



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 08 December 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 8 December 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.

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

ALSO PRESENT:

At Council Chambers: Acting General Manager - Laurie Mifsud and Director Infrastructure Services - Jeff Organ.

By Audio-Visual Link: Director City Planning - Linda Perrine, Acting Director Support Services - Emma Galea, Development Services Manager - Cristie Evenhuis, Strategic Planning Manager - Andrew Kearns, Manager Communications, Events and Visitor Services - Suzanne Stuart, Manager City Design and Economic Development - Amanda Kearney, Acting Manager Community Services - Meagan Ang, Manager Corporate Services and Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

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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SECTION 1 - Confirmation of Minutes

MOTION:

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

Refer to RESOLUTION

An AMENDMENT was moved by Councillor Lyons-Buckett, seconded by Councillor Wheeler.

That the minutes of the Ordinary Meeting held on 24 November 2020, be confirmed with the following amendment:

- Item: 229 MM - Position of General Manager - to include a record of the amendments moved in closed session and the voting record of those amendments.

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

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

Absent: Nil.

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

A MOTION was moved by Councillor Wheeler, seconded by Councillor Reynolds that the minutes be deferred for consideration later in the meeting.

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.

306 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Kotlash that the Minutes of the Ordinary Meeting held on 24 November 2020, be confirmed.

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.

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ADJOURNMENT OF MEETING

The Mayor adjourned the meeting:

- At 7:17pm so that technical support for the audio-visual link could be provided. The meeting resumed at 7:19pm.
- At 9:43pm for a short break. The meeting resumed at 9:58pm.

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SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 242 **CP - Proposed Modification of Existing Covenant - Building Envelope Restriction Lot 2, DP 1242010 - 32 Mitchell Park Road, Cattai - (95498, 96329)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

307 RESOLUTION:

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

That:

1. Council agree to vary the building envelope covenant over Lot 2 in DP 1242010 at 32 Mitchell Park Road, Cattai to increase the size of the building envelope to incorporate the entire dwelling that includes the alfresco area.
2. The wording of the modified covenant to effect this resolution be determined by the General Manager in consultation with Council's Legal Advisors as is necessary, to ensure compliance with the technical, administrative, and legal requirements of NSW Land Registry Services.
3. Authority be given for the Section 88E 'Variation or Modification of Restriction on the Use of Land' to be executed by the Acting General Manager.
4. All costs associated with the preparation and drafting of necessary documentation and plans and any registration and lodgement fees be borne by the owner of Lot 2 in DP 1242010 at 32 Mitchell Park Road, Cattai.

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, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Nil.

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GENERAL MANAGER

Item: 243 **GM - Australian Local Government Women's Association (NSW Branch)
Annual Conference - (79351, 111930)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

308 RESOLUTION:

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

That:

1. Consideration be given to the attendance of nominated Councillors and staff as considered appropriate by the Acting General Manager, at the Australian Local Government Women's Association (NSW Branch) Annual Conference from 18 to 20 March 2021.
2. After participating in the Conference, delegates provide a written report to the Acting General Manager detailing the proceedings and findings, as well as any other aspects of the Conference relevant to Council business and/or the local community.

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

Against the Motion: Councillor Ross.

Absent: Nil.

No Councillors nominated to attend the Conference.

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Item: 244 **GM - 2nd Sustainable Cities, Urban Regeneration and Sustainability Development Forum (79351)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

309 RESOLUTION:

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

That:

1. Consideration be given to the participation of nominated Councillors and staff as considered appropriate by the Acting General Manager, at the 2nd Sustainable Cities, Urban Regeneration and Sustainability Development Forum 9 to 11 February 2021.
2. After participating in the Forum, delegates provide a written report to the Acting General Manager detailing the proceedings and findings, as well as any other aspects of the Forum relevant to Council business and/or the local community.

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

Against the Motion: Nil.

Absent: Nil.

310 RESOLUTION:

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

That Councillors Lyons-Buckett, Kotlash and Wheeler attend the online component of the 2nd Sustainable Cities, Urban Regeneration and Sustainability Development Forum as Council's nominated delegates.

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

Against the Motion: Nil.

Absent: Councillor Reynolds.

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CITY PLANNING

Item: 245 **CP - Draft Net Zero Emissions and Water Efficiency Strategy - (95498, 124414)**

Previous Item: 163, Ordinary (10 September 2019)

Directorate: City Planning

Ms Helen Sobiesiak addressed Council, speaking for the recommendation in the Business Paper.

