



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 10 November 2020

location: council chambers and
by audio-visual link

time: 6:30 p.m.

ORDINARY MEETING

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Minutes of the Ordinary Meeting held at the Council Chambers and by Audio-Visual Link, Windsor, on 10 November 2020, commencing at 6:35pm.

Welcome

The Mayor, Councillor Patrick Conolly acknowledged the Indigenous Heritage.

The Director of Support Services 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 and Councillors, Barry Calvert, Amanda Kotlash, Sarah Richards, Tiffany Tree, and Nathan Zamprogno.

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

ALSO PRESENT:

At Council Chambers: Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Manager Corporate Services and Governance - Charles McElroy, Governance Coordinator - Michele Murphy and Administrative Support Coordinator - Tracey Easterbrook.

By Audio-Visual Link: Director City Planning - Linda Perrine, Chief Financial Officer - Emma Galea, Strategic Planning Manager - Andrew Kearns, Manager City Design and Economic Development - Amanda Kearney, Acting Manager Community Services - Meagan Ang and Acting Manager Property and Strategy - Linda Hewitt.

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.

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Statement by Councillor Sarah Richards

Councillor Richards addressed Council to make the following statement - In November 2019, I responded to colleagues on social media regarding two members of the public. I realise these responses were not suitable, and I removed them promptly. I apologise for this occurrence and have since ensured that I refrain from interactions in this regard on social media.

SECTION 1 - Confirmation of Minutes

273 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Calvert that the Minutes of the Ordinary Meeting held on the 27 October 2020, be confirmed.

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CONFIDENTIAL REPORTS

SECTION 2 – Mayoral Minutes

274 RESOLUTION:

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

That:

1. the Council meeting be closed to deal with a confidential matter and in accordance with Section 10A of the Local Government Act 1993, members of Staff, the Press and the public be excluded from the Meeting during consideration of the following item:

Item: 228 MM - Staff Matter - (79351) - CONFIDENTIAL

*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).*

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 this matter be withheld from the Press and public.

Item: 228 MM - Staff Matter - (79351) - CONFIDENTIAL

MOTION:

The Mayor, Councillor Conolly advised that whilst in closed session, the council RESOLVED on the Motion of Councillor Conolly.

Refer to RESOLUTION

275 RESOLUTION:

The Mayor, Councillor Conolly advised that whilst in closed session, the council RESOLVED on the Motion of Councillor Conolly.

That Council:

1. Notes that the General Manager has communicated to the Mayor in writing the General Manager's intention to resign from his employment effective 13 November 2020.
2. Appoints Laurie Mifsud as the Council's Acting General Manager pursuant to Sections 336 and 351 of the Local Government Act 1993, with such person to remain as the Council's Acting General Manager until the Council appoints a new General Manager or until further decision of the Council to appoint a different Acting General Manager, whichever occurs first.
3. Authorise the Mayor to negotiate on Council's behalf to give effect to the terms of the resignation.

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

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

Absent: Nil.

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276 RESOLUTION:

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

SECTION 3 – Reports for Determination

GENERAL MANAGER

Item: 216 **GM - 2019/2020 Sister City Program - (79351)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

277 RESOLUTION:

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

That

1. The 2019/2020 annual report for the Sister City Program be received and noted.
2. Consideration be given to the funding allocation as part of the development of the 2021/2022 Operational Plan.

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

Against the Motion: Nil.

Absent: Nil.

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CITY PLANNING

Item: 217 **CP - Amended Draft Hawkesbury Local Strategic Planning Statement 2040 - (95498, 124414)**

Previous Item: 170, Ordinary (24 September 2019)
 232, Ordinary (10 December 2019)
 029, Ordinary (25 February 2020)
 095, Ordinary (26 May 2020)

Directorate: City Planning

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

That Council endorse the submission of the Amended Draft Hawkesbury Local Strategic Planning Statement 2040 to the Greater Sydney Commission for finalisation of the Assurance process.

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

That Council endorse the submission of the Amended Draft Hawkesbury Local Strategic Planning Statement 2040 to the Greater Sydney Commission for finalisation of the Assurance process, subject to the removal from the submission of all references to the Kurmond-Kurrajong Investigation Area, due to the Kurmond-Kurrajong Investigation Area Plan still being a draft

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

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

Absent: Nil.

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

MOTION:

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

Refer to RESOLUTION

278 RESOLUTION:

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

That Council endorse the submission of the Amended Draft Hawkesbury Local Strategic Planning Statement 2040 to the Greater Sydney Commission for finalisation of the Assurance process, subject to the removal from the submission of all references to the Kurmond-Kurrajong Investigation Area, due to the Kurmond-Kurrajong Investigation Area Plan still being a draft.

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

Against the Motion: Councillor Ross.

Absent: Nil.

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Item: 218 **CP - Draft Markets Policy - (124414, 147666)**

Previous Item: 077, Ordinary (14 May 2019)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

279 RESOLUTION:

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

That:

1. Council endorse the Draft Markets Policy attached as Attachment 1 to this report.
2. The Draft Markets Policy be placed on public exhibition for a period of 28 days.
3. At the expiration of the public notification period outlined in Part 2 above, the following action be taken:
 - a) Should any submissions be received regarding the proposed amended Draft Markets Policy, a further report be submitted to Council, or
 - b) Should no submissions be received, Council adopt the Markets Policy as shown in Attachment 1 to this report.

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

Against the Motion: Nil.

Absent: Nil.

