



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 24 November 2020
location: council chambers
by audio-visual link
time: 6:30 p.m.

ORDINARY MEETING**Table of Contents**

Minutes: 24 November 2020

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	ATTENDANCE	3
	APOLOGIES AND LEAVE OF ABSENCE	3
	DECLARATIONS OF INTEREST	3
	PRESENTATION - From Council's Auditors - Financial Statements for Year Ended 30 June 2020	4
	SECTION 1 - Confirmation of Minutes	4
	SECTION 2 – Mayoral Minutes - Confidential	5
Item: 229	MM - Position of General Manager - (79351, 79353)	5
	SECTION 3 – Reports for Determination	9
	PLANNING DECISIONS	9
Item: 230	CP - Planning Proposal to Amend Hawkesbury Local Environment Plan 2012 - Lot 1 DP 120436, 631 Bells Line of Road, Kurrajong - (95498, 11210, 124414)	9
	GENERAL MANAGER	11
Item: 231	GM - 2019/2020 Annual Report Incorporating Audited Financial Statements - (79351)	11
Item: 232	GM - Ordinary Council Meetings in 2021 - (95496)	12
	CITY PLANNING	13
Item: 233	CP - Review of Council Committees - (124414)	13
	SUPPORT SERVICES	17
Item: 234	SS - General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2020 - (95496)	17
Item: 235	SS - September 2020 Quarterly Budget Review Statement - (79351)	18
Item: 236	SS - Investment Report - October 2020 - (95496)	19
Item: 237	SS - Code of Conduct Complaints Statistics Report - 1 September 2019 to 31 August 2020 - (95496)	20
	SECTION 4 – Reports of Committees	21
Item: 238	ROC - Heritage Advisory Committee - 29 October 2020 - (95498, 80242)	21
Item: 239	ROC - Local Traffic Committee - 09 November 2020 - (80245, 95495)	23

ORDINARY MEETING

Table of Contents

Minutes: 24 November 2020

SECTION 5 – Notices of Motion	24
Item: 240 NM - Management of Construction in the vicinity of Boundary Road - (125612)	24
CONFIDENTIAL REPORTS	25
Item: 241 SS - Lease to Ngov Kong Family Pty Ltd - Shop 4, Wilberforce Shopping Centre - (95496, 112106, 150830, 28061)	26

ORDINARY MEETING

Minutes: 24 November 2020

Minutes of the Ordinary Meeting held at the Council Chambers and by Audio-Visual Link, Windsor, on 24 November 2020, commencing at 6:31pm.

Welcome

The Mayor, Councillor Patrick Conolly acknowledged the Indigenous Heritage.

The Acting 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, Councillors Barry Calvert, Sarah Richards and Nathan Zamprogno.

By Audio-Visual Link: Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Emma-Jane Garrow, Amanda Kotlash, Paul Rasmussen, Peter Reynolds, John Ross, Tiffany Tree and Danielle Wheeler.

ALSO PRESENT:

At Council Chambers: Acting General Manager - Laurie Mifsud, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Acting Director Support Services - Emma Galea, Manager Communications, Events and Visitor Services - Suzanne Stuart, Manager Corporate Services and Governance - Chares McElroy and Administrative Support Coordinator - Tracey Easterbrook.

By Audio-Visual Link: Strategic Planning Manager - Andrew Kearns.

APOLOGIES AND LEAVE OF ABSENCE

No apologies for absence were received from Councillors.

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.

ORDINARY MEETING

Minutes: 24 November 2020

PRESENTATION - From Council's Auditors - Financial Statements for Year Ended 30 June 2020

A presentation was provided by Council's Auditor, Mr James Winter from Grant Thornton and Mr Kenneth Leung from the NSW Audit Office, in respect of Council's General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2020.

ADJOURNMENT OF MEETING

The Mayor adjourned the meeting at 6:51pm so that technical support for the audio-visual link could be provided. The meeting resumed at 6:57pm.

SECTION 1 - Confirmation of Minutes

288 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Calvert that the Minutes of the Ordinary Meeting held on the 10 November 2020, be confirmed.

ORDINARY MEETING

Minutes: 24 November 2020

SECTION 2 – Mayoral Minutes

Item: 229 MM - Position of General Manager - (79351, 79353)

A MOTION was moved by the Mayor, Councillor Conolly.

