



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 08 August 2017
location: council chambers
time: 6:30 p.m.

ORDINARY MEETING

Minutes: 08 August 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**

Introduction of Sister City Exchange Students and Presentation of Certificates

– **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 8 August 2017, commencing at 6:30pm.

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: Acting General Manager - Laurie Mifsud, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Chief Financial Officer - Emma Galea, Executive Manager - Community Partnerships - Joseph Litwin, Manager Corporate Communication - Suzanne Stuart, Manager Corporate Services and Governance - Michael Wearne, Administrative Support Coordinator - Natasha Martin and Administrative Support Officer - Jodie Tillinghast.

Councillor Rasmussen arrived at the meeting at 6:47pm.

Councillor Zamprogno arrived at the meeting at 6:47pm.

Councillor Tree left the meeting at 10:20pm.

DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

SECTION 1 - Confirmation of Minutes

241 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Calvert that the Minutes of the Ordinary Meeting held on the 25 July 2017, be confirmed.

ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL

Tina Tallac, President of the Hawkesbury Sister City Association introduced the students from the Hawkesbury and Council's sister cities, Temple City, USA and Kyotamba, Japan, who are participating in the current Sister City Exchanges. The Mayor, Councillor Lyons-Buckett presented certificates to the Sister City Exchange students.

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 137 **CP - DA0123/17 - 179 Windsor Street, Richmond - Lot 40 DP1040134 - Boarding House - Demolition of carport and outbuilding and construction of a boarding house - (95498, 140405, 77238, 77239)**

MOTION:

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

Refer to RESOLUTION

242 RESOLUTION:

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

That Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 (as amended) refuse Development Application No. DA0123/17 for a boarding house on Lot 40 in DP 1040134, known as 179 Windsor Street, Richmond, for the following reasons:

1. The strata subdivision of the development is prohibited under Clause 52 of State Environmental Planning Policy (Affordable Rental Housing) 2009.
2. Insufficient communal open space is to be provided for the development.

Particular:

The central common open space area has an area of approximately 18.4m² and fails to achieve the minimum 20m² required under Clause 29(2)(d)(i) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

3. The Type 2 boarding rooms fail to satisfy the minimum area controls for double occupancy rooms.

Particular:

a) The Plan of Management indicates that all the boarding rooms will cater for up to two lodgers. The Type 2 boarding rooms are to have an area of 14.9m², exclusive of private kitchen and bathroom facilities, and fail to achieve the minimum 16m² required for double occupancy rooms under Clause 29(2)(f)(ii) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

4. The proposal provides insufficient onsite parking and fails to comply with the numerical parking controls of State Environmental Planning Policy (Affordable Rental Housing) 2009. No onsite parking spaces are proposed for the development.

Particular:

a) The subject property is located within an 'accessible area' and based on the number of rooms and a manager's residence the boarding house requires the provision of five onsite parking spaces under Clauses 29(2)(e)(i) and (iii) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

5. The area for the parking of bicycles has not been identified as required under Clause 30(1)(h) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

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6. The development site is not provided with an accessible parking space that complies with the requirements of Australian Standard AS2980.6:2009.
7. The proposal is inconsistent with the Hawkesbury Local Environmental Plan 2012 and Richmond Archaeological Management Plan in that insufficient information has been provided to demonstrate that the development will not adversely impact upon the archaeological significance of the property.

Particular:

- a) The applicable Inventory Sheet within the Richmond Archaeological Management Plan indicates that the property possesses historical or archaeological significance on the basis it may reveal evidence relating to the late 19th century development of Richmond. An archaeological investigation and assessment of the proposal is required under Clause 5.10 of the Hawkesbury Local Environmental Plan 2012 and Section 6.1 of the Richmond Archaeological Management Plan.
8. Insufficient information has been provided to demonstrate that the development will not adversely impact upon the significance of the heritage item.

