



Ordinary Meeting

Date of meeting: 29 March 2022
Location: Council Chambers and by Audio-Visual Link
Time: 6:30 p.m.

MINUTES

ORDINARY MEETING

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Minutes of the Ordinary Meeting held at the Council Chambers and by Audio-Visual Link, Windsor on 29 March 2022, commencing at 6:31pm.

Welcome

The Mayor, Councillor Patrick Conolly 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:

At Council Chambers: Councillor Patrick Conolly, Mayor, Councillor Barry Calvert, Deputy Mayor and Councillors Shane Djuric, Eddie Dogramaci, Mary Lyons-Buckett, Jill Reardon, Les Sheather, Paul Veigel, Danielle Wheeler and Nathan Zamprogo.

By Audio-Visual Link: Councillor Amanda Kotlash.

ALSO PRESENT: General Manager - Elizabeth Richardson, Director City Planning - Linda Perrine, Director Infrastructure Services - Will Barton, Director Support Services - Laurie Mifsud, Manager Corporate Communications, Events and Services - Suzanne Stuart, Manager City Design and Economic Development - Amanda Kearney, Manager Corporate Services and Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor Sarah Richards.

71 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Veigel that the apology be accepted.

DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

Acknowledgement of Official Visitors to the Council

There were no official visitors to the Council.

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SECTION 1 - Confirmation of Minutes

72 RESOLUTION:

RESOLVED on the motion of Councillor Veigel and seconded by Councillor Reardon that the Minutes of the Extraordinary Meeting held on the 15 March 2022, be confirmed.

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SECTION 3 - Reports for Determination

GENERAL MANAGER

Item: 062 **GM - Code of Conduct and Procedures - (79351)**

Previous Item: 128, Ordinary (25 July 2017)
 037, Ordinary (12 March 2019)
 168, Ordinary (8 September 2020)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

73 RESOLUTION:

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

That Council:

1. Adopt the Code of Conduct attached as Attachment 1 to the report.
2. Adopt the Procedures for the Administration of the Code of Conduct for Local Councils in NSW attached as Attachment 2 to the report.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Richards.

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INFRASTRUCTURE SERVICES

Item: 063 **IS - Dinner by the River - (95495)**

Previous Item: 076, Ordinary (27 April 2021)
 52, Ordinary (30 March 2021)

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

74 RESOLUTION:

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

That:

1. Approval be granted to Utopian Touring for “exclusive use” of Macquarie Park for ‘Dinner by the River’ to be held on Saturday, 21 May 2022.
2. The approval be subject to the following conditions/documents:
 - a) Council's General Park Conditions.
 - b) Council's Fees and Charges.
 - c) The Windsor Foreshore Plan of Management.
 - d) The applicant undertaking an assessment of the event to determine if an application under the Traffic Management for Special events is required.
 - e) Preparation of the COVID-19 Safe Plan for the event.
 - f) Provision of the Event Liquor License.
 - g) Provision of Event Approval by Hawkesbury Local Area Command.
 - h) Event Food vendors to be registered under Council 's Temporary Food Premises and Food Vending Application.
 - i) Adherence to the Protection of the Environment Operations General Regulations noise guidelines for Large Outdoor Activities.
 - j) Preparation of a flyer distributed to surrounding landowners/residents notifying of the event, traffic and noise impacts.
3. As the applicant have not advised alternative dates in the event of inclement weather or other circumstances, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Richards.

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Item: 064 **IS - The Late John Miller - (95495)**

Previous Item: 116, Ordinary (29 June 2021)

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

75 RESOLUTION:

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

That Council:

1. Endorse the erection of a memorial, consisting of a bronze plaque on a sandstone plinth, within Streeton Lookout to acknowledge the contribution of the late John Miller to the Hawkesbury community.
2. Develop a Memorials Policy to guide future decision making on such requests.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Richards.

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SUPPORT SERVICES

Item: 065 **SS - Investment Report - February 2022 - (95496, 96332)**

Previous Item: 040, Ordinary (22 February 2022)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

76 RESOLUTION:

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

That the Monthly Investment Report for February 2022 be received and noted.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Richards.

