



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 30 June 2020

location: by audio-visual link

time: 6:30 p.m.

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Minutes of the Ordinary Meeting held by audio-visual link, on 30 June 2020, commencing at 6:31pm.

Welcome

The Mayor, Councillor Barry Calvert acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

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

ATTENDANCE

PRESENT: Councillor Barry Calvert, Mayor, Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Patrick Conolly, Emma-Jane Garrow, Amanda Kotlash, Paul Rasmussen, Peter Reynolds, Sarah Richards, John Ross, Tiffany Tree, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Chief Financial Officer - Emma Galea, Strategic Planning Manager - Andrew Kearns, Manager Cultural Services - Keri Whiteley, Acting Manager Community Services - Meagan Ang, Manager Corporate Services and Governance - Charles McElroy, and Administrative Support Officer Jodie Tillinghast.

APOLOGIES AND LEAVE OF ABSENCE

No apologies were received.

Councillor Tree arrived at the meeting at 6:36pm.

Councillor Tree left the meeting at 8:10pm.

Councillor Garrow left the meeting at 11:35pm.

Councillor Richards left the meeting at 11:35pm.

DECLARATIONS OF INTEREST

Councillor Lyons-Buckett declared an interest on Item 111.

Councillor Richards declared an interest on Item 111.

Acknowledgement of Official Visitors to the Council

There were no official visitors to the Council.

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SECTION 1 - Confirmation of Minutes

131 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Rasmussen that the Minutes of the Ordinary held on 26 May 2020, be confirmed.

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SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 111 **CP - Update on Kurmond-Kurrajong Investigation Area Structure Plan - Post Exhibition Report - (124414, 95498)**

Previous Item: 40, Ordinary (March 2015)
 114, Ordinary (July 2015)
 134, Ordinary (August 2015)
 199, Ordinary (November 2015)
 188, Ordinary (August 2016)
 257, Ordinary (November 2016)
 164, Ordinary (10 September 2019)

Directorate: City Planning

Councillor Richards declared a pecuniary interest in this matter as her partner owns land in the investigation area. She left the meeting and did not take part in voting or discussion on the matter.

Councillor Lyons-Buckett declared a pecuniary interest in this matter as she resides in the investigation area, but she remained present for discussion of the matter and voting, pursuant to Clause 4.36(b) of Council's Code of Conduct as the interest arose only because of an interest in her principal place of residence.

MOTION:

A MOTION was moved by Councillor Kotlash, seconded by Councillor Conolly.

That Council:

1. Receive the outcome of the public exhibition of the Draft Kurmond- Kurrajong Investigation Area Structure Plan.
2. Not adopt the Kurmond - Kurrajong Structure Plan attached as Attachment 4 to this report, but instead use the valuable planning information it contains to inform future placed-based planning assessments for other areas in the Hawkesbury LGA.
3. Progress the remaining planning proposals within the Kurmond - Kurrajong Investigation Area in accordance with Council's resolution 26 November 2016, particularly part:

6. Council continue processing the planning proposals within the investigation area that have received support via a Council resolution to proceed to a Gateway determination and any planning proposals currently lodged with Council as at 29 November 2016.
4. Include the information in the draft Kurmond – Kurrajong Investigation Area Structure Plan in the development of the related planning review documents.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

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For the Motion: Councillors Calvert, Conolly, Kotlash, Tree and Zamprogno.

Against the Motion: Councillors Garrow, Lyons-Buckett, Rasmussen, Reynolds, Ross and Wheeler

Absent: Councillor Richards

The motion was lost.

MOTION:

A MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Rasmussen.

Refer to RESOLUTION

132 RESOLUTION:

That Council:

1. Receive the outcome of the public exhibition of the Draft Kurmond-Kurrajong Investigation Area Structure Plan.
2. Defer consideration of the Draft Kurmond-Kurrajong Investigation Area Structure Plan until the following key strategy documents are completed:
 - a) Hawkesbury Local Housing Strategy
 - b) Hawkesbury Rural Lands Strategy
 - c) Hawkesbury Local Strategic Planning Statement.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Ross, Tree, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Richards.

