



# Hawkesbury City Council

## ordinary meeting business paper

date of meeting: 09 September 2014

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**

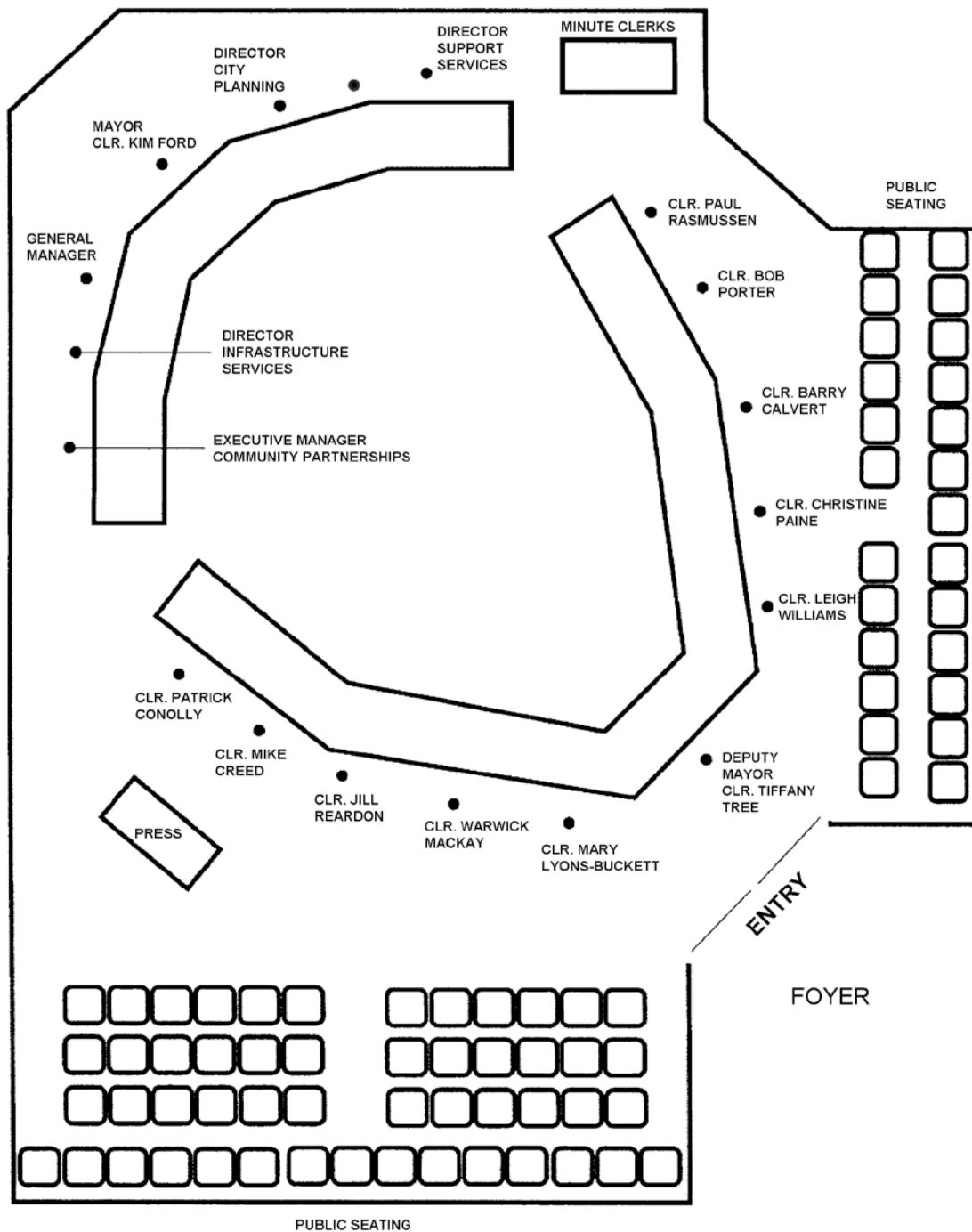
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

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

#### GENERAL MANAGER

**Item: 159**                      **GM - A Best Practice in Local Government Event "Doing More With Less" Conference - (79351, 105109)**

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#### **REPORT:**

##### **Executive Summary**

A Best Practice in Local Government "Doing More with Less" Conference will be held on 2 October 2014 in Melbourne. Due to its relevance to Council's business, it is recommended that the "Doing More With Less" Conference be attended by Councillors and appropriate staff.

##### **Consultation**

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

##### **Background**

A Best Practice in Local Government "Doing More With Less" Conference will be held on 2 October 2014 in Melbourne. This event will provide knowledge on how local government can overcome budget constraints to maintain the pursuit of performance excellence and service quality. Presentations and discussion will provide practical advice for council professionals on how to generate efficiencies, undertake effective reviews of services and processes, and successfully implement organisational change.

Cost of attendance at the "Doing More With Less" Conference will be approximately \$1,700 per delegate.

Budget for Delegate Expenses - Payments made:

- |   |          |
|---|----------|
| • Total Budget for Financial Year 2014/2015 | \$46,500 |
| • Expenditure to date                       | \$897    |
| • Budget balance as at 1 September 2014     | \$45,603 |

It should be noted that outstanding commitments of approximately \$28,200 in relation to the 2014 Local Government NSW (LGNSW) Annual Water Management Conference held in August 2014, the 2014 SEGRA Conference to be held in Alice Springs and the Annual LGNSW Conference to be held in October 2014 are not reflected in the balance indicated.

##### **Conformance to the Hawkesbury Community Strategic Plan**

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

- The Council 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 the nominated strategies in the Hawkesbury Community Strategic Plan being:

- Improve financial sustainability.
- Work with the community to determine affordable levels of service and facilities.
- Make decisions in ways that are transparent, fair, balanced and equitable supported by appropriate resource allocations.

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**Financial Implications**

Funding for attendance at this Conference will be provided from the Delegates Expenses within the 2014/2015 Operational Plan.

**RECOMMENDATION:**

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Best Practice in Local Government "Doing More With Less" Conference at an approximate cost of \$1,700 per delegate be approved.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

## ORDINARY MEETING

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Item: 160

GM - 2014 National Sister Cities Conference - (79351, 105109, 110165)

### REPORT:

#### Executive Summary

The 2014 National Sister Cities Conference will be held from 16 - 19 November 2014 in Bunbury, Western Australia. Due to its relevance to Council's business due to Council's existing Sister City relationships, it is recommended that the 2014 National Sister Cities Conference be attended by Councillors and appropriate staff.

#### Consultation

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

#### Background

The 2014 National Sister Cities Conference will be held from 16 - 19 November 2014 in Bunbury, Western Australia. The theme for the 2014 Conference is "Peaceful Co-existence" and will include items relevant to those who have a Sister City relationship, is considering the entering into one or has an interest in global relations.

Cost of attendance at the 2014 National Sister Cities Conference will be approximately \$3,330 per delegate.

Budget for Delegate Expenses - Payments made:

• Total Budget for Financial Year 2014/2015	\$46,500
• Expenditure to date	\$897
• Budget balance as at 1 September 2014	\$45,603

It should be noted that outstanding commitments of approximately \$28,200 in relation to the 2014 Local Government NSW (LGNSW) Annual Water Management Conference held in August 2014, the 2014 SEGRA Conference to be held in Alice Springs and the Annual LGNSW Conference to be held in October 2014 are not reflected in the balance indicated.

#### Conformance to the Hawkesbury Community Strategic Plan

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

- Have constructive and productive partnerships with residents, community groups and institutions.

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

- Broaden the resources and funding available to our community by working with local and regional partners as well as other levels of government.

#### Financial Implications

Funding for attendance at this Conference will be provided from the Delegates Expenses within the 2014/2015 Operational Plan.

**ORDINARY MEETING**

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**RECOMMENDATION:**

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2014 National Sister Cities Conference at an approximate cost of \$3,330 per delegate be approved.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**Item: 161                      GM - Process for Considering Motions of Urgency at Council Meetings - (79351)**

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**REPORT:**

**Executive Summary**

At the meeting of Council held on 26 August 2014, when considering the adoption of the minutes from the previous Council meeting, issues were raised regarding the recording of, and process involved in considering a motion proposed to be moved by Councillor L Williams as a "matter of urgency" at the meeting on 12 August 2014.

Subsequently, the Council resolved, in part, that a report be submitted to Council regarding the process involved in respect of "Matters of Urgency".

This report responds to the above resolution.

**Consultation**

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

**Background**

At the meeting of Council held on 26 August 2014, when considering the adoption of the minutes from the previous Council meeting, issues were raised regarding the recording of, and process involved in considering a motion proposed to be moved by Councillor L Williams as a "matter of urgency" at the meeting on 12 August 2014.

