



# Hawkesbury City Council

## ordinary meeting minutes

date of meeting: 13 July 2021

location: by audio-visual link

time: 6:30 p.m.



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**ORDINARY MEETING**

**Minutes:** 13 July 2021

## ORDINARY MEETING

Minutes: 13 July 2021

Minutes of the Ordinary Meeting held by Audio-Visual Link on 13 July 2021, commencing at 6:30pm.

### Welcome

The Mayor, Councillor Patrick Conolly acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

- Recording of the Council Meeting
- Statement regarding people addressing the Meeting

### ATTENDANCE

**PRESENT:** Councillor Patrick Conolly, Mayor, 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:** General Manager - Elizabeth Richardson, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Chief Financial Officer - Emma Galea, Manager Corporate Communication - Suzanne Stuart, 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.

Councillor Ross arrived at the meeting at 6:34pm.

### DECLARATIONS OF INTEREST

Councillor Richards declared interests on Items 134 and 135.

Councillor Wheeler declared an interest on Item 131.

### Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

## SECTION 1 - Confirmation of Minutes

### 181 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Rasmussen that the Minutes of the Ordinary Meeting held on the 29 June 2021, be confirmed.

## ORDINARY MEETING

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### SECTION 3 – Reports for Determination

#### GENERAL MANAGER

**Item: 130**                      **GM - Amendment to 2021/2022 Adopted Fees and Charges - (79351)**

**Previous Item:**            118, Ordinary (29 June 2021)

**Directorate:**              General Manager

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#### **MOTION:**

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

*Refer to RESOLUTION*

#### **182 RESOLUTION:**

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

That:

1. The Draft 2021/2022 Fees and Charges, attached as Attachment 1 to the report, be approved for public exhibition and that Council give public notice of the exhibition of this document for a minimum of 28 days, in accordance with Section 405 of the Local Government Act 1993.
2. At the expiration of the public notification period, the following action be taken:
  - a) Should any submissions be received regarding the fees and charges, a further report be submitted to Council, or
  - b) Should no submissions be received, Council adopt the fees and charges 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.

## ORDINARY MEETING

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**Item: 131**                      **GM - Establishment of a Set of Metrics to Report on Council Facilities, Operations and Functions - (79351)**

**Previous Item:**              Item 45, Ordinary (9 March 2021)

**Directorate:**                General Manager

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Councillor Wheeler declared a pecuniary interest in this matter as her husband is employed in a customer service role in Council's Cultural Services Branch. She left the Meeting and did not take part in voting or discussion on the matter.

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### **MOTION:**

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

### ***Refer to RESOLUTION***

### **183 RESOLUTION:**

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

That:

1. Council adopt a set of metrics which report on:
  - Development Applications
  - Customer Service Requests
  - Telephone Calls to Council's Call Centre.
2. The set of metrics be published on Council's website quarterly and updated every three months.
3. Reporting on Development Applications and Customer Service Requests metrics will be published in July 2021 for April to June 2021.
4. Reporting on telephone call metrics will be published in October 2021 for July to September 2021.
5. Council also publish the Average Processing Time for Development Applications lodged after January 2021.

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

**Against the Motion:**        Councillor Ross.

**Absent:**                        Councillor Wheeler.

## ORDINARY MEETING

Minutes: 13 July 2021

### INFRASTRUCTURE SERVICES

**Item: 132**                      **IS - Upper Colo Reserve - (95495,79354)**

**Directorate:**                      Infrastructure Services

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#### **MOTION:**

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

***Refer to RESOLUTION***

#### **184 RESOLUTION:**

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

That Council:

1. Close the Upper Colo Reserve campground until access is restored from Upper Colo Road.
2. Notes that this closure is temporary and fully intends to reopen the Upper Colo Reserve campground.

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

**Against the Motion:**                      Councillors Kotlash and Ross.

**Absent:**                                      Nil.



## ORDINARY MEETING

Minutes: 13 July 2021

### SUPPORT SERVICES

**Item: 133**                      **SS - Review of Payment of Expenses and Provision of Facilities to Councillors Policy - (95496)**

### SUPPLEMENTARY REPORT

**Item: 133**                      **SS - Review of Payment of Expenses and Provision of Facilities to Councillors Policy - (95496)**

**Previous Item:**              113, Ordinary (29 June 2021)

**Directorate:**                Support Services

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A MOTION was moved by Councillor Zamprogno.

That the amended Draft Payment of Expenses and Provision of Facilities to Councillors Policy, included as Attachment 1 to this report, be placed on public exhibition for a period of at least 28 days, and that the matter be reported back to Council at the conclusion of the exhibition period, along with any submissions received.

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

#### **MOTION:**

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

#### ***Refer to RESOLUTION***

#### **185 RESOLUTION:**

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

That this matter be deferred to the next Council Meeting for consideration.

