



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 11 September 2018

location: council chambers

time: 6:30 p.m.



**ORDINARY MEETING**

Minutes: 11 September 2018

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## ORDINARY MEETING

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 11 September 2018, commencing at 6.32pm.

### Welcome

The General Manager addressed the Council meeting, mentioning:

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

### ATTENDANCE

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

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

### APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor Tree.

### 277 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Zamprogno that the apology be accepted and that leave of absence from the meeting be granted.

Councillor Rasmussen arrived at the meeting at 6.33pm.

### DECLARATIONS OF INTEREST

Councillor Lyons-Buckett, Mayor declared an interest on Item 222.

Councillor Reynolds declared an interest on Item 227.

### Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

**ORDINARY MEETING**

**Minutes: 11 September 2018**

**SECTION 1 - Confirmation of Minutes**

**278 RESOLUTION:**

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Conolly that the Minutes of the Ordinary held on the 28 August 2018, be confirmed.

**ORDINARY MEETING**

**Minutes: 11 September 2018**

**SECTION 3 – Reports for Determination**

**PLANNING DECISIONS**

**Item: 221**                    **SS - Classification of Land - Industry Road Reserve, Industry and Windsor Roads, Vineyard - (95496)**

**Directorate:**                Support Services

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**MOTION:**

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

***Refer to RESOLUTION***

**279 RESOLUTION:**

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

That:

1. Council lodge a Planning Proposal to reclassify for the following properties from 'Community' land to 'Operational' land, in accordance with the Local Government Act, 1993:
  - a) Lot 9 in Deposited Plan 1149340
  - b) Lot 13 in Deposited Plan 815849
  - c) Lot 6 in Deposited Plan 777933
2. The Planning Proposal be prepared in accordance with the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment guidelines.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Calvert	NIL
Councillor Conolly	
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Rasmussen	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Wheeler	
Councillor Zamprogno	

Councillor Tree was absent from the meeting.

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**Minutes: 11 September 2018**

**GENERAL MANAGER**

**Item: 222                    GM - Request for Sponsorship - Kurrajong - Jazz in the Park - (79351, 90311)**

**Directorate:**            General Manager

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Councillor Lyons-Buckett, Mayor declared a less than significant non-pecuniary conflict of interest in this matter as she is a Public Officer on the Jazz in the Park Committee and no further action is required.

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Ms Fiona Smith, addressed Council, speaking for the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**280 RESOLUTION:**

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

That Council:

1. Approve sponsorship funding to the Kurrajong Community Forum Inc. in regard to the holding of Jazz in the Park on Saturday, 10 November 2018 to the value of a \$2,000 financial contribution and in-kind contribution of \$1,000 for marketing promotion services and \$742 for waste management.
2. Enter into the standard Sponsorship Agreement with the Kurrajong Community Forum Inc. for Jazz in the Park.
3. Write to the Kurrajong Community Forum Inc. to congratulate them on their events program and for their efforts in organising events in Kurrajong.

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**Minutes: 11 September 2018**

**Item: 223**                    **GM - Drought Assistance - (79351)**

**Previous Item:**        125, Ordinary (31 July 2018)

**Directorate:**            General Manager

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Mr Alastair McLaren and Ms Sally-Ann Eather, addressed Council, speaking for the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**281 RESOLUTION:**

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

That:

1. Council recognises and supports its local farmers, who are suffering the devastating effects of the drought.
2. Council arrange for community donations to be received at local Council run events.
3. Any community donations received from Council events be distributed to local Hawkesbury farmers, through Buy a Bale.
4. Council sell this seasons production of silage rolls – estimated at 895 bales, from the McGraths Hill Treatment Plant to local farmers for \$48 a roll.
5. Council sell any remaining silage rolls, in excess of those required by local farmers to Buy a Bale for Country-City Alliance partners and rural farmers for \$48 a roll.
6. Council make a financial contribution of \$3,150 to buy a Bale for local farmers.
7. Funding for up to the amount of \$30,000 as Council's contribution be allocated in the next Quarterly Review.
8. Council have a concentrated social media campaign that outlines the impact of the drought in the Hawkesbury Local Government Area and outlines how Council is providing support to local farmers.