MOTION:

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

Refer to RESOLUTION

311 RESOLUTION:

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

That Council:

1. Receive and note the Draft Net Zero Emissions and Water Efficiency Strategy.
2. Endorse the Draft Net Zero Emissions and Water Efficiency Strategy attached as Attachment 1 to this report, to be placed on public exhibition in accordance with Council's Community Engagement/Participation Plan for a period of not less than 56 days.
3. Receive a post exhibition report with a summary of issues raised through submissions.

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: 246 **CP - Hawkesbury Employment Lands Strategy - (95498, 124414)**

Previous Item: 149, Ordinary (11 August 2020)

Directorate: City Planning

Mr Andrew Thomas and Ms Natalie Richter addressed Council, speaking for the recommendation in the Business Paper.

MOTION:

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

Refer to RESOLUTION

312 RESOLUTION:

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

That Council:

1. Receive the outcome of the public exhibition of the Draft Hawkesbury Employment Lands Strategy.
2. Adopt the Hawkesbury Employment Lands Strategy, attached as Attachment 3 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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Item: 247 **CP - Hawkesbury Local Housing Strategy - (95498, 124414)**

Previous Item: 94, Ordinary (26 May 2020)
 150, Ordinary (11 August 2020)

Directorate: City Planning

Ms Alaine Roff addressed Council, speaking against the recommendation in the Business Paper.

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

That Council:

1. Receive the outcome of the public exhibition of the Draft Hawkesbury Local Housing Strategy.
2. Adopt the Hawkesbury Local Housing Strategy, attached as Attachment 3 to this report.
3. Submit the adopted Hawkesbury Local Housing Strategy to the Department of Planning, Industry and Environment for endorsement.
4. That Council recognises many submissions have raised the possibility of Oakville/Maraylya being an area for future residential development. As such, Council undertakes consultation with the communities of Oakville and Maraylya to determine if there is support in the community for residential development in the future. The consultation should be similar to the process used for the Kurrajong Kurmond Investigation Area, in that it should seek to engage as many people as possible in these communities to gain an understanding of what type of residential development they would like to see in these areas, if any.
5. The results of the consultation be reported back to Council for consideration.

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

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

Absent: Nil.

The Motion was lost.

MOTION:

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

Refer to RESOLUTION

313 RESOLUTION:

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

That Council:

1. Receive the outcome of the public exhibition of the Draft Hawkesbury Local Housing Strategy.
2. Adopt the Hawkesbury Local Housing Strategy, attached as Attachment 3 to this report.

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3. Submit the adopted Hawkesbury Local Housing Strategy to the Department of Planning, Industry and Environment for endorsement.
4. Receive a draft of the Hawkesbury Affordable Housing Strategy early in 2021 that:
 - Captures the valuable work done in the Hawkesbury Local Housing Strategy on affordable housing particularly the statistics and characterisation of the problem;
 - Gives details around which of the affordable housing mechanisms (e.g. planning incentives, inclusionary zoning, planning agreement, contributions schemes) outlined in the Hawkesbury Local Housing Strategy, that are able to be applied to the Hawkesbury; and
 - Runs in parallel to our participation in the development of the Western City District Affordable Housing Strategy.

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

Against the Motion: Councillors Conolly, Richards and Tree.

Absent: Nil.

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Item: 248 **CP - Draft Rural Lands Strategy - (95498, 124414)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

314 RESOLUTION:

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

That Council:

1. Receive and note the Draft Hawkesbury Rural Lands Strategy.
2. Endorse the Draft Hawkesbury Rural Lands Strategy attached as Attachment 1 to this report, to be placed on public exhibition in accordance with Council's Community Participation Plan for a period of not less than 56 days.
3. Receive a post exhibition report with a summary of issues raised through submissions.

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: 249 **CP - South Windsor Shop Fronts and Facades - (95498, 147666)**

Previous Item: 237, Ordinary (25 September 2018)
 183, Ordinary (29 September 2020)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

315 RESOLUTION:

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

That Council:

1. Note the findings of the investigation to work with South Windsor business operators and owners in South Windsor to improve facades and shop fronts.
2. Include the feedback from the local businesses into the design phase of the Liveability Program to revitalise South Windsor.
3. Council notes that there are significant improvements that could be made to the shop fronts and facades in South Windsor and calls for a report to outline the options available for Council to work with the property owners to improve the facades and shop fronts.

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: 250 **IS - Pesticide Notification Plan - (95495, 79354)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

316 RESOLUTION:

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

That:

1. The Draft Pesticide Notification Plan, attached as Attachment 1 to the report be publically exhibited, seeking feedback from the community, for 28 days.
2. The matter be reported back to Council following the public exhibition period.
3. A full list of all pesticides used by Council and its agencies, including the Hawkesbury River County Council and Hawkesbury Sports Council, including quantities used and cost for the period 2019/2020, be provided to Council.