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GENERAL MANAGER

Item: 112 **GM - Adoption of 2020/2021 Operational Plan, and Making and Levying of Rates and Fixing of Charges for the Period 1 July 2020 to 30 June 2021 - (79351)**

Previous Item: 072, Ordinary (28 April 2020)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

133 RESOLUTION:

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

That:

1. The report regarding Draft 2020/2021 Operational Plan be noted.
2. The Draft 2020/2021 Operational Plan including the fees and charges, as placed on public exhibition, be adopted incorporating the amendments as outlined in the report including the rates in the dollar for 2020/2021 to incorporate valuation changes up to the final Rating Resolution.
3. The due date for the first instalment of the 2020/2021 Rates Notice be set as 30 September 2020.
4. Council Make and Levy the following Rates and Fix the following Charges for the 2020/2021 financial period in accordance with Section 535 of the Local Government Act 1993 (Land Values used for calculation of rates have a Base Date of 1 July 2019):

Residential Category

In accordance with Section 535 of the Local Government Act 1993, an Ordinary rate named "Residential Rate" in accordance with Section 543 (1), of zero point two zero two one six zero (0.202160) cents in the valuation dollar be levied on all properties categorised as Residential in accordance with Section 516. These properties will be subject to an ad valorem rate and a base amount of \$430.00. The levying of the base amount from the Residential Category will generate 29.85% of the notional yield applicable to the Residential Category.

Farmland Category

In accordance with Section 535 of the Local Government Act 1993, an Ordinary rate named "Farmland Rate" in accordance with Section 543 (1), of zero point one eight one nine four four (0.181944) cents in the valuation dollar be levied on all properties categorised as Farmland in accordance with Section 515. These properties will be subject to an ad valorem rate and a base amount of \$430.00. The levying of the base amount from the Farmland Category will generate 14.43% of the notional yield applicable to the Farmland Category.

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Business Category

In accordance with Section 535 of the Local Government Act 1993, an Ordinary rate named "Business Area 1" in accordance with Section 543 (1), of zero point four zero four three two zero (0.404320) cents in the valuation dollar be levied on all properties in the Business sub-category Business Area 1 in accordance with Section 518. These properties will be subject to an ad valorem rate and a base amount of \$430.00. The levying of the base amount from the Business Area 1 sub-category will generate 12.63% of the notional yield applicable to the Business Area 1 sub - category.

In accordance with Section 535 of the Local Government Act 1993, an Ordinary rate named "Business Area 2" in accordance with Section 543 (1), of zero point four zero four three two zero (0.404320) cents in the valuation dollar be levied on all properties in the Business sub-category Business Area 2 in accordance with Section 518. These properties will be subject to an ad valorem rate and a base amount of \$430.00. The levying of the base amount from the Business Area 2 sub-category will generate 10.66% of the notional yield applicable to the Business Area 2 sub-category.

In accordance with Section 535 of the Local Government Act 1993, an Ordinary rate named "Business Area Other" in accordance with Section 543 (1), of zero point four zero four three two zero (0.404320) cents in the valuation dollar be levied on all properties in the Business sub-category Business Area Other in accordance with Section 518. These properties will be subject to an ad valorem rate and a base amount of \$430.00. The levying of the base amount from the Business Area Other sub-category will generate 12.53% of the notional yield applicable to the Business Area Other sub-category.

Domestic Waste Management Service

For 2020/2021, in accordance with Section 496 of the Local Government Act 1993:

- A "Weekly Domestic (Inc. Green) Waste Mgt Charge 240L" annual charge of \$660.29 be made for a 240 litre bin, for each weekly domestic waste service to an occupied property which is categorised as Residential or Farmland, and for which a weekly domestic waste service, including a green waste service, is available. This charge includes a weekly pickup for garbage, a fortnightly pickup for recycling, a fortnightly pick up for green waste and one kerbside pickup for the financial year.
- A "Weekly Domestic Waste Mgt Charge 240L" annual charge of \$577.60 be made for a 240 litre bin, for each weekly domestic waste service to an occupied property which is categorised as Residential or Farmland, and for which a weekly domestic waste service, is available. This charge includes a weekly pickup for garbage, a fortnightly pickup for recycling, and one kerbside pickup for the financial year.
- A "Weekly Domestic (Inc. Green) Waste Mgt Charge 140L" annual charge of \$448.05 be made for a 140 litre bin for each weekly domestic waste service to an occupied property which is categorised as Residential or Farmland, and for which a weekly domestic waste service, including a green waste service, is available. This charge includes a weekly pickup for garbage, a fortnightly pickup for recycling, a fortnightly pick up for green waste and one kerbside pickup for the financial year.
- A "Weekly Domestic Waste Mgt Charge 140L" annual charge of \$365.37 be made for a 140 litre bin for each weekly domestic waste service to an occupied property which is categorised as Residential or Farmland, and for which a weekly domestic waste service is available. This charge includes a weekly pickup for garbage, a fortnightly pickup for recycling and one kerbside pickup for the financial year.
- A "Fortnightly Domestic Waste Mgt Charge 240L" annual charge of \$365.37 be made for a 240 litre bin, for each fortnightly domestic waste service to an occupied property which is categorised as Residential or Farmland, and for which a fortnightly domestic

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waste service, is available. This charge includes a fortnightly pickup for garbage, a fortnightly pickup for recycling and one kerbside pickup for the financial year.

- A "Fortnightly Domestic Waste Mgt Charge 140L" annual charge of \$256.56 be made for a 140 litre bin for each fortnightly domestic waste service to an occupied property which is categorised as Residential or Farmland, and for which a fortnightly domestic waste service, is available. This charge includes a fortnightly pickup for garbage, a fortnightly pickup for recycling and one kerbside pickup for the financial year.
- A "Weekly Domestic Waste Service Availability" annual charge of \$166.96 be made for parcels of land where a weekly domestic waste service is available but the service is not utilised.
- A "Fortnightly Domestic Waste Service Availability" annual charge of \$83.47 be made for parcels of land where a fortnightly domestic waste service is available but the service is not utilised.

Pensioner Rebate

In accordance with Section 575 of the Local Government Act 1993 where a property is owned and occupied by eligible pensioner(s), a rebate amounting to 50% (fifty percent) of the combined rates and domestic waste service charges up to a maximum of \$250.00 (two hundred and fifty dollars) in annual concession will be granted for 2020/2021.

Business Waste Management Service

For 2020/2021, in accordance with Section 501 of the Local Government Act 1993

- A "Weekly Business Waste Management Service 240L" annual charge of \$871.98 be made for a 240 litre bin, for each weekly waste service to a property which is categorised as Business and for which a weekly waste service is utilised.
- A "Weekly Business Waste Management Service 140L" annual charge of \$533.60 be made for a 140 litre bin for each weekly waste service to a property which is categorised as Business and for which a weekly waste service is utilised.
- A "Fortnightly Business Waste Management Service 240L" annual charge of \$610.39 be made for a 240 litre bin, for each fortnightly waste service to a property which is categorised as Business and for which a fortnightly waste service is utilised.
- A "Fortnightly Business Waste Management Service 140L" annual charge of \$373.52 be made for a 140 litre bin for each fortnightly waste service to a property which is categorised as Business and for which a fortnightly waste service is utilised.

Sewerage Service

For 2020/2021, in accordance with Section 501 of the Local Government Act 1993, the following range of annual charges be made for the provision of sewerage services.

- | | |
|---|------------|
| • "Sewer Residential Connected" | \$886.69 |
| • "Sewer Residential Unconnected" | \$590.45 |
| • "Sewer Business Unconnected" | \$594.97 |
| • "Sewer Business Category 1 (<1,000L per day)" | \$1,032.06 |

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- "Sewer Business Category 2 (1,001 - 5,000L / day)" \$5,174.79
- "Sewer Business Category 3 (5,001 - 10,000L / day)" \$10,308.46
- "Sewer Business Category 4 (10,001 - 20,000L / day)" \$20,553.95
- "Sewer Business Category 5 (>20,000L / day)" \$20,553.95
- Additionally, a trade waste volume charge of \$3.32 per kilolitre be charged to Business Category 5 properties for each kilolitre in excess of 20,000.