Subsequently, the Council resolved, in part, that:

*"A report be brought back to Council to solve the process involved in respect of "Matters of Urgency" under Clause 2.2.3(3) of the Council's Code of Meeting Practice."*

Clauses 2.2.3(1) to (4) of the Council's Code of Meeting Practice mirror the provisions of Clause 241 of the Local Government (General) Regulation 2005 (the Regulation) in this regard. Clause 241 of the Regulation provides:

***"241 Giving notice of business***

*(1) A council must not transact business at a meeting of the council:*

*(a) unless a councillor has given notice of the business in writing within such time before the meeting as is fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that time) as is fixed by resolution of the council, and*

*(b) unless notice of the business has been sent to the councillors in accordance with section 367 of the Act.*

*(2) Subclause (1) does not apply to the consideration of business at a meeting if the business:*

*(a) is already before, or directly relates to a matter that is already before, the council, or*

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*(b) is the election of a chairperson to preside at the meeting as provided by clause 236 (1), or*

*(c) is a matter or topic put to the meeting by the chairperson in accordance with clause 243, or*

*(d) is a motion for the adoption of recommendations of a committee of the council.*

*(3) Despite subclause (1), business may be transacted at a meeting of a council even though due notice of the business has not been given to the councillors. However, this can happen only if:*

*(a) a motion is passed to have the business transacted at the meeting, and*

*(b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency.*

*Such a motion can be moved without notice.*

*(4) Despite clause 250, only the mover of a motion referred to in subclause (3) can speak to the motion before it is put."*

The relevant sub-clause for the purpose of this report is (3) and, consequently, also sub-clause (4).

The interpretation of sub-clause (3) is that a motion is required to be moved to have business transacted at the meeting as a "matter of urgency". This is a procedural motion (which could generally refer to the nature/topic of the proposed motion), as distinct from the actual proposed motion, which is put to the meeting [(3) (a)] without notice or debate and, if passed, ruled upon by the chairperson [(3) (b)]. If the procedural motion passes both of these steps the actual proposed motion is then put to the meeting.

This sub-clause is supported by the statement that "Such a motion can be moved without notice" that is that business be transacted ("matter of urgency") as distinct to the proposed motion itself.

This interpretation is supported by the fact that sub-clause (4) provides that only the mover of the motion to consider a motion as a "matter of urgency" [(3) (a)] can speak to that motion. The reference to Clause 250 relates to the number of speeches during debate on a matter.

If the actual proposed motion was moved at this point as has been suggested, as distinct from a procedural motion [(3) (a)], it would mean that only the mover could speak to it and it would not be open to discussion and/or debate. This is not considered to be the intent of sub-clause (3) and (4) and would have the effect of preventing discussion/debate on the "matter of urgency".

An example of this process occurred at the meeting of Council held on 29 April 2014 when Councillor Paine moved the following motion:

*"That the matter concerning the tragic drowning that occurred in the Hawkesbury River on Saturday, 26 April 2014 be considered as a matter of urgency in accordance with Clause 2.2.3, 3) of Council's Code of Meeting Practice"*

This motion was passed by the meeting and following the Mayor, as chairperson of the meeting, ruling the matter as urgent Councillor Paine then moved the following detailed motion:

*"That in view of the tragic drowning that occurred in the Hawkesbury River on Saturday, 26 April 2014 a report be submitted to Council regarding appropriate signage erected along the river to warn users of the river of potential risks."*

The resolution from the meeting of 26 August 2014 referred to "solving" this situation and it was suggested that it may be possible to amend the Code of Meeting Practice to change the process currently provided in the Regulation and subsequently mirrored in Council's Code of Meeting Practice.

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With regard to a council adopting a Code of Meeting Practice, Section 360(2) of the Local Government Act provides:

*“(2) A council may adopt a code of meeting practice that incorporates the regulations made for the purposes of this section and supplements those regulations with provisions that are not inconsistent with them.”*

In the terms of the above section, the Regulation stipulates how motions of this nature are to be dealt with. If Council were to attempt to amend the Code of Meeting Practice to change this procedure to allow an actual motion to be initially moved, as distinct to the required procedural motion, it is suggested that this would be “inconsistent” with the Regulation rather than “supplementing” the Regulation and would not be valid.

This matter has been discussed with Council’s solicitors, who have also reviewed the content of this report, and they have indicated that they concur with the interpretations of the Act and Regulation contained within this report.

In addition, at the meeting on 26 August 2014 when this matter was being discussed it was also suggested that the Minutes were not correct as the Mayor did not use his casting vote as recorded therein and that it was used in respect of a motion of dissent concerning the Mayor’s ruling. The recording of this part of the meeting on 12 August 2014 has been reviewed, there was no motion of dissent moved and the Mayor clearly utilises his casting vote against the “urgency motion” when the initial voting was tied four all. As such, the Minutes are correct in this regard.

### **Conformance to the Hawkesbury 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.

### **Financial Implications**

No financial implications applicable to this report.

### **RECOMMENDATION:**

That the information be received and noted.

### **ATTACHMENTS:**

There are no supporting documents for this report.

oooO END OF REPORT Oooo

## ORDINARY MEETING

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### CITY PLANNING

**Item: 162**                      **CP - Upper Hawkesbury River Coastal Zone Management Plan (CZMP) Final Report August 2014 - (124414)**

**Previous Item:**            241, Ordinary (11 October 2011)  
                                 140, Ordinary (31 July 2012)  
                                 69, Ordinary (08 April 2014)

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#### **REPORT:**

##### **Executive Summary**

The purpose of this report is to seek Council's adoption of the Upper Hawkesbury River Coastal Zone Management Plan (CZMP) Final Report August 2014.

##### **Consultation**

The following activities have been undertaken as part of the consultation for the CZMP:

- Letters to Government authorities and key stakeholders seeking information about the River.
- A community drop in information booth on 29 June 2013.
- An open community meeting on 15 July 2013.
- A project website including online surveys set up and run by the consultant.
- A targeted stakeholder workshop on 6 August 2013 including participants from relevant government agencies and industry.
- A meeting and telephone based discussions with representatives of the local indigenous community.
- Public exhibition of the Draft CZMP between 17 April 2014 - 30 May 2014.
- Newspaper advertisements on 17 April 2014 and 24 April 2014.
- Media Release on 1 May 2014.
- Static Display in the Deerubbin Centre on 1 May 2014.

##### **Background**

On 31 July 2012, Council resolved to prepare a CZMP. The purpose of the CZMP was to provide strategic direction and guidance on future environmental and strategic planning for the Hawkesbury River and tributaries. The CZMP was prepared by the consultants BMT WBM.

The CZMP has been developed under the NSW Government's Estuary Management Program in accordance with the *Coastal Protection Act, 1979*. It also complies with the requirements of the NSW Coastal Policy 1997 and the Hawkesbury Nepean Catchment Action Plan 2013.

The preparation of the CZMP was undertaken in stages which included:

- The Upper Hawkesbury Estuary Coastal Zone Management Plan Stage 1 Synthesis Report, April 2013 - a background document to facilitate engagement and discussions regarding the future planning for the estuary.
- The Upper Hawkesbury River Estuary Community Consultation Report, October 2013 - which details the extensive consultation undertaken for the project prior to the preparation of the CZMP.
- The Upper Hawkesbury River Bank Erosion, Foreshore Structure and Weed Mapping, November 2013 - a complementary study to map foreshore erosion, structures and the significant environmental weed *Arundo donax*.



- The Upper Hawkesbury Coastal Zone Management Plan August 2014 – a list of actions to be implemented by Council over the next five to ten years.

### **Synthesis Report**

The first stage was a review of all available literature about the River along the 80km stretch of the River between Yarramundi and Wisemans Ferry including its tributaries. There was an investigation of the estuary processes including water quality, hydrodynamics, geology, ecology, human influences and climate change. The relevant Government authorities and key stakeholders were informed about the project and they were invited to identify any issues.

As a result of the literature review, discussions with key stakeholders and field investigations a list of pressures and issues were identified. These formed the basis for an initial list that was developed for consideration in the next phase of the project. The list included:

- Riparian landuses
- Water based development e.g. jetties, stairs, pontoons
- Catchment development including urbanisation
- Weed invasion in riparian areas
- Introduced fauna
- Climate change/sea level rise
- Illegal dumping of waste
- Sewerage Treatment Plant (STP) discharges
- Private ownership of foreshore land
- Boat based activities
- Water extraction and dams
- Agricultural inputs
- Fishing
- Siltation
- Management approach.

### **Community Consultation Report**

A Community Consultation Report was prepared to identify all of the various consultation opportunities and document the outcomes of the consultation prior to the preparation of the CZMP.

As described above consultation during the first stage of the project included interactions with Government and community stakeholders through letters, a drop in day, a workshop, dedicated website and telephone and email communications and contributions from council staff.

As a result of consultation undertaken during this phase the initial list of pressures and issues was modified and a list of 11 target threats were developed. These would form the basis for the threats that would be assessed in the CZMP. These 11 threats included:

- Riparian landuses
- Water based development
- Catchment land uses
- Weed invasion in riparian areas
- Illegal dumping of waste
- Sea level rise
- Boat based activities
- Private ownership of foreshore land
- STP discharges
- Water extraction and dams.

Over 100 management options including planning controls, on ground works and rehabilitation, economic incentives, regulation, compliance activities, investigations and education initiatives were developed. During the preparation of the CZMP the management options were reviewed as part of a multi criteria assessment process.