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: 251 **IS - Management of Council Parks and Reserves on Weekends and Public Holidays - (79351, 125612, 95495, 79354)**

Previous Item: NM1, Ordinary (13 October 2020)

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

317 RESOLUTION:

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

That:

1. The report regarding additional resources for the management of Council's parks and reserves on weekends and public holidays be received and noted.
2. A trial including evaluation of enhanced cleaning and parking patrol be undertaken at key reserves over the December 2020/January 2021 period including weekends and public holidays, based on additional hours and a roving crew.
3. Funding be incorporated in the December 2020 Quarterly Review.
4. Local options for St Albans and Bilpin also be investigated and incorporated if possible.

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: 252 **IS - Road Naming Proposal Associated with Subdivision S960003/19 (16 Dight Street) Richmond - (95495, 79346, 73916)**

Previous Item: 195, Ordinary (13 October 2020)

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

318 RESOLUTION:

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

That the name Hillside Court in the suburb of Richmond and associated with subdivision S960003/19, 16 Dight Street, Richmond be adopted for use.

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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SUPPORT SERVICES

Item: 253 **SS - Proposed Redevelopment - North Richmond Community Precinct - (95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

319 RESOLUTION:

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

That Council endorse the redevelopment of the existing North Richmond Community Precinct site, as detailed in this report, to enable preparation of detailed designs and costings, and obtaining of the requisite planning approvals.

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

Against the Motion: Nil.

Absent: Nil.

320 RESOLUTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Calvert that the meeting continue past 11pm to allow the Business Paper to be completed.

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Item: 254 **SS - Returns of Interests of Councillors and Designated Persons - (95496, 96333)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

321 RESOLUTION:

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

That Council note the proposal to publish "Disclosures by Councillors and Designated Persons Returns" on Council's website.

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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SECTION 4 – Reports of Committees

Item: 255 **ROC - Infrastructure Committee Meeting - 4 November 2020 - (95495, 143704)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

322 RESOLUTION:

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

That in relation to the Minutes of the Infrastructure Committee Meeting held on the 4 November 2020:

1. Council receive and note the Infrastructure Committee in respect to items 1 and 2.
2. Council endorse the Committee Recommendations in respect of Item 3, namely:

“That the Committee:

1. *Note the information on the proposed Declared Dams levy.*
2. *Note the making of a submission on the levy.*
3. *Make representations to the Local Member for Hawkesbury to have the proposed regulation amended to exempt local government owned flood mitigation works from the levy.”*

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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SECTION 5 – Notices of Motion

Item: 256 RM - Review of Council Committees - (80093, 138881, 138879)

Mr Graham Edds addressed Council, speaking against the recommendation in the Business Paper.

MOTION:

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

Refer to RESOLUTION

323 RESOLUTION:

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

That resolution 295 from the Ordinary Meeting of Council on 24 November 2020 regarding the review of Council Committees, be rescinded.

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

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

Absent: Nil.

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

MOTION:

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

Refer to RESOLUTION

An AMENDMENT was moved by Councillor Wheeler, seconded by Councillor Lyons-Buckett.

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. Proposes the following restructures of the following Council committees as per Point 3 subject to the information in the report referred to in Point 8:
 - 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

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3. Establishes the following standing committees from the above committees:

New Committee	Functions
Community Services	Civic and Citizenship Human Services Access and Inclusion
Environment	Waste management Environmental sustainability
Innovation and Partnerships	Tourism Enhancing the Arts Infrastructure New Technologies/Smart city initiatives
Disaster and Emergency	Emergency and disaster management including fire and flooding

4. Asks the Mayor to write to each member of the restructured committees to thank them for their participation to date and to inform them of the restructure and their place on the new committees, should they be willing to continue.
5. Requires that at least one Council Briefing Session every two months cover disaster / emergency management matters. This includes briefings on floods, bushfires and other disasters both natural and human-made.
6. Affirms that the role of Council committees is to provide advice and information to assist with Council decision making, with long term direction set by Council's Community Strategic Plan. Council may set short-term tasks for committees and provide further long-term direction but this will not preclude committee members or staff raising matters for consideration.
7. Up to five Councillors will be appointed to the four standing committees listed above, with additional community members added from restructured committees. The local Darug community will be invited to provide a representative for each committee and where gaps in expertise exist, additional community members will be invited to join the relevant committee.
8. Is to receive a report at the first Ordinary Meeting of 2021 that:
- Informs Council of the outstanding actions of all Council's committees and the Heritage Advisory Committee, so that strategically important work and short-term tasks can be reviewed, reassigned to a newly established committee or reported to Council for a decision
 - Assists Council to review the work of the restructured committees and set objectives, directions and timeframes for each new committee for 2021.
9. 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
 - Provide regular and timely advice including recommended actions.
10. Council may refer matters to the committees either from Council Meetings or from Briefing Sessions.
11. 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 are welcome to make submissions to the committee and can attend and participate in the committee meetings, however, only members of committees will have voting rights.