That Council:

1. Establish a selection panel to carry out the task of the recruitment of a General Manager of Council with the selection panel having the following members:
 - a) The Mayor, Councillor Patrick Conolly
 - b) The Deputy Mayor, Councillor Mary Lyons Bucket
 - c) Councillor Barry Calvert
 - d) One independent recruitment consultant.
2. Delegate to the Mayor, Councillor Patrick Conolly the task of ensuring that:
 - a) The selection panel is established.
 - b) The General Manager position description is current and evaluated in terms of salary to reflect the responsibilities of the position.
 - c) The proposed salary range reflects the responsibilities and duties of the position.
 - d) The position is advertised according to the requirements of the Local Government Act 1993.
 - e) Information packages are prepared.
 - f) Applicants selected for interview are notified.
3. Seek quotations from three recruitment agencies to:
 - a) Engage a suitably qualified person independent of Council to be a member of the selection panel.
 - b) Assist the Mayor, Councillor Patrick Conolly in the facilitation of the recruitment of a General Manager as outlined in the Mayoral Minute.
4. The quotation process for the engagement of a recruitment agency be reported back to Council for a decision on the appointment of an agency.

An AMENDMENT was moved by Councillor Rasmussen, seconded by Councillor Wheeler.

That Council:

1. Establish a selection panel to carry out the task of the recruitment of a General Manager of Council with the selection panel having the following members:
 - a) The Mayor, Councillor Patrick Conolly
 - b) The Deputy Mayor, Councillor Mary Lyons Bucket
 - c) Councillor John Ross
 - d) One independent recruitment consultant.

ORDINARY MEETING

Minutes: 24 November 2020

2. Delegate to the Mayor, Councillor Patrick Conolly the task of ensuring that:
 - a) The selection panel is established.
 - b) The General Manager position description is current and evaluated in terms of salary to reflect the responsibilities of the position.
 - c) The proposed salary range reflects the responsibilities and duties of the position.
 - d) The position is advertised according to the requirements of the Local Government Act 1993.
 - e) Information packages are prepared.
 - f) Applicants selected for interview are notified.
3. Seek quotations from three recruitment agencies to:
 - a) Engage a suitably qualified person independent of Council to be a member of the selection panel.
 - b) Assist the Mayor, Councillor Patrick Conolly in the facilitation of the recruitment of a General Manager as outlined in the Mayoral Minute.
4. The quotation process for the engagement of a recruitment agency be reported back to Council for a decision on the appointment of an agency.

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

Against the Amendment: Councillors Conolly, Calvert, Kotlash, Richards, Tree, Ross (Abstained) and Zamprogno.

Absent: Nil.

The Amendment was lost.

ORDINARY MEETING

Minutes: 24 November 2020

289 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, 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 Meeting during consideration of the following item:

Item: 229 MM - Position of General Manager - (79351, 79353)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 as it relates to personal matters concerning particular individual (other than councillors).*

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.

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

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

Absent: Nil.

290 RESOLUTION:

RESOLVED on the motion of Councillor Richards, seconded by Councillor Wheeler that open meeting be resumed.

MOTION:

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of the Mayor, Councillor Conolly.

Refer to RESOLUTION

291 RESOLUTION:

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of the Mayor, Councillor Conolly.

That Council:

1. Establish a selection panel to carry out the task of the recruitment of a General Manager of Council with the selection panel having the following members:
 - a) The Mayor, Councillor Patrick Conolly
 - b) The Deputy Mayor, Councillor Mary Lyons Buckett
 - c) Councillor Barry Calvert
 - d) One independent recruitment consultant.