Pensioner Rebate

Where a residential property receiving this service is owned by pensioner(s) eligible for an Ordinary Rate pensioner rebate, then a rebate amounting to \$443.35 be granted to the owner(s) in annual concession for 2020/2021.

Stormwater Management Charge

For 2020/2021, in accordance with Section 496A of the Local Government Act 1993, the following annual charges be made for stormwater management:

- "Stormwater Management – Residential" \$25.00
- "Stormwater Management - Residential Strata" \$12.50
- "Stormwater Management – Business" \$25.00 per 350m² or part thereof, up to a maximum \$1,500.00.
- "Stormwater Management - Business Strata" Pro-rata of business charge, based on land valuation apportionment.

Sullage Pump-Out Services

For 2020/2021:

- In accordance with Section 501 of the Local Government Act 1993, a "Fortnightly Sullage Pump-out Service" annual charge of \$2,505.16 will be made for the provision of a fortnightly sullage pump-out service to residential properties.
- In accordance with Section 501 of the Local Government Act 1993, a "Weekly Sullage Pump-out Service" annual charge of \$5,010.32 will be made for the provision of a weekly sullage pump-out service to residential properties.
- Where a property receiving a sullage pump-out service is owned by pensioner(s) eligible for an Ordinary Rate pensioner rebate, and the property is occupied solely by the eligible pensioner(s), in accordance with Section 577 of the Local Government Act 1993 a rebate amounting to 50% of the applicable charge be granted to the owner(s) in annual concession for 2020/2021.
- In accordance with Section 502 of the Local Government Act 1993, additional pump-outs can be requested at a cost of \$160.52 per extra service.
- In accordance with Section 502 of the Local Government Act 1993, emergency after hour's pump-outs be charged at \$201.57 per service.

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- In accordance with Section 502 of the Local Government Act 1993, that a charge of \$27.59 be made for each 1,000 (one thousand) litres of effluent pumped out from commercial and industrial properties for services being conducted on request.

Drainage Management Charge

For 2020/2021, in accordance with Section 501 of the Local Government Act 1993, the following annual charges be made for drainage management:

- "Drainage Management – Residential" \$25.00*
- "Drainage Management – Business" \$25.00*

*The Drainage Management Service Charge is only applicable to properties in the identified urban release area in North Richmond (Redbank). Properties in this area are not subject to the Stormwater Management Service Charge.

Interest Charges

In accordance with Section 566 (3) of the Local Government Act 1993, the interest rate charged on overdue rates and charges for 2020/2021 by Council be set at the maximum permitted by the Minister for Local Government. For the 2020/2021 rating year, this will be:

- For the period 1 July 2020 to 31 December 2020 (inclusive) – 0% per annum
 - For the period 1 January 2021 to 30 June 2021 (inclusive) – 7.0% per annum
5. The persons and/or organisations that made submissions in response to the exhibition of Council's Draft 2020/2021 Operational Plan be advised of Council's decision in this regard and the relevant comments in the report.

For the Motion: Councillors Calvert, Lyons-Buckett, Garrow, Kotlash, Rasmussen, Reynolds and Wheeler.

Against the Motion: Councillor Conolly, Ross, Richards and Zamprogno.

Absent: Councillor Tree.

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Item: 113 **GM - 2019/2020 Local Government Leadership and Awareness Program - (79361, 138882)**

Previous Item: 092, Ordinary (12 May 2020)
 104, Ordinary (26 May 2020)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

134 RESOLUTION:

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

That the report regarding the Mayoral Morning Teas and the status of the Local Government Leadership and Awareness Program be received and noted.

For the Motion: Councillors Lyons-Buckett, Garrow, Rasmussen, Reynolds, Ross, and Wheeler.

Against the Motion: Councillors Calvert, Conolly, Kotlash, Richards and Zamprogno.

Absent: Councillor Tree.