Particular

- a) The Statement of Environment Effects outlines that restoration and refurbishment works are to be undertaken to the existing heritage-listed building. However, no details of this work have been provided to satisfy Clause 5.10(5) of the Hawkesbury Local Environmental Plan 2012.
9. Residents of the boarding house will be provided with unacceptable levels of amenity.
 10. The property is not provided with legal access from the Woodhills Car Park at 11 East Market Street.

Particulars:

- a) The development relies on the Woodhills Car Park at 11 East Market Street for vehicular access. This Council-owned car park is not categorised as a public road and the consent of Council has not been provided for the use of the Woodhills Car Park to access the subject property.
 - b) The development's reliance on the use of the Woodhills Car Park at 11 East Market Street is an inappropriate use of these public parking spaces and will restrict the potential uses of this publically owned land.
11. Insufficient details have been provided in relation to the management of stormwater from the site. A stormwater drainage plan must be prepared which clearly demonstrates that stormwater will be collected and discharged in accordance with the Hawkesbury Development Control Plan 2002 – Appendix E – Civil Works Specification

Particulars:

- a) Onsite detention (OSD) will be required at this location to limit flows to pre-development levels. Details and calculations must be provided to demonstrate that the OSD system has sufficient volume to limit flows to pre-development levels during a 100 year Average Recurrence Interval (ARI) storm event and the land has adequate fall to discharge to Council's drainage infrastructure.
 - b) The stormwater drainage plan must clearly demonstrate how overland flow will be directed to the street without adversely affecting neighbours. Flow paths and a typical cross section of any overland drainage channels must be provided.
12. The garbage storage area is of an insufficient size and design to cater for the development and address amenity impacts.

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Particulars:

- a) The garbage storage area has been designed to cater for a maximum of six 240L bins. This area is inadequate as the submitted Waste Management Plan estimates that nine (six general waste and three recycling) 240L bins will be required for the development, whilst the sharing of bins between three boarding rooms would necessitate the provision of 12 (six general waste and six recycling) 240L bins.
 - b) The open design of the garbage storage area is likely to result in amenity impacts for residents and neighbours.
13. The proposal represents an overdevelopment of the site.
14. Inadequate and conflicting information has been provided in support of the application.

Particulars:

- a) The application form and Plan of Management refer to the provision of 16 boarding rooms within the boarding house however the plans show a total of 17 boarding rooms.
- b) The Plan of Management contains conflicting information regarding the number of boarding rooms within the boarding house.
- c) Two of the boarding rooms within the boarding house are identified on the plans as Room 5.
- d) The Plan of Management must outline a minimum three month length of stay for lodgers to satisfy the definition of a boarding house under the Dictionary of the Hawkesbury Local Environmental Plan 2012.
- e) The Plan of Management indicates that all boarding rooms may accommodate two lodgers however the Type 2 rooms are of an insufficient size to cater for two lodgers.
- f) Details and plans of the proposed front fence and gate have not been provided.
- g) A concept landscaping plan has not been provided for the development.
- h) The strata subdivision of the boarding house serves no purpose should the heritage-listed dwelling house be converted to operate as a manager's residence.

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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	Against the Motion
Councillor Calvert	NIL
Councillor Conolly	
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Rasmussen	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Tree	
Councillor Wheeler	
Councillor Zamprogno	

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GENERAL MANAGER

Item: 138 **GM - Representative to the Mutual Management Services Limited (79351, 79426, 106190)**

MOTION:

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

Refer to RESOLUTION

243 RESOLUTION:

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

That Council appoint its two CivicRisk West Board members being Councillor Rasmussen and the General Manager to attend Mutual Management Services Limited members meetings, noting that Council will have one vote.

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CITY PLANNING

Item: 139 **CP - Application S0083/16 - Onsite Wastewater Treatment System - 421 Tennyson Road, Tennyson - (95498, 96330)**

Previous Item: 78, Ordinary (9 May 2017)
 90 Ordinary (31 May 2016)

Mr Gregory Jones addressed Council, speaking for the recommendation.