ORDINARY MEETING

Minutes: 24 November 2020

2. Delegate to the Mayor, Councillor Patrick Conolly the task of ensuring that:
 - a) The selection panel is established.
 - b) The General Manager position description is current and evaluated in terms of salary to reflect the responsibilities of the position.
 - c) The proposed salary range reflects the responsibilities and duties of the position.
 - d) The position is advertised according to the requirements of the Local Government Act 1993.
 - e) Information packages are prepared.
 - f) Applicants selected for interview are notified.
3. Seek quotations from three recruitment agencies to:
 - a) Engage a suitably qualified person independent of Council to be a member of the selection panel.
 - b) Assist the Mayor, Councillor Patrick Conolly in the facilitation of the recruitment of a General Manager as outlined in the Mayoral Minute.
4. The quotation process for the engagement of a recruitment agency be reported back to Council for a decision on the appointment of an agency.
5. Following the departure of the General Manager, Councillors be provided with legal advice regarding the disclosure of termination payments to General Managers in public reports.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 24 November 2020

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 230 **CP - Planning Proposal to Amend Hawkesbury Local Environment Plan 2012 - Lot 1 DP 120436, 631 Bells Line of Road, Kurrajong - (95498, 11210, 124414)**

Previous Item: 69, Ordinary (12 May 2015)
 RM, Ordinary (8 September 2015)
 71, Ordinary (11 April 2017)

Directorate: City Planning

Mr Michael Want addressed Council, speaking against the report recommendation in the Business Paper.

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

That Council:

1. Proceed with the making of the plan to amend the Lot Size Map of the Hawkesbury Local Environmental Plan 2012 in relation to Lot 1, DP 120436, 631 Bells Line of Road, Kurrajong, to specify a minimum lot size of 4Ha for the subject site.
2. Adopt and make the draft Local Environmental Plan, under the authorisation for Council to exercise delegation issued by the "Gateway" determination, upon receipt of an opinion from Parliamentary Counsel's Office that the Plan can be legally made.
3. Publicly exhibit the Draft Voluntary Planning Agreement attached to this report for a minimum of 28 days, and report back to Council following public exhibition.
4. Following the making of the plan advise the Department of Planning, Industry and Environment that the Plan has been made and request notification of the Plan on the NSW Legislation website.
5. Include within Council's LEP review process an amendment to the Land Acquisition Reservation Map of the Hawkesbury Local Environmental 2012 in order to identify part of the subject site affected by the Transport for NSW future road widening proposal.

An AMENDMENT was moved by Councillor Ross.

That this matter be deferred to the next Council Meeting, due to incorrect documentation being provided to Councillors prior to this Meeting.

There was no seconder for the amendment and the amendment lapsed.

ORDINARY MEETING

Minutes: 24 November 2020

MOTION:

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

Refer to RESOLUTION

292 RESOLUTION:

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

That Council:

1. Proceed with the making of the plan to amend the Lot Size Map of the Hawkesbury Local Environmental Plan 2012 in relation to Lot 1, DP 120436, 631 Bells Line of Road, Kurrajong, to specify a minimum lot size of 4Ha for the subject site.
2. Adopt and make the draft Local Environmental Plan, under the authorisation for Council to exercise delegation issued by the "Gateway" determination, upon receipt of an opinion from Parliamentary Counsel's Office that the Plan can be legally made.
3. Publicly exhibit the Draft Voluntary Planning Agreement attached to this report for a minimum of 28 days, and report back to Council following public exhibition.
4. Following the making of the plan advise the Department of Planning, Industry and Environment that the Plan has been made and request notification of the Plan on the NSW Legislation website.
5. Include within Council's LEP review process an amendment to the Land Acquisition Reservation Map of the Hawkesbury Local Environmental 2012 in order to identify part of the subject site affected by the Transport for NSW future road widening proposal.

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 Conolly, Calvert, Kotlash, Richards, Tree and Zamprogno.

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

Absent: Nil.

The Motion was carried on the casting vote of the Mayor.

ORDINARY MEETING

Minutes: 24 November 2020

GENERAL MANAGER

Item: 231 **GM - 2019/2020 Annual Report Incorporating Audited Financial Statements - (79351)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

293 RESOLUTION:

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

That:

1. The report regarding Council's 2019/2020 Annual Report and accompanying Audited Financial Statements be received and noted.
2. The 2019/2020 Annual Report and accompanying Audited Financial Statements attached as Attachment 2 and 3 to this report be forward to the Office of Local Government and placed on Council's website by 30 November 2020.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 24 November 2020

Item: 232 **GM - Ordinary Council Meetings in 2021 - (95496)**

Previous Item: 013, Extraordinary (18 February 2020)
 155, Ordinary (25 August 2020)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

294 RESOLUTION:

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

That Council:

1. Adopt Option 1, set out in Attachment 2 of the report, that meetings be held on the second Tuesday of every month and last Tuesday of every month (except January and December), with the addition of a Council Meeting on Monday, 25 January 2021.
2. Make provision for Councillors to attend Council Meetings by Audio-Visual Link where they require it for health, travel, carer or other needs and responsibilities.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 24 November 2020

CITY PLANNING

Item: 233 CP - Review of Council Committees - (124414)

Directorate: City Planning

Mr Michael Edwards addressed Council, speaking for the report recommendation in the Business Paper.

