



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 28 August 2018

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Table of Contents

Meeting Date: 28 August 2018

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	ATTENDANCE	2
	DECLARATIONS OF INTEREST	2
	SECTION 1 - Confirmation of Minutes	2
	SECTION 2 – Mayoral Minutes	3
Item: 203	MM - Emergency Management Guide - (79351, 125612)	3
	SECTION 3 – Reports for Determination	4
	GENERAL MANAGER	4
Item: 204	GM - Events Strategy - (79351, 79356)	4
Item: 205	GM - Western Sydney City Deal - (79351)	4
	INFRASTRUCTURE SERVICES	5
Item: 206	IS - Draft Peel Park Masterplan and Redbank Precinct Community Land Plan of Management - (95495, 79354)	5
Item: 207	IS - Draft Asbestos Policy - (95495, 79340)	5
	SUPPORT SERVICES	6
Item: 208	SS - Monthly Investments Report - July 2018 - (95496, 96332)	6
Item: 209	SS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)	6
Item: 210	SS - 2017/2018 Operational Plan - Re Votes - (95496, 96332)	7
Item: 211	SS - Hawkesbury City Eisteddfod - Renewal of Sponsorship Agreement - (95496, 96328)	7
Item: 212	SS - Community Sponsorship Program - 2018/2019 - Round 1 - (95496, 96328)	8
Item: 213	SS - Council Resolution Summary - January 2018 to June 2018 - (95496, 96333)	8
	SECTION 4 – Reports of Committees	10
Item: 214	ROC - Human Services Advisory Committee - 26 July 2018 - (124414, 123486)	10
Item: 215	ROC - Heritage Advisory Committee - 2 August 2018 - (124414, 80242)	10
Item: 216	ROC - Local Traffic Committee - 13 August 2018 - (80245)	11

ORDINARY MEETING

Table of Contents

Meeting Date: 28 August 2018

QUESTIONS FOR NEXT MEETING	12
Item: 217 Councillor Questions from Previous Meetings and Responses - 14 August 2018 - (79351)	12
CONFIDENTIAL REPORTS	15
Item: 218 GM - 139 Colonial Drive and 85 Rifle Range Road, Bligh Park (79351, 95496, 112106)	16
Item: 219 CP - Application for Revocation of Dangerous Dog Order - (95498, 39906)	17
Item: 220 IS - Roadworks Hall Street, Pitt Town - (95495, 79344, 79346)	17

ORDINARY MEETING

Minutes: 28 August 2018

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 28 August 2018, commencing at 6.35pm.

Welcome

The General Manager addressed the Council meeting, mentioning:

- Acknowledgement of Indigenous Heritage
- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones.

ATTENDANCE

PRESENT: Councillor M Lyons-Buckett, Mayor, Councillor B Calvert, Deputy Mayor and Councillors P Conolly, E-J Garrow, A Kotlash, P Rasmussen, P Reynolds, S Richards, J Ross, T Tree, D Wheeler and N Zamprognio.

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Manager Corporate Communication - Suzanne Stuart, Manager Corporate Services and Governance - Michael Wearne, Administrative Support Coordinator - Tracey Easterbrook and Administration Support Officer - Kylie Wade-Ferrell.

DECLARATIONS OF INTEREST

Councillor Calvert declared interests on Items 203 and 212.

Councillor Conolly declared an interest on Item 203.

Councillor Kotlash declared an interest on Item 203.

Councillor Rasmussen declared an interest on Item 203.

Councillor Reynolds declared an interest on Item 203.

Councillor Richards declared an interest on Item 218.

SECTION 1 - Confirmation of Minutes

257 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Conolly that the Minutes of the Ordinary Meeting held on the 14 August 2018, be confirmed.