Council noted the following corrections to the report in respect of Item 139 indicated in bold and italics, below:

- Page 30: In this regard, the ponds proposed in the subject application for the Tennyson site are much larger to deal with concerns raised in the development application assessment about **wet** weather storage and proximity to waterways.
- Page 31 In particular:
- the size of the irrigation area is in **excess** of that required
- Page 32 In a separate matter Council staff are addressing the construction work at this site, **which** has **already** been approved and earthworks and construction is substantially completed.

MOTION:

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

Refer to RESOLUTION

244 RESOLUTION:

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

That application No.S0083/16 for an onsite wastewater treatment system at 421 Tennyson Road, Tennyson be approved subject to the following conditions:

General Conditions of Approval

1. All drainage and sanitary plumbing shall be carried out in accordance with the requirements of Australian Standard AS 3500 - 'National Plumbing and Drainage Code', the Plumbing Code of Australia 2012 and be inspected and approved by Council prior to covering.
2. Any source of water supply used for drinking or domestic purposes or for stock is not to be polluted or rendered unwholesome by the land application of effluent from the proposed onsite wastewater treatment system.
3. All effluent from the proposed onsite wastewater management facility shall be disposed of within the confines of the premises. There shall be no run-off from the designated effluent application area to adjoining premises, public places or reserves. The discharge of any such effluent across any boundary which is likely to pollute a natural watercourse will be considered as an offence under Part 5.3, Section 120 of the Protection of the Environment Operations Act 1997.
4. All plumbing and drainage work shall be carried out by a licensed plumber and drainer.

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5. The facility's drainage to the onsite wastewater treatment system shall be protected by an overflow gully.
6. The installation shall be carried out in accordance with the approved plans and specifications.
7. Oil/petroleum wastes from the premises, must not be discharged into the onsite wastewater treatment system.
8. New installations of disposal areas shall comply with the recommended buffer distances outlined in Appendix R, Recommended Setback Distances for Land Application Systems, Australian Standard AS 1547:2012 - On-site domestic wastewater management.
9. The effluent application area shall comprise of a suitable number of sprays that will evenly distribute the effluent within the application area. Sprinklers used in the application areas shall be located so as to throw wastewater within the effluent application area only and not direct any effluent beyond the confines of the designated effluent application area. The effluent application area may be divided into two or more areas.
10. Sprinklers used shall produce a coarse droplet spray with no misting or aerosol, and shall have a maximum plume height in the order of 800mm above finished ground level. Sprinklers shall be durable, long wearing and installed in such a manner as to ensure that they are not easily damaged during maintenance of the effluent application area.
11. Should more than one disposal area be used a valve system shall be designed to ensure that at least one irrigation area is available for use at all times.
12. Within the effluent irrigation area there must be at least two warning signs that comply with Australian Standard AS 1319 - Safety signs for the occupational environment and have:
 - a) a green background
 - b) 20mm high capital lettering in black or white
 - c) the words "RECLAIMED EFFLUENT – NOT FOR DRINKING – AVOID CONTACT".
13. Compliance with the annual Prevention Notice issued by Council under Section 96 of the Protection of the Environment Operations Act 1997 which will stipulate particular recording and monitoring requirements as per below:
 - a) Operating Activities must be carried out in a competent manner**

This includes:

 - (i) the processing, handling, movement and storage of materials and substances used to carry out the activity;
 - (ii) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity;
 - (iii) an operation manual for the Wastewater and Sewage Management Facilities are to be reviewed annually, updated and circulated to all contractors and Council as required; and
 - (iv) provide an emergency response plan in the event of a power failure.
 - b) Maintenance of plant and equipment**

All plant and equipment installed or used in or on the premises:

 - (i) must be maintained in a proper and efficient condition;
 - (ii) must be operated in a proper and efficient manner in accordance with the manufactures specifications;
 - (iii) the infrastructure for the Wastewater and Sewage Management Facilities are to be

