



# ORDINARY MEETING

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Date of meeting: 14 March 2023  
Location: Council Chambers  
Time: 6:30 PM

MINUTES

**ORDINARY MEETING**

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### 1. PROCEDURAL MATTERS

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 14 March 2023, commencing at 6:30pm.

#### Welcome

The Mayor, Councillor Sarah McMahon 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 Sarah McMahon, Mayor, Councillor Barry Calvert, Deputy Mayor and Councillors Patrick Conolly, Shane Djuric, Eddie Dogramaci, Amanda Kotlash, Mary Lyons-Buckett, Jill Reardon, Les Sheather, Paul Veigel, Danielle Wheeler and Nathan Zamprogno.

**ALSO PRESENT:** General Manager - Elizabeth Richardson, Acting Director City Planning - Meagan Ang, Director Infrastructure Services - Will Barton, Director Corporate Services - Laurie Mifsud, Manager Corporate Communication - Suzanne Stuart, Chief Financial Officer - Vanessa Browning, Senior Town Planner - Andrew Johnston, Acting Strategic Planning Manager - Sunehla Bala, Manager Resource Recovery - Samuel Swain, Manager Governance - Charles McElroy and Council Committee Officer - Amy Birks.

#### APOLOGIES AND LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK

There were no apologies or leave of absences received from Councillors.

#### DECLARATIONS OF INTEREST

Councillor Calvert declared an interest on Item 8.3.1.

Councillor Conolly declared interests on Items 6.1.1 and 6.1.4.

Councillor Lyons-Buckett declared interests on Items 6.1.1 and 8.2.1

Councillor McMahon declared interests on Items 4.5.1, 6.1.1, 6.1.2 and 6.1.5.

Councillor Veigel declared an interest on Item 6.1.1.

Councillor Wheeler declared an interest on Item 8.2.1.

#### Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

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**2. CONFIRMATION OF MINUTES**

**35 RESOLUTION:**

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Conolly that the Minutes of the Ordinary Meeting held on the 14 February 2023, be confirmed.

**ADJORNMENT OF MEETING**

The Mayor, Councillor McMahon adjourned the meeting at 9:13pm for a short break. The meeting resumed at 9:22pm.

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**4. REPORTS FOR DETERMINATION**

**4.1. PLANNING DECISIONS**

**4.1.1. CP – Vineyard Release Area and Acquisition of 40 Boundary Road Oakville - (124414, 95498, 95496)**

**Directorate:** City Planning

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**MOTION:**

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

***Refer to RESOLUTION***

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

**36 RESOLUTION:**

That Council receive and note the update on the Vineyard Release Area.

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 McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Nil.

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**4.3. CITY PLANNING**

**4.3.1. CP - Draft Environmental Sustainability Strategy - (124414, 95498)**

**Directorate:** City Planning

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**MOTION:**

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

*Refer to RESOLUTION*

**37 RESOLUTION:**

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

That Council defer this matter to the next Council Meeting after seeking amendments to the Draft Environmental Sustainability Strategy.

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

**Against the Motion:** Nil.

**Absent:** Nil.



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**4.4. CORPORATE SERVICES**

**4.4.1. CS - Investment Report - January 2023 - (95496)**

**Directorate:** Corporate Services

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**MOTION:**

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

*Refer to RESOLUTION*

**38 RESOLUTION:**

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

That the Monthly Investment Report for January 2023 be received and noted.

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

**Against the Motion:** Nil.

**Absent:** Nil.

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**4.4.2. CS - 2023 National Assembly of Local Government - (95496)**

**Directorate:** Corporate Services

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

That:

1. Councillors Lyons-Buckett, Wheeler and Sheather be nominated to attend the 2023 National General Assembly of Local Government from 13 to 16 June 2023.
2. Council submit motions to the 2023 National General Assembly of Local Government concerning Inland Waterway Safety and Biosecurity Management.
3. Council submit a motion to the 2023 National General Assembly of Local Government concerning the need to raise the Warragamba Dam Wall, as set out in Attachment 1 to this report.
4. After participating in the 2023 National General Assembly, delegates provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Assembly relevant to Council business and/or the local community.
5. Council submit a motion to the 2023 National General Assembly of Local Government concerning Grant Funding, as contained in this report.

A PROCEDURAL MOTION was moved by Councillor Wheeler that this item be dealt with in seriatim.

**MOTION:**

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

***Refer to RESOLUTION***

**39 RESOLUTION:**

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

That:

1. Councillors Lyons-Buckett, Wheeler and Sheather be nominated to attend the 2023 National General Assembly of Local Government from 13 to 16 June 2023.