In addition, the review of information from the Synthesis Report and the interaction with community and Government stakeholders in the consultation phase identified the opportunity for further data collection to inform a more complete and holistic CZMP. A gap analysis and assessment identified opportunities to collect information and provide recommendations for additional data that could be collected quickly, provide maximum environmental benefit and was largely within Council's jurisdiction to manage. The gap analysis identified three key data gaps:

- Bank erosion
- Foreshore structures
- Terrestrial weeds, particularly *Arundo donax* the Giant Reed

### **Upper Hawkesbury River Bank Erosion, Foreshore Structure and Weed Mapping**

A complementary study was undertaken to map foreshore erosion, structures and *Arundo donax*.

It was found that the wide banks around Windsor are cleared, cultivated, usually weed infested and often eroding from wind, boat wash, farm access and landuse and this is exacerbated from lack of riparian vegetation.

The riparian areas along the River are predominately in private ownership. Along the River bank private owners have encroached onto the public land with buildings, BBQ, accessways and gardens. Also other human influences include foreshore structures such as jetties, stairs, ladders, bank protection works and boat ramps. These structures can exacerbate bank erosion and potentially pollute the waterway during floods. The structures can inhibit fish habitat and passage and availability to trawlers.

The study identified new data sets for locations, extent and condition of bank erosion. High erosion sites were commonly associated with ski parks and there was also a higher density of foreshore structures.

Structures were generally old and many degraded. Structures were located in isolation to one another and were designed to protect the foreshore of private properties without regard for adjacent properties or landuse.

The hot spot locations of bank erosion and foreshore structures informed the management options in the CZMP and helped to prioritise sites with the information being used to design policy and targeted information on the design and rehabilitation of structures.

The riparian landuse was generally cleared, absent or weed infested vegetation and could be connected to bank erosion. *Arundo* has colonised more than 600 metres of river bank across 15 sites, the majority of sightings were identified downstream of the Colo River with likely sources being the Colo and Macdonald Rivers. The preliminary mapping of *Arundo* provided a new data set for Council that can be used as a basis to apply for funding to assist with its removal and reduce the further spread in local waterways.

Both the location and extent of erosion, structures and *Arundo* provide excellent baseline conditions for future management of the site.

### **Coastal Zone Management Plan**

The CZMP is a document which identifies how Council plans to manage the Upper Hawkesbury River over the next five to ten years.

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The CZMP has been prepared after a review of available data, consultation with the community and relevant stakeholders and preparation of a targeted study for erosion, structures and weeds. A list of over 100 management options were prioritised using a cost benefit approach which considered economic, social and environmental aspects. The rapid multi criteria assessment criteria was developed to quickly and clearly present the benefits and trade-offs of an option to assist in the selection of a preferred option. Based on the assessment 39 options were found to provide the greatest benefit to estuary health and environmental sustainability.

Implementation for the each of these options is provided in Action Plans. The Action Plans have been organised into eight sub plans. These sub plans are:

- Water Quality Sub Plan
- Aquatic and Riparian Habitat Sub Plan
- Recreation and Amenity Sub Plan
- Landuse Planning and Development Sub Plan
- Foreshore Protection Sub Plan
- Cultural Heritage Sub Plan
- Sea Level Rise Sub Plan
- Monitoring and Evaluation Sub Plan.

These Action Plans identify targeted works and other initiatives aimed at achieving the overall goal of improved environmental conditions of the River.

Each Action Plan includes:

- A title and unique identifier
- A pressure or issue
- Who suggested the action
- Council focus area
- Priority
- Applicable location in study area
- Detailed description
- Links to existing works
- Commencement
- Costs, resourcing and funding opportunities
- Lead responsibility
- Support responsibility
- Performance measure.

A summary table of all of the Actions included in the CZMP can be found in the Executive Summary of the CZMP.

It is envisaged that the CZMP will be reviewed and updated every five years. Changes will be made to the CZMP to ensure that the document remains current and relevant.

### **CZMP Adoption and Certification**

It is recommended that the CZMP be adopted by Council. Following the adoption of the CZMP there is then an option for Council to submit the CZMP to the Minister administering the *Coastal Protection Act, 1979* for certification. The Minister will make an assessment to determine whether to certify the CZMP by considering whether it meets the requirements of the *Coastal Protection Act 1979* and the requirements of the Guidelines for preparing CZMPs. If the Minister considers that the CZMP should be certified, Council will be advised and then publish it in the Government Gazette.

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Office of Environment and Heritage (OEH) staff have advised that the CZMP is not required to be certified by the Minister and many Council's across NSW do not choose to have such plans certified. Further current advice from OEH is that there is a temporary deferral on the certification of CZMPs. It is therefore recommended Council formally adopt the CZMP and begin its implementation. In the event that the Minister lifts the deferral on certification of CZMPs it is recommended that the CZMP be referred to the Minister.

### Conformance to the Hawkesbury Community Strategic Plan

The proposal is consistent with the Caring for the Environment Theme.

- To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural ecosystems, rural and cultural landscape.

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

- Effective management of our rivers, waterways, riparian land, surface and groundwaters and natural eco-systems through local action and regional partnerships.

### Financial Implications

One reason the CZMP was prepared was to attract Federal and State Government funding. By demonstrating that a considered and informed approach has been taken to develop actions for the Upper Hawkesbury River, funding organisations are more likely to resource the projects knowing that the projects identified will be a good investment in river health and sustainability.

Grant funding may be sought, if available from some of the following sources:

- Caring For Our Country
- BiodiversityFUND
- Community Action Grants
- Estuary Management Program.

Each of the Actions Plans has identified Costs, Resources and Funding Opportunities for each Action. Action Plans requiring additional funding either from grants or Council include:

- Staff education on erosion and sedimentation control
- Additional maintenance and monitoring of GPTs
- Additional hydrologic modelling to investigate sea level rise and water sharing
- Preparation of River Health report cards every 2 years
- Ongoing implementation of the River Health Strategy
- Education and published materials about weeds, structures and erosion
- Investigation of the causes of bank erosion
- Caravan park investigations, audits
- Additional staff costs for surveillance and auditing
- River Keeper
- Costs of time and printing for fact sheets, education material, review of DCP
- Foreshore protection works
- Pilot project working with the LALC
- Modelling and mapping sea level rise
- Erosion monitoring
- Erosion mapping
- Dredging feasibility
- Estuary management committee.

**ORDINARY MEETING**

**Meeting Date:** 09 September 2014

**RECOMMENDATION:**

That Council adopt the Upper Hawkesbury River Coastal Zone Management Plan Final Report August 2014.

**ATTACHMENTS:**

**AT - 1** Upper Hawkesbury River Coastal Zone Management Plan Final Report August 2014 -  
*(Distributed Under Separate Cover)*

**oooO END OF REPORT Oooo**

## ORDINARY MEETING

Meeting Date: 09 September 2014

### INFRASTRUCTURE SERVICES

**Item: 163**                      **IS - Windsor Riverside Market Governor Phillip Reserve - (95495, 79354)**

**Previous Item:**            43, Ordinary (11 March 2014)  
                                 153, Ordinary (26 August 2014)

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#### **REPORT:**

##### **Executive Summary**

This report is resubmitted for consideration by Council following its deferral at the meeting of 26 August 2014, pending advice to the market operators of the report.

Contact has been made with the operators to advise them of the report to this meeting.

Council received an application for a monthly market to be held at Governor Phillip Reserve in late 2013. Council approved the use of the site in March 2014 and the markets commenced in June 2014.

Council's fees and charges for markets changed from a flat fee to a per stall fee in the 2014/2015 financial year. The organisers of the markets in Governor Phillip Reserve have written to Council requesting a reduction in fees back to the 2013/2014 charge/structure.

The report recommends a reduction in fees by capping the maximum payment for this event for 2014/2015.

##### **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 of 26 August 2014, a report was presented to Council regarding the fees being charged for Windsor Riverside Markets. Consideration was deferred pending contact with the market operators.

The operators have been advised of the report to this meeting and its recommendation. At the time of writing, no feedback had been provided by the market operators.

The report below is resubmitted for Council's consideration.

Council received an application from Eclectic Markets and Events (Eclectic) to hold a monthly market known as Windsor Riverside Markets (WRM) at Governor Phillip Reserve in late 2013. The proposal was advertised and Council gave approval on 11 March 2014. The markets commenced in June 2014.

Prior to the consideration of the Eclectic market proposal, Council had been approached by other approved markets to reduce the daily fee to help their markets get established. The 2013/2014 fee was a flat \$600 fee per day and thus one would pay the same fee whether a market had 10 stalls or 100 stalls. A per stall fee already existed for markets in the Windsor Mall and thus to standardise fees for markets throughout the Local Government Area, a per stall fee was considered and proposed for the 2014/2015 Operational Plan Fees and Charges. This approach provided a more equitable structure based on the size of markets and the impact on Council's parks.

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Due to Councils timelines for 2014/2015 fees and charges, these recommendations were made in December 2013 prior to consideration of the Eclectic markets proposal with the fees and charges being advertised and then adopted around the time of the first market. The adopted fee for all markets is \$29 per stall per day.

