



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 12 December 2017

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Minutes: 12 December 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 12 December 2017, commencing at 6:35pm.

ATTENDANCE

PRESENT: Councillor M Lyons-Buckett, Mayor, Councillor B Calvert, Deputy Mayor and Councillors P Conolly, E-J Garrow, A Kotlash, P Reynolds, S Richards, J Ross, D Wheeler and N Zamprogno.

ALSO PRESENT: General Manager - Peter Conroy, Acting Director City Planning - Andrew Kearns, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Manager Corporate Communication - Suzanne Stuart, Chief Financial Officer – Emma Galea, Manager Corporate Services and Governance - Michael Wearne and Administrative Support Coordinator - Natasha Martin.

APOLOGIES AND LEAVE OF ABSENCE

Apologies for absence were received from Councillors P Rasmussen and T Tree.

390 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Kotlash that the apology be accepted and that leave of absence from the meeting be granted.

DECLARATIONS OF INTEREST

Councillor Garrow declared an interest on Item 227.

SECTION 1 - Confirmation of Minutes

391 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Zamprogno that the Minutes of the Ordinary Meeting held on the 28 November 2017, be confirmed.

Presentation to Hawkesbury Gazette Photography Competition Winners

Mr Conor Hickey, from the Hawkesbury Gazette presented to Council the winners of the Hawkesbury Gazette Photography Competition 'We Are Hawkesbury - 25 Places'. The competition was sponsored by Hawkesbury City Council. Sonia Topic won the Senior category and Jack O'Leary won the Junior category. Both Sonia Topic and Jack O'Leary were presented with framed copies of their winning photographs and copies of each were donated to Council.

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SECTION 2 - Mayoral Minutes

SUPPLEMENTARY REPORTS

MM **Easy to do Business - (79351, 79353, 125612)**

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett.

Refer to RESOLUTION

392 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett.

That Council delegate authority to the General Manager to enter into a contract with Service NSW for "Easy to do Business".

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 225 **CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012
- Lot E DP 373372, 452 Greggs Road, Kurrajong - (95498, 124414)**

Previous Item: 96, Ordinary (31 May 2016)

Mr Glenn Falson addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

393 RESOLUTION:

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

That Council:

1. Proceed with the making of a plan to amend the Hawkesbury Local Environmental Plan 2012 in order to permit the subdivision Lot E DP 373372, 452 Greggs Road, Kurrajong into two large rural residential lots with a minimum lot size of not less than 4,000m² as detailed in this report.
2. Request that the Parliamentary Counsel's Office prepare a draft Local Environmental Plan to give effect to the exhibited planning proposal in accordance with Section 59(1) of the Environmental Planning and Assessment Act 1979.
3. Adopt and make the draft local environmental plan, under the authorisation for Council to exercise delegation issued by the Gateway determination, upon receipt of an opinion from Parliamentary Counsel's Office that the plan can be legally made.
4. Following the making of the Plan, advise the Department of Planning and Environment that the Plan has been made and request to notify the Plan on the NSW Legislation website.
5. Publically exhibit the Draft Voluntary Planning Agreement attached to this report for a minimum of 28 days and the Draft Voluntary Planning Agreement be reported back to Council following public exhibition prior to finalisation.
6. Officers initiate discussions with the land owner with a view to confirming the heritage value of the former dwelling located on 452 Greggs Road, Kurrajong and reporting the outcome of those discussions to Council in February 2018.

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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	Councillor Ross
Councillor Conolly	
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Reynolds	
Councillor Richards	
Councillor Wheeler	
Councillor Zamprogno	

Councillors Rasmussen and Tree were absent from the meeting.

GENERAL MANAGER

Item: 226 **GM - Recording of Telephone Calls - Legal Advice - (79351, 105109, 138879)**

Previous Item: NM2, Ordinary (8 August 2017)

MOTION:

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

Refer to RESOLUTION

394 RESOLUTION:

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

That the report be received and noted.

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Item: 227 GM - Request for Sponsorship - St Albans Festival 2018 - 2010 - (79351)

Councillor Garrow declared a pecuniary interest in this matter as she has a family member who owns a tourism facility in the area that could benefit from this event. She left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

395 RESOLUTION:

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

That:

1. Council agree to support the 2018, 2019 and 2020 St Albans Writers' Festival to be held in September 2018, September 2019 and September 2020 to the value of a \$10,000 a year, with total value of contributions being \$30,000 over three years, subject to an annual review.
2. Council allocate funding of \$7,500 a year in the 2018/2019, 2019/2020 and 2020/2021 Draft Operational Plans and provide in-kind resources to the value of \$2,500 each year for 2018, 2019 and 2020 as outlined in this report to support the St Albans Writers' Festival.
3. Council's standard Sponsorship Agreement be executed.