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- adequately locked and secured to prevent public access and/or tampering. The occupier must take all practicable steps to control unauthorised entry to the premises;
- (iv) access is to be made available upon request from authorised Council staff;
 - (v) analysis and maintenance reports are to be sent to:
 - Hawkesbury City Council
 - PO Box 146
 - WINDSOR NSW 2756
 - Attention: Environment and Regulatory Services;
 - (vi) details of two nominated contact persons are to be provided in writing who are authorised to discuss issues pertaining to this Notice on behalf of the company. Details must include, name, address and a 24 hour contact telephone number;
 - (vii) provide access to the top of any plant more than 2m above ground level by means of a stairway or step-type ladder in accordance with Australian Standard AS 1967 - 'Code for Fixed Platforms, Walkways, Stairs and Ladders';
 - (viii) store chemicals in accordance with the requirements for Dangerous Goods; and
 - (ix) provide a level, all weather road access for heavy vehicles to within pumping distance of the plant or other necessary maintenance points for emergency purposes.
- c) Management of Surface Waters**
- (i) Surface waters must be diverted away from the irrigation areas.
- d) Reclaimed Sewage and Irrigation System**
- (i) Treated wastewater pipelines and fittings must be clearly identified. Standard water taps, hoses and cocks must not be fitted to irrigation pipelines, and the irrigation system must not be connected to other pipelines.
 - (ii) Lockable valves or removable handles must be used where there is public access to the irrigation area.
 - (iii) Adequate notices, warnings to the public "RECLAIMED EFFLUENT USED IN THIS AREA, AVOID CONTACT -DO NOT DRINK", must be erected on the site. These notices must be in legible English and in any other languages as may be necessary and must indicate at least the water is "RECLAIMED SEWAGE- UNFIT FOR DRINKING".
 - (iv) The wastewater treatment system must be maintained and serviced such that the final effluent at the outlet of the plant meets the limits as outlined in the NSW Guidelines for Urban and Residential Use of Reclaimed Water.
 - (v) Filter on the irrigation pumps to be cleaned and reinstalled as required.
 - (vi) No water supply or any source of water supply used for drinking or domestic purposes or for stock is likely to be polluted or rendered unwholesome by the land application of effluent from the proposed sewage management facility.
 - (vii) All effluent from the sewage management facility shall be disposed of within the confines of the premises. There shall be no run-off from the designated effluent application area to adjoining premises, public places or reserves. The discharge of any such effluent across any boundary in such a manner as to pollute a natural watercourse will be considered as an offence under Part 5.3, Section 120 of the Protection of the Environment Operations Act 1997.
- e) Monitoring and recording**
- All records required to be kept by the operator must be:
- (i) In a legible form, or in a form that can readily be reduced to a legible form.
 - (ii) Kept for at least six years after the monitoring or event to which they relate took place.
 - (iii) Produced in a legible form and forwarded to Council, Regulatory Services, Attention: The Manager, within 30 days from the date of analysis.
 - (iv) All field tests should be recorded with the flow and/or applied loading rates, and any alterations to the plant or operational procedures should be noted at the appropriate time.

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- (v) The following records must be kept in respect of any samples required to be collected for the purposes of the Notice:
- the date(s) on which the sample was taken
 - the time(s) at which the sample was collected
 - the point at which the sample was taken
 - the name of the person who collected the sample
 - the parameters to be tested
 - the name and address of the NATA registered laboratory undertaking the analysis
 - the results of the testing.
- (vi) Independent water monitoring must be undertaken in the irrigation dam and at two points on Howes Creek, being at the western (upstream) and eastern (downstream) property boundary. For each monitoring point the operator must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified below. The operator must use the sampling method, units of measure, and sample frequency as specified below.

Parameters	Frequency
Biochemical Oxygen Demand	Six Monthly
Suspended Solids	Six Monthly
Total Nitrogen	Six Monthly
Total Phosphorus	Six Monthly
<i>E.coli</i> bacteria	Six Monthly
Faecal Coliforms	Six Monthly
pH	Six Monthly
Total residual chlorine (if used)	Six Monthly

These test results and monitoring reports may be audited by Council on a yearly basis or as required.