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

**Against the Motion:** Councillor Dogramaci.

**Absent:** Nil.

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**MOTION:**

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

*Refer to RESOLUTION*

**40 RESOLUTION:**

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

That:

2. Council submit motions to the 2023 National General Assembly of Local Government concerning Inland Waterway Safety and Biosecurity Management.

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

**Against the Motion:** Councillor Dogramaci.

**Absent:** Nil.

**MOTION:**

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

*Refer to RESOLUTION*

**41 RESOLUTION:**

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

That:

3. Council submit a motion to the 2023 National General Assembly of Local Government concerning the need to raise the Warragamba Dam Wall, as set out in Attachment 1 to this report.

**For the Motion:** Councillors McMahon, Conolly, Reardon, Sheather, Veigel and Zamprogno.

**Against the Motion:** Councillors Calvert, Dogramaci, Djuric, Kotlash, Lyons-Buckett and Wheeler.

**Absent:** Nil.

The MOTION was carried on the casting vote of the Mayor, Councillor McMahon.

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**MOTION:**

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

*Refer to RESOLUTION*

**42 RESOLUTION:**

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

That:

4. After participating in the 2023 National General Assembly, delegates provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Assembly relevant to Council business and/or the local community.

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

**Against the Motion:** Councillor Dogramaci.

**Absent:** Nil.

**MOTION:**

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

*Refer to RESOLUTION*

**43 RESOLUTION:**

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

That:

5. Council submit a motion to the 2023 National General Assembly of Local Government concerning Grant Funding, as contained in this report.

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

**Against the Motion:** Councillor Dogramaci.

**Absent:** Nil.

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**4.4.3. CS - Review of Council Committees - (95496)**

**Directorate:** Corporate Services

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**MOTION:**

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

*Refer to RESOLUTION*

**44 RESOLUTION:**

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

That Council:

1. Adopt the Terms of Reference for the Heritage Committee, attached as Attachment 1 to this report.
2. Adopt the Terms of Reference for the Disaster and Emergency Committee, attached as Attachment 2 to this report, with an amendment to acknowledge the existence of the Floodplain Risk Management Advisory Sub-Committee.
3. Adopt the Working Group Establishment Template, attached as Attachment 3 to this report.
4. Nominate Councillor Kotlash and Councillor Sheather as Council's representatives on the Floodplain Risk Management Advisory Sub-Committee.

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

**Against the Motion:** Nil.

**Absent:** Nil.

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**MOTION:**

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

*Refer to RESOLUTION*

**45 RESOLUTION:**

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Reardon that the time of the meeting extend past 11:00pm to 11:30pm and any unfinished business to be deferred to the 18 April 2023 Council Meeting.

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

**Against the Motion:** Nil.

**Absent:** Nil.

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**4.5. INFRASTRUCTURE SERVICES**

**4.5.1. IS - WestInvest Program Assurance - (95495)**

**Directorate:** Infrastructure Services

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Councillor McMahon declared a less than significant non-pecuniary conflict of interest in this matter as her son plays for a sports club that plays at Turnbull Oval. She does not have a pecuniary interest in any of the WestInvest Projects therefore no further action is required.

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**MOTION:**

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

***Refer to RESOLUTION***

**46 RESOLUTION:**

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

That:

1. Council note the report on WestInvest Program Assurance.
2. Council endorse the Terms of Reference for the Executive Steering Committee, as attached as attachment 2 to this report
3. Council nominate the Mayor and Deputy Mayor to sit on the Executive Steering Committee.
4. A timeframe for reporting and triggers for reporting to Council be proposed for determination at the Council Meeting on 18 April 2023.

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

**Against the Motion:** Nil.

**Absent:** Nil.

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**5. REPORTS OF COMMITTEES**

**5.1.1 ROC - Local Traffic Committee - 13 February 2023 - (95495, 80245)**

**Directorate:** Infrastructure Services

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**MOTION:**

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

*Refer to RESOLUTION*

**47 RESOLUTION:**

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

That the Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Local Traffic Committee meeting held on 13 February 2023.

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

**Against the Motion:** Nil.

**Absent:** Nil.



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**6. NOTICES OF MOTION**

**6.1.1. RM - Planning Proposal - LEP005/22 - 6/21 Vincents Road, Kurrajong - Community Title Subdivision - (138882, 138884, 155345, 95498, 124414)**

**Directorate:** General Manager

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Councillor Conolly declared a significant non-pecuniary conflict of interest in this matter as the owner is a relative of a close friend. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Lyons-Buckett declared a significant non-pecuniary conflict of interest in this matter as the site is in the Kurmond-Kurrajong Investigation Area, and she lives in that area. She is awaiting an outcome from the Office of Local Government reviewing a matter relevant to the Kurmond-Kurrajong Investigation Area. She has no interest in the specific proposal but an interest due to where the site is located. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor McMahon declared a pecuniary interest in this matter as the land owner is a relative of her partner. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor Veigel declared a significant non-pecuniary conflict of interest in this matter as he has an association with a person linked to this proposal. He left the Chamber and did not take part in voting or discussion on the matter.