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

That Council:

1. Recognises the extensive work and consultation on the review of the committee structure, and thanks the relevant officers and committee members for their input.
2. Dissolves the following Council committees as of 31 December 2020:
 - Access and Inclusion Committee
 - Human Services Advisory Committee
 - Tourism Advisory Committee
 - Waste Management Advisory Committee
 - Civics and Citizenship Committee
 - Floodplain Risk Management Advisory Committee
 - Infrastructure Committee
 - Environmental Sustainability Advisory Committee
 - Heritage Advisory Committee

3. Establishes the following three standing committees:

New committee	Previous committee / functions
Community Services Committee	<ul style="list-style-type: none">• Civic and Citizenship Committee• Enhancing the Arts Advisory Committee• Human Services Advisory Committee• Access and Inclusion Advisory Committee
Heritage & Environment Committee	<ul style="list-style-type: none">• Waste Management Advisory Committee• Environmental Sustainability Advisory Committee• Heritage Advisory Committee
Innovation & Partnerships Committee	<ul style="list-style-type: none">• Tourism Advisory Committee• Infrastructure Committee• Waste Management Advisory Committee• To investigate the feasibility of new ideas and technologies as requested by Council.
Emergency Management Committee	

4. Asks the Mayor to write to each member of the dissolved committees to thank them for their service and to inform them of the opportunity to participate in the new committee structure.

ORDINARY MEETING

Minutes: 24 November 2020

5. Requires that at least one Council briefing session every three months be devoted to emergency management matters and that this Briefing Session will constitute the Council's Emergency Management Committee. This includes briefings on floods, bushfires and other disasters both natural and man-made.
6. Affirms that the role of Council committees is to provide advice and information to assist with council decision making. Council shall therefore provide the long term directions for each committee as well as setting short term tasks. Each committee will comprise five Councillors appointed by Council and each committee will be chaired by a Councillor.
7. Is to receive a report at the first ordinary meeting of 2021 that:
 - Informs Council of the outstanding actions of all of the dissolved committees, so that strategically important work and short term tasks can be reassigned to a newly established committee or reported to Council for a decision.
 - Assists Council to review the work of the existing committees and set the longer term objectives, directions and timeframes for each new committee for 2021.
8. Requires that committees shall report regularly to Council in the following ways:-
 - Provide succinct and clear minutes which include a summary of the committee's progress towards the objectives set for them by Council. This summary is to include a self-evaluation of the committee's performance linked to the Community Strategic Plan.
 - Provide regular and timely advice including recommended actions.
9. Notes that committee meetings are designed to achieve the objectives assigned to them by Council, and as such, meeting frequency shall be determined in relation to the work that has been delegated to the committee, rather than by an arbitrarily resolved timetable. Where possible committees should restrict their meetings to Tuesdays.
10. Requires that committee agendas be published in a similar manner to the way that council meetings are currently published so that the community has advanced notice of what will be discussed. All members of the public, including community members from the previous committees, should be encouraged to attend, address, and contribute to committee meetings.
11. Recognises that committees have the ability to establish issues-based working groups when required. The committees will set the agenda for the working groups and the working groups will report back to the committee. Each working group is to focus on one particular issue and be dissolved when the relevant work has been completed. Working groups may be composed of community members as well as relevant experts.

An AMENDMENT was moved by Councillor Zamprogno.