Following the adoption of the 2014/2015 fees and charges a letter was sent to all markets outlining the new fees and charges. Eclectic have written to Council asking that Council reinstate the 2013/2014 fee as the new fee makes the operation cost prohibitive. Eclectic did sign an agreement with Council which did state the current fees but it also outlined that these could change with amendments to the fees and charges. The two conditions are outlined below:

- "5. *For commercial markets there is a fee of \$600.00 per day. Payments would be required to be paid at the end of each month – failure to make payment could lead to approvals being cancelled.*
18. *I/We acknowledge that the above fees and charges contained in this letter are current only at this time, and that changes to the fees and charges listed, and/or additional new fees and charges may be applicable and payable at the time of our event."*

The WRM started with 75 stalls at their first market. Based on the size of this market, their fees will go from the 2013/2014 flat fee of \$600 per day to a fee based on the size of the market. This will be approximately \$2,175 per day (based on 75 stalls).

Section 610E of the Local Government Act, allows Council to waive payment of, or reduce a fee if it is satisfied that the case falls within a category of hardship or any other category that Council has determined (not including statutory fees and charges). Council in its 2014/2015 Operational Plan has determined four categories: Hardship, Charity, Not for Profit and Commercial. The markets would fit into the Commercial category. Council would need to be satisfied that the market was commercially unviable should it wish to reduce the fee.

If Council resolves to reduce the fees and charges there are multiple options available, however any reduction should balance the need to support the local economy through the use of public assets against private benefits as well as ensuring other broader equity for other users including other markets. Having regard for those issues and the specific circumstances, it is suggested that fee structure remain, but with a cap of \$1,000 per event.

### Conformance to the Hawkesbury Community Strategic Plan

The proposal is consistent with the Supporting Business and Local Jobs Directions Statement;

- Help create thriving town centres, each with its own character that attracts residents, visitors and businesses.

### Financial Implications

As the income from the fees and charges were not included in the budgeted income for 2014/2015 there are no financial impacts on Council's current budgetary position, should Council vary the fee structure.

Capping the fee at \$1,000 would however reduce potential income by approximately \$12,000 per annum.

### RECOMMENDATION:

That the fee for the use of Governor Phillip Reserve by Eclectic Markets and Events be capped at \$1,000 per event for 2014/2015 with the fee reverting to that adopted by Council at the time for the 2015/2016 financial year.

**ORDINARY MEETING**

**Meeting Date:** 09 September 2014

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**



## ORDINARY MEETING

Meeting Date: 09 September 2014

### SUPPORT SERVICES

**Item: 164**                      **SS - Consultants Utilised by Council - 1 January 2014 to 30 June 2014 - (95496, 96332)**

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#### **REPORT:**

##### **Executive Summary**

At the meeting of Council held on 14 June 2005, consideration was given to a report regarding the consultants utilised by Council in 2003/2004 and 2004/2005. Subsequently, in recent years Council has been provided with reports outlining consultants utilised by Council on a six monthly basis.

The purpose of this report is to provide details of the various firms, or persons, the Council has utilised as consultants for the period from January to June 2014.

##### **Consultation**

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

##### **Background**

At the meeting of Council held on 14 June 2005, consideration was given to a report regarding the consultants utilised by Council. The report detailed various consultants, the purpose of the engagement, and the expenditure in 2003/2004 and 2004/2005.

Subsequently, in recent years Council has considered reports outlining consultants utilised by Council for six monthly periods, being January to June and July to December each year.

The table included as Attachment 1 to the report, provides details of the various firms, or persons, the Council has utilised as consultants for the period from January to June 2014, detailing the purpose of the consultancies and the amount (excluding GST) paid in this period.

##### **Conformance to the Hawkesbury 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**

This is an information report requested by Council and costs detailed have been met within existing budgets.

#### **RECOMMENDATION:**

That the information concerning consultancies utilised by Council during the period January to June 2014 be received.

#### **ATTACHMENTS:**

**AT - 1**    Table of Consultants utilised by Council from 1 January 2014 to 30 June 2014

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## AT - 1 Table of Consultants utilised by Council from 1 January 2014 to 30 June 2014

Firm	Purpose	Branch	Authorising Officer	Funding Source	External Requirement	Six Months to 30/06/2014
AAM Pty Ltd	EPA Volume Reporting – Waste Management Facility	Waste Management	Manager Waste Management	Internal Reserve	Environment Protection Authority	\$12,800.00
Barker Ryan Stewart	Design Services – Bridge Replacement Program	Survey, Design & Mapping Services	Manager Design & Mapping	Loan Reserve	No	\$22,445.00
BMT WBW Pty Ltd	Estuary Management Plan & Study	Strategic Planning	Director City Planning	General Funds/ Grant Funds	No	\$87,307.36
R & M Brown Consultancy	Site inspections & preparation of Hazardous Materials Management Plans	Building Services	Manager Building Services	General Funds	No	\$4,450.00
Clouston Associates	Hawkesbury Sports Strategy	Parks & Recreation	Manager Parks & Recreation	General Funds	No	\$6,900.00
Computer Systems (Australia) Pty Ltd	IT Consultancy services	Information Services	Manager Information Services	General Funds	No	\$656.00
Consulting Earth Scientists Pty Ltd	Waste Management Facility monthly & quarterly environmental monitoring & Annual Report	Waste Management	Manager Waste Management	Internal Reserve	Environment Protection Authority	\$33,196.92
	Geotechnical investigation & reporting McGraths Hill Sewer Treatment Plant	Waste Management	Manager Waste Management	External Reserve	Environment Protection Authority	\$1,670.00
Cultural Resources Management	Hawkesbury Museum Archaeological Report Preparation	Building Services	Manager Building Services	General Funds	No	\$27,000.00
Diversi Consulting	Bridge Investigation & Design – Stannix Park Road Bridge	Survey, Design & Mapping Services	Manager Design & Mapping	Loan Reserve	No	\$5,650.00
Environmental Monitoring Services Pty Ltd	Preparation of Aircraft Noise Assessment Report	Building Services	Manager Building Services	External Reserve	No	\$1,650.00

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Firm	Purpose	Branch	Authorising Officer	Funding Source	External Requirement	Six Months to 30/06/2014
Environmental Partnership (NSW) Pty Ltd	Landscape Architectural Fees: Berger Road Lake Reserve	Parks & Recreation	Manager Parks & Recreation	Internal Reserve	No	\$5,050.00
	McQuade Park	Parks & Recreation	Manager Parks & Recreation	Grant Funds	No	\$22,000.00
	Memorial Park	Parks & Recreation	Manager Parks & Recreation	External Reserve	No	\$2,500.00
Floth Sustainable Building Consultants	DA, CC & tender documentation for Richmond Seniors Centre	Building Services	Manager Building Services	External Reserve	No	\$2,800.00
	Data Centre Upgrade – design & documentation, construction phase services	Building Services	Manager Building Services	General Funds	No	\$2,900.00
Geotech Testing Pty Ltd	Geotechnical Inspection - Council owned property	Corporate Services & Governance	Manager Corporate Services & Governance	General Funds	No	\$412.50
Geotechnique Pty Ltd	Waste Classification - Council owned property	Corporate Services & Governance	Manager Corporate Services & Governance	General Funds	No	\$3,145.00
GLN Planning	Preparation of Draft S94 & S94A Contribution Plans	Community Services	Executive Manager Community Partnerships	External Reserve	No	\$5,320.00
C W Henstock & Associates Pty Ltd	Review Modifications – Windsor Wharf	Parks & Recreation	Manager Parks & Recreation	General Funds	No	\$5,992.50
Honda Australia MPE	Corporate Training Course – Road Safety for Windsor High	Community Services	Executive Manager Community Partnerships	General Funds	No	\$136.36
Internal Audit Bureau of NSW	Code of Conduct Investigation	General Manager	General Manager	General Funds	No	\$1,980.00
Infrastructure Management Group	Road Condition & Inventory Survey	Construction & Maintenance	Manager Construction & Maintenance	General Funds	No	\$14,522.50

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Firm	Purpose	Branch	Authorising Officer	Funding Source	External Requirement	Six Months to 30/06/2014
JDH Electrical	Building Condition Audits	Building Services	Manager Building Services	General Funds	No	\$15,757.50
Justin Long Design	CC Documents Richmond Village – Technology & Arts Centre	Building Services	Manager Building Services	External Reserve	No	\$10,000.00
	Preparation of Plans Wilberforce Depot Amenities Upgrade	Building Services	Manager Building Services	General Funds	No	\$4,000.00
	Preparation of Plans Hawkesbury Leisure Centre Tender	Building Services	Manager Building Services	General Funds	No	\$950.00
Lunney Watt & Associates Pty Ltd	Preparation of Plans Richmond CWA	Building Services	Manager Building Services	General Funds	No	\$1,330.00
	Market Rental Valuation Suite 3 Deerubbin Centre	Corporate Services & Governance	Manager Corporate Services & Governance	General Funds	No	\$1,500.00
	Property Valuation for Land Acquisition	Construction & Maintenance	Manager Construction & Maintenance	Loan Reserve	No	\$4,000.00
OCP Architects	Heritage Advice	Development Services	Manager Development Services	General Funds / Grant Funds	No	\$9,044.00
OHS Services Australia – Minerva Consulting Group	WHS Professional Services	Risk Management	Manager Risk Management	General Funds	No	\$44,967.50
	Preparation for WHS Audit	Risk Management	Manager Risk Management	General Funds	No	\$13,256.25
	WHS Training	Risk Management	Manager Risk Management	General Funds	No	\$4,925.00
The Playground Doctor	Playground Inspections & Safety Surfacing January – June 2014	Parks & Recreation	Manager Parks & Recreation	General Funds	No	\$5,000.00
PSM Consult Pty Ltd	Geotechnical Survey & Report – 3 Bowen Mountain Road	Construction & Maintenance	Manager Construction & Maintenance	General Funds	No	\$10,400.00

