



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 25 July 2017

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

MINUTES: 25 July 2017

MINUTES

- **WELCOME**
 - Acknowledgement of Indigenous Heritage**
- **APOLOGIES AND LEAVE OF ABSENCE**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL**
- **MINUTES ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 3 - Reports for Determination**
 - Planning Decisions**
 - General Manager**
 - City Planning**
 - Infrastructure Services**
 - Support Services**
- **SECTION 4 - Reports of Committees**
- **SECTION 5 - Notices of Motion**
- **QUESTIONS FOR NEXT MEETING**
- **REPORTS TO BE DISCUSSED IN CONFIDENTIAL SESSION**

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 25 July 2017, commencing at 6:33pm.

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, T Tree, D Wheeler and N Zamprogno.

ALSO PRESENT: General Manager – Peter Conroy, Director City Planning - Matt Owens, 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 Officer – Kylie Wade-Ferrell.

Councillor Conolly arrived at the meeting at 7:10pm.

DECLARATIONS OF INTEREST

Councillor Calvert declared an interest in Item 131.

SECTION 1 - Confirmation of Minutes

228 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reynolds that the minutes of the Ordinary Meeting held on Wednesday, 11 July 2017, be confirmed.

SECTION 3 - Reports for Determination

GENERAL MANAGER

Item: 128 **GM - Review of Council's Code of Conduct - (79351)**

Previous Item: 44, Ordinary (8 March 2016)
 3, Ordinary (5 February 2013)

MOTION:

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

Refer to RESOLUTION

229 RESOLUTION:

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

That:

1. Council note that the related Procedures for the Administration of the Model Code of Conduct form part of the adopted Code of Conduct and that the Procedures were last adopted by Council at its meeting on Tuesday, 5 February 2013.
2. Council adopt the amended Code of Conduct attached as Attachment 1 to this report with the following additional amendments:
 - a) The second sentence in paragraph 3 on Page 5 be deleted.
 - b) The reference to "charter" in Clause 3.1 b) on page 5 be deleted and replaced with "*the Principles For Local Government as outlined in Chapter 3 of the Local Government Act 1993 and Council's Vision, Mission Statement and Values*".
3. Council staff prepare a Councillor Briefing outlining timelines and other considerations for resolving Code of Conduct complaints.

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Item: 129 **GM - Review of Delegations of Authority under Section 377 of the Local Government Act 1993 - (79351)**

MOTION:

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

Refer to RESOLUTION

230 RESOLUTION:

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

That:

1. Council, having reviewed the delegations of authority granted by Council, as required under the provisions of Section 380 of the Local Government Act 1993, resolve to confirm the delegations as listed in Attachment 1 to this report, and that such delegations remain in force until otherwise altered or reviewed by Council.
2. Council staff prepare a briefing for Councillors by the end of August 2017, outlining options for:
 - a) Publishing Council's delegations on Council's website.
 - b) Refining delegations in relation to Development Applications.

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SUPPORT SERVICES

Item: 130 **SS - Monthly Investments Report - June 2017 - (95496, 96332)**

MOTION:

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

Refer to RESOLUTION

231 RESOLUTION:

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

The report regarding the monthly investments for June 2017 be received and noted.

Item: 131 **SS - Community Sponsorship Program - 2017/2018 - Round 1 - (96596, 96328)**

Previous Item: 262, Ordinary (29 November 2016)
 105, Ordinary (27 June 2017)

Councillor Calvert declared a significant non-pecuniary conflict of interest in this matter as he is a board member of Hawkesbury Skills Inc who have applied for a grant.

MOTION:

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

Refer to RESOLUTION

232 RESOLUTION:

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

That Council:

1. Approve payments of Section 356 Financial Assistance to the organisations and individuals listed, and at the level recommended in Table 1 of this report.
2. Note that the required Sponsorship Agreements for Applicants 1 through 4 have been previously executed to provide for the continuation of funding for these proposals.
3. Approve the execution of Council's standard Sponsorship Agreement for the applications 14, 19, 22, 23 and 24, as identified in Table 1 of this report.
4. Discontinue the Event Sponsorship Category within the Community Sponsorship Program with all future applications for event sponsorship, excluding requests which fall under the Minor Assistance Category of the Community Sponsorship Program, to be assessed under the Event Sponsorship Program administered by Corporate Communications.

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Item: 132 **SS - Council Resolution Summary - January to June 2017 - (95496, 96333)**

Previous Item: NM2, Ordinary (24 June 2014)

MOTION:

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

Refer to RESOLUTION

233 RESOLUTION:

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

That the report regarding Council resolutions for the period of 1 January 2017 to 30 June 2017 be received and noted.