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CITY PLANNING

Item: 114 **CP - Status Update of Remaining Individual Planning Proposals within the Kurmond-Kurrajong Investigation Area - (124414, 95498)**

Previous Item: 40, Ordinary (March 2015)
 114, Ordinary (July 2015)
 134, Ordinary (August 2015)
 199, Ordinary (November 2015)
 188, Ordinary (August 2016)
 257, Ordinary (November 2016)
 164, Ordinary (10 September 2019)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

135 RESOLUTION:

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

That Council:

1. Receive and note the information contained within this report.
2. Authorise officers to contact applicants of remaining individual Planning Proposals within the Kurmond-Kurrajong Investigation Area to advise them of the status of the Kurmond-Kurrajong Structure Plan.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Tree.

136 RESOLUTION:

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

That the meeting be adjourned for a short break.

The meeting adjourned at 9:28pm

The meeting resumed at 9:41pm.

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Item: 115 **CP - Submission to Flood Prone Land Package - (95498, 124414)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

137 RESOLUTION:

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

That Council

1. Receive and note the information contained within this report; and
2. Endorse the submission contained in Attachment 1 to this report to the Department of Planning, Industry and Environment for consideration in amending legislation and policies in relation to the management of flood risks, with the following amendment:
 - Rather than recommend the deletion of Clause 3(b) in the Regional Evacuation Consideration Area Section, instead recommend that the Clause be amended to enable clearer interpretation when applied in the development assessment process.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Tree.

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SUPPORT SERVICES

Item: 116 **SS - Monthly Investment Report - May 2020 - (95496, 96332)**

Previous Item: 150, Ordinary (10 March 2020)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

138 RESOLUTION:

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

That the Monthly Investments Report for May 2020 be received and noted.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Tree.

Item: 117 **SS - Artefacts and Archaeology from Windsor Bridge Replacement Project - (95496)**

Previous Item: 30, Ordinary (25 February 2020)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

139 RESOLUTION:

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

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That:

1. Council accept all artefacts and archaeology, including salvaged bricks and sandstone blocks, from the Windsor Bridge Replacement Project.
2. Transport for NSW confirm in writing that it will fund the fit out of the exhibition, photographic recording and storage of the artefacts and archaeology from the Windsor Bridge Replacement Project, within the Hawkesbury Regional Museum.
3. Council Staff seek written confirmation from the Minister for Transport and Roads, in relation to:
 - a) His offer of assistance concerning pedestrian issues, interpretation works and storage issues associated with the Windsor Bridge Replacement Project.
 - b) The status of the maritime artefacts and plans for the future management of these items.
4. An inventory of all artefacts and building materials taken to or stored at Council's Depot and any other Council installations be undertaken as soon as possible.
5. A suitable solution for the storage and long term use of the salvaged bricks and sandstone blocks be developed.
6. Council's Museum staff and Transport for NSW's heritage consultant and Council's Heritage Advisory Committee develop the interpretation and exhibition of artefacts and archaeology from the Windsor Bridge Replacement Project, within Hawkesbury Regional Museum.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Tree.

Item: 118 **SS - 2019/2020 Community Sponsorship Program - Round 2 - (95496. 96328)**

Previous Item: 068, Ordinary (30 April 2019)
 236, Ordinary (10 December 2019)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

140 RESOLUTION:

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

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That Council:

1. Approve payments for Section 356 Financial Assistance to the organisations and individuals listed and at the level recommended in the tables in this report.
2. Approve the execution of Council's standard Sponsorship Agreement for those applications where the approved funding level is over \$500.
3. Respond to Applicant 6 with advice that the application was not successful in accordance with the Community Sponsorship Program assessment criteria.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillor Tree.

Item: 119 **SS - Management of the Hawkesbury Indoor Stadium - (95496, 81173)**

Previous Item: 121, Ordinary (8 May 2018)
199, Ordinary (14 August, 2018)
15, Ordinary (12 February, 2019)
83, Ordinary (14 May, 2019)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

141 RESOLUTION:

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

RECOMMENDATION:

That:

1. Council enter into a management agreement with PCYC NSW for the management of the Hawkesbury Indoor Stadium from 1 July 2020 as outlined in the report.
2. The term of the agreement be for 12 months with two options in favour of Council of three months' each.
3. The General Manager be given delegated authority to execute any documentation associated with the management agreement with PCYC NSW.

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4. Council continue negotiations with PCYC NSW and take necessary steps to finalise the Development Agreement and Agreement for Lease.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards and Zamprogno.