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INFRASTRUCTURE SERVICES

Item: 219 **IS - Renewal of Memorandum of Understanding between Penrith City Council and Hawkesbury City Council for the Maintenance of The Driftway, Londonderry - (95495, 79344, 128733)**

Previous Item: 202, 31 August 2010 (Ordinary)

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

280 RESOLUTION:

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

That:

1. Council endorse the renewal of the Memorandum of Understanding between Penrith City Council and Hawkesbury City Council for the maintenance of The Driftway, Londonderry attached as Attachment 1 to this report.
2. Subject to endorsement by Penrith City Council, Council note that the General Manager will execute the Memorandum of Understanding under delegated authority.

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

Against the Motion: Councillor Rasmussen.

Absent: Nil.

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SUPPORT SERVICES

Item: 220 **SS - Rating Exemption - Lot 294, DP 751649 - 58 Old Bells Line Of Road Kurrajong - (95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

281 RESOLUTION:

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

That:

1. The Country Women's Association of NSW be granted an exemption from rating from 1 July 2020, for the property known as 58 Old Bells Line Of Road, Kurrajong (Lot 294 in Deposited Plan 751649).
2. An amount of \$1,992.90 be abandoned in respect of rates and stormwater charge for the period 1 July 2020 to 30 June 2021, for the property known as 58 Old Bells Line Of Road, Kurrajong (Lot 294 in Deposited Plan 751649).

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

Against the Motion: Nil.

Absent: Nil.

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Item: 221 **SS - Extinguishment of Easement - 66 Boomerang Drive, Glossodia (95496, 112106, 15070, 15069)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

282 RESOLUTION:

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

That:

1. Council endorse the extinguishment of the 3.04 metre wide easement over 66 Boomerang Drive, Glossodia (Lot 185 in Deposited Plan 217504), and the necessary documentation be provided to NSW Land Registry Services.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.

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

Against the Motion: Nil.

Absent: Nil.

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Item: 222 **SS - Draft Windsor Mall Policy - (95496, 96333)**

Previous Item: 190, Ordinary (9 September 2008)
 51, Ordinary (24 April 2012)
 262, Ordinary (28 August 2012)
 250, Ordinary (10 December 2013)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

283 RESOLUTION:

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

That:

1. Council endorse the amended Draft Windsor Mall Policy attached as Attachment 1 to this report.
2. The amended Draft Windsor Mall Policy be placed on public exhibition for a period of 28 days.
3. At the expiration of the public notification period outlined in Part 2 above, the following action be taken:
 - a) Should any submissions be received regarding the proposed amended Draft Windsor Mall Policy, a further report be submitted to Council, or
 - b) Should no submissions be received, Council adopt the updated Windsor Mall Policy as shown in Attachment 1 to this report.

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

Against the Motion: Councillor Rasmussen.

Absent: Nil.

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SECTION 4 – Reports of Committees

Item: 223 **ROC - Hawkesbury Access and Inclusion Advisory Committee - 3 September 2020 - (124569, 96328)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

284 RESOLUTION:

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

That Council receive and note the Minutes of the Hawkesbury Access and Inclusion Advisory Committee Meeting held on 3 September 2020.

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

Against the Motion: Councillor Rasmussen.

Absent: Nil.

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Item: 224 **ROC - Audit Committee - 16 September 2020 - (95496, 91369, 79351)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

285 RESOLUTION:

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

That Council receive and note the Minutes of the Audit Committee Meeting held on 16 September 2020.

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

Against the Motion: Nil.

Absent: Nil.

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Item: 225 **ROC - Waste Management Advisory Committee - 7 October 2020 - (95249, 95498, 124414)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

286 RESOLUTION:

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

That in relation to the Minutes of the Waste Management Advisory Committee Meeting held on the 7 October 2020:

1. Council receive and note the minutes of the Waste Management Advisory Committee in respect to Item 1.
2. Council endorse the Committee Recommendation in respect of Item 2, namely:
 - i. That the Environmental Sustainability Advisory Committee and the Waste Management Advisory Committee's hold a separate meeting to discuss the issue of water, water in the landscape, water recycling and river health, and that Sydney Water are invited to attend that meeting.
3. Council note that the Committee Recommendation in respect of General Business Item A (Update on Food Organics Working Group), will be considered during the finalisation of the Draft Waste Strategy, and that Council will commence promotion of a new round of the Environmental Protection Agency's Bin Trim Program to Hawkesbury businesses, monitor the impacts, and report back to the Waste Management Advisory Committee.
4. Council note that the Committee Recommendation in respect of General Business Item B (Food Organics Proposal) will be considered during finalisation of the Draft Waste Strategy.

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

Against the Motion: Councillors Rasmussen and Reynolds.

Absent: Nil.

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SECTION 5 – Notices of Motion

Item: 226 **RM - Bilpin Visitor Information Centre - (79351, 138882, 138883, 138880)**

MOTION:

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

That resolution 272 from the Ordinary Meeting of Council on 27 October 2020 regarding Bilpin Visitor Information Centre, be rescinded.

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

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

Absent: Nil.

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

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Item: 227 NM - Support for the Zero Litter to Ocean Policy - (79351,125612)

MOTION:

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

Refer to RESOLUTION

287 RESOLUTION:

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

That Council:

1. Provide 'in principle' support to the Zero Litter to Ocean (ZL2O) Policy and the proposed funding request to Federal and State Governments.
2. Request the Environmental Sustainability Advisory Committee and Waste Management Advisory Committee investigate the introduction of a Council 'Zero Litter to River' target by 2030.

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 7:54pm.

Submitted to and confirmed at the Ordinary meeting held on 24 November 2020.

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Mayor