ORDINARY MEETING

Minutes: 28 August 2018

SECTION 2 – Mayoral Minutes

Item: 203 MM - Emergency Management Guide - (79351, 125612)

Councillor Calvert declared a pecuniary interest and a significant non-pecuniary conflict of interest in this matter as he has an association with one of the radio stations mentioned in this item. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Conolly declared a significant non-pecuniary conflict of interest in this matter as until recently he was involved with the community of an organisation that had the objective of obtaining the Hawkesbury radio broadcasting license. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Kotlash declared a significant non-pecuniary conflict of interest in this matter as she is associated with one of the community radio stations. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor Rasmussen declared a less than significant non-pecuniary conflict of interest in this matter as he is the Chairman for Hawkesbury Community Radio, one of the broadcast license stations and no further action is required.

Councillor Reynolds declared a less than significant non-pecuniary conflict of interest in this matter as he is a member of the Rural Fire Service and no further action is required.

Mr Bryan Smith, addressed Council, speaking for the recommendation.

MOTION:

RESOLVED on the motion of the Mayor, Councillor Lyons-Buckett.

Refer to RESOLUTION

258 RESOLUTION:

RESOLVED on the motion of the Mayor, Councillor Lyons-Buckett.

That Council:

1. Prepare an Emergency Management Guide similar to the attached example, 'Activate Wollondilly' after consultation with local emergency services, the local community and the Foundation for Rural and Regional Renewal.
2. Investigate funding options to assist the preparation of the Guide and any associated initiatives such as subsidisation of portable battery-operated radios.
3. Write to the Australian Communications and Media Authority expressing the importance of a single community radio licence being issued in the Hawkesbury LGA to ensure Community radio can be reliably utilised as a communication tool for messages to be delivered to residents, particularly in times of disaster.

ORDINARY MEETING

Minutes: 28 August 2018

SECTION 3 – Reports for Determination

GENERAL MANAGER

Item: 204 **GM - Events Strategy - (79351, 79356)**

Previous Item: 125, Ordinary (29 May 2018)
 160, Ordinary (10 July 2018)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

259 RESOLUTION:

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

That Council adopt the Events Strategy, August 2018, attached as Attachment 1 to the report.

Item: 205 **GM - Western Sydney City Deal - (79351)**

Division: General Manager

MOTION:

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

Refer to RESOLUTION

260 RESOLUTION:

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

That Council:

1. Endorse the Interim Implementation Plan and acknowledge the associated Budget and Resource implications.
2. Adopt in principle the Relationship Framework.
3. Endorse the program of Town Centre improvements to be applied for under the Liveability Program.

ORDINARY MEETING

Minutes: 28 August 2018

INFRASTRUCTURE SERVICES

Item: 206 **IS - Draft Peel Park Masterplan and Redbank Precinct Community Land Plan of Management - (95495, 79354)**

Previous Item: 149, Ordinary (29 August 2017)

Directorate: Infrastructure Services

Ms Beatriz Insausti, addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

261 RESOLUTION:

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

That:

1. The Draft Peel Park Masterplan dated 13 August 2018 and the amended Redbank Precinct Community Land Plan of Management, with an amendment to page 44 of the Plan of Management that states that "All lights are to be turned off by 9.00pm", be placed on public exhibition for the mandatory 28 day consultation period, with a further 14 day period for the completion of written submissions.
2. At the expiration of the public exhibition period, the matter be reported back to Council.

Item: 207 **IS - Draft Asbestos Policy - (95495, 79340)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

262 RESOLUTION:

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

That the Asbestos Policy attached as Attachment 1 to this report be adopted.

ORDINARY MEETING

Minutes: 28 August 2018

SUPPORT SERVICES

Item: 208 **SS - Monthly Investments Report - July 2018 - (95496, 96332)**

Previous Item: 150, Ordinary (26 June 2018)

Division: Support Services

MOTION:

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

Refer to RESOLUTION

263 RESOLUTION:

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

That the Monthly Investments Report for July 2018 be received and noted.

Item: 209 **SS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)**

Division: Support Services

MOTION:

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

Refer to RESOLUTION

264 RESOLUTION:

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

That the Section 449(1) Pecuniary Interest Returns be received and noted.