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Firm	Purpose	Branch	Authorising Officer	Funding Source	External Requirement	Six Months to 30/06/2014
CC Reeves	Heritage Advisory Services	Development Services	Manager Development Services	General Funds / Grant Funds	No	\$4,607.50
SJB Planning	Independent Assessment – Cinema, Mulgrave JRPP	Development Services	Manager Development Services	General Funds	No	\$494.99
Spectra Financial Services	Investment Advisory Services January – June 2014	Financial Services	Chief Financial Officer	General Funds	Division of Local Government	\$8,000.00
TLB Engineers	Design & Documentation: Richmond Senior Leisure & Learning Centre	Building Services	Manager Building Services	General Funds	No	\$7,000.00
	Paine Park, Windsor	Building Services	Manager Building Services	General Funds	No	\$600.00
Technology One Ltd	IT Consultancy services	Information Services	Manager Information Services	General Funds	No	\$6,870.00
Uplinx	Wireless Audit for Wilberforce Depot & Regional Library	Information Services	Manager Information Services	Grant Funds	No	\$3,600.00
Vital Places Pty Ltd	Prepare & present workshops:					
	Richmond Town Centre	Strategic Planning	Director City Planning	General Funds	No	\$12,144.00
	Windsor Town Centre	Strategic Planning	Director City Planning	General Funds	No	\$6,280.00
	North Richmond Town Centre	Strategic Planning	Director City Planning	General Funds	No	\$3,960.00
Tim William Architect	Independent Assessment – Cinema, Mulgrave JRPP	Development Services	Manager Development Services	General Funds	No	\$2,375.00

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Firm	Purpose	Branch	Authorising Officer	Funding Source	External Requirement	Six Months to 30/06/2014
Workplace Navigation Pty Ltd	Workers Compensation Management Services December – May 2014	Risk Management	Manager Risk Management	General Funds	No	\$12,300.00
KD Wood Valuations (Aust) Pty Ltd	Valuation Services for Council owned properties	Corporate Services & Governance	Manager Corporate Services & Governance	General Funds	No	\$4,500.00
<b>TOTAL</b>						<b>\$468,345.88</b>

oooO END OF REPORT Oooo

## ORDINARY MEETING

Meeting Date: 09 September 2014

Item: 165

SS - Pecuniary Interest Return - Designated Person - (95496, 96333)

### REPORT:

#### Executive Summary

The Local Government Act, 1993 details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Returns by Councillors and Designated Persons. This report provides information regarding a Return recently lodged with the General Manager by a Designated Person. It is recommended, that Council note that the Disclosure of Pecuniary Interests and Other Matters Return, lodged with the General Manager, has been tabled.

#### Consultation

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

#### Background

Section 450A of the Local Government Act, 1993 relates to the register of Pecuniary Interest Returns and the tabling of these Returns, which have been lodged by Councillors and Designated Persons. Section 450A of the Act is as follows:

- "1. The General Manager must keep a register of returns required to be lodged with the General Manager under section 449.
2. Returns required to be lodged with the General Manager under section 449 must be tabled at a meeting of the council, being:
  - (a) In the case of a return lodged in accordance with section 449 (1)—the first meeting held after the last day for lodgement under that subsection, or
  - (b) In the case of a return lodged in accordance with section 449 (3)—the first meeting held after the last day for lodgement under that subsection, or
  - (c) In the case of a return otherwise lodged with the general manager—the first meeting after lodgement."

With regard to Section 450A(1), a register of all Returns lodged by Councillors and Designated Persons, in accordance with Section 449 of the Act, is currently kept by Council as required by this part of the Act.

With regard to Section 450A(2), all Returns lodged by Councillors and Designated Persons, under Section 449 of the Act, must be tabled at a Council Meeting, as outlined in subsections (a), (b) and (c).

With regard to Section 450(2) (a), the following Section 449(1) Return has been lodged:

Position	Return Date	Date Lodged
Building Services Control Officer	26/05/2014	25/06/2014

The above Designated Person has lodged their Section 449(1) Return prior to the due date (being three months after the Return Date), as required by the Act for the receipt of the Return.

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The above details are now tabled in accordance with Section 450A(2)(a) of the Act, and the abovementioned Return is available for inspection if requested.

### **Conformance to the Hawkesbury 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.

### **Financial Implications**

No financial implications applicable to this report.

### **RECOMMENDATION:**

That the information be received and noted.

### **ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**



## ORDINARY MEETING

Meeting Date: 09 September 2014

**Item: 166**                      **SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - Review - (95496, 96332)**

**Previous Item:**            218, Ordinary (29 October 2013)

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### REPORT:

#### Executive Summary

Councils are required to adopt a Policy on the Provision for the Payment of Expenses and the Provision of Facilities to Councillors by the Local Government Act 1993 (LGA). The LGA requires that the Policy be reviewed and adopted annually.

The annual review of Council's Policy has been undertaken and there are no proposed amendments. The report recommends the Policy be placed on public exhibition and the matter be reported back to Council at the conclusion of the exhibition period.

#### Consultation

The LGA generally requires the Policy to be placed on public exhibition for a period of 28 days prior to its adoption as follows:

***"Section 253 Requirements before Policy concerning expenses and facilities can be adopted or amended:***

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment."*

Even though there are no proposed amendments, public exhibition is required as outlined in the then Division of Local Government Circular 11-27 'Findings from Review of Councillor Expenses and Facilities Policies'.

#### Background

At the meeting of Council, held on 29 October 2013, Council adopted a revised 'Policy on the Payment of Expenses and Provision of Facilities to Councillors' following a public exhibition period. Last year's review of the Policy included the following minor amendments to the Policy, being:

- Update current legislation references
- Further note relevant reimbursement clause from the Local Government Act, 1993
- Minor typographical corrections

Section 252 of the LGA requires each council, within five months after the end of each financial year, to adopt a policy in this regard. Section 253 of the LGA also details requirements to be complied with prior to such a policy being adopted or amended, and is in the following terms:

- "(1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*

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- (2) *Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submission and make any appropriate changes to the draft policy or amendment.*
- (3) *Despite subsection (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.*
- (4) *Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:*
  - (a) *a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and*
  - (b) *a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and*
  - (c) *a copy of the notice given under subsection (1).*
- (5) *A council must comply with this section when proposing to adopt a policy each year in accordance with section 252(1) even if the council proposes to adopt a policy that is the same as its existing policy."*

A review of the Council's Policy has been undertaken and there are no proposed amendments. A copy of the existing Policy is attached to this report as Attachment 1.

### Conformance to the Hawkesbury 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.

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

- Have ongoing engagement and communication with our community, governments and industries.

### Financial Implications

The advertising costs associated with the public exhibition of the Policy will be paid from Service Account 122 – Administrative Services of the adopted 2014/2015 Operational Plan.

### RECOMMENDATION:

That the Policy for Payment of Expenses and Provision of Facilities to Councillors, attached as Attachment 1 to the report, be placed on public exhibition for a period of at least 28 days, and that the matter be reported back to Council at the conclusion of the exhibition period, along with any submissions received.

### ATTACHMENTS:

- AT - 1** Policy for Payment of Expenses and Provision of Facilities to Councillors - *(Distributed Under Separate Cover).*

oooO END OF REPORT Oooo

## ORDINARY MEETING

Meeting Date: 09 September 2014

**Item: 167**                      **SS - Rating Structure Review Process - (95496, 96332)**

**Previous Item:**            97, Extraordinary (17 June 2014)

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### **REPORT:**

#### **Executive Summary**

At the Extraordinary Council Meeting on 17 June 2014, Council considered a report regarding the 2014/2015 Operational Plan and resolved, in part, that:

*“A report be brought to Council on a possible process to review the rate structure.”*

The purpose of this report is to provide Council with information regarding the process to be followed to review Council's rating structure, including specific considerations to be taken into account, should Council proceed with a review applicable to the 2015/2016 financial year.

#### **Consultation**

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. Community consultation requirements regarding the rating structure proposed for the following financial year would be addressed as part of the annual Operational Plan public exhibition process generally taking place between April and May each year.

Additional community consultation would be required in the event Council was also seeking a special rate variation as part of the review of the rating structure for one or more financial years.

#### **Background**

At the Extraordinary Council Meeting on 17 June 2014, Council considered a report regarding the 2014/2015 Operational Plan and resolved, in part, that:

*“A report be brought to Council on a possible process to review the rate structure.”*

#### **Process for reviewing the Rating Structure**

Each year, Council has the opportunity to review the rating structure applicable for the following financial year. This is generally done as part of its consideration of the annual Operational Plan. The community is also consulted on the proposed structure through the Operational Plan public exhibition process, generally occurring between April and May each year.

