



ORDINARY MEETING

Date of meeting: 12 March 2024
Location: Council Chambers
Time: 6:30 PM

MINUTES

ORDINARY MEETING

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1. PROCEDURAL MATTERS
Meeting Date: 12 March 2024

1. PROCEDURAL MATTERS

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 12 March 2024, commencing at 6:30pm.

Welcome

The Mayor, Councillor Sarah McMahon acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

ATTENDANCE

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

ALSO PRESENT: General Manager - Elizabeth Richardson, Director City Planning - Meagan Ang, Director Infrastructure Services - Will Barton, Director Corporate Services - Laurie Mifsud, Manager Governance and Risk – Patricia Krzeminski, Manager Communications and Events – Suzanne Stuart, Manager Economic Development – Phil Moore, Corporate Planning and Performance Strategist – Miles Carter, Manager Resource Recovery – Samuel Swain, Acting Manager Community Planning and Partnerships – Janine Madden, Road Safety Officer – Cathy Mills and Administrative Support Coordinator – Melissa Ryan.

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

An apology was received from Councillor Barry Calvert, Deputy Mayor.

33 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Sheather that the apology be accepted.

DECLARATIONS OF INTEREST

There were no Declarations of Interest.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

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2. CONFIRMATION OF MINUTES

Meeting Date: 12 March 2024

2. CONFIRMATION OF MINUTES

34 RESOLUTION:

RESOLVED on the motion of Councillor Veigel, seconded by Councillor Reardon that the minutes of the Ordinary Meeting held on 13 February 2024, be confirmed.

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4. REPORTS FOR DETERMINATION

Meeting Date: 12 March 2024

4. REPORTS FOR DETERMINATION

4.2. GENERAL MANAGER

4.2.1. GM - Six Monthly Progress Report - 2023/2024 Operational Plan (79351,159586)

Previous Item: 4.2.1, Ordinary (10 October 2023)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

35 RESOLUTION:

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

That Council receive and note the six monthly progress report for period 1 July 2023 to 31 December 2023, on the 2023/2024 Operational Plan.

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

Against the Motion: Nil.

Absent: Councillor Calvert.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
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4.2.2. GM – 2024 National General Assembly of Local Government (79351, 82046)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

36 RESOLUTION:

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

That:

1. Councillors Eddie Dogramaci, Mary Lyons-Buckett, Les Sheather and Danielle Wheeler be nominated, and staff as considered appropriate by the General Manager, to attend the 2024 National General Assembly of Local Government from Tuesday, 2 July to Friday, 5 July 2024.
2. After participating in the 2024 National General Assembly, delegates provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Assembly relevant to Council business and/or the local community.
3. Councillors provide any proposed motions for the 2024 National General Assembly of Local Government to the General Manager by Thursday, 28 March 2024.

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

Against the Motion: Nil.

Absent: Councillor Calvert.

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4. REPORTS FOR DETERMINATION
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4.3. CITY PLANNING

4.3.1. CP - Draft Hawkesbury Active Transport Plan - (95498, 96328)

Directorate: City Planning

MOTION:

MOVED on the motion of Councillor Wheeler, seconded by Councillor Conolly.

Refer to RESOLUTION

37 RESOLUTION:

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

That:

1. The Draft Hawkesbury Active Transport Plan, attached as Attachment 1 to this report, be placed on public exhibition for a period of 28 days.
2. At the expiration of the public exhibition period, the following action be taken:
 - a) Should any submissions be received regarding the Draft Hawkesbury Active Transport Plan, a further report be submitted to Council, or;
 - b) Should no submissions be received, Council adopt the Draft Hawkesbury Active Transport Plan, as attached as Attachment 1 to this report.
3. Council contact Transport for NSW to request that cycle lanes on State Roads within the LGA be maintained to at least the same condition as the rest of the road, including pothole filling, surface maintenance, weed and vegetation removal and maintenance of sightlines, pavement markings and signage.

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

Against the Motion: Nil.

Absent: Councillor Calvert.