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In the absence of the Mayor, the Deputy Mayor, Councillor Calvert, in accordance of Section 369 (1) of the Local Government Act 1993, acted as Chairperson.

Mr Steven Duncan addressed Council, speaking for the recommendation in the business paper.

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

That Resolution 25 from the Ordinary Meeting of Council on 14 February 2023, being the Resolution from Item 4.1.1 Planning Proposal LEP005/22 - 6/21 Vincents Road, Kurrajong - Community Title Subdivision, be rescinded.

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 Djuric, Dogramaci, Wheeler and Zamprogno.

**Against the Motion:** Councillors Calvert, Kotlash, Reardon and Sheather.

**Absent:** Councillors McMahon, Conolly, Lyons-Buckett and Veigel.

The MOTION was lost on the casting vote of the Chairperson, the Deputy Mayor, Councillor Calvert.

The Mayor, Councillor McMahon, resumed the Chair.

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**6.1.2. NM1 - WestInvest Funding and Projects - (125612, 79351, 95498)**

**Directorate:** General Manager

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Councillor McMahon declared a less than significant non-pecuniary conflict of interest in this matter as her son plays for a sports club that plays at Turnbull Oval. She does not have a pecuniary interest in any of the WestInvest Projects therefore no further action is required.

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**MOTION:**

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

*Refer to RESOLUTION*

**48 RESOLUTION:**

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

That:

1. Council prepare a report containing the following information with regard to the WestInvest funding, and projects announced for such funding, outlining the following.
2. What percentage of costing within each project is dedicated to contingencies, and what can this money be utilised for?
3. What implications will this grant funding have on Council's long term financial plan, and what measures have been put in place to address
  - a) Impacts on the asset register
  - b) Depreciation
  - c) Staffing to operate facilities
  - d) Impacts on our operating benchmark/ratios.
4. The report be considered in conjunction with Councillor workshops and briefings being held to consider Council's operational and delivery plans.

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

**Against the Motion:** Nil.

**Absent:** Nil.

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**6.1.3. NM2 - Free Sanitary Products in Council Buildings - (138882, 79351)**

**Directorate:** General Manager

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**MOTION:**

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

*Refer to RESOLUTION*

**49 RESOLUTION:**

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

That Council:

1. Receive a report from Council Officers on a pilot program of supplying free sanitary products (tampons, pads, incontinence pads) in Council-run libraries, pools, community centres, sporting ground change rooms, and highly utilised public toilets. The report should include an assessment of the need for the service, costs, and opportunities for funding partners;
2. Include funding for a pilot program to supply free period products in Council run and/or owned Community Centre's for consideration in the Draft 2023-2027 Four Year Delivery Program;

**For the Motion:** Councillors McMahon, Conolly, Djuric, Kotlash, Lyons-Buckett, Reardon, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Councillors Dogramaci and Sheather.

**Absent:** Councillor Calvert.

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**6.1.4. NM3 - Loss of Street Trees in Bligh Park - (138882, 79351)**

**Directorate:** General Manager

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Councillor Conolly declared a pecuniary interest in this matter as he owns a property on Porpoise Crescent which is one of the streets being discussed. He left the Chamber and did not take part in voting or discussion on the matter.

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Ms Rebecca Thorne addressed Council, speaking for the recommendation in the business paper.

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

That Council:

1. Note the community anger and concern at the removal of trees in Bligh Park following little consultation and with no detailed plans for replacement provided.
2. Acknowledge that the loss of wildlife habitat, tree canopy and shade in an area increasingly prone to extremely hot weather is undesirable.
3. Commit to replanting with suitable, local endemic trees in the winter and spring of 2023 and identifying funding sources to achieve this.
4. Engage with Bligh Park residents to ensure the right choice and ongoing care of street and park trees.

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

That this matter be deferred to the Councillor Briefing Session on the Draft Urban Greening Strategy.

**For the Amendment:** Councillors McMahon, Calvert, Dogramaci, Kotlash, Reardon, Sheather and Veigel.

**Against the Amendment:** Councillors Djuric, Lyons-Buckett, Wheeler and Zamprogno.

**Absent:** Councillor Conolly.

The Amendment was carried.