Against the Motion: Councillors Ross and Wheeler.

Absent: Councillor Tree.

142 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Wheeler that the meeting continue past 11pm to allow the Business Paper to be completed.

Item: 120 SS - Lease of Childcare Centres - (95495)

Previous Item: 69 Ordinary (30 April 2019)
259 Ordinary (30 October 2018)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

143 RESOLUTION:

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

That:

1. Council approve the execution of three year leases with the Golden Valley Children's Centre, Greenhills Child Care Centre, Hobartville Long Day Pre-School, McGraths Hill Children's Centre, Elizabeth St Extended Hours Pre-School, Richmond Preschool Kindergarten, Wilberforce Early Learning Centre, Windsor Pre-School, and Wilberforce Pre-School, in accordance with the proposed lease conditions outlined within this report including amendment of the commencement date of the leases with the nine childcare centres and the associated financial contributions to 1 July 2020.
2. Authority be given for the leases and any other documentation in association with the matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessees, together with the advice that Council is not, and will not, be bound by the terms of the resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.
4. Request staff to work with any childcare centres operating from Council owned buildings that are experiencing financial hardship to assess their status in relation to Council's (draft) Hardship Policy.

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For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Wheeler and Zamprognio.

Against the Motion: Councillor Ross.

Absent: Councillor Tree.

SECTION 4 – Reports of Committees

Item: 121 **ROC - Infrastructure Committee - 22 April 2020 - (95495, 143704)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

144 RESOLUTION:

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

That in relation to the Minutes of the Infrastructure Committee Meeting held on 22 April 2020:

1. In relation to Items 1, 2 and General Business, as they have no policy or financial implications for Council, they are presented for information only.
2. Council endorse the Committee Recommendations in respect of Item 3 (Bushfire Related Infrastructure Topics), namely

"That Council:

1. *Write to the Transport NSW requesting that investigations be carried out for the feasibility of constructing a bridge at Webb Creek and sealing of Settlers Road to assist with access to remote communities in the Macdonald Valley during fire and flood events.*
2. *Undertake further discussion with NSW RFS and NPWS in relation to provision of additional water storage facilities preferably underground tanks.*
3. *Lobby the Federal Communications Minister for more Communications Towers in the Hawkesbury LGA to improve our telecommunications and internet which is critical in the event of Natural disasters."*

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Tree, Wheeler and Zamprognio.

Against the Motion: Nil.

ORDINARY MEETING

Minutes: 30 June 2020

Item: 122 **ROC - Heritage Advisory Committee Meeting - 21 May 2020 - (80242, 124414, 95498)**

Directorate: City Planning

MOTION:

A MOTION was moved by Councillor Rasmussen, seconded by Councillor Wheeler.

That in relation to the Minutes of the Heritage Advisory Committee Meeting held on 21 May 2020:

1. Council receive and note the Heritage Advisory Committee Minutes in respect to General Business Items A, B, D, E, F, G and I.
2. Council endorse the Committee Recommendation in respect of Item 1 (Richmond Bridge Duplication Project), namely:

"That:

Council does not endorse any option that significantly impacts on Heritage properties and the cultural landscapes and notes that the yellow option will have a significant adverse impact on Durham Bowes, an extremely rare State Listed Heritage item and the green option has a significant adverse impact on Bronte, a locally listed Heritage property."

3. Council endorse the Committee Recommendations in respect of Item 2 (Local Heritage Assistance Fund 2019/2020 Outcomes), namely:

"That:

- a. *Recommend the report on this matter be received by Council including the attached images highlighting the various works undertaken.*
- b. *Recommend Council publicise via social media the outcomes of the Local Heritage Assistance Fund 2019/2020 Program and use this as an outlet to advertise next year's program.*
- c. *Notes that the use of site signage was a success and generated a positive sentiment towards Heritage items within the community, and prompted meaningful conversations of positive interest and awareness."*

4. Council endorse the Committee Recommendations in respect of Item C in General Business (Windsor Bridge Replacement Project), namely:

"That:

- a. *The use of hard surfaces are minimised and the natural and cultural landscape is maintained and that any and all works consider the heritage and archaeological significance of the fact that the site was the former Government Domain and Andrew Thompson's lease.*
- b. *Council Expresses concerns in relation to the disabled parking being located at the bottom of a significant slope and whilst this does allow access to the Wharf, it does not allow access to Thompson Square."*

ORDINARY MEETING

Minutes: 30 June 2020

5. Council endorse the Committee Recommendations in respect of General Business Item H (Existing Windsor Bridge) namely:

"That based on the structural engineer's report provided by the Defenders of Thompson Square, the Windsor Bridge is structurally stable and can be conserved quite easily and Council should contact Transport for NSW as there is no justification for the bridge's removal based on structural failure, and there is a lot of justification to retain the bridge on heritage grounds."

An AMENDMENT was moved by Councillor Conolly, seconded by Councillor Kotlash.

That in relation to the Minutes of the Heritage Advisory Committee Meeting held on 21 May 2020:

1. Council receive and note the Heritage Advisory Committee Minutes in respect to General Business Items A, B, D, E, F, G and I.
2. Council receive the Committee Recommendation in respect of Item 1 (Richmond Bridge Duplication Project), namely:

"That:

Council does not endorse any option that significantly impacts on Heritage properties and the cultural landscapes and notes that the yellow option will have a significant adverse impact on Durham Bowes, an extremely rare State Listed Heritage item and the green option has a significant adverse impact on Bronte, a locally listed Heritage property."

And consider this as part of work associated with investigating Strategic Transport routes in the Local Government Area.

3. Council endorse the Committee Recommendations in respect of Item 2 (Local Heritage Assistance Fund 2019/2020 Outcomes), namely:

"That:

- a. *Recommend the report on this matter be received by Council including the attached images highlighting the various works undertaken.*
- b. *Recommend Council publicise via social media the outcomes of the Local Heritage Assistance Fund 2019/2020 Program and use this as an outlet to advertise next year's program.*
- c. *Notes that the use of site signage was a success and generated a positive sentiment towards Heritage items within the community, and prompted meaningful conversations of positive interest and awareness."*

4. Council endorse the Committee Recommendations in respect of Item C in General Business (Windsor Bridge Replacement Project), namely:

"That:

- a. *The use of hard surfaces are minimised and the natural and cultural landscape is maintained and that any and all works consider the heritage and archaeological significance of the fact that the site was the former Government Domain and Andrew Thompson's lease.*

ORDINARY MEETING

Minutes: 30 June 2020

- b. *Council Expresses concerns in relation to the disabled parking being located at the bottom of a significant slope and whilst this does allow access to the Wharf, it does not allow access to Thompson Square."*

5. Council endorse the Committee Recommendations in respect of General Business Item H (Existing Windsor Bridge) namely:

"That based on the structural engineer's report provided by the Defenders of Thompson Square, the Windsor Bridge is structurally stable and can be conserved quite easily and Council should contact Transport for NSW as there is no justification for the bridge's removal based on structural failure, and there is a lot of justification to retain the bridge on heritage grounds."

For the Amendment: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, and Zamprogo.

Against the Amendment: Councillors Reynolds, Ross and Wheeler.

Absent: Councillors Garrow, Richards and Tree.

The Amendment was carried.

MOTION:

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

Refer to RESOLUTION

145 RESOLUTION:

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

That in relation to the Minutes of the Heritage Advisory Committee Meeting held on 21 May 2020:

1. Council receive and note the Heritage Advisory Committee Minutes in respect to General Business Items A, B, D, E, F, G and I.
2. Council receive the Committee Recommendation in respect of Item 1 (Richmond Bridge Duplication Project), namely:

"That:

Council does not endorse any option that significantly impacts on Heritage properties and the cultural landscapes and notes that the yellow option will have a significant adverse impact on Durham Bowes, an extremely rare State Listed Heritage item and the green option has a significant adverse impact on Bronte, a locally listed Heritage property."

And consider this as part of work associated with investigating Strategic Transport routes in the Local Government Area.