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4. REPORTS FOR DETERMINATION
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4.3.2. CP – Place Plans – (95498, 147666)

Previous Item: 4.3.1 Ordinary (9 May 2023)

Directorate: City Planning

Mr Lionel Buckett and Ms Fiona Germaine addressed Council, speaking against the recommendation in the business paper.

MOTION:

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

Refer to RESOLUTION

38 RESOLUTION:

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

That Council defer consideration of this matter to the Council Meeting on 9 April 2024.

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

Against the Motion: Councillors Lyons-Buckett and Wheeler.

Absent: Councillor Calvert.

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4. REPORTS FOR DETERMINATION
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4.4. CORPORATE SERVICES

4.4.1. CS - Investment Report - January 2024 - (95496, 96332)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

39 RESOLUTION:

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

That the Monthly Investment Report for January 2024 be received and noted.

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

Against the Motion: Nil.

Absent: Councillor Calvert.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
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4.5. INFRASTRUCTURE SERVICES

4.5.1. IS – Expanding Customer Base at the Waste Management Facility – (95495,158974)

Previous Item: Item 24 Ordinary (11 February 1992)

Directorate: Infrastructure Services

MOTION:

MOVED on the motion of Councillor Wheeler, seconded by Councillor Sheather.

Refer to RESOLUTION

40 RESOLUTION:

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

That Council:

1. Receive and note the report regarding expanding the customer base at the Waste Management Facility and polystyrene recycling.
2. Endorses expanding the customer base to include residents and businesses in the adjoining Council Local Government Areas for resource recovery items.

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

Against the Motion: Nil.

Absent: Councillor Calvert.

ORDINARY MEETING
4. REPORTS FOR DETERMINATION
Meeting Date: 12 March 2024

4.5.2. IS – Beyond 2026 – Waste Management Facility – (95495, 158974)

Previous Item: 8.4.1, Ordinary (12 September 2023)

Directorate: Infrastructure Service

MOTION:

MOVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Reardon.

Refer to RESOLUTION

41 RESOLUTION:

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

That:

1. The report regarding the future of the Waste Management Facility including the consultants report, be received and noted.
2. Council:
 - a) Initiate steps for expansion within the current landfill footprint of Cells 1-6 and to the north of the site (currently leased by Council from University of Western Sydney);
 - b) Investigate options for expansion of the landfill footprint west;
 - c) Extend the landfill life through detailed investigation into options for increased resource recovery;
 - d) Engage with surrounding LGAs with a view to exploring options to partner in service delivery; and
 - e) Design and build a transfer station, if the landfill expansion is unsuccessful.

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

Against the Motion: Nil.

Absent: Councillors Calvert and Kotlash.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 12 March 2024

5. REPORTS OF COMMITTEES

5.1.1. ROC - Heritage Committee - 1 February 2024 - (80242)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

42 RESOLUTION:

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

That in relation to the Minutes of the Heritage Committee Meeting held on the 1 February 2024, Council endorses the Committee Recommendations in respect of 3.1.1, namely:

1. Note the information provided, and the Committee flag that in regard to this project, this type of extensive public works has not been undertaken on such a large scale covering a large area of Windsor since the 1874 fire and construction of the pedestrian mall. Given this, there is a need to be mindful of the unique Aboriginal and European heritage that may be discovered and the detail that needs to be considered in such a project.
2. Note the information contained within the report on the proposed paving substrate for Windsor Stage 1. The Heritage Committee advises the following:
 - a) That the compacted substrate option is the preferred treatment pending confirmation that this option allows for the percolation of water through this substrate layer.
 - b) The drainage from the existing buildings is checked.
 - c) The Committee's view is that verandahs and awnings in front of heritage items will not prevent rising damp.
3. Note that additional information will be provided to the Heritage Committee for Windsor Stage 1a and Stage 2 of the project as they are progressed.

The Heritage Committee requires information about the excavation depth, noting that any excavation or tree removal below the existing disturbance level for Stages 1, 1a, and 2 should be monitored by Dharug people (person) and/or a Registered Aboriginal Party with connections to the Sydney Basin, in addition to the Section 140 Excavation Permit requirements.

The Heritage Committee receive a report of the results of the test excavations for Aboriginal and European artefacts for the Stages 1a and 2 sites, and information about the provisions to be made for keeping any artefacts.

