



ORDINARY MEETING

Date of meeting: 29 October 2024
Location: Council Chambers
Time: 6:30 PM

BUSINESS PAPER

ORDINARY MEETING

Table of Contents

Meeting Date: 29 October 2024

Table of Contents

1. WELCOME 5

2. ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL 5

3. APOLOGIES AND LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS..... 5

4. DECLARATIONS OF INTERESTS 5

5. CONFIRMATION OF MINUTES..... 7

6. AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS 9

7. CONDOLENCES 9

8. MAYORAL MINUTES..... 9

9. EXCEPTION REPORTS - ADOPTION OF ITEMS NOT IDENTIFIED FOR DISCUSSION AND DECISION 9

10. REPORTS FOR DETERMINATION 11

 10.1. PLANNING DECISIONS..... 11

 10.2. GENERAL MANAGER..... 13

 10.3. CITY PLANNING 15

 10.4. CORPORATE SERVICES 17

 10.4.1.CS - Investment Report - July 2024 - (95496, 96332)..... 17

 10.4.2.CS - Investment Report - August 2024 - (95496, 96332)..... 25

 10.4.3.CS - Disclosure of Pecuniary Interests and Other Matters Returns - (95496) 33

 10.5. INFRASTRUCTURE SERVICES..... 37

11. RECEIPT OF MINUTES OF OTHER COMMITTEES 39

 11.1.1.ROC - Floodplain Management Committee - 21 August 2024 - (161821) 39

 11.1.2.ROC - Audit, Risk and Improvement Committee - 13 September 2024 - (158054, 95196). 49

12. NOTICES OF MOTION..... 71

 12.1.1.RM - Efficient and Cost-Effective Weed Management 71

 12.1.2.RM - Proposed Sale 295 Sackville Road, Wilberforce (95496, 122525)..... 81

13. QUESTIONS WITH NOTICE 87

14. RESPONSES TO QUESTIONS WITH NOTICE FROM PREVIOUS MEETING..... 89

ORDINARY MEETING

Table of Contents

Meeting Date: 29 October 2024

14.1.1.Responses to Councillor Questions Taken on Notice at the Council Meeting - 13 August 2024 89

15. CONFIDENTIAL REPORTS 91

15.1. GENERAL MANAGER..... 91

15.2. CITY PLANNING 91

15.3. CORPORATE SERVICES..... 91

15.4. INFRASTRUCTURE SERVICES..... 91

15.5. NOTICES OF MOTION..... 91

Attachment 2 to Item 12.1.2. – RM – Confidential Attachment to Report to Council Meeting 13 August 2024 - Proposed Sale of 295 Sackville Road, Wilberforce..... 91

ORDINARY MEETING

1. WELCOME

Meeting Date: 29 October 2024

1. WELCOME

a) **Acknowledgement of Indigenous Heritage**

The Mayor, Councillor Les Sheather will acknowledge the Indigenous Heritage.

b) **General Manager's Matters for Mention**

The General Manager will address the Council meeting, mentioning:

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

2. ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL

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

3. APOLOGIES AND LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS

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

Attendance

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

4. DECLARATIONS OF INTERESTS

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

Statement of Ethical Obligations

On 15 October 2024 in accordance with Section 233A of the Local Government Act 1993, Councillors took an oath or made an affirmation of office to undertake the duties of the office of Councillor in the best interests of the people of the Hawkesbury City Council Local Government Area and the Hawkesbury City Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in Councillors under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

Council's Code of Conduct requires Councillors to disclose and appropriately manage conflicts of interest.

ORDINARY MEETING

1. WELCOME

Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING

5. CONFIRMATION OF MINUTES

Meeting Date: 29 October 2024

5. CONFIRMATION OF MINUTES

ORDINARY MEETING
5. CONFIRMATION OF MINUTES
Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING

6. AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS

Meeting Date: 29 October 2024

6. AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS

7. CONDOLENCES

There were no Condolences at the time of preparing this Business Paper.

8. MAYORAL MINUTES

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

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

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

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

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

9. EXCEPTION REPORTS - ADOPTION OF ITEMS NOT IDENTIFIED FOR DISCUSSION AND DECISION

ORDINARY MEETING

6. AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS

Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

10. REPORTS FOR DETERMINATION

10.1. PLANNING DECISIONS

Nil reports.

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

10.2. GENERAL MANAGER

Nil reports.

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING
10. REPORTS FOR DETERMINATION
Meeting Date: 29 October 2024

10.3. CITY PLANNING

Nil reports.

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

10.4. CORPORATE SERVICES

10.4.1. CS - Investment Report - July 2024 - (95496, 96332)

Previous Item: 4.4.6, Ordinary (14 May 2024)

Directorate: Corporate Services

PURPOSE OF THE REPORT

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

EXECUTIVE SUMMARY

This report indicates that Council held \$99.5 million in investments as at 31 July 2024 and outlines that all investments were made in accordance with the Local Government Act, 1993, the Local Government (General) Regulation, 2021 and Council's Investment Policy.

RECOMMENDATION

That the Monthly Investment Report for July 2024 be received and noted.

BACKGROUND

Council held \$99.5 million in investments as at 31 July 2024. Details on the composition of the Investment Portfolio, and its compliance with Council's Investment Policy are provided below. Details include the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, the percentage of the total portfolio, exposure to credit ratings bands and the spread of maturities.

1. Composition of Investment Portfolio

Tables 1 to 4 below provide details regarding the \$99.5 million in investments as at 31 July 2024.

Table 1: Summary of Council's Investment Portfolio as at 31 July 2024

Product Type	Face Value	% of Total
Term Deposits - Fixed Rate	\$84,500,000	85%
Floating Rate Notes	\$3,850,000	4%
NSW TCorp Long Term Growth Fund	\$1,111,275	1%
At Call Deposits	\$10,010,397	10%
Grand Total	\$99,471,672	100%

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

Table 2: Total Investments by Issuer's Long – Term Credit Rating

Long Term Credit Rating	Face Value	% of Total
AA	\$85,010,397	85%
A	\$13,350,000	14%
NSW TCorp Long Term Growth Fund	\$1,111,275	1%
Grand Total	\$99,471,672	100%

Table 3 – Fixed Term Deposits

Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
Bendigo Adelaide	A-	11-Dec-24	5.07%	\$1,000,000
		5-Feb-25	5.10%	\$2,000,000
Bank of Queensland	BBB+	16-Oct-24	5.15%	\$2,000,000
		6-Nov-24	5.10%	\$2,000,000
		20-Nov-24	5.15%	\$2,000,000
		30-Mar-28	4.80%	\$1,000,000
National Australia Bank	AA-	7-Aug-24	5.10%	\$2,000,000
		19-Aug-24	0.75%	\$3,000,000
		19-Aug-24	5.14%	\$4,000,000
		10-Sep-24	0.80%	\$1,000,000
		10-Sep-24	5.20%	\$1,000,000
		10-Sep-24	5.20%	\$2,000,000
		3-Oct-24	5.15%	\$1,500,000
		19-Nov-24	0.75%	\$1,000,000
		11-Dec-24	5.05%	\$4,000,000
		8-Jan-25	5.05%	\$4,000,000
		15-Jan-25	0.80%	\$500,000
		5-Mar-25	1.05%	\$1,500,000
		19-Mar-25	5.40%	\$4,000,000
		26-Mar-25	5.37%	\$2,500,000
		10-Apr-25	5.40%	\$2,000,000
		24-Apr-25	5.30%	\$2,000,000
		7-May-25	5.30%	\$3,000,000
		25-Jun-25	5.50%	\$1,500,000
		25-Jun-25	5.45%	\$1,500,000
		3-Nov-25	0.95%	\$500,000
19-Nov-25	0.90%	\$500,000		
13-Jan-26	1.00%	\$500,000		
4-Mar-26	1.30%	\$1,500,000		
Suncorp	A+	7-Aug-24	5.45%	\$1,000,000
		14-Aug-24	5.15%	\$1,000,000
		3-Oct-24	5.04%	\$2,500,000

ORDINARY MEETING
10. REPORTS FOR DETERMINATION
Meeting Date: 29 October 2024

Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
		23-Oct-24	5.06%	\$2,000,000
		06-Nov-24	5.18%	\$1,000,000
		11-Nov-24	5.22%	\$1,000,000
		15-Jan-25	5.18%	\$1,500,000
		24-Jan-25	5.18%	\$2,000,000
		24-Jan-25	5.22%	\$2,000,000
		05-Feb-25	5.20%	\$2,500,000
		20-Feb-25	5.26%	\$3,000,000
Westpac	AA-	8-Nov-24	5.06%	\$2,000,000
		8-Jan-25	5.07%	\$1,000,000
		20-Feb-25	4.97%	\$2,000,000
		10-Apr-25	5.07%	\$4,000,000
		2-Apr-25	5.17%	\$1,000,000
			Grand Total	\$84,500,000

Table 4: Floating Rate Notes

Institution	Maturity	Yield	Face Value
Macquarie Bank	14-Sep-26	5.22%	\$800,000
Suncorp	13-Mar-29	5.36%	\$500,000
Bank of Queensland	30-Apr-29	5.69%	\$2,050,000
Bendigo Adelaide	14-May-27	5.37%	\$500,000
	Grand Total		\$3,850,000

2. Environmental, Social and Governance (ESG) Investment

Tables 5 and 6 below provide the details on Environmental, Social and Governance (ESG) investments and the proportion compared to the total Investment Portfolio.

Table 5: ESG Investments

Institution	Maturity	Rate	Face Value
Bendigo Adelaide	11-Dec-24	5.07%	\$1,000,000
	5-Feb-25	5.10%	\$2,000,000
	14-May-27	5.37%	\$500,000
Suncorp	7-Aug-24	5.45%	\$1,000,000
	14-Aug-24	5.15%	\$1,000,000
	3-Oct-24	5.04%	\$2,500,000
	23-Oct-24	5.06%	\$2,000,000
	6-Nov-24	5.18%	\$1,000,000
	11-Nov-24	5.22%	\$1,000,000
	15-Jan-25	5.18%	\$1,500,000
	24-Jan-25	5.18%	\$2,000,000

ORDINARY MEETING
10. REPORTS FOR DETERMINATION
Meeting Date: 29 October 2024

Institution	Maturity	Rate	Face Value
	24-Jan-25	5.22%	\$2,000,000
	5-Feb-25	5.20%	\$2,500,000
	20-Feb-25	5.26%	\$3,000,000
	13-Mar-29	5.33%	\$500,000
Westpac	8-Jan-25	5.07%	\$1,000,000
	10-Apr-25	5.07%	\$4,000,000
		Grand Total	\$28,500,000

Table 6: Summary of Council's Investment Portfolio in Terms of ESG

Product Type	Face Value	% of Total
Non Fossil Fuel Lending ADIs	\$23,500,000	24%
- Bendigo Adelaide	\$3,500,000	
- Suncorp Bank	\$20,000,000	
Socially Responsible Investment	\$5,000,000	5%
- Westpac (Green TD)	\$5,000,000	
Fossil Fuel Lending ADIs	\$69,860,397	70%
- Bank of Queensland	\$9,050,000	
- Commonwealth Bank	\$10,010,397	
- Macquarie Bank	\$800,000	
- National Australia Bank	\$45,000,000	
- Westpac	\$5,000,000	
Other	\$1,111,275	1%
- NSW TCorp Long Term Growth Fund	\$1,111,275	
Grand Total	\$99,471,672	100%

3. Compliance to Investment Policy

Tables 7 to 8 below summarise Council's exposure limits to the credit ratings bands, term to maturity parameters and compliance with Council's Investment Policy.

Table 7: Exposure Limits to credit ratings bands

Long-Term Credit Rating	% of Portfolio	Policy Maximum	Compliant with Policy
AA	85%	100%	Yes
A	14%	60%	Yes
NSW TCorp Funds	1%	20%	Yes

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

Table 8: Term to Maturity

Term to Maturity	% of Portfolio	Policy Range	Compliant with Policy
Between 0 and 1 years	92%	40% - 100%	Yes
Between 1 and 5 years	8%	0% - 60%	Yes

4. Portfolio Return

Council's investment portfolio (excluding At Call Deposits and NSW TCorp Managed Funds) provided a weighted average return (running yield) as shown in Table 9 below.