That Council:

1. Recognises the extensive work and consultation on the review of the committee structure, and thanks the relevant officers and committee members for their input.
2. Dissolves the following Council committees as of 31 December 2020:
 - Access and Inclusion Committee
 - Human Services Advisory Committee
 - Tourism Advisory Committee
 - Waste Management Advisory Committee
 - Civics and Citizenship Committee
 - Floodplain Risk Management Advisory Committee
 - Infrastructure Committee
 - Environmental Sustainability Advisory Committee

ORDINARY MEETING

Minutes: 24 November 2020

3. Establishes the following three standing committees:

New committee	Previous committee / functions
Community Services Committee	<ul style="list-style-type: none">• Civic and Citizenship Committee• Enhancing the Arts Advisory Committee• Human Services Advisory Committee• Access and Inclusion Advisory Committee
Environment Committee	<ul style="list-style-type: none">• Waste Management Advisory Committee• Environmental Sustainability Advisory Committee
Innovation & Partnerships Committee	<ul style="list-style-type: none">• Tourism Advisory Committee• Infrastructure Committee• Waste Management Advisory Committee• To investigate the feasibility of new ideas and technologies as requested by Council.
Emergency Management Committee	

4. Asks the Mayor to write to each member of the dissolved committees to thank them for their service and to inform them of the opportunity to participate in the new committee structure.
5. Requires that at least one Council briefing session every three months be devoted to emergency management matters and that this Briefing Session will constitute the Council's Emergency Management Committee. This includes briefings on floods, bushfires and other disasters both natural and man-made.
6. Affirms that the role of Council committees is to provide advice and information to assist with council decision making. Council shall therefore provide the long term directions for each committee as well as setting short term tasks. Each committee will comprise 5 Councillors appointed by Council and each committee will be chaired by a Councillor.
7. Is to receive a report at the first ordinary meeting of 2021 that:
- Informs Council of the outstanding actions of all of the dissolved committees, so that strategically important work and short term tasks can be reassigned to a newly established committee or reported to Council for a decision.
 - Assists Council to review the work of the existing committees and set the longer term objectives, directions and timeframes for each new committee for 2021.
8. Requires that committees shall report regularly to Council in the following ways:-
- Provide succinct and clear minutes which include a summary of the committee's progress towards the objectives set for them by Council. This summary is to include a self-evaluation of the committee's performance linked to the Community Strategic Plan.
 - Provide regular and timely advice including recommended actions.
9. Notes that committee meetings are designed to achieve the objectives assigned to them by Council, and as such, meeting frequency shall be determined in relation to the work that has been delegated to the committee, rather than by an arbitrarily resolved timetable. Where possible committees should restrict their meetings to Tuesdays.
10. Requires that committee agendas be published in a similar manner to the way that council meetings are currently published so that the community has advanced notice of what will be discussed. All members of the public, including community members from the previous committees, should be encouraged to attend, address, and contribute to committee meetings.

ORDINARY MEETING

Minutes: 24 November 2020

11. Recognises that committees have the ability to establish issues-based working groups when required. The committees will set the agenda for the working groups and the working groups will report back to the committee. Each working group is to focus on one particular issue and be dissolved when the relevant work has been completed. Working groups may be composed of community members as well as relevant experts.
12. The Heritage Committee continues without change, except with regard to points above relating to the publication of Agenda, being Public meetings, etc.

There was no seconder for the amendment and the amendment lapsed.

An AMENDMENT was moved by Councillor Wheeler, seconded by Councillor Rasmussen.

That this matter be deferred for further consideration at a Councillor Briefing Session.

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

Against the Amendment: Councillors Conolly, Calvert, Kotlash, Richards and Tree.

Absent: Nil.

The Amendment was carried.

MOTION:

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

Refer to RESOLUTION

295 RESOLUTION:

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

That this matter be deferred for further consideration at a Councillor Briefing Session.

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

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

Absent: Nil.

ORDINARY MEETING

Minutes: 24 November 2020

SUPPORT SERVICES

Item: 234 **SS - General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2020 - (95496)**

Previous Item: Item 187, Ordinary (29 September 2020)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

296 RESOLUTION:

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

That Council:

1. Note the completion of the General Purpose and Special Purpose Financial Statements and Special Schedules for the period ended 30 June 2020, attached as Attachment 1 to this report.
2. Thank the representatives from The NSW Audit Office and Grant Thornton, for their presentation in respect of Council's audited 2019/2020 Financial Statements.
3. Staff prepare a report to outline:
 - a) Options in regard to the transfer of funds to the relevant Section 7.11 Pitt Town Reserves, to replenish the amount utilised for land acquisition in 2014/2015.
 - b) The history of the utilisation of the Pitt Town Reserves, and whether Council was successful in obtaining grant funding for works in Pitt Town.
 - c) The circumstances of the involvement of the NSW State Government in Developer Contributions, and the Deed entered into between The NSW State Government and the Developer.