4. The Heritage Committee recommends information regarding the pre-Macquarie village of Green Hills be incorporated into the interpretation plan for Windsor for all three stages.
5. The Heritage Committee recommends that in respect of sandstone that it should be:

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5. REPORTS OF COMMITTEES
Meeting Date: 12 March 2024

- a) Rehewn sandstone (in situ).
 - b) Replace missing sandstone where rehewing isn't possible.
 - c) That Council refer to the Thompson Square Conservation Management Plan and the ICOMOS Burra Charter.
 - d) That the Committee receive an inventory of heritage sandstone held by Council and to consider the provenance and significance. Any heritage sandstone reused within Windsor is as close to the earlier use and location as possible.
6. The Heritage Committee recommends exploring the use of heritage sandstone to mark out the earlier street through the mall and the earlier cross streets.
7. Note that the project site is an important area for Dharug people and First Contact and further discussions will be required with the Heritage Committee to deal with Aboriginal and post settlement matters. To address this, the Director City Planning will coordinate future consultation as required on Dharug heritage and the Windsor stages of the Liveability Project.

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

Against the Motion: Nil.

Absent: Councillor Calvert.

ORDINARY MEETING
5. REPORTS OF COMMITTEES
Meeting Date: 12 March 2024

5.1.2. ROC - Local Traffic Committee - 12 February 2024 - (95495, 80245)

Directorate: Infrastructure Service

MOTION:

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

Refer to RESOLUTION

43 RESOLUTION:

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

That the Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Local Traffic Committee meeting held on 12 February 2024.

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

Against the Motion: Nil.

Absent: Councillor Calvert.

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7. QUESTIONS FOR NEXT MEETING

Meeting Date: 12 March 2024

7. QUESTIONS FOR NEXT MEETING

**7.1.1. Responses to Councillor Questions Taken on Notice at the Council Meeting -
13 February 2024**

Responses to Questions Taken on Notice at the Council Meeting on 13 February 2024 were provided.

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8. CONFIDENTIAL REPORTS
Meeting Date: 12 March 2024

8. CONFIDENTIAL REPORTS

44 RESOLUTION:

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

That 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: 8.4.1. IS - Contract for the Management and Operation of the Oasis Aquatic and Fitness Centre - (95495)

This report is CONFIDENTIAL in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993 and the matters dealt within this report are to be considered while the meeting is closed to the press and the public.

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to details concerning a contract for the management of a Council facility 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, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

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 are to be withheld from the press and public.

45 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Veigel that open meeting be resumed.

ORDINARY MEETING
8. CONFIDENTIAL REPORTS
Meeting Date: 12 March 2024

8.4. INFRASTRUCTURE SERVICES

8.4.1. IS - Contract for the Management and Operation of the Oasis Aquatic and Fitness Centre - (95495)

Directorate: Infrastructure Service

MOTION:

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

Refer to RESOLUTION

46 RESOLUTION:

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

That Council:

1. Pursuant to Section 55(3)(i) of the Local Government Act 1993, Council does not call tenders for the management and operation of the Oasis Aquatic and Fitness Centre upon the expiry of the extended contract term on 30 June 2024, on the basis of extenuating circumstances as outlined in this report.
2. Council extends the term of the contract with Y NSW, through a Deed of Variation, for the management and operation of the Oasis Aquatic and Fitness Centre for 12 months commencing 1 July 2024.
3. The General Manager be delegated authority to execute any documentation to include any Deed of Variation, associated with extending the term of the contract between Council and Y NSW.
4. Authorise the affixing of the Seal of Council to any documentation in regard to this matter, if necessary.

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

Against the Motion: Nil.

Absent: Councillor Calvert.

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8. CONFIDENTIAL REPORTS
Meeting Date: 12 March 2024

Meeting terminated at 8:18pm.

Submitted to and confirmed at the Ordinary meeting on 9 April 2024.

.....
Mayor



Ordinary Meeting

End of Minutes

This business paper has been produced electronically to reduce costs, improve efficiency and reduce the use of paper. Internal control systems ensure it is an accurate reproduction of Council's official copy of the business paper.