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

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

Absent: Nil.

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

324 RESOLUTION:

RESOLVED on the motion of 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
3. Establishes the following standing committees:

New Committee	Functions
Community Services	<ul style="list-style-type: none">• Civic and Citizenship• Enhancing the Arts• Human Services• Access and Inclusion
Environment	<ul style="list-style-type: none">• Waste management• Environmental sustainability
Innovation and Partnerships	<ul style="list-style-type: none">• Tourism• Infrastructure• New Technologies
Disaster and Emergency	<ul style="list-style-type: none">• Emergency and disaster management

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 disaster / emergency management matters. This includes briefings on floods, bushfires and other disasters both natural and human-made. This meeting will constitute the meeting of the Disaster and Emergency Committee.
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.
7. Five Councillors will be appointed to the four standing committees listed above and these five Councillors will be the only members of the committees.

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8. 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 and the Heritage Committee, so that strategically important work and short-term tasks can be reviewed, 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.
9. 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.
10. Notes that the agenda for committee meetings will be set by Council. If the Council does not set any agenda matters then the committees will not meet. Council will refer matters to the committees either from Council Meetings or from Briefing Sessions. This system of committees is designed to imitate the committee system currently operating in State and Commonwealth Parliaments and many other councils. Where possible committees should restrict their meetings to Tuesdays.
11. 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 are welcome to make submissions to the committee and can attend and participate in the committee meetings. Only the five Councillors will have voting rights, with the exception of the Heritage Committee (see point 13).
12. 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.
13. The existing Heritage Advisory Committee will remain unchanged in that it will retain its current membership with full voting rights. The way its agenda is set and its reporting requirements will change to coincide with the other newly formed committees.

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

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

Absent: Nil.

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

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CONFIDENTIAL REPORTS

325 RESOLUTION:

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

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 items:

Item: 257 MM - Staff Matter - (125610)

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

Item: 258 GM - Recruitment of the General Manager - (125610, 79351)

*This report is **CONFIDENTIAL** in accordance with:*

Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning quotations received from agencies 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.

Section 10A(2)(g) of the Local Government Act, 1993 legal advice concerning the disclosure of termination payments to general managers in public reports and the information is regarded as advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

Item: 259 GM - Property Matter - (79351)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the Local Government Act, 1993 as it relates to legal advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

Item: 260 SS - Lease to Higgins and Co Property Specialists - Shop 4, McGraths Hill Shopping Centre - (95496, 112106, 7032)

*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.

326 RESOLUTION:

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

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Item: 257 MM - Staff Matter - (125610) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

327 RESOLUTION:

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

That the Mayoral Minute regarding the General Manager's Performance Review for 2019/2020 by the General Manager's Performance Review Panel be received and noted.

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

Against the Motion: Councillor Reynolds.

Absent: Nil.

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Item: 258 **GM - Recruitment of the General Manager - (125610, 79351)** **CONFIDENTIAL**

Previous Item: 229, Ordinary (24 November 2020)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

328 RESOLUTION:

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

That:

1. The quotation submitted by McArthur Management Services, to assist the Mayor facilitate the full end to end recruitment process for the position of General Manager, be accepted.
2. Ms Susanne Lyall from McArthur Management Services be appointed to assist the Mayor with the recruitment and appointment of the General Manager.
3. The position be advertised in accordance with Section 348 of the Local Government Act 1993.
4. The legal advice from Marsdens Law Group regarding the disclosure of termination payments in public reports be received and noted.
5. Council seek a totally independent person to join the Selection Panel, from recommendations from Local Government NSW and Local Government Professionals Australia.

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

Against the Motion: Councillor Kotlash

Absent: Nil.

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Item: 259 **GM - Property Matter - (79351) CONFIDENTIAL**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

329 RESOLUTION:

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

That:

1. The report regarding the confidential property matter be received and noted.
2. Council arrange for an independent investigation into this matter.

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: 260 **SS - Lease to Higgins and Co Property Specialists - Shop 4, McGraths Hill Shopping Centre - (95496, 112106, 7032) CONFIDENTIAL**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

330 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Higgins & Co Property Specialists in regard to Shop 4, McGraths Hill Shopping Centre, as outlined in this report.
2. Authority be given for the lease and any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the 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 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, Tree, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Nil.

The meeting terminated on, Wednesday, 9 December 2020 at 12:21am.

Submitted to and confirmed at the Ordinary meeting held on 25 January 2021.

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Mayor