**ORDINARY MEETING**

**Minutes: 11 September 2018**

**INFRASTRUCTURE SERVICES**

**Item: 224**                    **IS - Hawkesbury Traffic Study - Request for Additional Funding - (95495, 79346)**

**Previous Item:**        NM7, Ordinary (11 October 2016)  
                              NM6, Ordinary (25 October 2016)  
                              NM4, Ordinary (13 December 2016)  
                              274, Ordinary (13 December 2016)  
                              9, Ordinary (31 January 2017)

**Directorate:**            Infrastructure Services

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**MOTION:**

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

That Council:

1. Note the report on the progress of the Hawkesbury Traffic Study.
2. Request a Councillor Briefing on the progress of the Hawkesbury Traffic Study, and a recap of how the budget for the project has more than doubled since Council originally committed to it, and further the Briefing include the details on which other works will not take place.

**AMENDMENT:**

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

That Council:

1. Note the report on the progress of the Hawkesbury Traffic Study.
2. Endorse the reallocation of funds from the relevant Operational Traffic budgets to enable additional traffic data collection necessary for the traffic model.

The amendment was carried.

The amendment then became the motion which was put and carried.

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

***Refer to RESOLUTION***

**282 RESOLUTION:**

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

That Council:

1. Note the report on the progress of the Hawkesbury Traffic Study.
2. Endorse the reallocation of funds from the relevant Operational Traffic budgets to enable additional traffic data collection necessary for the traffic model.

**ORDINARY MEETING**

**Minutes: 11 September 2018**

**SECTION 4 – Reports of Committees**

**Item: 225**                    **ROC - Audit Committee - 20 June 2018 - (95496, 91369)**

**Directorate:**                Support Services

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**MOTION:**

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

*Refer to RESOLUTION*

**283 RESOLUTION:**

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

That the Minutes of the Audit Committee held on 20 June 2018 be received and noted.

**Item: 226**                    **ROC - Infrastructure Committee - 18 July 2018 - (95495, 143704)**

**Directorate:**                Infrastructure Services

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**MOTION:**

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

*Refer to RESOLUTION*

**284 RESOLUTION:**

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

That the Minutes of the Infrastructure Committee meeting held on 18 July 2018 be received and noted.

**ORDINARY MEETING**

**Minutes: 11 September 2018**

**SECTION 5 – Notices of Motion**

**Item: 227                      NM1 - Historic Windsor Bridge - (79351, 138885)**

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Councillor Reynolds declared a less than significant non-pecuniary conflict of interest in this matter as he lives near the bridge. He left the Chamber and did not take part in the voting or discussion on the matter.

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Mr William Sneddon, addressed Council, speaking against the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**285 RESOLUTION:**

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

That:

1. Further to the proceedings of NSW Parliament's Upper House Inquiry, and Council's resolution of 27 June 2017, Council contact the RMS and advise it of Council's desire to take possession of the historic Windsor Bridge, for use by pedestrians, cyclists and possibly light traffic, upon its refurbishment.
2. Council request the RMS renovate the Bridge, as detailed in the DPE independent engineering report, before transferring ownership of the refurbished bridge and supply of a 30 year maintenance program, as is their standard practice.
3. A report be prepared for Council on the various issues and ongoing responsibilities in respect to the retention of the historic Windsor Bridge.

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**Minutes: 11 September 2018**

**Item: 228**                      **NM2 - Pedestrian Crossing at Ebenezer Public School - (79351, 138883)**

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Ms Rochelle Miller, addressed Council, speaking for the recommendation.