Table 9: Portfolio Return

30 July 2024	Monthly Return (Annualised)	Financial Year to Date (Annualised)
Hawkesbury City Council – Investment Portfolio	4.64%	4.64%
Benchmark – Bloomberg Ausbond Bank Bill Index	4.49%	4.49%
Performance Relative to Benchmark	0.15%	0.15%

Relevant Legislation

According to Clause 212 of the Local Government (General) Regulation 2021, the Responsible Accounting Officer must provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must include a certificate as to whether investments have been made in accordance with the Act, the Regulation, and the Council's Investment Policy.

Investment Certification

The Responsible Accounting Officer hereby certifies that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act, 1993, Clause 212 of the Local Government (General) Regulation, 2021 and Council's Investment Policy.

DISCUSSION

Council's investments and returns achieved are driven and impacted by economic and market conditions. Council's Investment Advisor, Prudential Investment Services Corp has reviewed Council's investments as at 31 July 2024 and has advised of the following:

"Council's investment portfolio returned 4.64%pa for the month on a marked-to-market basis versus the bank bill index benchmark's 4.49%pa return. Over the past 12 months, the investment portfolio has returned 4.49% versus the bank bill index benchmark's 4.37%.

The valuations on Council's directly held floating rate notes increased at the end of the month as long dated interest rates declined in the market due to inflation concerns cooling down.

The NSW TCorp's Long Term Growth Fund (+2.85% actual in July) picked up where it left off last month, recording a strong gain. With domestic and global shares recording solid gains and bond valuations benefiting from the market's reaction to easing inflation concerns, the funds' returns reflected the upbeat mood for the month.

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

Without marked-to-market influences, Council's investment portfolio yielded 4.69%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the FRN and growth fund.

The sale of Suncorp to ANZ is now official, however Suncorp will continue to trade under its own banking license and will be regarded as a separate entity, and remain a non-fossil fuel bank, unless they eventually trade under the same license. Standard & Poor's has upgraded Suncorp's credit rating to AA- in the assumption that ANZ, also rated AA-, would step in to support the bank if required.

During July, Council had maturities of \$5m between two term deposits with maturities of 5 and 6 months which were paying an average of 5.13%pa. Council invested \$11m among five NAB term deposits with terms of 9 and 12 months paying an average of 5.36%.

Council has \$11m in term deposits maturing in August. Looking forward the following is recommended for consideration over the coming month:

- Depending on future expenditure requirements, fixed rate TDs remain recommended for terms up to 12 months and floating rate notes, whose interest rate is reset quarterly based on the prevailing 3mo BBSW rate plus a credit margin, for holdings that can be invested beyond 12 months.*
- Term deposit rates across the 1mo to 5yr range decreased during July and continued to fall going into early August as the already slim likelihood of a possible near term rate hike was effectively taken off the table. With the next move by the RBA again expected to be a rate cut within a year, terms up to 12 months are recommended, particularly if rates greater than 5%pa are on offer.*
- NAB remains very competitive even against lower rated banks. Council is nearing its policy limit with NAB, but \$9m of the \$11m in term deposits maturing in August are already with the NAB, so rolling over with them is recommended, providing their rates are competitive at the time.*
- Council has been proactive in investing in new FRNs from highly rated Australian owned banks, helping to establish a good foundation for a sound and well diversified long dated portfolio. New FRN issues suitable for Council will continue to be monitored and recommended when appropriate.*

It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection and holding the securities for the recommended time horizons of their asset classes."

Restriction of Funds

At the time of preparing the report, finalised Reserves balances were not available as year-end accounting adjustments were still in progress. This also applies to the funds restricted for the purposes of the Western Parkland City Liveability Program and State and Federal Government grants for fire and flood. The Investment Report – August 2024 will provide an overview of restricted funds.

COMMUNITY ENGAGEMENT

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

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

4.3 Build strong financial sustainability for now and future generations.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The income applicable is provided for in the Adopted 2024/2025 Operational Plan.

ATTACHMENTS

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
10. REPORTS FOR DETERMINATION
Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING
10. REPORTS FOR DETERMINATION
Meeting Date: 29 October 2024

10.4.2. CS - Investment Report - August 2024 - (95496, 96332)

Previous Item: 4.4.6, Ordinary (14 May 2024)

Directorate: Corporate Services

PURPOSE OF THE REPORT

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

EXECUTIVE SUMMARY

This report indicates that Council held \$102 million in investments as at 31 August 2024 and outlines that all investments were made in accordance with the Local Government Act, 1993, the Local Government (General) Regulation, 2021 and Council's Investment Policy.

RECOMMENDATION

That the Monthly Investment Report for August 2024 be received and noted.

BACKGROUND

Council held \$102 million in investments as at 31 August 2024. Details on the composition of the Investment Portfolio, and its compliance with Council's Investment Policy are provided below. Details include the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, the percentage of the total portfolio, exposure to credit ratings bands and the spread of maturities.

1. Composition of Investment Portfolio

Tables 1 to 4 below provide details regarding the \$102 million in investments as at 31 August 2024.

Table 1: Summary of Council's Investment Portfolio as at 31 August 2024

Product Type	Face Value	% of Total
Term Deposits - Fixed Rate	\$81,500,000	80%
Floating Rate Notes	\$3,850,000	4%
NSW TCorp Long Term Growth Fund	\$1,115,508	1%
At Call Deposits	\$15,619,030	15%
Grand Total	\$102,084,538	100%

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

Table 2: Total Investments by Issuer's Long – Term Credit Rating

Long Term Credit Rating	Face Value	% of Total
AA	\$87,619,030	86%
A	\$13,350,000	13%
NSW TCorp Long Term Growth Fund	\$1,115,508	1%
Grand Total	\$102,084,538	100%

Table 3 – Fixed Term Deposits

Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
Bendigo Adelaide	A-	11-Dec-24	5.07%	\$1,000,000
		5-Feb-25	5.10%	\$2,000,000
Bank of Queensland	BBB+	16-Oct-24	5.15%	\$2,000,000
		6-Nov-24	5.10%	\$2,000,000
		20-Nov-24	5.15%	\$2,000,000
		30-Mar-28	4.80%	\$1,000,000
National Australia Bank	AA-	10-Sep-24	0.80%	\$1,000,000
		10-Sep-24	5.20%	\$1,000,000
		10-Sep-24	5.20%	\$2,000,000
		3-Oct-24	5.15%	\$1,500,000
		19-Nov-24	0.75%	\$1,000,000
		11-Dec-24	5.05%	\$4,000,000
		11-Dec-24	4.95%	\$1,000,000
		8-Jan-25	5.05%	\$4,000,000
		16-Sep-24	0.80%	\$500,000
		16-Sep-24	1.05%	\$1,500,000
		20-Feb-25	5.00%	\$1,000,000
		19-Mar-25	5.40%	\$4,000,000
		26-Mar-25	5.37%	\$2,500,000
		26-Mar-25	5.00%	\$1,000,000
		10-Apr-25	5.40%	\$2,000,000
		24-Apr-25	5.30%	\$2,000,000
		7-May-25	5.30%	\$3,000,000
		7-May-25	5.30%	\$1,000,000
		25-Jun-25	5.50%	\$1,500,000
		25-Jun-25	5.45%	\$1,500,000
9-Jul-25	5.10%	\$2,000,000		
13-Aug-25	5.10%	\$2,000,000		
3-Nov-25	0.95%	\$500,000		
19-Nov-25	0.90%	\$500,000		
16-Sep-25	1.00%	\$500,000		
16-Sep-25	1.30%	\$1,500,000		

ORDINARY MEETING
10. REPORTS FOR DETERMINATION
Meeting Date: 29 October 2024

Financial Institution	Long Term Rating	Maturity Date	Interest Rate	Face Value
Suncorp	A+	3-Oct-24	5.04%	\$2,500,000
		23-Oct-24	5.06%	\$2,000,000
		6-Nov-24	5.18%	\$1,000,000
		11-Nov-24	5.22%	\$1,000,000
		15-Jan-25	5.18%	\$1,500,000
		24-Jan-25	5.18%	\$2,000,000
		24-Jan-25	5.22%	\$2,000,000
		5-Feb-25	5.20%	\$2,500,000
Westpac	AA-	20-Feb-25	5.26%	\$3,000,000
		8-Nov-24	5.06%	\$2,000,000
		8-Jan-25	5.07%	\$1,000,000
		20-Feb-25	4.97%	\$2,000,000
		10-Apr-25	5.07%	\$4,000,000
		2-Apr-25	5.17%	\$1,000,000
			Grand Total	\$81,500,000

Table 4: Floating Rate Notes

Institution	Maturity	Yield	Face Value
Macquarie Bank	14-Sep-26	5.22%	\$800,000
Suncorp	13-Mar-29	5.36%	\$500,000
Bank of Queensland	30-Apr-29	5.77%	\$2,050,000
Bendigo Adelaide	14-May-27	5.36%	\$500,000
			Grand Total
			\$3,850,000

2. Environmental, Social and Governance (ESG) Investment

Tables 5 and 6 below provide the details on Environmental, Social and Governance (ESG) investments and the proportion compared to the total Investment Portfolio.

ORDINARY MEETING
10. REPORTS FOR DETERMINATION
Meeting Date: 29 October 2024

Table 5: ESG Investments

Institution	Maturity	Rate	Face Value
Bendigo Adelaide	11-Dec-24	5.07%	\$1,000,000
	5-Feb-25	5.10%	\$2,000,000
	14-May-27	5.37%	\$500,000
Suncorp	3-Oct-24	5.04%	\$2,500,000
	23-Oct-24	5.06%	\$2,000,000
	6-Nov-24	5.18%	\$1,000,000
	11-Nov-24	5.22%	\$1,000,000
	15-Jan-25	5.18%	\$1,500,000
	24-Jan-25	5.18%	\$2,000,000
	24-Jan-25	5.22%	\$2,000,000
	5-Feb-25	5.20%	\$2,500,000
	20-Feb-25	5.26%	\$3,000,000
	13-Mar-29	5.33%	\$500,000
Westpac	8-Jan-25	5.07%	\$1,000,000
	10-Apr-25	5.07%	\$4,000,000
		Grand Total	\$26,500,000

Table 6: Summary of Council's Investment Portfolio in Terms of ESG

Product Type	Face Value	% of Total
Non Fossil Fuel Lending ADIs	\$21,500,000	21%
- Bendigo Adelaide	\$3,500,000	
- Suncorp Bank	\$18,000,000	
Socially Responsible Investment	\$5,000,000	5%
- Westpac (Green TD)	\$5,000,000	
Fossil Fuel Lending ADIs	\$74,469,030	73%
- Bank of Queensland	\$9,050,000	
- Commonwealth Bank	\$15,619,030	
- Macquarie Bank	\$800,000	
- National Australia Bank	\$44,000,000	
- Westpac	\$5,000,000	
Other	\$1,115,508	1%
- NSW TCorp Long Term Growth Fund	\$1,115,508	
Grand Total	\$102,084,538	100%

3. Compliance to Investment Policy

Tables 7 to 8 below summarise Council's exposure limits to the credit ratings bands, term to maturity parameters and compliance with Council's Investment Policy.

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

Table 7: Exposure Limits to credit ratings bands

Long-Term Credit Rating	% of Portfolio	Policy Maximum	Compliant with Policy
AA	86%	100%	Yes
A	13%	60%	Yes
NSW TCorp Funds	1%	20%	Yes

Table 8: Term to Maturity

Term to Maturity	% of Portfolio	Policy Range	Compliant with Policy
Between 0 and 1 years	94%	40% - 100%	Yes
Between 1 and 5 years	6%	0% - 60%	Yes

4. Portfolio Return

Council's investment portfolio (excluding At Call Deposits and NSW TCorp Managed Funds) provided a weighted average return (running yield) as shown in Table 9 below.