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**MOTION:**

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

*Refer to RESOLUTION*

**50 RESOLUTION:**

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

That this matter be deferred to the Councillor Briefing Session on the Draft Urban Greening Strategy.

**For the Motion:** Councillors McMahon, Calvert, Dogramaci, Kotlash, Reardon, Sheather and Veigel.

**Against the Motion:** Councillors Djuric, Lyons-Buckett, Wheeler and Zamprogno.

**Absent:** Councillor Conolly.

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**6.1.5. NM4 - Mall in George Street, Windsor - (155347, 79351)**

**Directorate:** General Manager

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Councillor McMahon declared a less than significant non-pecuniary conflict of interest in this matter as her partner has a building in the main street of Richmond and she previously played no part in the discussion or adoption of the Liveability items. As this component refers solely to Windsor no further action is required.

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Mr Darren Pead, Mr AJ Papandrea and Mr Noel Bridge addressed Council, speaking for the recommendation in the business paper.

A MOTION was moved by Councillor Sheather, seconded by Councillor Reardon.

That Council:

1. Expresses its dissatisfaction with the current plans for the liveability project in Windsor.
2. Holds a briefing next week to discuss a way forward including financial implications.

A PROCEDURAL MOTION was moved by Councillor Kotlash that this item be dealt with in seriatim.

**MOTION:**

RESOLVED on the motion of Councillor Sheather, seconded by Councillor Reardon.

***Refer to RESOLUTION***

**51 RESOLUTION:**

RESOLVED on the motion of Councillor Sheather, seconded by Councillor Reardon.

That Council:

1. Expresses its dissatisfaction with the current plans for the liveability project in Windsor.

**For the Motion:** Councillors McMahon, Djuric, Dogramaci, Reardon, Sheather, Veigel and Zamprogno.

**Against the Motion:** Councillors Calvert, Conolly, Kotlash, Lyons-Buckett and Wheeler.

**Absent:** Nil.

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**MOTION:**

RESOLVED on the motion of Councillor Sheather, seconded by Councillor Reardon.

*Refer to RESOLUTION*

**52 RESOLUTION:**

RESOLVED on the motion of Councillor Sheather, seconded by Councillor Reardon.

That Council:

2. Holds a briefing next week to discuss a way forward including financial implications.

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

**Against the Motion:** Nil.

**Absent:** Nil.

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**7. QUESTIONS FOR NEXT MEETING**

**7.1.1. Questions with Notice - 14 March 2023 - (79351)**

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Responses to Councillor Questions with Notice listed in the Business Paper of 14 March 2023 were provided and discussed.



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**7.1.2. Responses to Councillor Questions Taken on Notice at the Council Meeting -  
14 February 2023 - (79351)**

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An additional question was asked regarding the breakdown of the cost of the Australia Day on the Hawkesbury Event and whether postcodes of attending guests were collected upon entrance to the event. An answer to the question will be provided to Council.

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8. CONFIDENTIAL REPORTS

53 RESOLUTION:

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

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: 4.1.1 AT – 1 Confidential – Acquisition of 40 Boundary Road, Oakville**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the purchase 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, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

**Item: 8.2.1 CP - Community Representation on Floodplain Risk Management Advisory Sub-Committee – (95496, 112106, 32383)**

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

**Item: 8.3.1 CS - Licence Agreement to Hawkesbury Community Media Network Association Inc - Part of 142 Warks Hill Road, Kurrajong Heights – (95496, 112106, 32383)**

*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/details concerning the sale 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: 8.4.1 IS - Waste Collection and Processing Tender – (159578, 95495)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning pricing for the supply of services to 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, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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

**ORDINARY MEETING**

**Minutes: 14 March 2023**

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.

**54 RESOLUTION:**

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

**ORDINARY MEETING**

**Minutes: 14 March 2023**

**4.1. PLANNING DECISIONS**

**4.1.1. AT – 1 Confidential – Acquisition of 40 Boundary Road, Oakville**

**Directorate:** Corporate Services

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**MOTION:**

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

***Refer to RESOLUTION***

**55 RESOLUTION:**

The General Manager advised that whilst in closed session, Council RESOLVED on the Motion of Councillor Reardon, seconded by Councillor Conolly.

That:

1. Council approve the acquisition of 40 Boundary Road, Oakville, being Lot 1 in Deposited Plan 1274576, comprising an area of 2.348 hectares, for the purposes of creating a retention basin, associated infrastructure and park for the amount detailed in this attachment.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Council grant delegation to the General Manager to execute any documents on behalf of Council, associated with the acquisition process, which do not require the Seal of Council to be affixed.
4. Details of Council's resolution be conveyed to the affected landowners together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate documentation to put such resolution into effect has been executed.