**MOTION:**

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

*Refer to RESOLUTION*

**286 RESOLUTION:**

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

That Council convene a meeting and an onsite visit at the Ebenezer Public School between the Member for Hawkesbury, representatives from Ebenezer Public School Parents and Citizens Association, Principal of Ebenezer Public School, NSW Roads and Maritime Services, Department of Education, Hawkesbury Local Area Command, and Councillors to discuss the requests put forward by parents of Ebenezer Public School students, including:

1. The installation of a pedestrian crossing outside Ebenezer Public School, on Sackville Road to ensure the safety of children alighting from buses and parked cars.
2. A bus turning bay located at Kolora Road and Ebenezer Park.
3. A permanent speed camera particularly targeting the Sackville approach.
4. Better signage and lighting on the Tizzana Road entry onto Sackville Road.

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**QUESTIONS FOR NEXT MEETING**

**Item: 229**

**Councillor Questions and Responses from Previous Meetings - 28 August  
2018 - (79351)**

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There were no responses to questions in relation to previous Questions for the Next Meeting - 28 August 2018.

**ORDINARY MEETING****Minutes: 11 September 2018****Questions – 11 September 2018**

#	Councillor	Question	Response
1	Wheeler	Enquired as to whether Council could write a letter to Dr B Azmir in recognition of his 30 years of service within the Wilberforce community.	The General Manager
2	Wheeler	Requested if Council staff could investigate the street light outage on Porpoise Crescent, Bligh Park, between Settlers Crescent and Riffle Range Road.	The Director Infrastructure Services
3	Lyons-Buckett	Enquired as to whether Council has a maintenance schedule to update outdoor furniture assets at Council owned shopping centres including Wilberforce Shopping Centre.	The Director Infrastructure Services

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**Minutes: 11 September 2018**

**CONFIDENTIAL REPORTS**

**287 RESOLUTION:**

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

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: 230 SS - Lease and Compulsory Acquisition by Roads and Maritime Service - Part of 1 Terrace Road, North Richmond - (100920, 95496, 112106)**

*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 proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

**Item: 231 SS - Lease to The Hills Family Trust, trading as Pitt Town Pizza Pty Ltd - Shop 8, Wilberforce Shopping Centre - (125631, 95496, 112106)**

*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 proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to these matters be withheld from the Press and public.

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

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

**288 RESOLUTION:**

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

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**Item: 230**                    **SS - Lease and Compulsory Acquisition by Roads and Maritime Service - Part of 1 Terrace Road, North Richmond - (100920, 95496, 112106)**

**Previous Item:**            184, Ordinary (26 September 2017)

**Directorate:**              Support Services

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**MOTION:**

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

***Refer to RESOLUTION***

**289 RESOLUTION:**

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

That:

1. Council agree to enter into a lease agreement with Roads and Maritime Service for Part of 1 Terrace Road, North Richmond (known as proposed Lot 11 in DP 1238977), in accordance with the proposal outlined in the report.
2. Council raise no objections to the Roads and Maritime Service compulsory acquiring an additional area, in the order of 265m<sup>2</sup> within 1 Terrace Road, North Richmond (known as proposed Lot 12 in DP 1238977) under the terms outlined in this report.
3. Council consent to the acquisition of the land by the Roads and Maritime Service referred to in Part 2 by compulsory acquisition process, including the reduction of the Proposed Acquisition Notice period to seven days and no claim for compensation in regard to proposed Lot 12 in DP 1238977 only.
4. Authority be given for any documentation in association with the report to be executed under the Seal of Council.
5. Details of Council's resolution be conveyed to the Roads and Maritime Service 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 agreed to and executed by all parties.



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**Item: 231**                    **SS - Lease to The Hills Family Trust, trading as Pitt Town Pizza Pty Ltd - Shop 8, Wilberforce Shopping Centre - (125631, 95496, 112106)**

**Directorate:**                Support Services

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**MOTION:**

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

*Refer to RESOLUTION*

**290 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with The Hills Family Trust, trading as Pitt Town Pizza Pty Ltd for the property known as Shop 8, Wilberforce Shopping Centre.
2. Authority be given for the Lease and any other relevant documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee, 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.

The meeting terminated at 9.55pm.

Submitted to and confirmed at the Ordinary meeting held on 25 September 2018.

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Mayor