Table 9: Portfolio Return

30 June 2024	Monthly Return (Annualised)	Financial Year to Date (Annualised)
Hawkesbury City Council – Investment Portfolio	4.70%	4.67%
Benchmark – Bloomberg Ausbond Bank Bill Index	4.54%	4.52%
Performance Relative to Benchmark	0.16%	0.15%

Relevant Legislation

According to Clause 212 of the Local Government (General) Regulation 2021, the Responsible Accounting Officer must provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must include a certificate as to whether investments have been made in accordance with the Act, the Regulation, and the Council's Investment Policy.

Investment Certification

The Responsible Accounting Officer hereby certifies that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act, 1993, Clause 212 of the Local Government (General) Regulation, 2021 and Council's Investment Policy.

DISCUSSION

Council's investments and returns achieved are driven and impacted by economic and market conditions. Council's Investment Advisor, Prudential Investment Services Corp has reviewed Council's investments as at 31 July 2024 and has advised of the following:

"Council's investment portfolio returned 4.70%pa for the month on a marked-to-market basis versus the bank bill index benchmark's 4.54%pa return. Over the past 12 months, the investment portfolio has returned 4.56% versus the bank bill index benchmark's 4.39%.

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

The NSW TCorp's Long Term Growth Fund (0.38% actual) recorded a modest gain in August. After shaking off a poor start to the month, the Australian, US and European share markets ended August higher following calming words coming out of central banks in the US and Japan. Bond valuations, both within the funds and directly held, benefited from expectations that the RBA is finished raising rates in this cycle and will cut rates in early 2025.

Without marked-to-market influences, Council's investment portfolio yielded 4.76%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the FRN and growth fund.

During August, Council had maturities of \$11m among five term deposits with original maturities of 5, 6, 9, and 36 months which were paying an average of 3.95%pa (pulled lower by the 36-month TD yielding 0.75%pa). Council invested \$8m among six NAB term deposits with maturities ranging between 4 and 12 months yielding an average of 5.06%.

Council has \$8m in term deposits maturing in September. Looking forward the following is recommended for consideration over the coming month:

- Depending on future expenditure requirements, fixed rate TDs remain recommended for terms up to 12 months and floating rate notes, whose interest rate is reset quarterly based on the prevailing 3mo BBSW rate plus a credit margin, for holdings that can be invested beyond 12 months.*
- Term deposit rates across the 1mo to 5yr range decreased sharply during August as the market discounts the RBA's threats that rate hikes are not off the table. With the next move by the RBA again expected to be a rate cut within a year, terms up to 12 months are recommended, particularly if rates at or above 5%pa are on offer.*
- NAB remains very competitive even against lower rated banks. Council is nearing its policy limit with NAB (43% exposure vs 50% limit), but all of the term deposits maturing in September are already with the NAB, so rolling over with them is recommended, providing their rates are competitive at the time.*
- Council has been proactive in investing in new FRNs from highly rated Australian owned banks, helping to establish a good foundation for a sound and well diversified long dated portfolio. New FRN issues suitable for Council will continue to be monitored and recommended when appropriate.*

It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection and holding the securities for the recommended time horizons of their asset classes."

Restriction of Funds

Council's total investment portfolio as at 31 August 2024 included funds that are restricted as to what they can be expended on.

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

Table 10: Restriction of Funds

Restriction Type	August 2024	%
External Restrictions - S7.11 and S7.12 Developer Contributions	\$29,448,950	28.85%
External Restrictions - Western Parkland City Liveability Program	\$0	0%
External Restrictions - Bushfire and Flood Grants	\$8,068,858	7.90%
External Restrictions - West Invest Program	\$9,646,409	9.45%
External Restrictions - Other (e.g. domestic waste, sewerage, loans)	\$19,018,898	18.63%
Internal Restrictions (e.g. election, workers compensation, Employee Leave Entitlements)	\$16,382,898	16.05%
Unrestricted	\$19,518,525	19.12%
Total	\$102,084,538	

As there are timing differences between the accounting for income and expenditure in line with the Operational Plan, and the corresponding impact on Council's cash funds, a sufficient level of funds is required to be kept at all times to ensure Council's commitments are met in a timely manner. Council's cash management processes are based on maintaining enough cash levels to enable commitments to be met when due, while at the same time ensuring investment returns are maximised through term investments where possible.

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

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

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

4.3 Build strong financial sustainability for now and future generations.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The income applicable is provided for in the Adopted 2024/2025 Operational Plan.

ORDINARY MEETING
10. REPORTS FOR DETERMINATION
Meeting Date: 29 October 2024

ATTACHMENTS

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

10.4.3. CS - Disclosure of Pecuniary Interests and Other Matters Returns - (95496)

Directorate: Corporate Services

PURPOSE OF THE REPORT

The purpose of this report is to table the required Disclosure of Interests in Written Returns by Councillors and Designated Persons.

EXECUTIVE SUMMARY

Council's Code of Conduct details the statutory requirements in respect of the lodgement of Disclosure of Interests and Other Matters in Written Returns by Councillors and Designated Persons. This report provides information regarding Returns recently lodged with the General Manager by Councillors and Designated Persons.

RECOMMENDATION

That Council note that the Disclosures of Interests and Other Matters Returns, lodged with the General Manager, have been tabled.

BACKGROUND

Sections 4.21 to 4.27 of Council's Code of Conduct (the Code) relate to the register of Interests in Written Returns and the tabling of these Returns, which have been lodged by Councillors and Designated Persons. Section 4.21 of the Code is as follows:

"4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in Schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in Schedule 1 to this code within 3 months after:

(a) becoming a councillor or designated person, and

(b) 30 June of each year, and

(c) the councillor or designated person becoming aware of an interest they are required to disclose under Schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b)."

As required by Section 4.24 of the Code, a register of all Returns to be completed under Section 4.21 is kept by Council.

DISCUSSION

With regard to Section 4.25, the following Returns have been lodged under Section 4.21(b):

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

Councillor	Return Period	Date Lodged
Councillor Barry Calvert	30 June 2023 - 30 June 2024	8 August 2024
Councillor Patrick Conolly	30 June 2023 - 30 June 2024	6 September 2024
Councillor Shane Djuric	30 June 2023 - 30 June 2024	6 September 2024
Councillor Eddie Dogramaci	30 June 2023 - 30 June 2024	10 September 2024
Councillor Amanda Kotlash	30 June 2023 - 30 June 2024	5 September 2024
Councillor Mary Lyons-Buckett	30 June 2023 - 30 June 2024	6 August 2024
Councillor Sarah McMahon	30 June 2023 - 30 June 2024	2 September 2024
Councillor Jill Reardon	30 June 2023 - 30 June 2024	13 August 2024
Councillor Leslie Sheather	30 June 2023 - 30 June 2024	13 August 2024
Councillor Paul Veigel	30 June 2023 - 30 June 2024	12 August 2024
Councillor Danielle Wheeler	30 June 2023 - 30 June 2024	12 September 2024
Councillor Nathan Zamprogno	30 June 2023 - 30 June 2024	8 August 2024

Audit, Risk and Improvement Committee Member	Return Period	Date Lodged
Michael Quirk	30 June 2023 - 30 June 2024	15 August 2024
Rhonda Wheatley	30 June 2023 - 30 June 2024	9 August 2024
Rachel Harris	30 June 2023 - 30 June 2024	20 August 2024

Position	Return Period	Date Lodged
General Manager	30 June 2023 - 30 June 2024	19 August 2024
Director City Planning	30 June 2023 - 30 June 2024	19 August 2024
Director Corporate Services	30 June 2023 - 30 June 2024	9 August 2024
Director Infrastructure Services	30 June 2023 - 30 June 2024	7 August 2024
Manager Business Transformation and Customer Experience	30 June 2023 - 30 June 2024	28 August 2024
Manager Corporate Communications and Events	30 June 2023 - 30 June 2024	12 August 2024
Manager People and Development	30 June 2023 - 30 June 2024	29 August 2024
Manager Legal Services / General Counsel	30 June 2023 - 30 June 2024	19 August 2024
Manager Strategic Planning	30 June 2023 - 30 June 2024	6 August 2024
Manager Development Assessment	30 June 2023 - 30 June 2024	28 August 2024
Manager Regulatory Services	30 June 2023 - 30 June 2024	12 August 2024
Manager City Design and Economic Development	4 December 2023 - 30 June 2024	7 August 2024
Chief Financial Officer	30 June 2023 - 30 June 2024	13 August 2024
Manager Governance and Risk	4 March 2024 - 30 June 2024	8 August 2024
Manager Information Services	30 June 2023 - 30 June 2024	9 August 2024
Manager Arts and Culture	15 January 2024 - 30 June 2024	13 August 2024
Manager Property Management and Strategy	30 June 2023 - 30 June 2024	8 August 2024

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

Position	Return Period	Date Lodged
Manager Asset Systems and Planning	30 June 2023 - 30 June 2024	9 August 2024
Coordinator Transport and Stormwater Asset Planning	30 June 2023 - 30 June 2024	30 August 2024
Manager Wastewater	30 June 2023 - 30 June 2024	19 August 2024
Manager Resource Recovery	30 June 2023 - 30 June 2024	8 August 2024
Manager City Services	30 June 2023 - 30 June 2024	10 August 2024
Coordinator Open Spaces	30 June 2023 - 30 June 2024	7 August 2024
Manager Project Delivery	11 December 2023 - 30 June 2024	5 September 2024
Program Manager - Infrastructure Delivery	30 June 2023 - 30 June 2024	8 September 2024
Executive Manager Infrastructure Operations	30 June 2023 - 30 June 2024	6 August 2024

The above Councillors, Committee Members and Designated Persons have lodged their Section 4.21(b) Returns prior to the due date of 30 September 2024, as required by the Code for the receipt of the Returns.

With regard to Section 4.25, the following Returns have been lodged under Section 4.21(a):

Position	Return Date	Date Lodged
Acting Program Manager - Western Sydney Infrastructure Grants	22 July 2024	2 September 2024
Manager Community Planning and Partnerships	1 July 2024	19 September 2024

The above details are now tabled in accordance with Section 4.25 of the Code, and the Returns are available for inspection upon request, subject to any overriding public interest considerations against the disclosure of certain information within the Returns.

In accordance with Section 4.25 of the Code, all Returns lodged by Councillors and Designated Persons under Section 4.21(b) must be tabled at the first meeting of the Council after the last day the Returns are required to be lodged. That first meeting is incidentally the first meeting of the Council after a Local Government Election. The first meeting of the new Council was reserved for Council reports that must be resolved following a Local Government Election, so this report was scheduled to be presented to the second meeting of the new term of Council.

COMMUNITY ENGAGEMENT

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

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

Reliable Council

4.1 Provide representative, responsive and accountable governance.

ORDINARY MEETING
10. REPORTS FOR DETERMINATION
Meeting Date: 29 October 2024

FINANCIAL IMPACT

There are no financial implications applicable to this report.

RISK MANAGEMENT CONSIDERATIONS

As the Returns are required by Section 4.25 of the Code of Conduct to be tabled at the first Council meeting after the last day on which the returns are required to be lodged, there is a minor Compliance risk to Council if the Returns are not received and noted by the Council.

ATTACHMENTS

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

10.5. INFRASTRUCTURE SERVICES

Nil reports.

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

11.1.1. ROC - Floodplain Management Committee - 21 August 2024 - (161821)

Directorate: City Planning

PURPOSE OF THE REPORT

The purpose of this report is to present the Minutes of the Floodplain Management Committee meeting held on 21 August 2024.

EXECUTIVE SUMMARY

The Floodplain Management Committee considered three items at its meeting on 21 August 2024.

The three items have no policy or financial implications for Council, and therefore they are presented for information only.

RECOMMENDATION

That Council receive and note the Minutes of the Floodplain Management Committee Meeting held on the 21 August 2024.