ORDINARY MEETING

Minutes: 28 August 2018

Item: 210 **SS - 2017/2018 Operational Plan - Re Votes - (95496, 96332)**

Previous Item: 100, Extraordinary (13 June 2017)

Division: Support Services

MOTION:

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

Refer to RESOLUTION

265 RESOLUTION:

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

That the funding for projects detailed within this report, totaling \$762,314, be re-voted and carried over into the 2018/2019 financial year.

Item: 211 **SS - Hawkesbury City Eisteddfod - Renewal of Sponsorship Agreement - (95496, 96328)**

Previous Item: 47, Ordinary (13 March 2007)
288, Ordinary (11 December 2007)
49, Ordinary (11 March 2008)
82, Ordinary (29 April 2008)
83, Ordinary (14 May 2013)

Division: Support Services

Ms Carolyn McKenzie, addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

266 RESOLUTION:

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

That Council renew its sponsorship for the staging of the Hawkesbury City Eisteddfod for one year pending the outcome of the review of the Community Sponsorship Program.

ORDINARY MEETING

Minutes: 28 August 2018

Item: 212 **SS - Community Sponsorship Program - 2018/2019 - Round 1 - (95496, 96328)**

Division: Support Services

Councillor Calvert declared a significant non-pecuniary conflict of interest in this matter as he is a community member on one of the groups applying for a grant. He left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

267 RESOLUTION:

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

That Council:

1. Approve payments of Section 356 Financial Assistance to the organisations and individuals listed and at the level recommended in Table 1 of this report.
2. Note that the required Sponsorship Agreement for application 2 has been previously executed to provide for the continuation of funding for these proposals.
3. Approve the execution of Council's standard Sponsorship Agreement for the applications 6, 7, 8, 9, 10, and 12, as identified in Table 1 of this report.
4. Note the proposed review of the eligibility and assessment criteria for the Community Sponsorship Program and the development of a discussion paper for consider action of Council.

Item: 213 **SS - Council Resolution Summary - January 2018 to June 2018 - (95496, 96333)**

Previous Item: NM2, Ordinary (24 June 2014)

Division: Support Services

MOTION:

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

Refer to RESOLUTION

268 RESOLUTION:

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

ORDINARY MEETING

Minutes: 28 August 2018

That Council:

1. Receive and note the report regarding Council Resolutions for the period 1 January 2018 to 30 June 2018.
2. Include in future such reports, an additional column giving information relating to the outcome or approximate timeframes where applicable for resolutions ongoing.
3. Include in future such reports, those resolutions outstanding from previous summaries.
4. Conduct a workshop to further discuss accessibility and interaction specific to outstanding Council resolutions.

ORDINARY MEETING

Minutes: 28 August 2018

SECTION 4 – Reports of Committees

Item: 214 **ROC - Human Services Advisory Committee - 26 July 2018 - (124414, 123486)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

269 RESOLUTION:

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

That the Minutes of the Human Services Advisory Committee held on 26 July 2018 be received and noted.

Item: 215 **ROC - Heritage Advisory Committee - 2 August 2018 - (124414, 80242)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

270 RESOLUTION:

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

That in relation to the Minutes of the Heritage Advisory Committee held on 2 August 2018:

1. Council receive and note the Committee Minutes in respect of Items 1, 2, 3 and other General Business items.
2. Council endorse the Committee Recommendation in respect of the General Business item regarding Macquarie Towns - The Case for Heritage Listing, namely:

"That:

1. *Council endorses the Heritage Advisory Committee recommendation to request a State Listing of the Town Plans in the Macquarie Towns.*
2. *Council make further contact with Penrith City Council, formally requesting that they consider including Castlereagh in the nomination as the fifth Macquarie Town. Should Penrith City*

ORDINARY MEETING

Minutes: 28 August 2018

Council agree, that Castlereagh be included in Council's nomination for the five Macquarie Towns.