Following the public exhibition process and taking into consideration written public submissions received during the exhibition period, the Council then adopts the structure as part of the Operational Plan for the following financial year. This generally occurs in June each year.

In the absence of a direction otherwise provided by Council by way of a resolution, the rating structure proposed for the following financial year is generally based on the structure existing at the time. Should Council wish to change the structure for the following financial year, it is recommended that a resolution, including direction as to the elements of the structure to be reviewed, is made no later than February. This would allow sufficient time for the appropriate financial modelling to be undertaken to enable Council to consider the impact of changes being proposed.

**General Considerations for Determining a Rating Structure**

Council's main revenue source, funding the delivery of services to its community, is income from ordinary rates. The total income generated from this source each year is limited by way of rate –pegging imposed by the Independent Pricing and Regulatory Tribunal (IPART).

Whilst total annual income from general rates is limited by way of impositions from IPART, each council has the flexibility to distribute the rates burden across its community as it deems appropriate by way of a number of rating structure options being available within the Act. Any rating structure adopted will not alter the total revenue for a council, but merely distribute the burden across the different rating categories depending upon the rating structure, a council wishes to adopt.

Rating is a type of taxation rather than a charge for services. Similar to other taxes, the use of funds collected is distributed to provide a range of services not necessarily linked to the source of the funds.

When considering a rating structure appropriate for their local government area, councils should assess the "fairness" or "appropriateness" of rates, in light of these two criteria:

- The extent to which those who receive the benefits of council's services also pay for those services - the so called "benefit principle".
- The extent to which those who pay for council's services have the ability to pay for those services - the so called "ability to pay principle".

Whilst the "benefit principle" is easily applicable to specific services where a one for one relationship between service/good and user is readily identifiable, it is not as equally straight forward to apply this principle to services available and accessible for everyone, where usage or lack of by a specific user cannot be measured. Examples of the latter include, but are not limited to, a council's road network, parks and reserves, footpaths and public libraries. These services are available to, and accessible by, all ratepayers of a council area, but determining who is using what is not possible, and cannot be used as a sole basis to determine general rates applicable to respective ratepayers.

The application of the "ability to pay principle" can also be challenging in a local government context due to the limited access to information that would enable an appropriate assessment of a ratepayer's ability to pay. Whilst "land value" could be used as an indication of "ability to pay", this may not necessarily be a true reflection of what actually is the case.

A rate which is fair, when judged by the benefit principle, may not be fair according to the ability to pay principle, and vice versa.

The Hawkesbury local government area includes a diverse range of property types and values, and its community is also quite diverse in terms of income earning capacity and asset ownership.

In considering a rating structure that is considered appropriate and fair, Council needs to have regard to the composition of its community in terms of access to services and ability to pay, as well as taking into account the cost of common services and the appropriate distribution of this burden across the community.

The Act provides flexibility to each Council by way of a number of options being available for a rating structure. Each Council needs to determine what is fair and appropriate for its community. A particular rating structure in one council area may not suit another area.

**Rating Options**

Section 497 of the Act stipulates the allowed rating methods. In summary, a council may have any, or a combination of the following, for any Category or Sub-Category:

- Ad Valorem only (land value multiplied by a rate in the dollar).

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- Ad Valorem with Minimum Rate (same as above, but with a minimum amount payable).
- Base Rate with Ad Valorem (all ratepayers within a specific category to pay an equivalent amount as part of their rates, the base rate, with the balance of their rates made up via an ad valorem amount). It is noted that base amounts are restricted to a maximum 50% of total revenue for any particular Category or Sub-category.
- Combination (Council may resolve to levy rates using different methods for separate Categories or Sub-categories).

### Rating Categories

The Act provides for all rateable properties to be categorised into one of four Categories:

- Residential
- Farmland
- Business
- Mining

Each of these Categories can be divided into Sub-categories determined on the basis of identified criteria for each category.

### Current Rating Structure

As part of adopting the 2014/2015 Operational Plan, Council has adopted the rating structure as represented in Table 1 below. The number of properties, reflect values as at the time the Operational Plan 2014/2015 was adopted.

Table 1

Rating Category / Sub-Category	No of properties	Notional Yield (Rating Income)	% Notional Yield	Ad valorem Rate in \$	Minimum Rate	Base Amount	Base Rate %
Residential	18,590	\$18.8M	65%	0.201903	N/A	\$500	49.52%
Residential – Rural Residential	4,287	\$5.8M	20%	0.126727	N/A	\$670	49.73%
Business Area 1	752	\$1.4M	5%	0.207138	N/A	\$930	48.75%
Business Area 2	329	\$0.6M	2%	0.207138	N/A	\$930	47.68%
Business Area - Other	434	\$0.8M	3%	0.207138	N/A	\$930	49.75%
Farmland	622	\$1.4M	5%	0.274449	\$512	N/A	N/A
<b>Total</b>	<b>25,014</b>	<b>\$28.8M</b>	<b>100%</b>				

### Elements of the Rating Structure that could be Reviewed

As can be seen in Table 1, the rating structure has various elements. A review of any of the elements, in isolation or combined in some way, will have an impact on rates payable by the different rating Categories and individual properties therein. Whilst some general average outcomes are expected when certain elements are changed, the impact on the respective rating Categories and on each individual properties can only be ascertained following appropriate financial modelling.

It is important to note, that to maintain the overall total income for Council, any favourable impact on a category and/or property is offset by corresponding unfavourable impacts on other Categories/properties.

Following is an outline of each respective element of a council's rating structure, and the likely impact, in general terms, changes thereof may have. Should Council wish to explore one or more variations of these elements, detailed financial modelling reflecting the impact of those changes would be recommended to be considered by Council.

### **1. Sub-Categories**

A council may determine a Sub-category or Sub-categories for one or more Categories of rateable land in its area. The identification of a Sub-category and a particular rating model for that Sub-category, could be used to target specific members of a Category for the purpose of apportioning the burden in a way deemed appropriate by Council.

A Sub-category may be determined:

- a) for the Category "farmland" - according to the intensity of land use, the irrigability of the land or economic factors affecting the land, or
- b) for the Category "residential" - according to whether the land is rural residential land or is within a centre of population, or
- c) for the Category "business" - according to a centre of activity. A centre of activity might comprise a business centre, an industrial estate or some other concentration of like activities.

With regard to residential Sub-categories, the Act provides the following guidelines with regard to Sub-categories based on centre of population:

- Separate towns or villages may be regarded as discrete centres of population.
- Wherever contiguous urban development exists the criteria that should be present in order to constitute a centre of population are:
  - that there is a discernible community of interest amongst the residents which differs from those living outside that part of the area; and,
  - that part of the council area is independently serviced by infrastructure which reflects the focus of that part of the area as a centre of population.
- A centre of population should not be a device intended to enable rating variations within an homogeneous suburb or suburbs, or by street, or by any special feature such as proximity to water.

It is clear that sub-categorisation on the basis of centres of population may have limited application within the suburbs of the main urban centres.

Council's current rating structure includes the Rural – Residential Sub-category within the Residential Category, and the Business Areas 1, 2, and Other, Sub-categories within the Business Category.

#### ***Rural Residential Sub-category***

As part of the 2014/2015 Operational Plan, Council has determined to have a Rural Residential Sub-category. The Act defines Rural – Residential land as follows:

Land that:

- Is the site of a dwelling, and
- Is not less than two hectares and not more than 40 hectares in area, and

## ORDINARY MEETING

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- Is either:
  - not zoned or otherwise designated for use under an environmental planning instrument, or
  - zoned or otherwise designated for use under such an instrument for non-urban purposes, and
- Does not have a significant and substantial commercial purpose or character.

Properties outside this definition fall within the Residential Category.

### ***Business Sub-Categories***

As part of the 2014/2015 Operational Plan, Council has determined to have the following Business Sub-categories:

- Business Area 1 – Business rated properties within the defined areas in Richmond, Windsor, Vineyard and Mulgrave
- Business Area 2 – Business rated properties within defined areas in North Richmond and South Windsor
- Business Area Other – All other Business rated properties not falling within any of the defined areas in Richmond, Windsor, Vineyard, Mulgrave, North Richmond and South Windsor

Council may wish to review, in isolation or combined with other changes, the current Sub-categories in terms of:

- Specified Sub-Categories
- Rating model applied to identified Sub-categories

## **2. Notional Yield Ratios**

Council's total income from ordinary rates is referred to as the "Notional Yield". Whilst the overall income to be collected each year is limited by way of rate-pegging, the proportion of income to be collected from each respective Category/Sub-category can be determined by Council as part of determining its rating structure each year.

The Act does not stipulate the basis of determining respective proportions to be contributed by respective Categories/Sub-categories and it's up to each council to make such a determination. A common basis of apportioning the contribution by each respective Category/Sub-category, to the overall income, is the combined land values of each respective Category/Sub-category.

The alignment of the Notional Yield proportion with land values proportions would result in the impact of movement in land values as a result of a General Land Valuation being directly translated into a corresponding movement in the Notional Yield percentage contributed by each respective Category/Sub-category.

