



# EXTRAORDINARY MEETING

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Date of meeting: 17 May 2023

Location: Audio-Visual Link

Members of the Public may attend in person at the  
Tebbutt Room, Deerubbin Centre  
300 George Street, WINDSOR

Time: 6:30 PM

MINUTES



**EXTRAORDINARY MEETING**

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## EXTRAORDINARY MEETING

### 1. PROCEDURAL MATTERS

Meeting Date: 17 May 2023

### 1. PROCEDURAL MATTERS

Minutes of the Extraordinary Meeting held by audio-visual link and at the Tebbutt Room, Deerubbin Centre, 300 George Street, Windsor, on 17 May 2023, commencing at 6:30pm.

#### Welcome

The Deputy Mayor, Councillor Calvert advised that an apology has been received for tonight's Extraordinary Meeting from the Mayor, Councillor McMahon.

In the absence of the Mayor, the Deputy Mayor, Councillor Calvert, in accordance of Section 369 (1) of the Local Government Act 1993, acted as Chairperson.

The Deputy Mayor, Councillor Barry Calvert 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:

By Audio-Visual Link: Councillor Barry Calvert, Deputy Mayor and Councillors Patrick Conolly, Shane Djuric, Amanda Kotlash, Mary Lyons-Buckett, Jill Reardon, Les Sheather, Paul Veigel, Danielle Wheeler and Nathan Zamprogno.

##### ALSO PRESENT:

By Audio-Visual Link: General Manager - Elizabeth Richardson, Director City Planning - Meagan Ang and Manager Strategic Planning - Andrew Kearns.

Tebbutt Room, Deerubbin Centre: Director Corporate Services - Laurie Mifsud, Manager Corporate Communications and Events - Suzanne Stuart and Administrative Support Coordinator – Tracey Easterbrook.

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

Apologies for absence were received from the Councillor Sarah McMahon, Mayor and Councillor Eddie Dogramaci.

#### 90 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Zamprogno that the apologies be accepted.

**EXTRAORDINARY MEETING**

**1. PROCEDURAL MATTERS**

**Meeting Date:** 17 May 2023

The Deputy Mayor, Councillor Calvert advised that the General Manager received information from the following Councillors of their intention seek to attend the Extraordinary Meeting by audio-visual link having regard to the Council Chamber being unavailable due to renovations and the absence of an alternate suitable facilities:

Councillor Barry Calvert, Deputy Mayor and Councillors Patrick Conolly, Shane Djuric, Amanda Kotlash, Mary Lyons-Buckett, Les Sheather, Jill Reardon, Paul Veigel, Danielle Wheeler and Nathan Zamprogno.

**91 RESOLUTION:**

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Zamprogno that approval be granted for Councillor Barry Calvert, Deputy Mayor and Councillors Patrick Conolly, Shane Djuric, Amanda Kotlash, Mary Lyons-Buckett, Les Sheather, Jill Reardon, Paul Veigel, Danielle Wheeler and Nathan Zamprogno to attend the Extraordinary Council Meeting on 17 May 2023 by audio-visual link due to the Council Chamber being unavailable due to renovations and the absence of an alternate suitable facilities.

Councillor Djuric entered the meeting at 6:32pm.

**DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**Acknowledgement of Official Visitors to the Council**

There were no official visitors to Council.

**EXTRAORDINARY MEETING**

**6. NOTICES OF MOTION**

**Meeting Date:** 17 May 2023

**6. NOTICES OF MOTION**

**6.1.1. NM – Natural Environment and Rural Boundary Clearing Code - (125612)**

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Ms Stephanie Calabornes and Mr John Grant addressed Council speaking for the recommendation in the business paper.

A MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Wheeler.

That Council:

1. Request a report clarifying immediate actions (and approximate costs) which can be taken by Council through compliance, education and advice to landowners, to prevent threats to our natural environment and specifically, wildlife habitats, from land clearing and tree removal.
2. Within that report include the number of complaints received about removal of vegetation in the Hawkesbury LGA including the suburb where clearing occurred. Data to include how many times the justification of clearing was attributed to the Rural Boundary Clearing Code.
3. Receive a report detailing costings, potential external funding sources and funding available under the first quarterly budget review of 2023/2024 to commence a comprehensive Koala Management Plan.
4. Update Councillors and the public on the progress of the Resolution of 8 February 2022 which called for a report on the methodology and funding available to map our koala populations and how this information could be used to protect them.
5. Write to The Hon. Penny Sharpe, Minister for the Environment and The Hon. Jihad Dib Minister for Emergency Services requesting advice on a date for when the review of Division 9, Rural Fires Act 1997 (NSW) as outlined in s100S to determine whether the policy objectives of the Division remain valid, will be undertaken and within that review:
  - a) Request information on whether Hawkesbury LGA can be removed from the Rural Boundary Clearing Code Provisions.
  - b) Consideration of the introduction of further provisions or guidelines to ensure correlation between vegetation removal and fire risk.
  - c) Consideration of altering the eligibility criteria to align with bushfire risk rather than application via rural zoning.
  - d) Request input from Local Government Areas subject to the Rural Boundary Clearing Code and those who have opted into the Code, including data relating to use of resources to investigate complaints, and capacity to enforce the Rural Boundary Clearing Code in the future.
  - e) Investigate and report on the extent of land currently eligible to be cleared which does not have koala or wildlife.