Item: 133 **SS - Enhancing the Arts in the Hawkesbury Working Group - (79351, 95496, 103542)**

MOTION:

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

Refer to RESOLUTION

234 RESOLUTION:

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

That Council:

1. Establish the proposed Enhancing the Arts in the Hawkesbury Working Group and adopt the Terms of Reference to govern the activities of the Working Group, as attached in Attachment 1 of this report.
2. Appoint two Councillor representatives to the Enhancing the Arts in the Hawkesbury Working Group.
3. Call for community nominations to sit on the Enhancing the Arts in the Hawkesbury Working Group and for these nominations be reported to Council for determination.
4. Commission the Enhancing the Arts in the Hawkesbury Working Group to assist staff to coordinate the implementation of the Live and Local Micro-Music Festival, as outlined in the report subject to a successful grant application.

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MOTION:

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

Refer to RESOLUTION

235 RESOLUTION:

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

That Council appoint Councillors Garrow and Reynolds as the Councillor representatives on the Enhancing the Arts in the Hawkesbury Working Group.

Item: 134 SS - Pecuniary Interest Return - Designated Person - (95496, 96333)

MOTION:

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

Refer to RESOLUTION

236 RESOLUTION:

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

That the information be received and noted.

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QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meeting and Responses - (79351)

Raised at the Ordinary Meeting held on 11 July 2017

Responses to Questions in relation to previous Questions for Next Meeting were provided and discussed.

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#	Councillor	Question	Response
1	Wheeler	Requested clarification on Council's recently adopted Circus Policy, specifically if this Policy applies to the Hawkesbury Showground, the management of the Showground Trust, if the Policy also covers agistment and what existing arrangements the Showground Trust has over the summer period.	Director Infrastructure Services
2	Wheeler	Enquired as to when the additional waste drop off station at the Waste Management Facility will be available to the public.	Director Infrastructure Services
3	Wheeler	Requested that Mullingers Lane, South Windsor be cleaned up, including removing abandoned shopping trolleys and repairing damaged road surface.	Director Infrastructure Services
4	Calvert	Requested information relating to completion of works at the duck processing facility as trucks are continuing to use Crooked Lane, North Richmond.	Director City Planning
5	Kotlash	Enquired if there has been a two year review of the 2014 Upper Hawkesbury River Estuary Coastal Zone Management Plan, as indicated within the Plan as being necessary. If so, can a copy be provided or, can staff provide a status of the 39 actions.	Director City Planning
6	Zamprogno	Requested information relating to the post-Hawkesbury Show meeting that was held to discuss improvements to recycling, if minutes of this meeting are available for distribution and what outcomes resulted from the meeting.	Director City Planning
7	Zamprogno	Requested that Council review the car park between Richmond Oval and the Richmond School of Arts as tree roots are lifting the bitumen surface.	Director Infrastructure Services

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#	Councillor	Question	Response
8	Tree	Requested information relating to illegal drug use in the vicinity at the Richmond Out of School Hours Care and associated rubbish discarded in the Richmond Oval grandstand.	Director Infrastructure Services
9	Richards	Requested information relating to the number of complaints Council has received since the recent rates notice was distributed, regarding an increase in rates.	Director Support Services

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CONFIDENTIAL REPORTS

237 RESOLUTION:

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

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: 135 IS – Tender No. T00058 – Installation of Closed Circuit Television to South Windsor Shopping Area – (95495, 79340)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and /or services to Council 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: 136 SS – Property Matter – Lease of Shop 4, McGraths Hill Shopping Centre – (95496, 112106, 141598)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and /or services to Council 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.

238 RESOLUTION:

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

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Item: 135 **IS - Tender No. T00058 - Installation of Closed Circuit Television to South Windsor Shopping Area - (95495, 79340) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

239 RESOLUTION:

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

That:

1. Council accept the proposal submitted by Hix Group Pty Ltd in relation to Tender No. T00058 to undertake turnkey system design, supply, installation, commissioning, and training, 12 months defects liability and preventative maintenance (in accordance with manufacturer's recommendations) of the specified CCTV and Networked Digital Video Recording system for the tendered amount of \$167,582 (excluding GST).
2. The Seal of Council be affixed to any necessary documentation.

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**Item: 136 SS - Property Matter - Lease of Shop 4, McGraths Hill Shopping Centre -
(95496, 112106, 141598) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

240 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Jason Hulme Pty Ltd in regard to Shop 4 McGraths Hill Shopping Centre, as outlined in this report.
2. Authority be given for 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.

The meeting terminated at 7:15pm.

Submitted to and confirmed at the Ordinary meeting held on Tuesday, 8 August 2017.

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Mayor