DISCUSSION

The Floodplain Management Committee met on 21 August 2024, and considered staff reports on a range of matters as shown in the attached Minutes (Attachment 1). Those matters included:

- Item 3.1. - Floodplain Risk Management Project Updates

Following consideration of the matter, the Floodplain Management Committee resolved:

That the Floodplain Management Committee receive the update on the status of Council's Floodplain Risk Management Projects.

- Item 3.1.2 - Proposed Community Engagement for Exhibition of Draft Hawkesbury FRMS&P 2025

Following consideration of the matter, the Floodplain Management Committee resolved:

That the Floodplain Management Committee note the proposed method for community engagement associated with the public exhibition of draft Hawkesbury Floodplain Risk Management Study and Plan 2025 as outlined in this report.

- Item 3.1.3 - Proposed Management Options – Macdonald River, Colo River, Webbs Creek, Greens Creek Study and Plan

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

Following consideration of the matter, the Floodplain Management Committee resolved:

“That the Floodplain Management Committee provide input into the identification of potential management options to mitigate impacts from flooding in the Macdonald River, Colo River, Webbs Creek and Greens Creek.”

ATTACHMENTS

AT - 1 Minutes of the Floodplain Management Committee – 21 August 2024.

ORDINARY MEETING
11. RECEIPT OF MINUTES OF OTHER COMMITTEES
Meeting Date: 29 October 2024

Attachment 1 - Minutes of Floodplain Management Committee 21 August 2024

FLOODPLAIN MANAGEMENT COMMITTEE
Minutes: 21 August 2024

Table of Contents

1. AGENDA..... 5

 Welcome 5

 Apologies 5

 Declaration of Interests 6

2. CONFIRMATION OF MINUTES 7

3. REPORTS FOR DETERMINATION 8

 3.1.1. FPC – Floodplain Risk Management Project Updates - (161821, 124414, 95498)..... 8

 3.1.2. FPC – Proposed Community Engagement for Exhibition of Draft Hawkesbury FRMS&P 2025 - (161821, 124414, 95498)..... 9

 3.1.3. FPC – Proposed Management Options – Macdonald River, Colo River, Webbs Creek, Greens Creek Study and Plan - (161821, 124414, 95498)..... 10

4. GENERAL BUSINESS 11

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

FLOODPLAIN MANAGEMENT COMMITTEE

Minutes: 21 August 2024

1. AGENDA

Welcome

Minutes of the Meeting of the Floodplain Sub-Committee held in the Large Committee Room, Windsor, on 21 August 2024, commencing at 3:00pm.

ATTENDANCE

Present: Councillor Les Sheather, Hawkesbury City Council – (Chairperson)
Mr Andrew North, Community Representative
Mr Christopher Bell, Community Representative
Mr Lawrence Rose, Community Representative
Mr Wayne Mitchell, Community Representative
Mr Murray West, Community Representative
Mr Lewis Adey, Community Representative – (Audio-Visual Link)
Ms Fiona Coe, Department of Climate Change, Energy, the Environment and Water - (Audio-Visual Link)
Mr Stephen Yeo, NSW Reconstruction Authority
Mr Kevin Jones, State Emergency Services - (Audio-Visual Link)
Ms Savitha Bala, State Emergency Services - (Audio-Visual Link)

Apologies: Councillor Paul Veigel
Councillor Jill Reardon
Mr Troy Myers, Community Representative

In Attendance: Mr Andrew Kearns, Hawkesbury City Council
Ms Colleen Haron, Hawkesbury City Council
Mr Phillip Bow, Hawkesbury City Council - (Audio-Visual Link)
Mr Oscar Garrett, Rhelm

Member	15/05/2024	19/06/2024	21/08/2024
Mr Andrew North	X	✓	✓
Mr Christopher Bell	✓	✓	✓
Mr Wayne Mitchell	A	✓	✓
Mr Lewis Adey	X	✓	✓
Mr Harry Panagopoulos/Ms Fiona Coe	✓	✓	✓
Mr Kevin Jones	✓	✓	✓
Mr Stephen Yeo	✓	✓	✓
Councillor Les Sheather	✓	✓	✓
Mr Lawrence Rose	✓	✓	✓
Mr Murray West	A	✓	✓
Mr Troy Myers	✓	✓	A

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

Apologies

Apologies from Councillor Paul Viegel, Councillor Jill Reardon and Mr Troy Myers were noted.

RESOLVED on the motion of Mr Andrew North, seconded by Mr Wayne Mitchell.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

FLOODPLAIN MANAGEMENT COMMITTEE

Minutes: 21 August 2024

Declaration of Interests

There were no Declarations of Interests made.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

FLOODPLAIN MANAGEMENT COMMITTEE

Minutes: 21 August 2024

2. CONFIRMATION OF MINUTES

The Committee resolved on the Motion of Mr Lawrence Rose, seconded by Mr Wayne Mitchell, that the Minutes from the previous meeting held on Wednesday, 19 June 2024 be confirmed.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

FLOODPLAIN MANAGEMENT COMMITTEE

Minutes: 21 August 2024

3. REPORTS FOR DETERMINATION

3.1.1. FPC – Floodplain Risk Management Project Updates - (161821, 124414, 95498)

Previous Item: 3.1.1, Floodplain Management Sub-Committee (19 June 2024)

Directorate: City Planning

That the Floodplain Management Committee receive the update on the status of Council's Floodplain Risk Management Projects.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Murray West and seconded by Mr Christopher Bell.

That the Floodplain Management Committee receive the update on the status of Council's Floodplain Risk Management Projects.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

FLOODPLAIN MANAGEMENT COMMITTEE

Minutes: 21 August 2024

3.1.2. FPC – Proposed Community Engagement for Exhibition of Draft Hawkesbury FRMS&P 2025 - (161821, 124414, 95498)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Floodplain Management Committee note the proposed method for community engagement associated with the public exhibition of draft Hawkesbury Floodplain Risk Management Study and Plan 2025 as outlined in this report

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Christopher Bell and seconded by Mr Murray West.

That the Floodplain Management Committee note the proposed method for community engagement associated with the public exhibition of draft Hawkesbury Floodplain Risk Management Study and Plan 2025 as outlined in this report

Summary of Points Raised During Discussion on Proposed Community Engagement of Draft Hawkesbury Floodplain Risk Management Study and Plan 2025:

- Discussions were had in respect to how many property owners would be notified through inclusion of a letter with the October rates notice, highlighting that:
 - Many people do not pay attention to these notices and treat them as junk mail
 - Three quarters of rate notices are mailed, compared to one quarter being emailed
 - A total of approximately 23,000 letters and emails will be sent. Noting that not all ratepayers receive installment notices if they pay annually, residents and owners will also be advised through media releases, social media, newsletters and e-newsletters.
- Additional methods of engagement for consideration were discussed, including;
 - Radio stations
 - Media outlets – Hills to the Hawkesbury, Independent and Hawkesbury Post
 - Contacting community groups, business/industry groups (e.g. Chamber of Commerce)
 - Provide presentations to groups upon request if possible
 - Consideration of community meetings
 - Consideration of development industry/sector

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

FLOODPLAIN MANAGEMENT COMMITTEE

Minutes: 21 August 2024

3.1.3. FPC – Proposed Management Options – Macdonald River, Colo River, Webbs Creek, Greens Creek Study and Plan - (161821, 124414, 95498)

Directorate: City Planning

OFFICER'S RECOMMENDATION:

That the Floodplain Management Committee provide input into the identification of potential management options to mitigate impacts from flooding in the Macdonald River, Colo River, Webbs Creek and Greens Creek.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Christopher Bell and seconded by Mr Wayne Mitchell.

That the Floodplain Management Committee provide input into the identification of potential management options to mitigate impacts from flooding in the Macdonald River, Colo River, Webbs Creek and Greens Creek.

Summary of Points Raised During Consultants (Rhelm) Presentation:

Note: The matters contained in the presentation were included for discussion purposes only with none of these being formal recommendations at this stage. The subsequent detailed investigation will determine which measures will be included within the draft Floodplain Risk Management Plan.

- A question was raised in respect to the origins of development along Walmsley Road, and it was confirmed that originally these dwellings were only used as holiday homes.
- Discussion regarding a potential levee at St Albans raised the following matters:
 - Access through/over the levee
 - St Albans is struggling commercially, other than the pub. There is a need to provide a reason for people to visit, linger or stay in the village
 - Intensification of development to be avoided in high-risk areas
 - Suggestion of the use of solid fencing with sliding gates around property/the pub as a form of flood proofing for consideration.
- It was identified that Greens Road is used by Macdonald Valley residents for evacuation purposes and is often the first road that reopens to provide access to the Valley following a flood.
- Mobile reception has been recently provided to St Albans by Telstra. It is a 4G system, however, is only provided in small, isolated pockets, and does not cover all areas. This system is subject to weather, and the mobile stations do not work when the power is out.
- The Macdonald and Webbs Creek communities have:
 - A handheld UHF radio for every dwelling (300+), approximately 30 base stations with Wardens and in RFS stations, 4 repeaters
 - This community is considered to be well prepared, however there is concern in regard to tourist/visitors in the area during a flood being unaware/inexperienced in regard to flooding
 - V sheets have been provided to residents for helicopter landing.
- It was noted that a sand bar has formed at the mouth of the Colo River, however it was identified that this is being addressed as a navigational hazard by Transport for NSW (NSW Waterways).

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

FLOODPLAIN MANAGEMENT COMMITTEE

Minutes: 21 August 2024

4. GENERAL BUSINESS

There was no general business discussed.

It was acknowledged that this was the last meeting of the Floodplain Management Committee under the current term of Council. Committee members were thanked for their valuable contributions and input in progressing Council's various Floodplain Management Projects.

The meeting terminated at 4:39pm.

oooO END OF REPORT Oooo

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

11.1.2. ROC - Audit, Risk and Improvement Committee - 13 September 2024 - (158054, 95196)

Directorate: Corporate Services

PURPOSE OF THE REPORT

The purpose of this report is to present the Minutes of the Audit, Risk and Improvement Committee, held on 13 September 2024.

EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee considered fourteen items at its meeting on 13 September 2024. The fourteen items have no policy or financial implications for Council and therefore, they are presented for information only.

RECOMMENDATION

That Council receive and note the Minutes of the Audit, Risk and Improvement Committee Meeting held on 13 September 2024.

DISCUSSION

The Minutes of the Audit, Risk and Improvement Committee meeting held on 13 September 2024 are attached as Attachment 1 to this report.