3. Council endorse the Committee Recommendations in respect of Item 2 (Local Heritage Assistance Fund 2019/2020 Outcomes), namely:

"That:

- a. *Recommend the report on this matter be received by Council including the attached images highlighting the various works undertaken.*

ORDINARY MEETING

Minutes: 30 June 2020

- b. Recommend Council publicise via social media the outcomes of the Local Heritage Assistance Fund 2019/2020 Program and use this as an outlet to advertise next year's program.*
 - c. Notes that the use of site signage was a success and generated a positive sentiment towards Heritage items within the community, and prompted meaningful conversations of positive interest and awareness."*
4. Council endorse the Committee Recommendations in respect of Item C in General Business (Windsor Bridge Replacement Project), namely:

"That:
 - a. The use of hard surfaces are minimised and the natural and cultural landscape is maintained and that any and all works consider the heritage and archaeological significance of the fact that the site was the former Government Domain and Andrew Thompson's lease.*
 - b. Council Expresses concerns in relation to the disabled parking being located at the bottom of a significant slope and whilst this does allow access to the Wharf, it does not allow access to Thompson Square."*
5. Council endorse the Committee Recommendations in respect of General Business Item H (Existing Windsor Bridge) namely:

"That based on the structural engineer's report provided by the Defenders of Thompson Square, the Windsor Bridge is structurally stable and can be conserved quite easily and Council should contact Transport for NSW as there is no justification for the bridge's removal based on structural failure, and there is a lot of justification to retain the bridge on heritage grounds."

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, Reynolds, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillors Garrow, Richards and Tree.

ORDINARY MEETING

Minutes: 30 June 2020

Item: 123 **ROC - Local Traffic Committee - 15 June 2020 - (80245, 95495)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

146 RESOLUTION:

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

That the Minutes of the Local Traffic Committee meeting held on 15 June 2020 be received and noted.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogn.

Against the Motion: Nil.

ORDINARY MEETING

Minutes: 30 June 2020

CONFIDENTIAL REPORTS

147 RESOLUTION:

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

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: 124 SS - Management and Operational of the Oasis Aquatic and Leisure Centre - (95496)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the management of a Council facility 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.*

Item: 125 SS - Tender for the Provision of Internal Audit Services - (95496, 79351, 128732)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the management of a Council facility 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.*

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.

148 RESOLUTION:

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

ORDINARY MEETING

Minutes: 30 June 2020

Item: 124 **SS - Management and Operation of the Oasis Aquatic and Leisure Centre - (95496) CONFIDENTIAL**

Directorate: Support Services

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

149 RESOLUTION:

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

That:

1. Council enter into an agreement with YMCA NSW for the management and operation of the Oasis Aquatic and Leisure Centre from 1 July 2020 as outlined in the report.
2. The term of the agreement be for 12 months, with two options in favour of Council of three months each.
3. The General Manager be given delegated authority to execute any documentation associated with the final agreement between Council and YMCA NSW.
4. Council authorise the affixing of the Seal of Council to any documentation in regard to this matter, if necessary.
5. YMCA NSW be granted flexibility in the first three months of the contract regarding the application of the adopted Fees and Charges from 1 July 2020.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, Reynolds, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Garrow, Richards and Tree.

ORDINARY MEETING

Minutes: 30 June 2020

Item: 125 **SS - Tender for the Provision of Internal Audit Services - (95496, 79351, 128732) CONFIDENTIAL**

Previous Item: 156, Ordinary (29 August 2017)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

150 RESOLUTION:

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

That Council:

1. Exercise the option of a one year extension, commencing on 1 July 2020, of the current contract with the Centium Group Pty Ltd based on the schedule of rates detailed in this report, for the provision of internal audit services to Hawkesbury and Blue Mountains City Councils.
2. Delegate to the General Manager the authority to sign any documentation regarding the exercise of the option to extend the contract for the provision of Joint Internal Audit Services to Hawkesbury City Council and Blue Mountains City Council for a period of one year commencing on 1 July 2020.
3. Authorise the affixing of the Seal of Council to any documentation in regard to this matter, if necessary.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Kotlash, Rasmussen, Reynolds, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillors Garrow, Richards and Tree.

The meeting terminated at 11:52pm.

Submitted to and confirmed at the Ordinary meeting held on 14 July 2020.

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Mayor