SS - Property Matter - Lease to Deahn Westland - "Windsor Town Hall", 325 George Street, Windsor - (95496, 36047, 112106)**

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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 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

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