Council's current rating structure is based on the Notional Yield proportions as shown in Table 2 below. The corresponding land values proportions based on values at the time of adoption of the 2014/2015 Operational Plan, are also shown.

**ORDINARY MEETING****Meeting Date:** 09 September 2014**Table 2**

<b>Rating Category/Sub-category</b>	<b>% Notional Yield</b>	<b>% Land Value</b>
Residential	65%	57%
Residential – Rural Residential	20%	28%
Business Area 1	5%	4%
Business Area 2	2%	2%
Business Area - Other	3%	2%
Farmland	5%	6%
<b>Total</b>	<b>100%</b>	<b>100%</b>

If the respective Notional Yield ratios are reviewed, in the absence of changes to other elements of the structure, it would be expected that the impact on respective properties within the Categories/Sub-categories impacted by the change would reflect the movement of the proportion change.

The extent of such movement applicable to each property could, however, be mitigated through changes to other elements of the structure.

Council may wish to review, in isolation or combined with other changes, the current Notional Yield proportion in terms of:

- The current Notional Yield proportion contributed by each respective Category/Sub-category.
- The basis of determining the respective Notional Yield proportions.

### **3. Base Rate and Base Amount**

A Base Amount is a specific amount determined by way of a Council resolution for a particular Category or Sub-category.

A Base Amount flattens the incidence of rates across ratepayers, and thus reduces the magnitude of variations in rate levies between different properties of varying rateable value, and at the same time apportions the cost of common services amongst all ratepayers.

Section 536 of the Act provides a guide to factors that should be considered by a council when determining a Base Amount. These include, but are not limited, to the following:

- its general administration and overhead costs
- the extent to which projected ad valorem rates on individual properties do not reflect the cost of providing necessary services and facilities
- the level of grant or similar income available to provide necessary services and facilities
- the degree of congruity and homogeneity between the values of properties subject to the rate and their spread throughout the area
- whether a rate that is wholly an ad valorem rate would result in an uneven distribution of the rate burden because a comparatively high proportion of assessments would bear a comparatively low share of the total rate burden

The amount of rating income raised through a Base Amount cannot exceed 50% of the revenue derived from the Category or Sub-category. The remaining 50% is raised through the Ad Valorem rate and is based on land value.



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Generally a higher Base Amount benefits ratepayers with high value properties, as the impact on the land value on the rates payable is reduced. On the other hand, lower value properties can be negatively impacted with a high Base Amount as it often results in higher rates payable than if a structure relying mostly on land values was in place.

However, it is important to note, that impacts of a Base Amount and the level thereof on specific properties may result in some exceptions. The nature of the impact and extent thereof of a Base Amount is dependent on the combination of land value, the ad valorem rate, and the level of the Base Amount.

When considering options regarding an appropriate Base Amount, it is prudent to evaluate impacts on rating Categories and properties therein through appropriate financial modelling, to ensure that undesirable extreme impacts on ratepayers are limited.

Council's current rating structure features a Base Amount for the Residential Category, Rural – Residential Sub-category and all the Business Sub-categories. The amounts for each respective Category/Sub-category reflect a Base Rate of 50%, which is the maximum permitted under the Act.

This element of the rating structure could be reviewed in isolation, or combined with other changes, in terms of the following:

- Base Rate (currently at 50% for each relevant Category/Sub-category)
- Base Amount (currently based on a Base Rate of 50% for each relevant Category/Sub-category).

The current Base Amounts applicable to each respective Category/Sub-category have been driven by the calculation of what constitutes 50% of income generated from each respective Category/Sub-category. The Base Amount could alternatively be determined as a specific amount as long as the amount determined does not result in the Base Amount income exceeding 50% for any Category/Sub-category.

#### **4. Farmland Category**

Prior to the 2013/2014 financial year, all Rating Categories in the Hawkesbury LGA were subject to a rating structure based on an Ad Valorem Rate with a Minimum Amount. The Ad Valorem Rate was the same for all Categories and Sub-categories except the Farmland Category. The Ad Valorem Rate for the Farmland Category was a proportion of the Residential Rate. This structure was intended to ensure that the Farmland Category carried a "discounted" rating burden. The introduction of Council's current rating structure for the 2013/2014 financial year resulted in a change to this relativity.

Whilst the current rating structure does not accommodate the introduction of a similar relationship between the Farmland Category and any of the other rating Categories, Council may wish to consider reviewing the current structure applying to the Farmland Category, in isolation or combined with other changes, in terms of the following:

- Considering altering the current Notional Yield proportion contributed to each respective Category/Sub-category.
- Considering the impact of the replacement of a Minimum amount with a Base Amount.

#### **5. Minimum Rates**

As referred to earlier in the report, rates payable by a property within a Category/Sub-category could be subject to a Minimum Amount. The Minimum Amount would be payable as a minimum regardless of the Ad Valorem calculation based on land value. A Category/Sub-category cannot be subject to both a Minimum Amount and a Base Amount. Either one or the other can apply.

## ORDINARY MEETING

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Where a Council has a Minimum Rate applying to a Category/Sub-category, this rate can be increased each year in line with rate pegging. If however, a council introduced a Minimum Rate for a Category/Sub-category, not subject to such rate in the previous financial year, the maximum rate it could apply would be that determined by IPART for that year and as updated accordingly in the Local Government Regulation (General) 2005. If a council wished the Minimum Rate to be higher than this amount, it would need to notify IPART by no later than February of the year in which the rate is to apply. At this time, it could be problematic should Council wish to introduce a Minimum Rate higher than that stipulated by IPART for the 2015/2016 financial year for any of its Categories/Sub-categories that currently are not subject to a Minimum Rate. For the 2014/2015 financial year, the Minimum Rate permitted is \$485.

Council's current Rating Structure includes a Minimum Rate of \$512 for the Farmland Category. The Minimum Rate aspect could be reviewed in terms of:

- Retaining or otherwise the Minimum Rate structure for the Farmland Category.
- Applying the Minimum Rate structure to other Categories/Sub-categories.

### Special Rates

In addition to ordinary rates, the Act makes provision for a Special Rate. Special Rates may be considered by Council if it wished to finance a project that will benefit either the whole of the City or part of the City. A project may be comprised of works, services, facilities or activities.

A Special Rate can be levied on any rateable land, which in the Council's opinion, benefits or will benefit from the project in question; or contributes to the need for the project; or has access to the project. Council may levy different Special Rates for various projects, or for similar projects in different parts of its area.

Unless a Special Rate Variation was obtained, if a Special Rate was introduced, the amount it raised would need to be accommodated within the total Notional Yield. That is, the Yield from other rates would be reduced by an equal amount.

Council's current rating structure does not include any Special Rates.

### Special Rate Variation

Whilst the levying of ordinary rates by way of any rating structures detailed in this report would impact on respective Categories/Sub-categories in different ways, any review of the current rating structure will not increase Council's overall rating revenue. Different rating structures merely distribute the rating burden differently.

If Council wished to increase its overall rating revenue to have additional funds available for the delivery of services to the community, Council would need to commence the appropriate process for a Special Rate Variation. Due to the lead time required for the community consultation process associated with a Special Rate Variation, the earliest such a process could be considered is for the 2016/2017 financial year.

A lead time of at least 18 months is generally required for a Special Rate Variation process. If Council wishes to pursue this process for implementation in the 2016/2017 financial year, a direction to this effect is required by no later than the end of 2014.

### NSW Valuer General Land Revaluations

The ad valorem rate applicable to a Category/Sub-category is applied to the land value of each respective property within the Category/Sub-category, as determined by the NSW Valuer General (VG). Land Revaluations are undertaken on a three year cycle, with the next one for the Hawkesbury LGA being due in November 2014. The land values arising from this revaluation will be used for rating purposes for the first time in July 2015. It is to be noted that Land Revaluations do not result in an increase or decrease in the Notional Yield for Council.

Over the years, land revaluations have impacted both favourably and unfavourably on different suburbs / types of properties. Increases or decreases in land valuations, and therefore rates payable, for particular rating Categories and properties therein, is driven by various factors considered by the VG including, but not limited to, market data and zoning.

Extreme movements in land value and therefore rates payable by properties within a Category/Sub-category could occur as a result of the Land Revaluations. If a particular Category/Sub-category is impacted unfavourably, that is, land values are significantly higher, changes to some elements of the structure could be used to alleviate the impact. Changes to the Notional Yield proportions and/or reviewing or introducing Base Amounts, are potential avenues that could be explored to alleviate the impact of Land Revaluations.

In light of the impact of Land Revaluations on rates payable by respective Categories/Sub-categories and properties therein, it is recommended that should Council wish to explore different rating structures, any related financial modelling is undertaken post the Land Revaluations occurring in November 2014. This will enable Council to truly assess the impact of any rating structures being considered.

### **Rating Structure Review Timing**

As referred to earlier in this report, should Council wish to explore a different rating structure than that adopted for the current 2014/2015 financial year, it would be prudent to assess and consider the impact of any changes on respective Categories/Sub-categories and properties therein. Such assessment could be undertaken through one or more Councillor Briefing Sessions where the matter can be considered in detail prior to reporting a proposed rating structure as part of the 2015/2016 Operational Plan process.