A base line monitoring level is to be set for the above parameters in Howes Creek prior to commencement of operation of the processing facility.

- (vii) The operator must keep a legible record of all complaints made to the operator or any employee or agent of the operator in relation to pollution arising from any activity to which this Notice applies

Councillor Ross requested that his name be recorded as having voted against the Motion.

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SUPPORT SERVICES

Item: 140 **SS - Podcasting of Council Meetings and Code of Meeting Practice - (95496, 96333, 79351, 79352)**

Previous Item: Item 53, Ordinary (14 March 2017)
 Item 13, Ordinary (31 January 2017)
 NM1, Ordinary (31 January 2017)

MOTION:

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

Refer to RESOLUTION

245 RESOLUTION:

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

That:

1. Council adopt the Draft Code of Meeting Practice, attached as Attachment 1 to this report, to be placed on public exhibition for a period of not less than 28 days, with submissions to be received up to 42 days from the date the Draft Code is publicly exhibited.
2. The outcome of the public exhibition period be further reported to Council.

Item: 141 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

MOTION:

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

Refer to RESOLUTION

246 RESOLUTION:

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

That the information be received and noted.

SECTION 5 - Notices of Motion

NM1 Council Rating Structure - (79351, 105109, 138879)

Mr John Cupit, Ms Vicki Vella and Mr John Berenschot addressed Council, speaking for the recommendation.

Mr Peter Nicholson, Ms Elizabeth Rowan and Mr Michael Want addressed Council, speaking against the recommendation.

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

That:

1. Council acknowledges that the recent restructure of the rating system has played a role in the rates of some Hawkesbury residents significantly increasing from last year.
2. Council support amending the current base rate of 30% across all rates categories to 50% across all rates categories starting in the financial year 2018/2019.
3. Council supports the calls of residents in areas affected by substantial land valuation changes to ask the Valuer-General to comment on their land valuation determinations
4. Council acknowledges that many recent revaluations in semi-rural residential areas fail to reflect likely land use or development potential for some time.

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

That:

1. Council acknowledges that rates are determined in accordance with the Local Government Act 1993 (NSW) and land valuations provided by the NSW State Government's Valuer General's Department.
2. It is noted that Council considers its rating structure each year during preparation of its Operational Plan, and decides whether the structure requires review. If so, decisions are made only after complete and thorough investigations.
3. Council acknowledges that generally the change in rating structure (2017/2018) has resulted in decreases in the rates of the majority of ratepayers. Even in some areas where rates have increased, the proportion of increase attributable to Council's recent restructure is very small compared to the increase in rates that can be attributed to change in land values.
4. Council notes the work already initiated by staff to convene a community meeting in late August 2017, as indicated by staff at the Windsor Town Meeting on 26 July 2017. The purpose of the meeting being sought by staff is to provide an opportunity for representatives of the Valuer General to explain the valuation system to the wider community.

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5. Council:
 - a) notes the views outlined by some residents of Oakville about the perceived disproportionate increase in land valuations for properties in Oakville, relative to other areas in the Hawkesbury
 - b) makes further enquiries to the Valuer General, on behalf of residents, seeking clarification of the methodology for the revaluation of properties in Oakville.
 - c) seeks an urgent answer from the Valuer General as to whether the time period in which individual landowners can object to their valuation can be waived, so that affected property owners can submit objections for consideration by the Valuer General.
6. Council hold a two day workshop to discuss Council's rating structure within the next six months.

ADJOURNMENT OF MEETING

The Mayor, Councillor Lyons-Buckett adjourned the meeting at 9:13pm and left the Chair.

The Mayor, Councillor Lyons-Buckett, resumed the meeting at 9:24pm.

The Amendment was carried and became the Motion.