The Audit, Risk and Improvement Committee met on 13 September 2024 and discussed the following Items:

- Item 1 - 2023/2024 and 2024/2025 Internal Audit Program Update
- Item 2 - Status of Internal Audit Management Actions
- Item 3 - Transport for NSW DRIVES Compliance Internal Audit Report
- Item 4 - Financial Report
- Item 5 - Audit Office Interim Management Letter
- Item 6 - Risk Management Update
- Item 7 - Cyber Security Quarterly Update - August 2024
- Item 8 - ASIC Test Data Analysis
- Item 9 - Council's Policy Framework
- Item 10 - Effectiveness of the Internal Audit Function

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

- Item 11 - Audit, Risk and Improvement Committee Draft Annual Assessment 2023/2024
- Item 12 - Audit, Risk and Improvement Committee Draft Four Year Strategic Work Plan from 2024/2025 to 2027/2028
- Item 13 - Audit, Risk and Improvement Committee Terms of Reference Review
- Item 14 - Unaudited Financial Statements for the year ended 30 June 2024

ATTACHMENTS

AT - 1 Minutes of the Audit, Risk and Improvement Committee - 13 September 2024

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

Attachment 1 - Minutes of the Audit, Risk and Improvement Committee - 13 September 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

Table of Contents

1. PROCEDURAL MATTERS	5
ATTENDANCE.....	5
2. CONFIRMATION OF MINUTES.....	6
3. REPORTS FOR DETERMINATION	7
3.1.1. ARIC - 2023/2024 and 2024/2025 Internal Audit Program Update - (158054, 121470, 95496, 79351).....	7
3.1.2. ARIC - Status of Internal Audit Management Actions - (158054, 121470, 95496, 79351) .	8
3.1.3. ARIC - Transport for NSW DRIVES Compliance Internal Audit Report - (158054, 121470, 95496, 79351).....	9
3.1.4. ARIC - Financial Report - (158054, 95496, 79351).....	10
3.1.5. ARIC - Audit Office Interim Management Letter - (158054, 95496, 79351).....	11
3.1.6. ARIC - Risk Management Update - (96333, 158054).....	12
3.1.7. ARIC - Cyber Security Quarterly Update - August 2024 (158054, 121470, 95496, 79351, 79352).....	13
3.1.8. ARIC - ASIC Test Data Analysis - (96333, 158054).....	14
3.1.9. ARIC - Council's Policy Framework - (95496).....	15
3.1.10. ARIC - Effectiveness of the Internal Audit Function - (96333, 158054)	16
3.1.11. ARIC - Audit, Risk and Improvement Committee Draft Annual Assessment 2023/2024 - (158054, 121470, 95496, 79351)	17
3.1.12. ARIC - Audit, Risk and Improvement Committee Draft Four Year Strategic Work Plan from 2024/2025 to 2027/2028 - (158054, 121470, 95496, 79351)	18
3.1.13. ARIC - Audit, Risk and Improvement Committee Terms of Reference Review - (158054, 121470, 95496, 79351)	19
3.1.14. ARIC - Unaudited Financial Statements for the year ended 30 June 2024 - (158054, 95496, 79351).....	20
4. GENERAL BUSINESS	22

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

1. PROCEDURAL MATTERS

Minutes of the Meeting of the Audit, Risk and Improvement Committee held in Council Committee Rooms, Windsor, on Friday, 13 September 2024, commencing at 11.01am.

ATTENDANCE

Present: Mr Michael Quirk (Chairperson)
Ms Rachel Harris – (Audio-Visual Link)
Mrs Rhonda Wheatley - (Audio-Visual Link)

Apologies: Councillor Mary Lyons-Buckett, Hawkesbury City Council

In Attendance: Ms Susan Leahy, Centium (Audio-Visual Link)
Mr Kenneth Leung, NSW Audit Office
Ms Seylanka Attygalle, NSW Audit Office (Audio-Visual Link)
Ms Elizabeth Richardson, Hawkesbury City Council
Mr Laurie Mifsud, Hawkesbury City Council
Ms Meagan Ang, Hawkesbury City Council
Ms Patricia Krzeminski, Hawkesbury City Council
Ms Vanessa Browning, Hawkesbury City Council
Ms Rachel Ridges, Hawkesbury City Council
Ms Donna McCue, Hawkesbury City Council
Ms Jody Norman, Hawkesbury City Council
Ms Melissa Ryan, Hawkesbury City Council
Ms Imogen Williams, Hawkesbury City Council

Member	27/3/2023	30/6/2023	29/9/2023	1/12/2023	22/03/2024	28/06/2024	13/09/2024
Mr Michael Quirk (Chairperson)	✓	✓	✓	✓	✓	✓	✓
Ms Rachel Harris	✓	✓	✓	✓	✓	✓	✓
Mrs Rhonda Wheatley	✓	✓	✓	✓	✓	✓	✓
Councillor Mary Lyons-Buckett	✓	✓	✓	✓	✓	✓	A

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

APOLOGIES

An apology was received from Councillor Mary Lyons-Buckett, Hawkesbury City Council.

DECLARATION OF INTERESTS

There were no Declarations of Interests made.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

2. CONFIRMATION OF MINUTES

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley that the Minutes of the Audit, Risk and Improvement Committee held on 28 June 2024, be confirmed.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3. REPORTS FOR DETERMINATION

3.1.1. ARIC - 2023/2024 and 2024/2025 Internal Audit Program Update - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the progress report on the 2023/2024 and 2024/2025 Internal Audit Programs be received and noted.

DISCUSSION:

- The Director Corporate Services provided an update on the 2023/2024 and 2024/2025 Internal Audit Programs.
- Mrs Rhonda Wheatley asked if the Procurement and Corporate Credit Cards Audit will include fuel cards. Mrs Susan Leahy responded that the scope for this Audit will be decided on Monday, 16 September 2024 and fuel cards could be considered as an inclusion. The Director Corporate Services indicated that fuel cards could be included in the Procurement and Corporate Credit Cards Audit. Mr Michael Quirk noted that good financial management reduces the risks experienced with the use of fuel cards Audit.
- Mrs Rhonda Wheatley asked when was the last internal audit on Payroll carried out and suggested that an audit of Payroll should be carried out on a regular basis. The Director Corporate Services advised that an internal audit of Payroll was last completed in 2020/2021 and that the next internal audit of payroll is scheduled for 2025/2026. Mr Michael Quirk, Mrs Rhonda Wheatley and the Director Corporate Services agreed that the Payroll Audit could be moved to the first quarter of the 2025/2026 Internal Audit Program.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the progress report on the 2023/2024 and 2024/2025 Internal Audit Programs be received and noted.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.2. ARIC - Status of Internal Audit Management Actions - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the following reports:

1. Internal Audit Management Actions Summary Report as at 20 August 2024, as outlined in Attachment 1 to this report.
2. Incomplete Internal Audit Management Actions Report as at 20 August 2024, as outlined in Attachment 2 to this report.
3. Recently Completed Internal Audit Management Actions Report, as outlined in Attachment 3 to this report.
4. Approved Requests for Due-Date Extensions for Internal Audit Management Actions items, as outlined in Attachment 4 to this report.

DISCUSSION:

- The Director Corporate Services provided an update on the Status of Internal Audit Management Actions.
- Ms Rachel Harris asked who the members on the list for the Emergency Management including the Business Continuity Plan are and if they had been notified about the selection yet. The Manager Governance and Risk confirmed that the members had been selected and made aware of the selection, but this has not been reflected administratively. Mr Michael Quirk asked if the goal that the overall review be complete by 31 December 2024 is realistic. The Manager Governance and Risk said that this timeline should be manageable.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the Audit, Risk and Improvement Committee receive and note the following reports:

1. Internal Audit Management Actions Summary Report as at 20 August 2024, as outlined in Attachment 1 to this report.
2. Incomplete Internal Audit Management Actions Report as at 20 August 2024, as outlined in Attachment 2 to this report.
3. Recently Completed Internal Audit Management Actions Report, as outlined in Attachment 3 to this report.
4. Approved Requests for Due-Date Extensions for Internal Audit Management Actions items, as outlined in Attachment 4 to this report.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.3. ARIC - Transport for NSW DRIVES Compliance Internal Audit Report - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the Transport for NSW DRIVES Compliance Internal Audit Report attached as Attachment 1 to this report.

DISCUSSION:

- Ms Susan Leahy provided an update on the Transport for NSW DRIVES Compliance Internal Audit Report.
- Mrs Rhonda Wheatley asked if Transport for NSW ever requests information from the internal audit in return. Ms Susan Leahy and the Director City Planning confirmed that Transport for NSW has not done this in the past.
- Mr Michael Quirk asked if the Transport for NSW DRIVES logs are reliable, as the results on this log were different to the result on Council's log. Ms Susan Leahy said that these differences were minimal but noted that the records should match to ensure integrity.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Rachel Harris and seconded by Mrs Rhonda Wheatley.

That the Audit, Risk and Improvement Committee receive and note the Transport for NSW DRIVES Compliance Internal Audit Report attached as Attachment 1 to this report.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.4. ARIC - Financial Report - (158054, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the report regarding the June 2024 Investment Report and the Debtor Analysis Report as at 31 August 2024.

DISCUSSION:

- The Chief Financial Officer provided an update on the Financial Report.
- Mrs Rhonda Wheatley would like to see a debtors analysis reported to the Audit, Risk and Improvement Committee every quarter, including a comparative table to track trends.
- Ms Rachel Harris asked if the work being done in debt recovery has moved debts to reflect as credits in the report. The Chief Financial Officer is working with Mr Kenneth Leung to make sure these categories reflect more accurately in the future.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the Audit, Risk and Improvement Committee receive and note the report regarding the June 2024 Investment Report and the Debtor Analysis Report as at 31 August 2024.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.5. ARIC - Audit Office Interim Management Letter - (158054, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the report regarding the Management Letter on the Interim Phase of the Audit for the year ended 30 June 2024 be received and noted.

DISCUSSION:

- The Chief Financial Officer provided an update on the Audit Office Interim Management Letter.
- Mr Kenneth Leung provided further updates on the Audit Office Interim Management Letter and highlighted that there were no high-risk items in the report.
- Ms Rachel Harris asked for an explanation of why manual journal findings were found for creditor invoices in the report. The Chief Financial Officer explained that Accounts Payable Journal software is used by the Accounting Services Team for Accounts Payable invoices and creditors, to ensure correct treatment of GST. Journals were processed in the Accounts Payable source systems.
- Mr Michael Quirk asked, in regard to the Restricted Assets Policy, what level of approval is necessary when moving in and out of internal reserves. The Chief Financial Officer explained that the approval mechanism goes through Council as part of Quarterly Budget Reviews. At the end of the year, it is not adopted by Council as there is no Quarterly Budget Review, and sits at the Executive Leadership Team adoption level. A review process within the Policy is being considered.
- Mr Kenneth Leung explained that feedback has been provided on accounting standards and a closing report will be provided at the next Audit Risk and Improvement Committee Meeting on 6 December 2024.
- Ms Rachel Harris asked why the Audit fee has significantly increased. Mr Kenneth Leung explained that the in-house consultations were off the back of a low-based fee and the Audit Office is now providing a higher level of work. This fee has been benchmarked with other peri-urban Councils.
- Mrs Rhonda Wheatley noted that in recent discussions with the Auditor General, increases in audit fees were limited to Consumer Price Index levels. Mr Michael Quirk added that this would only be the case moving forward.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the report regarding the Management Letter on the Interim Phase of the Audit for the year ended 30 June 2024 be received and noted.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.6. ARIC - Risk Management Update - (96333, 158054)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the report regarding risk management activities.

DISCUSSION:

- The Manager Governance and Risk provided an overview on the Risk Management Update.
- Ms Rachel Harris asked how conversations went with the 21 Managers and Risk Owners about operational risks. The Manager Governance and Risk noted that for new managers, conversations were about opening discussions to highlight the need for a review. Long-standing managers had a good understanding of what was required.
- Mr Michael Quirk asked if these conversations introduced additional risks. The Manager Governance and Risk said that they did in some areas.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mrs Rhonda Wheatley and seconded by Ms Rachel Harris.

That the Audit, Risk and Improvement Committee receive and note the report regarding risk management activities.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.7. ARIC - Cyber Security Quarterly Update - August 2024 (158054, 121470, 95496, 79351, 79352)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the update on Information Technology cyber security be received and noted.

DISCUSSION:

- The Information Services Manager provided an overview on the Cyber Security Quarterly Update.
- Mr Michael Quirk noted that external providers working with Council do not have the same level of security that Council does. This makes it difficult for Council to protect their own systems.
- Mr Michael Quirk asked what the impact of the Phishing Email from Next Energy was on Council's ability to deliver services. The Information Services Manager responded that there was a small impact on business continuity and that friendly phishing exercises will now be on an automated schedule.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the update on Information Technology cyber security be received and noted.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.8. ARIC - ASIC Test Data Analysis - (96333, 158054)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit Risk and Improvement Committee receive and note the report regarding ASIC test data analysis.

DISCUSSION:

- The Manager Governance and Risk provided an update on the ASIC Test Data Analysis.
- Mr Michael Quirk noted that information on matching bank accounts to suppliers and employees, as well as ABN validity was not included in the results. Mr Kenneth Leung said that the report focused on other areas, but these can be included in the future.
- Ms Rachel Harris asked if there is a special arrangement between the Audit Office and ASIC to see ASIC data. Mr Kenneth Leung said that there is an arrangement between the organisations where the Audit Office can access this data.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the Audit Risk and Improvement Committee receive and note the report regarding ASIC test data analysis.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.9. ARIC - Council's Policy Framework - (95496)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee receive and note the report regarding Council's Policy Framework.