In light of the Land Revaluations process expected to occur towards the end of November 2014, it would be prudent that any review of the current rating structure as directed by Council incorporates the impact of such revaluations. In line with previous years, a report detailing the impact of the VG land revaluation in the Hawkesbury LGA will be submitted to Council as soon as practicable following notification of the new values. This would be expected to occur by early February 2015.

It would therefore be suggested that any Councillor Briefing Sessions regarding the rating structure matter are held in February 2015, after the impact of the land revaluations have been reported to Council, and Council is in a position to provide direction as to which elements of the rating structure are to be reviewed and evaluated.

Subsequent to the relevant Councillor Briefing Sessions, a report would be submitted seeking Council's direction with regard the rating structure proposed for 2015/2016. Such report would be submitted during March 2015.

It is envisaged that the timeframes suggested above will allow for an appropriate and comprehensive review of the current rating structure, and the inclusion of the rating structure deemed appropriate to be proposed by Council, in the Operational Plan 2015/2016. The Operational Plan 2015/2016 will be placed on public exhibition during the April – May 2015.

### **Conformance to the Hawkesbury Community Strategic Plan**

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

- The Council 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 the nominated strategy in the Hawkesbury Community Strategic Plan being:

- Improve financial sustainability.

**ORDINARY MEETING**

**Meeting Date:** 09 September 2014

**Financial Implications**

There are no financial implications arising from this report.

**RECOMMENDATION:**

That the information contained within this report be received and noted.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

ordinary

section 5

notices of motion

**ORDINARY MEETING**

Notices of Motion

## ORDINARY MEETING

### Notices of Motion

#### SECTION 5 - Notices of Motion

**NM1**                      **Lobbying Contact Register - (79351, 105109, 80093)**

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**Submitted by:**        Councillor Calvert

#### **NOTICE OF MOTION:**

That Council staff prepare a report on the most effective system for monitoring and recording meetings/contact between developers and Councillors and Council staff. The system recommended is to be transparent, easily understood and freely available to the public. Many government departments e.g. the Department of Planning and Environment have a Lobbying Contact Register and perhaps it would be possible to copy one of these existing models.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**

**Notices of Motion**

**NM2**

**ICAC Investigation - Operation Spicer and Redbank - (79351, 105109, 80093)**

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**Submitted by:** Councillor Calvert

**NOTICE OF MOTION:**

That when the findings of Operation Spicer are released in relation to the Redbank development, Council is to bring the matter back to either an Ordinary or an Extraordinary Meeting to discuss the future progress of the development.

**oooO END OF NOTICE OF MOTION Oooo**



**ORDINARY MEETING**

**Notices of Motion**

**NM3**

**Contact ACCC regarding Rates Notice Carbon Tax statement - (79351, 105109, 80093)**

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**Submitted by:** Councillor Calvert

**NOTICE OF MOTION:**

That given the recent statement by the ACCC that they will be “knocking on the door to ensure that what was said on the way in applies on the way out”, that the General Manager approach the ACCC to gain advice on how Council should best approach this matter, with regard to the statement about the Carbon Tax which was included on our rates notices.

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**

**Notices of Motion**

**NM4**

**Council Committee Minutes - (79351, 105109, 80093)**

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**Submitted by:** Councillor Calvert

**NOTICE OF MOTION:**

That the minutes of all Council committees should contain a section entitled "Recommendations to Council".

**oooO END OF NOTICE OF MOTION Oooo**

**ORDINARY MEETING**  
Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

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

**REPORT:**

#	Councillor	Question	Response
1	Creed	Enquired when the report referred to in point 3 of Resolution 152, Item 90 as discussed at the Ordinary Meeting held on 27 May 2014 regarding Council's discretionary funds would be presented to Council.	The General Manager advised that it is anticipated that a report on this matter should be submitted to the next Council meeting.
2	Reardon	Enquired if an alternative to the removal of some plane trees in Windsor Street, Richmond could be found as the trees have heritage value and form part of an avenue of plane trees along the Street.	The Director Infrastructure Services advised that this matter was being reviewed, following a development application to remove two trees. Public consultation will be undertaken as part of the assessment process.
3	Lyons-Buckett	Enquired if a long, knee high rail for more advanced skating could be installed at the Bligh Park skate park	The Director Infrastructure Services advised that the request would be investigated.
4	Lyons-Buckett	Enquired if there was there were any funds allocated to the Road Side Vegetation Management Plan which was adopted by Council in either 2013 or 2014.	The Director Infrastructure Services advised that no funds were allocated when the Roadside Vegetation Management Plan was adopted in 2013. Adoption of the Plan enabled Council to apply for grant funding for projects available from other agencies.
5	Lyons-Buckett	Requested that the drainage in the carpark near Thompson Square, Windsor be investigated.	The Director Infrastructure Services advised that Council staff have inspected the drainage and found that there is ponding within the parking bays. Arrangements have been made to infill the ponded area with deep lift asphalt.

## ORDINARY MEETING

### Questions for Next Meeting

#	Councillor	Question	Response
6	Lyons-Buckett	Requested progress information regarding the shipping container at 64 Grand View Lane, Bowen Mountain.	The Acting Director City Planning advised Councillors had recently been forwarded a memorandum outlining details of the outcome of investigations into this enquiry. The memorandum advised of correspondence which had been forwarded to the owner on 21 August requesting removal of the container within 30 days. The owner was informed that failing to remove the shipping container from the premises, within the requested timeframe, may result in Council issuing an Infringement for development without consent or a Notice of Intention to Issue an Order under the <i>Environmental Planning and Assessment Act 1979</i> , to remove the unapproved structure from the premise.
7	Paine	Requested a review of the synchronisation of the traffic lights on the corner of Kable Street and Macquarie Street, Windsor.	The Director Infrastructure Services advised that this request has previously been forwarded to RMS for investigation and their response will be provided when received.
8	Paine	Requested a review of the adequacy of the lighting in Windsor Mall, Windsor	The Director Infrastructure Services advised that a review of lighting levels will be undertaken.
9	Paine	Requested an update on the progress of former Councillor Di Finch.	The General Manager advised that an update, as requested, has been provided to all Councillors.
10	Calvert	Enquired if the meeting to be held with the Member for Macquarie regarding financial assistance grants is still scheduled for a briefing session and when it will be held.	The Director Support Services advised that correspondence has been forwarded to the Member for Macquarie, regarding attendance at a future Councillor Briefing Session, and Council is currently waiting for a response.
11	Calvert	Enquired how many dwellings in North Richmond are outside of the 600m radius as stated in the residential land strategy.	The Acting Director City Planning advised there are approximately 965 residential zoned properties (R2 and R3) outside of the 600m radius as stated in the residential land strategy. It is to be noted the above figure does not include rural zoned land.

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

#	Councillor	Question	Response
12	Calvert	Enquired if a map of where towns start and finish is available and how would a resident access it.	The Acting Director City Planning advised suburb boundaries can be viewed by way of a variety of methods including accessing the Geographical Names Board of New South Wales, street directories, internet mapping applications eg Google maps, Council's mapping system (found on website <a href="http://www.hawkesbury.nsw.gov.au/community/about-the-hawkesbury/map-of-the-hawkesbury">http://www.hawkesbury.nsw.gov.au/community/about-the-hawkesbury/map-of-the-hawkesbury</a> ) and Hawkesbury Community Profile and Social Atlas (found on website <a href="http://profile.id.com.au/hawkesbury">http://profile.id.com.au/hawkesbury</a> ).
13	Calvert	Enquired if staff parking on Arthur Phillip Drive, North Richmond at the Ron Middleton Nursing Home (also known as the Kingsford-Smith Village) is a temporary arrangement.	The Acting Director City Planning advised the nursing home is now complete and off-street car parking spaces, together with access driveways and turning areas, were constructed in accordance with approved plans which provided for 31 car parking spaces. It is advised there are no restrictions in place that prohibit any member of the public from parking on Arthur Phillip Drive, provided residents driveways are not obstructed. Recent drive-by inspections from Council officers has confirmed there are no such obstructions.
14	Rasmussen	Requested an update on the Council owned property on Colonial Drive, Bligh Park.	The Director Support Services advised that the tender documentation has been drafted for the proposed sale of 139 Colonial Drive, Bligh Park. It is anticipated that the tender for the sale of the property will be advertised in late September 2014.

oooO END OF REPORT Oooo

**ORDINARY MEETING**

Questions for Next Meeting

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

**CONFIDENTIAL REPORTS**

**Item: 168**                      **IS - Tender No. 00945 - Concrete Works - Reconstruction of Footpaths and Kerb and Gutter within the City of Hawkesbury - (95495, 79344)**  
**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)(d) 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, 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: 169**                      **SS - Property Matter - Lease to Hawkesbury House Pty Limited - Former Hawkesbury Hospital Building - Part of Lot 50 in Deposited Plan 1035291, Macquarie Street, Windsor - (95496, 112106) CONFIDENTIAL**

**Previous Item:**            117, Ordinary (24 June 2014)

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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**  
**CONFIDENTIAL REPORTS**

Item: 170

MM - Staff Matter - (79353) **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)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).*

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



ordinary  
meeting

end of  
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