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

Against the Motion: Councillors Richards and Ross.

Absent: Nil.

ORDINARY MEETING

Minutes: 24 November 2020

Item: 235 **SS - September 2020 Quarterly Budget Review Statement - (79351)**

Previous Item: 112, Ordinary (30 June 2020)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

297 RESOLUTION:

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

That:

1. Council receive the information contained in this report and that the Budget adjustments, as summarised in the report and detailed in Attachment 1 to the report, be adopted.
2. The budgeted Surplus of \$125,124 be transferred to the Multi Year Reserve.

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

Against the Motion: Councillors Richards, Ross and Tree.

Absent: Councillor Calvert.

ORDINARY MEETING

Minutes: 24 November 2020

Item: 236 **SS - Investment Report - October 2020 - (95496)**

Previous Item: 150, Ordinary (10 March 2020)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

298 RESOLUTION:

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

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

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

Against the Motion: Councillor Ross.

Absent: Nil.

ORDINARY MEETING

Minutes: 24 November 2020

Item: 237 **SS - Code of Conduct Complaints Statistics Report - 1 September 2019 to 31 August 2020 - (95496)**

Previous Item: 168, Ordinary (8 September 2020)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

299 RESOLUTION:

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

That the report under Clause 11.1 of the Council's Procedures for the Administration of the Code of Conduct, in respect of the Code of Conduct complaints statistics for the period from 1 September 2019 to 31 August 2020, be noted.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 24 November 2020

SECTION 4 – Reports of Committees

Item: 238 **ROC - Heritage Advisory Committee - 29 October 2020 - (95498, 80242)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

300 RESOLUTION:

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

That in relation to the Minutes of the Heritage Advisory Committee Meeting held on the 29 October 2020:

1. Council receive and note the Heritage Advisory Committee in respect to items 1, 4, 5, 6, 7 and remaining General Business Items.
2. Council endorse the Committee Recommendations in respect of Item 2, namely:
 - a) Note the update with respect to the Final Draft Windsor Bridge Heritage Interpretation Plan.
 - b) Expresses its disappointment with the Final Draft Windsor Bridge Heritage Interpretation Plan, and has felt sidelined, and that its expertise and input has been substantially ignored.
 - c) Is frustrated with not being given the opportunity to view the Final Windsor Bridge Interpretation Plan.
 - d) Recommends that the Principles that will guide the Museum exhibition of bridge project artefacts, be amended as follows:
 - i. Principle 1 – to be less compartmentalised and wording revised to read the correct historical term ‘the contact period’.
 - ii. Principle 3 – to be reworded to include 'River and adjacent land form'.
3. Council endorse the Committee Recommendations in respect of Item 3, namely:
 - a) Council does not continue to pursue the endorsement of the Thompson Square Conservation Management Plan by Heritage NSW, due to the unreasonable financial impost on Council.
 - b) Council considers amending the parts of the Thompson Square Conservation Management Plan within the scope of the project brief, as per the recommendations made by NSW Heritage, and within Council’s resourcing capacity.

ORDINARY MEETING

Minutes: 24 November 2020

- c) Council formally responds to Heritage NSW acknowledging their detailed feedback to the draft Conservation Management Plan, and advises that Council has made amendments to the draft Conservation Management Plan where relevant. However:
 - i. Council does not have the resources to include an impact assessment of the State's Windsor Bridge Replacement Project.
 - ii. An impact assessment was beyond the brief provided to Council's consultants and most pertinently, that a robust impact assessment of the Final Windsor Bridge Replacement Project is premature given construction is ongoing, and cannot be fully nor accurately assessed or considered as the project works have not yet been completed.
 - iii. Council may consider including an assessment if resourcing becomes available in the future.
- 4. Council endorse the Committee Recommendations in respect of General Business Item A (New Council Website – Heritage), namely:
 - a) That Council considers the preparation and inclusion of Heritage information sheets in the Heritage section on Council's website in order to provide property owners with information about protecting heritage items, aiding education and prevention of inappropriate works.
- 5. Council endorse the Committee Recommendations in respect of Additional General Business Item - Transport for NSW - Retention of Windsor Bridge Caissons, namely:
 - a) That the Heritage Advisory Committee recommend that Council requests the retention of the Windsor Bridge caissons.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 24 November 2020