DISCUSSION:

- The Manager Governance and Risk provided an update on Council's Policy Framework.
- Mr Michael Quirk asked what the target date is according to Council's Operational Plan. The Manager Governance and Risk responded that the target date is 30 June 2025, and that Pulse is capable of reporting on the number of policies that need to be reviewed.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Ms Rachel Harris.

That the Audit, Risk and Improvement Committee receive and note the report regarding Council's Policy Framework.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.10. ARIC - Effectiveness of the Internal Audit Function - (96333, 158054)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit Risk and Improvement Committee note the report on the annual assessment of Council's Internal Audit Function.

DISCUSSION:

- The Manager Governance and Risk provided an update on the Effectiveness of the Internal Audit Function and pointed out that there was a typographical error in question 18 of the survey response. The numbers reflected should be four for yes, and one for no.
- Mrs Rhonda Wheatley noted that out of 12 stakeholders queried, seven responded.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Rachel Harris and seconded by Mrs Rhonda Wheatley.

That the Audit Risk and Improvement Committee note the report on the annual assessment of Council's Internal Audit Function.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.11. ARIC - Audit, Risk and Improvement Committee Draft Annual Assessment 2023/2024 - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee approve the Draft Audit, Risk and Improvement Committee Annual Assessment for 2023/2024 attached as Attachment 1 to this report.

DISCUSSION:

- The Director Corporate Services provided an update on the Audit, Risk and Improvement Committee Draft Annual Assessment 2023/2024.
- Mr Michael Quirk noted that the basis of the annual assessment the Director Corporate Services alluded to is something that has been defined in the Guidelines and that a few areas, including KPIs, will require more work.
- Mrs Rhonda Wheatley requested that the wording at the start of the second paragraph on page 84 of the Business Paper be changed to reflect financial sustainability as a key risk for most Councils, rather than only non-urban Councils. Mr Michael Quirk agreed to change this wording.
- Ms Rachel Harris requested that a section on responding to cyber security incidents be added to the Business Recovery section on page 84 of the Business Paper.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the Audit, Risk and Improvement Committee approve the Draft Audit, Risk and Improvement Committee Annual Assessment for 2023/2024 attached as Attachment 1 to this report.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.12. ARIC - Audit, Risk and Improvement Committee Draft Four Year Strategic Work Plan from 2024/2025 to 2027/2028 - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit, Risk and Improvement Committee approve the Draft Audit, Risk and Improvement Committee Four Year Strategic Work Plan from 2024/2025 to 2027/2028 attached as Attachment 1 to this report.

DISCUSSION:

- The Director Corporate Services provided an update on the Audit, Risk and Improvement Committee Draft Four Year Strategic Work Plan from 2024/2025 to 2027/2028.
- Mr Michael Quirk noted that a four year strategic work plan makes KPIs easier to address and means that this can be reviewed every year and updated if needed.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the Audit, Risk and Improvement Committee approve the Draft Audit, Risk and Improvement Committee Four Year Strategic Work Plan from 2024/2025 to 2027/2028 attached as Attachment 1 to this report.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.13. ARIC - Audit, Risk and Improvement Committee Terms of Reference Review - (158054, 121470, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That the Audit Risk and Improvement Committee Terms of Reference attached as Attachment 1 to the report be adopted.

DISCUSSION:

- The Manager Governance and Risk provided an overview of the Audit, Risk and Improvement Committee Terms of Reference Review.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That the Audit Risk and Improvement Committee Terms of Reference attached as Attachment 1 to the report be adopted.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

3.1.14. ARIC - Unaudited Financial Statements for the year ended 30 June 2024 - (158054, 95496, 79351)

Directorate: Corporate Services

OFFICER'S RECOMMENDATION:

That:

1. The information concerning the Financial Statements for the year ended 30 June 2024 be received.
2. The Audit, Risk and Improvement Committee endorse the Financial Statements for the year ended 30 June 2024, attached as Attachment 1 to this report, to be submitted to Council to be referred to audit at its meeting on 15 October 2024.

DISCUSSION:

- The Chief Financial Officer provided an overview of the Unaudited Financial Statements for the year ended 30 June 2024.
- The Committee discussed the following topics individually:

Income Statement

- Ms Rachel Harris asked if grants that haven't already been expended will return to revenue when spent. The Chief Financial Officer advised that this depends on whether it is capital expenditure or sufficiently specific. Sufficiently specific are recognised when expended, others, at time of receipt.

Statement of Financial Position

- Mrs Rhonda Wheatley asked if the Chief Financial Officer has been through all of the general ledger reconciliations for the balance sheet. The Chief Financial Officer advised that they have.
- Mrs Rhonda Wheatley asked if the Chief Financial Officer had been through the working papers. The Chief Financial Officer responded that she had been through the major balance sheet account working papers.
- Mrs Rhonda Wheatley asked if the Bank Reconciliation had been reviewed by the Chief Financial Officer and whether it did indeed reconcile. The Chief Financial Officer responded that she had reviewed the Bank Reconciliation and that it did reconcile.

Statement of Cash Flow

- The Chief Financial Officer noted that a typographical error in the investments section has been fixed.
- Ms Rachel Harris noted that the balance sheet reduction in borrowing is reflected, but this is not reflected in the cash flow. The Chief Financial Officer responded that this was caused by a movement between current and non-current classifications and therefore, the overall balance did not change, except for repayments.

Accompanying Notes

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

- Ms Rachel Harris asked what the difference is between the \$306K incurred this year, and the \$1.6M incurred last year in regard to workers compensation. The Chief Financial Officer responded that there was a reduction in the actuarial assessment arising from some significant workers compensation matters being closed off.
- Ms Rachel Harris asked why there was no information next to contractor costs in 2023. The Chief Financial Officer responded that this was a software error, and that is actually the header line.
- Ms Rachel Harris asked, regarding the cause of roads that have been devalued on the asset movement note. The Chief Financial Officer said that this is correct and a result of the conditions of the road network overall. Ms Rachel Harris asked when the full revaluation was due. The Chief Financial Officer responded that it was due this year for roads.

Special Purpose Financial Statements

- Mr Michael Quirk noted that this is an improving situation. The Chief Financial Officer clarified that there is an ongoing situation with Sydney Water in regard to taking on the sewer operations. Should divestment occur, advice will be sought on accounting treatment, as this will have a significant impact on future statements.

Special Schedules

- The Chief Financial Officer noted that the backlog ratio looks good currently, but as outlined in the Asset Management Plan, will be a matter to be addressed in future.
- Mrs Rhonda Wheatley asked if minor adjustments need to be noted for when the report goes to Council. The Chief Financial Officer said that the report will be reported to Council as it is, and any amendments will be reported to Council as Audit adjustments when the audited set of statements go to Council in November 2024.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Michael Quirk and seconded by Mrs Rhonda Wheatley.

That:

1. The information concerning the Financial Statements for the year ended 30 June 2024 be received.
2. The Audit, Risk and Improvement Committee endorse the Financial Statements for the year ended 30 June 2024, attached as Attachment 1 to this report, to be submitted to Council to be referred to audit at its meeting on 15 October 2024.

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

AUDIT, RISK AND IMPROVEMENT COMMITTEE

Meeting Date: 13 September 2024

4. GENERAL BUSINESS

There was no general business discussed.

The meeting terminated at 12:47pm.

oooO END OF REPORT Oooo

ORDINARY MEETING

11. RECEIPT OF MINUTES OF OTHER COMMITTEES

Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 29 October 2024

12. NOTICES OF MOTION

12.1.1. RM - Efficient and Cost-Effective Weed Management

Submitted by: Councillor Lyons-Buckett
Councillor Wheeler
Councillor Zamprogno

RESCISSION MOTION:

That Resolution 170 from the Ordinary Meeting of Council on 13 August 2024, being the resolution from Item 12.1.2., Efficient and Cost-Effective Weed Management, be rescinded.

NOTE BY MANAGEMENT

Resolution 170 from the Ordinary Meeting of Council on 13 August 2024 regarding the Efficient and Cost-Effective Weed Management was as follows:

“That:

1. *Council writes to the Minister for Local Government the Hon. Ron Hoenig MP proposing that:*
 - a) *As a preference, the Minister dissolves the Hawkesbury River County Council (HRCC); or*
 - b) *In the event the dissolution of the HRCC is not supported by the Minister, he instead amends the constitution of the HRCC to permit Hawkesbury City Council (HCC) to leave the Hawkesbury River County Council (HRCC) at the end of June 2025; and*
 - c) *In the event that either of the above circumstances are supported by the Minister, Hawkesbury City Council receives an equitable share of the assets of the HRCC (estimated over \$4 million) that HCC has been contributing to for many years. This would allow each constituent council to choose to do their own weed management or to form a new modern shared services model based on their needs and resources.*
2. *Council writes to the Chair of Hawkesbury River County Council (HRCC) to advise that Council no longer feels that the County Council model is delivering either the best value for money or community outcomes in fulfilling its responsibilities under the NSW Biosecurity Act 2015 and advising them of the above resolution.*
3. *In the letter to the Minister the following information and reasons should be included in the following 4 sections:*
 - a) *Better value for rate payers' money*
 - b) *Why the County Council model is no longer appropriate or efficient.*
 - c) *Better strategic outcomes*
 - d) *Hawkesbury Council's ability to maintain a regional focus”*

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 29 October 2024

A copy of Item 12.1.2. – NM2 – Effective and Cost-Effective Weed Management considered by Council at its meeting on 13 August 2024, is attached as Attachment 1.

ATTACHMENTS

AT - 1 Item 12.1.2. – NM2 – Effective and Cost-Effective Weed Management – Council Meeting 13 August 2024.

oooO END OF REPORT Oooo

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 29 October 2024

Attachment 1 – Item 12.1.2. – NM2 – Effective and Cost-Effective Weed Management – Council Meeting 13 August 2024

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 13 August 2024

12.1.2. NM2 - Efficient and Cost-Effective Weed Management

Submitted by: Councillors Kotlash, Calvert and Conolly.

Note: As per Section 17.6 of Council's Code of Meeting Practice this Notice of Motion requires three signatures as less than three months has elapsed since the motion was lost.

NOTICE OF MOTION

That:

1. Council writes to the Minister for Local Government the Hon. Ron Hoenig MP proposing that:
 - a) As a preference, the Minister dissolves the Hawkesbury River County Council (HRCC); or
 - b) In the event the dissolution of the HRCC is not supported by the Minister, he instead amends the constitution of the HRCC to permit Hawkesbury City Council (HCC) to leave the Hawkesbury River County Council (HRCC) at the end of June 2025; and
 - c) In the event that either of the above circumstances are supported by the Minister, Hawkesbury City Council receives an equitable share of the assets of the HRCC (estimated over \$4 million) that HCC has been contributing to for many years. This would allow each constituent council to choose to do their own weed management or to form a new modern shared services model based on their needs and resources.
2. Council writes to the Chair of Hawkesbury River County Council (HRCC) to advise that Council no longer feels that the County Council model is delivering either the best value for money or community outcomes in fulfilling its responsibilities under the *NSW Biosecurity Act 2015* and advising them of the above resolution.
3. In the letter to the Minister the following information and reasons should be included in the following 4 sections:
 - a) Better value for rate payers' money
 - b) Why the County Council model is no longer appropriate or efficient.
 - c) Better strategic outcomes
 - d) Hawkesbury Council's ability to maintain a regional focus

BACKGROUND

Better value for rater payers' money

There are three main areas to be considered regarding what we get for our \$256,271 pa contribution to HRCC:

- What weed control we get.