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Item: 066 **SS - Code of Meeting Practice - (95496, 96333, 79351)**

Previous Item: 013, Ordinary (25 January 2022)
 204, Ordinary (26 October 2021)
 041, Ordinary (23 February 2021)

Directorate: Support Services

MOTION:

RESOLVED on the motion of Councillor Calvert, seconded by Councillor Veigel.

Refer to RESOLUTION

77 RESOLUTION:

RESOLVED on the motion of Councillor Calvert, seconded by Councillor Veigel.

That:

1. Council adopt the Code of Meeting Practice, attached as Attachment 1 to the report.
2. The Code of Meeting Practice be amended to include the following:
 - a) Clause 8.1 include13) Matters to be Referred to Committees.
 - b) Add the following words to Clause 3.39“....a person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a pre-meeting briefing session without the prior authorisation of the council or the committee.”

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Richards.

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SECTION 4 - Reports of Committees

Item: 067 **ROC - Local Traffic Committee - 14 March 2022 - (80245)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

78 RESOLUTION:

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

That Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Traffic Committee meeting held on 14 March 2022.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Richards.

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SECTION 5 - Notices of Motion

Item: 068 **NM1 - Retention of Iconic Features of Windsor Mall - (155345, 79351)**

Ms Cheryl Ballantyne, Mr Grant Gerrish and Mr Darren Pead addressed Council, speaking for the recommendation in the business paper.

MOTION:

RESOLVED on the motion of Councillor Djuric, seconded by Councillor Dogramaci.

Refer to RESOLUTION

79 RESOLUTION:

RESOLVED on the motion of Councillor Djuric, seconded by Councillor Dogramaci.

That:

1. During the implementation of the liveability project, Council retains in Windsor Mall, such iconic items as:
 - a) The rotunda in front of 156 George Street
 - b) The rotunda wisteria plants
 - c) The water wheel
 - d) The gas lamps.
2. Council remove the raised pavers around the base of the wisteria plants and replace them with a suitable safety matting or another solution to achieve a safe and sustainable outcome.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Richards.

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Item: 069 **NM2 - WSROC Heat Smart Program and Holding of Committee Meetings - (80093, 79351)**

MOTION:

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

Refer to RESOLUTION

80 RESOLUTION:

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

That:

1. Council convene a meeting of the Community Services Committee as soon as possible to make recommendations to Council regarding the implementation of WSROC's Heat Smart Program in the Hawkesbury. Council recognises that staff have already been working on this Program and asks the Committee to work alongside staff to build on this work and to make recommendations on how to achieve greater community input.
2. Council also requests that the Committee specifically considers whether Council should appoint a delegated staff officer as the Heat Coordinator.
3. Any outstanding matters held over by the previous committees also be considered, including reports from Working Groups such as the Dementia Working Group.
4. Where possible, all Council Committee Meetings be held on the last Tuesday of the month which has now become available because Council meetings will be held monthly.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Richards.

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CONFIDENTIAL REPORTS

81 RESOLUTION:

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

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 Meeting during consideration of the following items:

Item: 070 SS - Acquisition of Road Reserve by Sydney Water - Part of Earl Street, Wilberforce - (112106, 95496, 79380)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and (g) of the Local Government Act, 1993 as it relates to details concerning the sale of property by the Council 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 further, as it relates to legal advice concerning compensation for compulsory acquisitions, the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 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 Meeting.

82 RESOLUTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Zamprogno that open meeting be resumed.

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Item: 070 **SS - Property Matter - Acquisition of Road Reserve by Sydney Water - Part of Earl Street, Wilberforce - (112106, 95496, 79380)**

Directorate: Support Services

MOTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Veigel.

Refer to RESOLUTION

83 RESOLUTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Veigel.

That:

1. Council approve the sale of the road reserve, adjacent to 29 Putty Road, Wilberforce, known as proposed Lot 100 in DP 1165686, as shown in Attachment 2 to the report, to Sydney Water, in the amount detailed on the report.
2. Authority be given for the sale, and any documentation in association with the matter to be executed under the Seal of Council.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Richards.

The meeting terminated at 7:50pm.

Submitted to and confirmed at the Ordinary meeting held on 12 April 2022.

.....
Mayor