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

**Against the Motion:** Councillor Dogramci.

**Absent:** Nil.

**ORDINARY MEETING**

**Minutes: 14 March 2023**

**8.2. CITY PLANNING**

**8.2.1. CP - Community Representation on Floodplain Risk Management Advisory Sub-Committee - (86589, 124414, 95498)**

**Directorate:** City Planning

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Councillor Lyons-Buckett declared a less than significant non-pecuniary conflict of interest in this matter as she knows some people who have submitted expressions of interest. However she does not share any private interests with the people involved, therefore no further action is required.

Councillor Wheeler declared a less than significant non-pecuniary conflict of interest in this matter as she knows some of the people who have applied to be members of the Floodplain Risk Management Advisory Sub-Committee. However she does not share any private interests with the people involved, therefore no further action is required.

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**MOTION:**

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

***Refer to RESOLUTION***

**56 RESOLUTION:**

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

That Council:

1. Endorse the Terms of Reference for the Floodplain Management Sub-Committee, included as Attachment 1 to this report.
2. Appoint the following community representatives to the Floodplain Management Sub-Committee:
  - Andrew North
  - Christopher Bell
  - Lawrence Rose
  - Murray West
  - Rosemary Scott
  - Troy Myers
  - Wayne Mitchell
3. Advise all applicants of Council's determination with thanks for their interest in floodplain management.

**For the Motion:** Councillors McMahon, Calvert, Conolly, Djuric, Kotlash, Reardon, Sheather and Veigel.

**Against the Motion:** Councillors Dogramaci, Lyons-Buckett, Wheeler and Zamprogno.

**Absent:** Nil.

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**ORDINARY MEETING**

**Minutes: 14 March 2023**

**8.3. CORPORATE SERVICES**

**8.3.1. CS - Licence Agreement to Hawkesbury Community Media Network Association Inc - Part of 142 Warks Hill Road, Kurrajong Heights - (95496, 112106, 32383)**

**Directorate:** Corporate Services

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Councillor Calvert declared a less than significant non-pecuniary conflict of interest in this matter as he is an executive member of a competing radio station, however the radio station he is a member of does not have a licence and therefore no further action is required.

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**MOTION:**

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

***Refer to RESOLUTION***

**57 RESOLUTION:**

The General Manager advised that whilst in closed session, Council **RESOLVED** by Councillor Sheather seconded by Councillor Zamprogno.

That:

1. Council proceed to publicly exhibit the proposed Licence Agreement with Hawkesbury Community Media Network Association Inc, for part of 142 Warks Hill Road, Kurrajong Heights (Radio Tower) as outlined in the report, in accordance with Sections 47 and 47A of the Local Government Act 1993.
2. At the expiration of the public exhibition period outlined in Part 1 above, the following action be taken:
  - a) Should any submissions be received regarding the proposed Licence Agreement to Hawkesbury Community Media Network Association Inc, a further report be submitted to Council,
  - b) Should no submissions be received:
    - i. Council enter into a Licence Agreement to Hawkesbury Community Media Network Association Inc, for Part of Lot 1 in Deposited Plan 1007671 (Part of Warks Hill Radio Tower), as outlined in the report.
    - ii. Authority be given for the Licence Agreement and any documentation in association with the matter to be executed under the Seal of Council
    - iii. Details of Council's resolution be conveyed to the proposed Licensee, 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.

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

**Against the Motion:** Nil.

**Absent:** Nil.

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**ORDINARY MEETING**

**Minutes: 14 March 2023**

**8.4. INFRASTRUCTURE SERVICES**

**8.4.1. IS - Waste Collection and Processing Tender - (159578, 95495)**

**Directorate:** Infrastructure Services

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**MOTION:**

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

***Refer to RESOLUTION***

**58 RESOLUTION:**

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

That Council:

1. Accept the tender offer of Cleanaway Pty Ltd to undertake bulky waste collections and processing, for the period of 10 years, commencing 1 July 2023, with the option of a further five-year period, and that the collection is for one free bulky goods clean-up per year.
2. Accept the tender offer submitted by JJ Richards & Sons Pty Ltd to undertake recycling and organics collection and processing services, for the period of 10 years, commencing 1 October 2023, with the option of a further five-year period.
3. Delegate to the General Manager the authority to execute documentation relating to the contract for the bulky waste collection and recycling and organics collection and processing services for Council.

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

**Against the Motion:** Nil.

**Absent:** Nil.

The meeting terminated at 11:30pm.

Submitted to and confirmed at the Ordinary meeting held on 18 April 2023.

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Mayor