MOTION:

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

Refer to RESOLUTION

247 RESOLUTION:

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

That:

1. Council acknowledges that rates are determined in accordance with the Local Government Act 1993 (NSW) and land valuations provided by the NSW State Government's Valuer General's Department.
2. It is noted that Council considers its rating structure each year during preparation of its Operational Plan, and decides whether the structure requires review. If so, decisions are made only after complete and thorough investigations.
3. Council acknowledges that generally the change in rating structure (2017/2018) has resulted in decreases in the rates of the majority of ratepayers. Even in some areas where rates have increased, the proportion of increase attributable to Council's recent restructure is very small compared to the increase in rates that can be attributed to change in land values.
4. Council notes the work already initiated by staff to convene a community meeting in late August 2017, as indicated by staff at the Windsor Town Meeting on 26 July 2017. The purpose of the meeting being sought by staff is to provide an opportunity for representatives of the Valuer General to explain the valuation system to the wider community.
5. Council:
 - a) notes the views outlined by some residents of Oakville about the perceived disproportionate increase in land valuations for properties in Oakville, relative to other areas in the Hawkesbury.

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- b) makes further enquiries to the Valuer General, on behalf of residents, seeking clarification of the methodology for the revaluation of properties in Oakville.
 - c) seeks an urgent answer from the Valuer General as to whether the time period in which individual landowners can object to their valuation can be waived, so that affected property owners can submit objections for consideration by the Valuer General.
6. Council hold a two day workshop to discuss Council's rating structure within the next six months.

Councillors Conolly, Richards, Tree and Zamprogno requested that their names be recorded as having voted against the Motion.

NM2 Recording of Telephone Calls - (79351, 105109, 138879)

Ms Kim Smith and Mr Bill Sneddon addressed Council, speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

248 RESOLUTION:

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

That Council seek legal advice to determine the ramifications of implementing recording of phone calls between Council staff and third parties, including residents and the legal advice be reported back to Council and this information then be used to determine if a further report regarding this matter is required to be brought to Council.

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QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meeting and Responses - (79351)

Raised at the Ordinary Meeting held – 25 July 2017

There were no responses to Questions in relation to previous Questions for Next Meeting.

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#	Councillor	Question	Response
1	Tree	Enquired as to whether the meeting with the RMS regarding the Grose River crossing has happened or when it will be happening.	General Manager
2	Tree	Enquired as to whether training is available for the Mayor in regard to the execution of her civic duties.	General Manager
3	Wheeler	Requested if Council staff could investigate the damage done to the Sackville Aboriginal Reserve by trail bikes.	Director Infrastructure Services
4	Reynolds	Requested an update on his enquiry on 28 March 2017 relating to the installation of bus shelters at Pecks Road, North Richmond.	Director Infrastructure Services
5	Garrow	Requested that Council clarify its position on waste disposal in particular those services that are outsourced to contractors.	Director City Planning
6	Ross	Enquired as to when Council would receive a response to outstanding Notices of Motion.	General Manager
7	Rasmussen	Enquired as to whether Council can renew the reflectors on the power poles in Yarramundi Lane.	Director Infrastructure Services
8	Lyons-Buckett	Requested if addresses that receive more than one rates notice can receive a single set of documentation.	Director Support Services

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CONFIDENTIAL REPORTS

249 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, 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 Council Chambers during consideration of the following items:

Item: 142 SS - Property Matter - Lease of Shops 7 and 8 Glossodia Shopping Village - (112106, 95496, 33836, 118210) CONFIDENTIAL

*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.

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.

250 RESOLUTION:

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

ORDINARY MEETING

Minutes: 08 August 2017

Item: 142 **SS - Property Matter - Lease of Shops 7 and 8 Glossodia Shopping Village - (112106, 95496, 33836, 118210) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

251 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Saghir Khan and Riffat Khan in regard to Shops 7 and 8 Glossodia Shopping Village, 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 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 resolution into effect has been agreed to and executed by all parties.

The meeting terminated at 10:25pm.

Submitted to and confirmed at the Ordinary meeting held on 29 August 2017.

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Mayor