ORDINARY MEETING

12. NOTICES OF MOTION

Meeting Date: 29 October 2024

ORDINARY MEETING

12. NOTICES OF MOTION

Meeting Date: 13 August 2024

- How many property inspections we get.
- How we could use the money from the sale of lazy assets.

It is important to assess weed control delivery by hours/days not hectares, because the cost of treating a hectare of weeds can be inflated. For instance, in 2021 HRCC claimed HCC got a benefit of \$471,000 per annum for our \$214,535 pa contribution. However, this was based in part on a \$3,110 cost per ha for weed control. The Greater Sydney Local Land Services who give out the Weed Action Plan funding capped this per ha cost at \$1000 based on regional averages.

Recent HRCC weed control delivery for Hawkesbury including discretionary weed control species (i.e. widespread weeds) (shading = all HRCC / 4 as no data for each Council is publicly available)

Year	Land-based Target ha	Actual Land-based ha	Actual Land-based hrs	Aquatic Target ha & km	Actual Aquatic ha/km	Actual Aquatic hrs	Total HRCC hrs	Total HRCC days
2021-22	14	29	1074	51	200	59	1133	162
2022-23	16	17	291	51	152	85	376	54
2023-24	16	15	314	51	213	132	446	64

One Hawkesbury City Council Weed Control Officer would have:

- 52 weeks – 4 weeks annual leave = 48 weeks
- 48 weeks x 35 hours = 1680
- At 75% capacity = 1260 = 180 days
- At 60% capacity = 1008 = 144 days

So, Council would be consistently better off if it did its own weed control.

HRCC Inspection delivery for Hawkesbury (shading = all HRCC / 4 as no data for each Council is publicly available)

Year	Property Inspection Target	Actual Property inspections	Inspection staff FTE (est)
2016-2017	680	847	3
2017-2018	708	355	2
2018-2019	780	524	3
2019-2020	811	987	3
2020-2021	715	834	2

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 29 October 2024

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 13 August 2024

Year	Property Inspection Target	Actual Property inspections	Inspection staff FTE (est)
2021-2022	416	461	3
2022-2023	450	448	3
2023-2024	509	380	3

One Hawkesbury City Council Authorised Officer could do inspections and would have:

- 52 weeks – 4 weeks annual leave = 48 weeks
- 48 weeks x 35 hours = 1680
- At 75% capacity = 1260 = 180 days
- At 60% capacity = 1008 = 144 days

The table above shows that HRCC has 3 Authorised Officers to do the inspections for 4 Council areas, (0.75 for each Council) so it stands to reason that 1 Authorised Officer employed by Hawkesbury City Council would be able to deliver more inspections.

The HCC staff report received and noted from the business paper at Council meeting 23 July 2024:

- Estimated a benefit cost ratio of \$0.56 for each \$1 given to HRCC for non-discretionary weed management.
- Estimated that if HCC employed two staff members, at a higher cost than the annual HRCC fee (\$294,672), to carry out its weed management it would get about \$0.73 for each \$1 which would be a much better outcome for our rate payers. We would also be in control and be able to pivot when needed.

Council understands that it would be eligible to apply for the Department of Primary Industries' annual Weed Action Program funding which is usually around \$50,000 per council. This would bring the annual cost of HCC's weed management down to \$244,672 and increase the benefit to cost ratio further. This is nearly \$12,000 cheaper than what we get from HRCC.

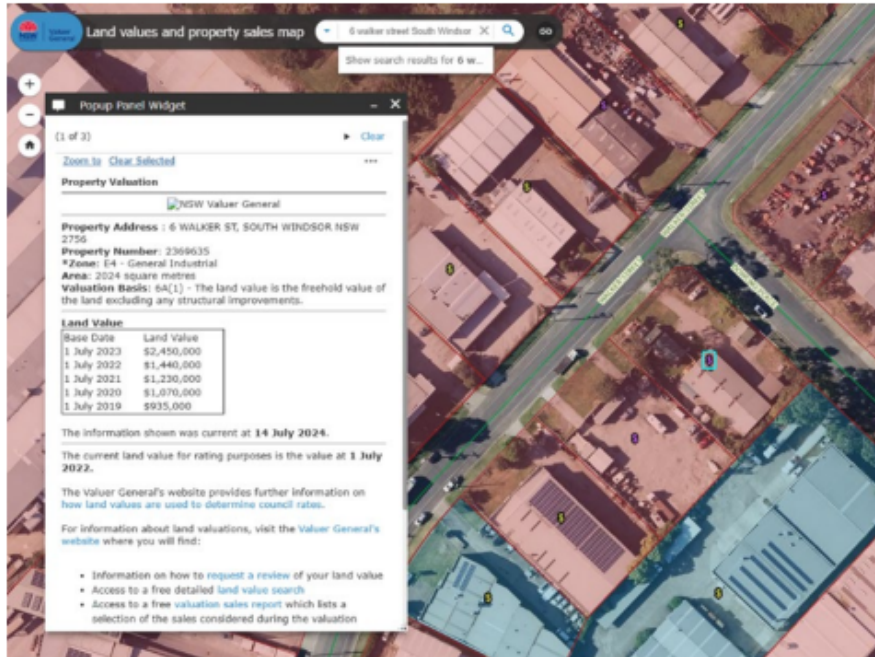
If Council initially employed one Authorised Weed Officer to develop its weed management plan, and used local weed control contractors, it could determine if it needed to employ weed control officers. All year round weed control is not always the most effective way to control weeds as flowering and seeding are seasonal.

The HRCC depot is seen as a lazy asset because it is, as a piece of commercial real estate, quite valuable, but only accommodates a very small number of part-time employees. A small organization of 9 staff, 6 or who are largely field based seems like an inefficient use of this resource.

A search of the Valuer Generals website reveals that the HRCC land alone in 2023 was worth \$2,450,000. The depot building and other structures would probably bring this up to over \$3,000,000. This is considered to be quite lavish and unnecessary as the employment of two new employees of HCC would not incur much, if any, additional accommodation expenses.

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 29 October 2024

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 13 August 2024



Why the County Council model is no longer appropriate or efficient

Council believes that the County Council model no longer fits the needs of modern weed management. The reasons are varied and span, equity, governance structure, and unnecessary administrative duplication.

- The HRCC was first formed to address a floating weed bloom in the Hawkesbury-Nepean River in the 1940s. Today there are 8 LGAs that the Hawkesbury-Nepean River flows through. Hawkesbury, Penrith and The Hills Shire are the three HRCC member Councils of these 8, Blacktown is not on the river. This is an inequitable situation. HRCC can no longer justify keeping the weed harvesters that are expensive to run and maintain that would deal with another bloom. The two weed harvesters have been written off as being obsolete and are to be disposed of, so HRCC no longer has this capability.
- HRCC has a disproportionately high administrative and compliance burden compared with large multipurpose Council that does not add value to the weed management service that they provide.
- HRCC is a very small organisation with only about 9 employees. There are 3 administrative roles, 3 weed inspectors and 3 weed control officers.
- Keeping in mind that each constituent Council pays \$256,291 per annum. The 3 administrative roles cost about \$318,000 just in salaries per annum. This adds up to a non-operational expenditure of about \$385,000 per annum if the cost of the 8 Councillors (2 from each constituent council) is included. Not included in this figure are the cost of auditors, accountants, tax agents etc. that are also needed to fulfil the requirements of a County Council.

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 29 October 2024

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 13 August 2024

- This leaves 6 staff to do the weed management work.

The table below shows how the constituent Councils have been getting less but paying more over the last eight years or so. This is mainly due to a correction in the proportion of Weed Action Program (WAP) funding HRCC gets per annum, an increasing administrative burden because it must comply with most of the mandatory requires large multipurpose council are required to do, and the loss of the Department of Primary Industries (DPI) Aquatic funding.

A summary of HRCC staffing levels and expenditure

Year	Total FTE or no. of staff	GM and Senior Advisor* Salaries (\$)	Councillor expenses (all 8) (\$)	annual contribution (exc GST) (\$)	WAP funding (est) HRCC (\$)	DPI Aquatic funding (\$)
2016-2017	17.5	126,000	66,832	?	319,476	100,000
2017-2018	15.4	153,000	73,587	171,517	310,320	94757
2018-2019	13.2	159,000	71,337	175,462	320,000	97600
2019-2020	12.2	149,000	72,434	189,673	345,000	97600
2020-2021	11	180,000	72,887	194,604	204,901	0
2021-2022	10	177,000	68,943	214,535	204,901	0
2022-2023	8	187,000	76,763	217,776	204,901	0
2023-2024	9	210,000 +*	78,634***	244,319	?	0
2024-2025	9		80,994***	256,291	?	0

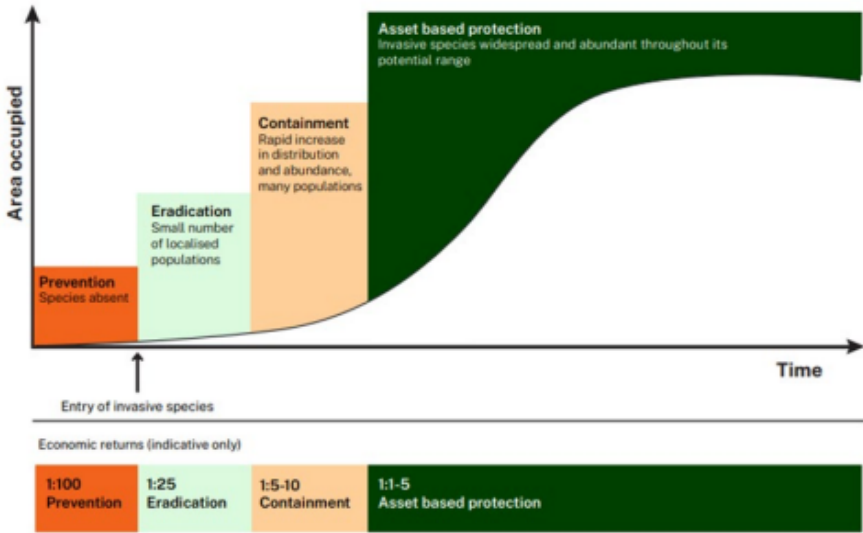
(* Senior Corporate Advisor started at \$30,000 pa) ** data yet to be released,*** est based on previous years

Better strategic outcomes

Council would also like to adopt a more modern and strategic approach to weed management.

Council would have more control over the types of weeds that are managed. In the *Greater Sydney Regional Strategic Weed Management Plan 2023-2027* page 11 it gives a diagram that shows the more work done in the early stages of weed invasion is the most cost-effective in terms of economic returns.

Figure 3.1: Generalised weed invasion curve illustrating actions appropriate to each stage and indicative return on investment.



2021-2022 Hawkesbury weed control from HRCC

Priority type	Ha/km	% of total Ha	hours	% of total hrs
Eradication	10	4	183	14
Containment	198	87	259	20
Asset protection	21	9	851	66
	229	100	1293	100

2022-2023 Hawkesbury weed control from HRCC

Priority type	Ha/km	% of total Ha	hours	% of total hrs
Eradication	2	1	23	6
Containment	137	81	63	17
Asset protection	30	18	290	77
	169	100	376	100

2023-2024 Hawkesbury weed control from HRCC

Priority type	Ha/km	% of total Ha	hours	% of total hrs
Eradication	7	3	13	3
Containment	182	80	66	15
Asset protection	40	17	366	82

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 29 October 2024

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 13 August 2024

Priority type	Ha/km	% of total Ha	hours	% of total hrs
	229	100	445	100

As can be seen from the three tables above, HRCC does most of its weed control in the asset protection priority space which is considered to be the least cost effective.

Council believes that the benefits of integrating its weed management program with the in-house work being carried out by its community nursery, well established bushcare groups, parks and gardens staff, natural areas staff and our staff who look after our extensive drainage systems that have recently showed signs of chronic weed infestation are worth pursuing.

Council has an extensive Geographical Information System (GIS) that would assist in the more strategic management of weeds.

Hawkesbury Council's ability to maintain a regional focus

Council believes it would still be able to participate in regional weed management if it was to do its own weed management.