Item: 239 **ROC - Local Traffic Committee - 09 November 2020 - (80245, 95495)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

301 RESOLUTION:

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

That in relation to the Minutes of the Local Traffic Committee Meeting held on the 9 November 2020:

1. Council receive and note the Local Traffic Committee Minutes in respect to items 2.1, 2.2 and 2.4.
2. Council endorse the Committee Recommendations in respect of Item 2.3, namely:
Proposed Roundabout - Grose Vale Road at Sunnyside Crescent, North Richmond

"That:

1. *The provision of a roundabout intersection treatment as proposed in the Operational Plan 2020/2021 at the intersection of Grose Vale Road and Riverview Street, North Richmond not be implemented and alternatively works be undertaken to provide a single lane roundabout intersection treatment in Grose Vale Road at Sunnyside Crescent, North Richmond as outlined in attachment 1, with details of the final design layout to be reported back to the Local Traffic Committee for its endorsement.*
2. *Traffic safety improvements along Riverview Street be undertaken by implementing sign and line marking treatments which include extending the No Stopping zone (R5-400) from the Grose Vale Road intersection for an overall distance of approximately 50 metres to provide a No Stopping zone on the south western side of Riverview Street to end at the property boundary line of Nos 35 and 37 with the No Stopping zone on the north eastern side of Riverview Street to link the missing section between the intersection and the zone across the driveway to the car park, as outlined in attachment 2. The No Stopping zone changes are to be complemented by extending the centreline and lane line accordingly to match the No Stopping zone extent from the intersection of Grose Vale Road as well as extending the centre line and providing edge lines along the remaining length of Riverview Street to Pitt Lane."*

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 24 November 2020

SECTION 5 – Notices of Motion

Item: 240 NM - Management of Construction in the vicinity of Boundary Road - (125612)

MOTION:

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

Refer to RESOLUTION

302 RESOLUTION:

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

That Council:

1. Enter into discussions with The Hills Shire Council in relation to the management of construction in the vicinity of Boundary Road, particularly with regard to impact on the condition of local roads.
2. Calls for a report to detail the procedure for management of shared infrastructure with neighbouring Local Government Areas or Government Agencies, so residents and ratepayers understand the relationship, and how to seek assistance with matters relating to jointly owned or shared assets.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 24 November 2020

CONFIDENTIAL REPORTS

303 RESOLUTION:

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

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 Meeting during consideration of the following item:

Item: 241 SS - Lease to Ngov Kong Family Pty Ltd - Shop 4, Wilberforce Shopping Centre - (95496, 112106, 150830, 28061)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or purposes 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.

304 RESOLUTION:

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

ORDINARY MEETING

Minutes: 24 November 2020

Item: 241 **SS - Lease to Ngov Kong Family Pty Ltd - Shop 4, Wilberforce Shopping Centre - (95496, 112106, 150830, 28061)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

305 RESOLUTION:

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

That:

1. Council agree to enter into a lease with Ngov Kong Family Pty Ltd for the property known as Shop 4, Wilberforce Shopping Centre, as outlined in the report.
2. In conjunction with part 1. above, Council agree to surrender the current lease with Vannarith Chea and Sayoen Khun for the property known as Shop 4, Wilberforce Shopping Centre, as outlined in the report.
3. Authority be given for the Lease and any other relevant documentation in association with this matter to be executed under the Seal of Council.
4. Details of Council's resolution be conveyed to the current and proposed Lessees, together with the advice that Council, is not and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such a resolution into effect has been agreed to and executed by all parties.

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

Against the Motion: Nil.

Absent: Nil.

The meeting terminated at 9:57pm.

Submitted to and confirmed at the Ordinary meeting held on 8 December 2020.

.....
Mayor