3. *Mr Graham Edds and Professor Ian Jack be asked to complete the nomination form for the State Listing of the Town Plans in the Macquarie Towns for further consideration.*
4. *The completed nomination form be forwarded to the Office of Environment & Heritage following further consideration."*

3. Council endorse the Committee Recommendation in respect of the General Business item regarding Insurance – Heritage Properties Subject to Flooding, namely:

"That Council write to the Insurance Council of Australia, the State Government and the Office of Environment & Heritage to advocate for wider affordable insurance coverage for heritage properties affected and unaffected by Flooding."

Item: 216 **ROC - Local Traffic Committee - 13 August 2018 - (80245)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

271 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 13 August 2018 be received and the recommendations therein be adopted and noted.

ORDINARY MEETING

Minutes: 28 August 2018

QUESTIONS FOR NEXT MEETING

Item: 217

**Councillor Questions from Previous Meetings and Responses - 14 August
2018 - (79351)**

There were no responses to questions in relation to previous Questions for the Next Meeting - 14 August 2018.

ORDINARY MEETING**Minutes: 28 August 2018****Questions – 28 August 2018**

#	Councillor	Question	Response
1	Richards	Enquired as to whether Council is still accepting hand drawn building plans or are digital plans only being accepted.	The Director City Planning
2	Richards	Requested clarification as to whether development applications require a survey to be undertaken by the applicant.	The Director City Planning
3	Kotlash	Requested clarification on the charging for mixed waste loads and the number of passes over the weigh bridge at Hawkesbury Waste Management Facility.	The Director Infrastructure Services
4	Wheeler	Requested if Council could approach the group that is feeding the pigeons in Howe Park, Windsor Mall and Thompson Square and inform them that there is a problem with the pigeon population in these areas.	The Director Infrastructure Services
5	Wheeler	Enquired as to whether Council could investigate the roadside signage that local businesses are putting out (for example in Wilberforce), and enquired if they are in breach of Council's signage policy.	The Director City Planning
6	Wheeler	Enquired as to whether Council has received notification/been informed regarding the reclassification of Comleroy State Forest being used for bow hunting 7 days a week and have local properties been informed of this.	The Director Infrastructure Services
7	Reynolds	Requested if Council staff could look at the surface of the ramp connected to the pontoon at South Creek as when it is low tide it becomes very steep and slippery. Could a Council provide a non-slip surface for this ramp.	The Director Infrastructure Services

ORDINARY MEETING**Minutes:** 28 August 2018

#	Councillor	Question	Response
8	Ross	Further to Question 4 (Councillor Questions from Previous Meeting - 14 August 2018), in liaising with the RMS, can Council staff raise the possibility of Council obtaining relics that have been properly documented and treated so that the relics, for instance the box drains, can be reassembled and placed on exhibition in the Council's Museum in Baker Street, Windsor.	The Director Infrastructure Services
9	Ross	Enquired as to whether the community could be informed as to how the \$100,000 grant given to the Animal Shelter was used for this facility.	The Director City Planning
10	Ross	Enquired as to whether Council could investigate a report regarding a desexed and microchipped cat that was and impounded by the Animal Shelter, where the owners had to pay \$450 for its release in relation to services rendered that did not occur as the cat was already desexed and microchipped.	The Director City Planning
11	Garrow	Enquired as to whether Council could investigate all the defects on Scheyville Road particularly at the intersection of Scheyville Road and Pitt Town Dural Road.	The Director Infrastructure Services
12	Zamprogno	Enquired as to what permissions are the owners of the land in Colo, that was recently the subject of Land and Environment Court orders, required to apply for in relation to land clearing and building permits. Will this come before Council or the Hawkesbury Local Planning Panel.	The Director City Planning

ORDINARY MEETING

Minutes: 28 August 2018

CONFIDENTIAL REPORTS

272 RESOLUTION:

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

That:

1. The Council meeting be closed to deal with confidential matters and in accordance with Section 10A of the Local Government Act, 1993, members of the Press and the public be excluded from the Council Chambers during consideration of the following items:

Item: 218 GM - 139 Colonial Drive and 85 Rifle Range Road, Bligh Park - (79351, 94596, 112106)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to the potential sales of Council property and the information is regards as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 219 CP - Application for Revocation of Dangerous Dog Order - (95498, 39906)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 Specifically, the matter is to be dealt with pursuant to Section 10A(2)(a) of the Act as it relates so to personnel matters concerning particular individuals (other than councillors).*

Item: 220 IS - Roadworks Hall Street, Pitt own - (95495, 79344, 79346)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to proposed contractual arrangements between Council and another party 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.*

2. 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 these matters be withheld from the Press and public.

The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with these confidential matters.

There was no response, therefore, the Press and the public left the Council Chambers.

273 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Kotlash that open meeting be resumed.

ORDINARY MEETING

Minutes: 28 August 2018

Item: 218 **GM - 139 Colonial Drive and 85 Rifle Range Road, Bligh Park (79351, 95496, 112106)**

Previous Item: 276, Ordinary (13 December 2016)
68, Ordinary (12 April 2016)
133, Ordinary (11 August 2015)
187, Ordinary (10 September 2013)
45, Ordinary (12 March 2013)
64, Ordinary (8 May 2012)
63, Ordinary (29 March 2011)
240, Ordinary (12 October 2010)
26, Ordinary (26 February 2008)

Directorate: Support Services

Councillor Richards declared a significant non-pecuniary conflict of interest in this matter as she is friends with an involved party. She left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

The Director Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Rasmussen.

Refer to RESOLUTION

274 RESOLUTION:

The Director Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Rasmussen.

That:

1. Council not proceed with the sale of 139 Colonial Drive, Bligh Park and 85 Rifle Range Road, Bligh Park to Charlani Constructions Pty Ltd, in relation to the current offer.
2. Council not agree to sell 139 Colonial Drive, Bligh Park and 85 Rifle Range Road, Bligh Park to CCBP Pty Ltd ACN 622 563 858 ATF CCBP Unit Trust, in relation to the current offer.
3. Details of Council's resolution be conveyed to the proposed purchasers and their agent and the reasons for not proceeding with the sale as outlined in the report.
4. Council carry out further investigations regarding the impacts of environmental legislation on 139 Colonial Drive, Bligh Park and 85 Rifle Range Road, Bligh Park with the matter being reported back to Council once the investigations are complete.
5. Council investigate the level of use of the Tiningi Community Centre and this matter be reported back to Council with the report outcomes of the environmental investigations.

ORDINARY MEETING

Minutes: 28 August 2018

Item: 219 CP - Application for Revocation of Dangerous Dog Order - (95498, 39906)

Directorate: City Planning

MOTION:

The Director Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Reynolds.

Refer to RESOLUTION

275 RESOLUTION:

The Director Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Reynolds.

That the dangerous dog declaration issued on the American Staffordshire Bull Terrier mentioned in the report be revoked.

Item: 220 IS - Roadworks Hall Street, Pitt Town - (95495, 79344, 79346)

Directorate: Infrastructure Services

MOTION:

The Director Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Reynolds.

Refer to RESOLUTION

276 RESOLUTION:

The Director Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Reynolds.

That :

1. Council, in accordance with the provisions of Section 55(3)(i) of the Local Government Act 1993, not invite public tenders for the reconstruction of half road works (south side) of Hall Street, Pitt Town between Hawkesbury Street and Lot 100 (Number 21) due to the need to undertake works in conjunction with adjoining development road works.
2. The General Manager be delegated authority to negotiate and enter into a contract that achieves value and demonstrates transparency and probity and any other legal advice.
3. Details of the contract entered into be subsequently reported to Council.

ORDINARY MEETING

Minutes: 28 August 2018

The meeting terminated at 8.40pm.

Submitted to and confirmed at the Ordinary meeting held on 11 September 2018.

.....
Mayor