**EXTRAORDINARY MEETING**

**6. NOTICES OF MOTION**

**Meeting Date:** 17 May 2023

**MOTION:**

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

***Refer to RESOLUTION***

**92 RESOLUTION:**

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

That the Motion be put.

**For the Motion:** Councillors Calvert, Conolly, Kotlash, Reardon, Sheather and Veigel.

**Against the Motion:** Councillors Djuric, Lyons-Buckett, Wheeler and Zamprogno.

**Absent:** Councillors McMahon and Dogramaci.

A PROCEDURAL MOTION was moved by Councillor Wheeler, seconded by Councillor Lyons-Buckett that this item be dealt with in seriatim.

**For the Motion:** Councillors Calvert, Conolly, Djuric, Kotlash, Lyons-Buckett, Reardon, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Councillor Sheather.

**Absent:** Councillors McMahon and Dogramaci.

The Procedural Motion was carried.

A MOTION was moved by Councillor, Lyons-Buckett, seconded by Councillor Wheeler.

That Council:

1. Request a report clarifying immediate actions (and approximate costs) which can be taken by Council through compliance, education and advice to landowners, to prevent threats to our natural environment and specifically, wildlife habitats, from land clearing and tree removal.

**For the Motion:** Councillors Djuric, Lyons-Buckett, Wheeler and Zamprogno.

**Against the Motion:** Councillors Calvert, Conolly, Kotlash, Reardon, Sheather and Veigel.

**Absent:** Councillors McMahon and Dogramaci.

The Motion was lost.



**EXTRAORDINARY MEETING**

**6. NOTICES OF MOTION**

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A MOTION was moved by Councillor, Lyons-Buckett, seconded by Councillor Wheeler.

That Council:

2. Within that report include the number of complaints received about removal of vegetation in the Hawkesbury LGA including the suburb where clearing occurred. Data to include how many times the justification of clearing was attributed to the Rural Boundary Clearing Code.

**For the Motion:** Councillors Djuric, Lyons-Buckett, Wheeler and Zamprogno.

**Against the Motion:** Councillors Calvert, Conolly, Kotlash, Reardon, Sheather and Veigel.

**Absent:** Councillors McMahon and Dogramaci.

The Motion was lost.

**MOTION:**

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

***Refer to RESOLUTION***

**93 RESOLUTION:**

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

That Council:

3. Receive a report detailing costings, potential external funding sources and funding available under the first quarterly budget review of 2023/2024 to commence a comprehensive Koala Management Plan.

**For the Motion:** Councillors Calvert, Conolly, Djuric, Kotlash, Lyons-Buckett, Reardon, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Councillor Sheather.

**Absent:** Councillors McMahon and Dogramaci.

**EXTRAORDINARY MEETING**

**6. NOTICES OF MOTION**

**Meeting Date:** 17 May 2023

**MOTION:**

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

***Refer to RESOLUTION***

**94 RESOLUTION:**

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

That Council:

4. Update Councillors and the public on the progress of the Resolution of 8 February 2022 which called for a report on the methodology and funding available to map our koala populations and how this information could be used to protect them.

**For the Motion:** Councillors Calvert, Conolly, Djuric, Kotlash, Lyons-Buckett, Reardon, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Councillor Sheather.

**Absent:** Councillors McMahon and Dogramaci.

A MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Wheeler.

That Council:

5. Write to The Hon. Penny Sharpe, Minister for the Environment and The Hon. Jihad Dib Minister for Emergency Services requesting advice on a date for when the review of Division 9, Rural Fires Act 1997 (NSW) as outlined in s100S to determine whether the policy objectives of the Division remain valid, will be undertaken and within that review:
  - a) Request information on whether Hawkesbury LGA can be removed from the Rural Boundary Clearing Code Provisions.
  - b) Consideration of the introduction of further provisions or guidelines to ensure correlation between vegetation removal and fire risk.
  - c) Consideration of altering the eligibility criteria to align with bushfire risk rather than application via rural zoning.
  - d) Request input from Local Government Areas subject to the Rural Boundary Clearing Code and those who have opted into the Code, including data relating to use of resources to investigate complaints, and capacity to enforce the Rural Boundary Clearing Code in the future.
  - e) Investigate and report on the extent of land currently eligible to be cleared which does not have koala or wildlife.

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**6. NOTICES OF MOTION**

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**For the Motion:** Councillors Djuric, Lyons-Buckett, Wheeler and Zamprogno.

**Against the Motion:** Councillors Calvert, Conolly, Kotlash, Sheather, Reardon and Veigel.

**Absent:** Councillors McMahon and Dogramaci.

The Motion was lost.

The meeting terminated at 7:29pm.

Submitted to and confirmed at the Ordinary Meeting held on 13 June 2023.

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Mayor