- Regional weed management in Greater Sydney is driven by Greater Sydney Local Land Services (GSLLS) and the Department of Primary Industries (DPI).
- When a state priority weed is detected in an LGA, like we saw in Oakville in November 2022 with Frogbit, DPI is the leading agency who manages the incursion. In the Frogbit case, it organized 60 weed officers from 17 LGAs and agencies to inspect the incursion area and provided \$30,000 for control works. This regional response would happen with or without HRCC.

oooO END OF REPORT Oooo

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING

12. NOTICES OF MOTION

Meeting Date: 29 October 2024

12.1.2. RM - Proposed Sale 295 Sackville Road, Wilberforce (95496, 122525)

Submitted by: Councillor Djuric
Councillor Wheeler
Councillor Zamprogno

RESCISSION MOTION:

That Resolution 159 from the Ordinary Meeting of Council on 13 August 2024, being the resolution from Item 10.4.2, Proposed Sale of 295 Sackville Road, Wilberforce, be rescinded.

NOTE BY MANAGEMENT

Resolution 159 from the Ordinary Meeting of Council on 13 August 2024 regarding the Proposed Sale of 295 Sackville Road, Wilberforce was as follows:

"That:

1. *Council sell the property known as 295 Sackville Road, Wilberforce (Lot 252 in Deposited Plan 1004592) to Hypro Investments Pty Ltd ATF Hypro Investment Trust for \$5,976,100 plus GST, if applicable, on the following terms:*
 - a) *The current tenant of part of the property, Woodlands Park Pony Club are to retain occupation of their leased area for three years. This will require a new lease to be entered into prior to settlement, for minimal rental, in accordance with Council's Property Management Policy.*
 - b) *Settlement period of 42 days.*
 - c) *10% deposit payable on exchange.*
 - d) *Registration of proposed easement for access to enable Council to access its land at 10a and 12a Ti-Tree Place, Wilberforce. The easement would have an approximate area of 50m².*
 - e) *Any other conditions considered necessary by Council's Solicitors.*
2. *Authority be given for any documentation in association with this matter to be executed under the Seal of council.*
3. *Council's General Manager be granted delegated authority to execute any documentation in association with this matter, which do not require the Seal of Council.*
4. *Details of the resolution be conveyed to the prospective purchaser of the property and tenant of parts of the property with the advice that Council is not, and will not, be bound by the terms of the resolution until such time as appropriate documentation to put such a resolution into effect has been agreed to and executed by all parties.*
5. *The net proceeds of the sale be allocated to the following:*
 - a) *Purchase and associated costs of 6 McKinnons Road, Wilberforce, being the site of the Emergency Services Precinct.*

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 29 October 2024

- b) *The balance be allocated to the Land Acquisition and Capital Contingency Reserve.”*

Copies of the following documents considered by Council at its meeting on 13 August 2024 are attached:

- Attachment 1 – Item 10.4.2. – Proposed Sale of 295 Sackville Road, Wilberforce and location plan.
- Confidential Attachment 2 – Proposed Sale of 295 Sackville Road, Wilberforce.

ATTACHMENTS

AT - 1 Item 10.4.2. – Report to Council Meeting 13 August 2024 - Proposed Sale of 295 Sackville Road, Wilberforce and location plan.

AT - 2 Confidential Attachment to Report to Council Meeting 13 August 2024 - Proposed Sale of 295 Sackville Road, Wilberforce (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING

12. NOTICES OF MOTION

Meeting Date: 29 October 2024

Attachment 1 - Item 10.4.2. – Report to Council Meeting 13 August 2024 - Proposed Sale of 295 Sackville Road, Wilberforce and location plan

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 13 August 2024

10.4.2. CS - Proposed Sale 295 Sackville Road, Wilberforce (95496, 122525)

Directorate: Corporate Services

PURPOSE OF THE REPORT

The purpose of this report is to advise Council of an offer to purchase Council owned land at 295 Sackville Road, Wilberforce.

EXECUTIVE SUMMARY

Council owns land at 295 Sackville Road, Wilberforce, which is partly leased to Woodlands Park Pony Club. The site had previously been considered for the Emergency Services Precinct, however biodiversity issues meant the project could not proceed. Council received an unsolicited offer to purchase the land. Council staff undertook the necessary due diligence in respect to the offer, including valuations and biodiversity reports. The terms of the proposed sale were negotiated, ensuring the current tenant could remain in their location for three years on an annual rental in accordance with Council's Property Management Policy. The sale price has been negotiated and will be considered as part of a Confidential Attachment to this Report.

RECOMMENDATION

That Council receive and note the report regarding the proposed sale of 295 Sackville Road, Wilberforce.

BACKGROUND

Council owns land known at 295 Sackville Road, Wilberforce (Lot 252 in Deposited Plan 1004592). The land was purchased in 1980 and was the former site of Hawkesbury High School. The land is zoned RU1 – Primary Production, is classified as 'Operational Land' under the Local Government Act 1993, and comprises an area of 7.685 hectares. A location plan is attached as Attachment 1 to this report.

Currently, five hectares of the site is leased to Woodlands Park Pony Club. The location plan attached as Attachment 1 to this report shows the leased area. The lease expired on 31 October 2023, however, the Club have remained in occupation on a month to month basis, under holdover provisions in the Lease. Recently, the Club wrote to Council seeking to renew the Lease and negotiations are in the early stages.

The property was previously considered to be a suitable location for the new Emergency Services Precinct, however the property was not suitable due to biodiversity issues.

In February 2024, Council received an unsolicited offer to purchase the property with the existing Lease to the Woodlands Park Pony Club being retained for a period of three years. The proposed annual rental for the new Lease with Woodlands Park Pony Club would be in accordance with Council's Property Management Policy. It is anticipated that a new three year Lease would be entered into before any sale of the property was completed.

ORDINARY MEETING

12. NOTICES OF MOTION

Meeting Date: 29 October 2024

ORDINARY MEETING

10. REPORTS FOR DETERMINATION

Meeting Date: 13 August 2024

The proposed purchaser has been advised of the biodiversity issues and the associated restrictions applying to the land.

Council has undertaken the necessary due diligence to determine that the land is surplus to Council's needs due to the associated development restrictions and inability to generate biodiversity credits, and could be considered for sale.

Negotiations on the proposed sale were completed on 6 August 2024 with agreed terms being reached. Confidential Attachment 2 to this Report provides information regarding this proposed sale.

Woodlands Park Pony Club were advised of the proposed sale and the matter being reported to Council on 7 August 2024.

DISCUSSION

Part 9 of Council's Property Management Policy relates to the disposal of Council Owned Land. Part 9.1 states:

"9.1 Method of Disposal It is the preferred position of this Council that the manner of sale of any land deemed by Council as surplus to requirements shall be by public auction wherever possible. Any recommendation to Council to sell unnecessary land shall include either a proposal for public auction or specific reasons for deviating from this preferred position by proposing a sale in any other manner."

The land is considered as surplus to Council's needs and appropriate for disposal. Council has previously resolved to sell land through negotiated sale, rather than public auction where an adjoining owner is involved. For example, the road reserve adjoining 24 Toll House Way, Windsor. Additionally, the sale of part of 7 Fernadell Drive, Pitt Town was sold through negotiations after the land failed to sell at auction. In these examples, Council obtained valuation reports to determine an appropriate sale price, to achieve the best outcome financially for the public.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. However, the tenant has been advised of the proposed sale.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

4.3 Build strong financial sustainability for now and future generations.

FINANCIAL IMPACT

The proposed sale of 295 Sackville Road, Wilberforce will have direct financial implications. The income and associated valuation costs have not been incorporated into the adopted 2024/2025 Operational Plan. Adjustments would need to be made as part of a further Quarterly Budget Review.

ORDINARY MEETING
12. NOTICES OF MOTION
Meeting Date: 29 October 2024

ORDINARY MEETING
10. REPORTS FOR DETERMINATION
Meeting Date: 13 August 2024

ATTACHMENTS

AT - 1 Location Plan - 295 Sackville Road, Wilberforce

AT - 2 Confidential - Proposed Sale of 295 Sackville Road, Wilberforce - *(Distributed under separate cover)*

Attachment 1 - Location Plan - 295 Sackville Road, Wilberforce



oooO END OF REPORT Oooo

ORDINARY MEETING

13. QUESTIONS WITH NOTICE

Meeting Date: 29 October 2024

13. QUESTIONS WITH NOTICE

Nil reports.

ORDINARY MEETING
13. QUESTIONS WITH NOTICE
Meeting Date: 29 October 2024

THIS PAGE INTENTIONALLY LEFT BLANK

ORDINARY MEETING

14. RESPONSES TO QUESTIONS WITH NOTICE FROM PREVIOUS MEETING

Meeting Date: 29 October 2024

14. RESPONSES TO QUESTIONS WITH NOTICE FROM PREVIOUS MEETING

14.1.1. Responses to Councillor Questions Taken on Notice at the Council Meeting - 13 August 2024

The following questions were raised from Councillors regarding matters on the Council Meeting Business Paper of 13 August 2024. These questions were taken on notice and the responses are provided below:

#	Councillor	Question	Response
1	Sheather	Are we constructing the grandstand or just the amenities at Turnbull Oval, North Richmond?	Council are currently in the final stages of developing the Concept Design for this project. Consultation has been carried out with the Hawkesbury Sports Council and local sporting groups (Rugby, Cricket, and Netball). Quantity Surveyor advice has been sought on current market pricing and site due diligence investigations have been carried out. These activities are to inform potential revised scope options, that take into account the communities' priorities, site conditions and budgetary constraints. Grandstand seating is one of the top priorities for the Concept Design as identified by the community.
2	Wheeler	Can a Council Officer go and look at the Wilberforce playground as it is not secure?	Council staff are regularly inspecting the Wilberforce playground to ensure fencing is in place. Replacement of the play equipment will commence shortly.
3	Wheeler	Do we have signage with commencement dates on high profile areas like Howe Park? Are we not doing the landslip at Howe Park until 2025/2026?	Signage is installed on projects indicating the commencement date of the project and when construction is expected to commence. The detailed design has been completed and issued to Council by our consulting design engineers, for the river bank slip sites at Governor Phillip Park and The Terrace/Howe Park. With these, we are currently finalising the procurement documents and timing for commencement will be known following this procurement process, once delivery options are assessed and agreed with the contractor. However, we anticipate that works will commence late this calendar year, subject to weather and a satisfactory procurement outcome.
4	Sheather	How many times has boundary clearing been done in accordance with the Code and not?	Since the beginning of 2022 there have been 159 reported incidents of tree clearing: - 43 of those incidents required regulatory action

ORDINARY MEETING

14. RESPONSES TO QUESTIONS WITH NOTICE FROM PREVIOUS MEETING

Meeting Date: 29 October 2024

#	Councillor	Question	Response
			<ul style="list-style-type: none">- 32 were compliant requiring no action – including 21 permitted for clearing within the designated Rural Boundary Clearing Code Area- 54 required no action for a number of reasons including no evidence of tree clearing discovered, Council consent or a development application in place- 30 incidents remain under investigation or cannot be determined due to lack of information.

ORDINARY MEETING

15. CONFIDENTIAL REPORTS

Meeting Date: 29 October 2024

15. CONFIDENTIAL REPORTS

15.1. GENERAL MANAGER

Nil reports.

15.2. CITY PLANNING

Nil reports.

15.3. CORPORATE SERVICES

Nil reports.

15.4. INFRASTRUCTURE SERVICES

Nil reports.

15.5. NOTICES OF MOTION

Attachment 2 to Item 12.1.2. – RM – Confidential Attachment to Report to Council Meeting 13 August 2024 - Proposed Sale of 295 Sackville Road, Wilberforce

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 sale of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

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



Ordinary Meeting

End of Business Paper

This business paper has been produced electronically to reduce costs, improve efficiency and reduce the use of paper. Internal control systems ensure it is an accurate reproduction of Council's official copy of the business paper.