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

**Against the Motion:**        Councillors Calvert, Ross and Zamprogno.

**Absent:**                        Nil.

## ORDINARY MEETING

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### SECTION 4 – Reports of Committees

**Item: 134**                      **ROC - Disaster and Emergency Committee - 14 April 2021 - (151940, 95495)**

**Directorate:**                Infrastructure Services

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Councillor Richards declared a significant non-pecuniary conflict of interest as this matter discussed the third crossing of the Hawkesbury River and she was present at the announcement of extra funding. She left the Meeting and did not take part in voting or discussion on the matter.

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#### **MOTION:**

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

#### ***Refer to RESOLUTION***

#### **186 RESOLUTION:**

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

That in relation to the Minutes of the Disaster and Emergency Committee Meeting held on the 14 April 2021:

1. Council receive and note the Disaster and Emergency Committee minutes and endorse the actions arising from the recommendations contained in the following items:

Item 1 – Emergency Planning and Response, the Committee recommends that Council:

1. *The Committee note the information in the report relating to Emergency Planning and Response.*
2. *The Committee receive the presentations from relevant agencies.*
3. *The Committee identify matters for further action or resolution by Council.*
4. *Council write to residents and businesses in flood-affected areas to provide written information about on recovery services, Services NSW registration, clean-up and any other relevant information.*
5. *Council seek to facilitate the production of an overall review of the 2021 Flood to provide operational information to a future Council and the Community.*

Item 2 – Floodplain Management Matters, the Committee recommends that Council:

1. *Advise Council that it should urgently advocate for the Richmond Bridge Duplication Project to include a bridge and approach roads that provide better access during a major flood event.*
2. *Recommend that Council advocate with all relevant agencies and organisations for resilience planning for infrastructure, in particular electricity, during flood events.*
3. *Recommend that the Committee continue to provide advice for Council's grant funded floodplain management projects.*

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

**Against the Motion:** Councillors Rasmussen, Reynolds and Ross.

**Absent:** Councillor Richards.

## ORDINARY MEETING

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**Item: 135**                      **ROC - Local Traffic Committee - 21 June 2021 - (80245, 95495)**

**Directorate:**                Infrastructure Services

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Councillor Richards declared a less than significant non-pecuniary conflict of interest in this matter as it discusses Redbank where she resides and no further action is required.

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### **MOTION:**

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

*Refer to RESOLUTION*

### **187 RESOLUTION:**

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

That Council receive and note the Minutes of the Local Traffic Committee Meeting held on 21 June 2021.

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

**Against the Motion:**            Nil.

**Absent:**                            Nil.

## ORDINARY MEETING

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### SECTION 5 – Notices of Motion

**Item: 136**                      **NM - Vacant Land at McGraths Hill - (138879, 79351)**

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Mr Craig Mackay, Mr Paul Bernays and Mr Adam Zahra addressed Council, speaking for the recommendation in the Business Paper.

**MOTION:**

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

*Refer to RESOLUTION*

**188 RESOLUTION:**

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

That:

1. A report is provided to Council regarding the vacant area of land at McGraths Hill, along Pitt Town Road (Windsor Road end), seeking the following:
  - a) The history the site (including its look and its use)
  - b) The current status of the site
  - c) Options for future use of the site, focusing on its clean-up, with costs outlined for draining and/or permanent mowing.
2. A report be provided back to Council within two months.

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

**Against the Motion:** Nil.

**Absent:** Nil.

**ORDINARY MEETING**

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**QUESTIONS FOR NEXT MEETING**

**Item: 137**                      **Responses to Councillor Question Taken On Notice at the Council Meeting -  
29 June 2021 - (79351)**

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Comments to Questions Taken on Notice at the Council Meeting on 29 June 2021 were provided.

## ORDINARY MEETING

Minutes: 13 July 2021

### CONFIDENTIAL REPORTS

#### 189 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno, 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 item:

**Item: 138 SS - Lease to Kirpa Family Pty Ltd - 37 Macquarie Street, Windsor - (95496, 112106, 152889, 28306)**

*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.

#### 190 RESOLUTION:

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

## ORDINARY MEETING

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**Item: 138**                      **SS - Lease to Kirpa Family Pty Ltd - 37 Macquarie Street, Windsor - (95496, 112106, 152889, 28306)    CONFIDENTIAL**

**Directorate:**                      Support Services

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### **MOTION:**

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

### ***Refer to RESOLUTION***

### **191 RESOLUTION:**

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

That:

1. Council agree to enter into a lease with Kirpa Family Pty Ltd for the property known as 37 Macquarie Street, Windsor, as outlined in the report.
2. In conjunction with part 1. above, Council agree to surrender the current lease with Johnny Odesho and William Koro for the property known as 37 Macquarie Street, Windsor, as outlined in the report.
3. Authority be given for the Lease, the Surrender of Lease and any other relevant documentation in association with this matter to be executed under the Seal of Council.
4. Details of Council's resolution be conveyed to the current and proposed Lessees, together with the advice that Council, is not and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such a resolution into effect has been agreed to and executed by all parties.

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

**Against the Motion:**                      Councillors Ross and Wheeler.

**Absent:**                                      Nil.

The meeting terminated at 8:54pm.

Submitted to and confirmed at the Ordinary meeting held on 27 July 2021.

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Mayor