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CITY PLANNING

Item: 228 CP - Public Place Recycling Program - Hawkesbury Show 2018 - (124414)

MOTION:

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

Refer to RESOLUTION

396 RESOLUTION:

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

That:

1. The report regarding Council's involvement in implementing a Public Place Recycling Program at the Hawkesbury Show in 2018 be received.
2. Approval is given to commence planning for the Public Place Recycling Program for the Hawkesbury Show in 2018 based on identified improvements outlined in this report.

Item: 229 CP - Submission on the Draft Greater Sydney Region Plan and Draft Western City District Plan - (95498, 124414)

Previous Item: 62, Ordinary (28 March 2017)

MOTION:

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

Refer to RESOLUTION

397 RESOLUTION:

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

That Council prepare and forward a submission to the Greater Sydney Commission on the Draft Greater Sydney Region Plan and the Draft West District Plan addressing the key issues and considerations contained within Attachment 1 of this report prior to the end of the exhibition period on 15 December 2017.

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Item: 230 CP - Submission to Various Draft State Environmental Planning Policies and Standard Instrument Amendments - (95498, 124414)

MOTION:

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

Refer to RESOLUTION

398 RESOLUTION:

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

That Council endorse the forwarding of submissions, addressing the matters outlined in the report, to the Department of Planning and Environment for consideration in respect to:

- a) Draft State Environmental Planning Policy (Primary Production and Rural Development) 2017.
- b) Draft State Environmental Planning Policy (Environment) 2017.

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INFRASTRUCTURE SERVICES

Item: 231 **IS - Sustainable Energy Strategy - (95495, 79340)**

Previous Item: 219, Ordinary (28 November 2017)
 NM1, Ordinary (29 August 2017)
 MM2, Ordinary (30 May 2017)
 NM3, Ordinary (13 December 2016)

MOTION:

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

Refer to RESOLUTION

399 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Wheeler.
That:

1. Council note the information and actions underway in relation to sustainable energy.
2. A Sustainable Energy Strategy for Council be developed in close consultation with the Energy Working Group that reports to the Sustainability Advisory Committee.
3. A Table of Contents for the Sustainable Energy Strategy be developed early in the new year, reviewed by the Energy Working Group and reported to Council at its Ordinary meeting of 27 February 2018.

SUPPORT SERVICES

Item: 232 **SS - Fraud and Corruption Prevention Policy - (95496, 96333)**

Previous Item: 179, Ordinary (26 September 2017)

MOTION:

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

Refer to RESOLUTION

400 RESOLUTION:

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

That the Fraud and Corruption Prevention Policy, attached as Attachment 1 to this report, be adopted.

ORDINARY MEETING

Minutes: 12 December 2017

Item: 233 SS - Review of Council's Access to Information Policy - (95496, 96333)

MOTION:

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

Refer to RESOLUTION

401 RESOLUTION:

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

That:

1. The Access to Information Policy, attached as Attachment 1 to this report, be placed on public exhibition for a period of 28 days.
2. The outcome of the public exhibition period be further reported to Council.

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SECTION 4 - Reports of Committees

ROC Audit Committee Minutes - 13 September 2017 - (95496, 79351, 91369, 121470)

402 RESOLUTION:

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

That the minutes of the Audit Committee held on 13 September 2017 as recorded on pages 125 to 128 of the Ordinary Business Paper be received.

ROC Human Services Advisory Committee - 9 November 2017 - (123486, 124414)

403 RESOLUTION:

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

That the minutes of the Human Services Advisory Committee held on 9 November 2017 as recorded on pages 129 to 134 of the Ordinary Business Paper be received.

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SECTION 5 - Notices of Motion

NM Increased Tree Canopy - (79351, 138882)

MOTION:

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

Refer to RESOLUTION

404 RESOLUTION:

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

That Council receive a report on policy and methods of increasing the tree canopy in residential areas including but not limited to:

1. Review of Blacktown's "Cool Streets" program and its relevance to the Hawkesbury LGA, and the work done by Penrith City Council in conjunction with The University of Technology Sydney.
2. Development of a recommended species list in conjunction with the Hawkesbury Environment Network.
3. Specific actions to increase tree canopy on Council controlled land, especially footpaths and car parks.
4. Actions to maintain and improve existing and mature canopy.
5. Clarification of the Greater Sydney Commission's canopy cover calculations.

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QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meeting and Responses - 14 November 2017 - (79351)

Councillor Questions from Previous Meeting and Responses - (79351)

Raised at the Ordinary Meeting held – 14 November 2017

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

Councillor Questions from Previous Meeting and Responses - 28 November 2017 - (79351)

Raised at the Ordinary Meeting held – 28 November 2017

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

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#	Councillor	Question	Response
1	Zamprongo	Enquired if any progress has been made on the road remarking of the turning lane from Pitt Town Road into Saunders Road, Pitt Town and if representations have been made to the RMS.	Director Infrastructure Services
2	Zamprongo	Enquired if investigations for grading could be made into the corrugations on Packer Road, Blaxlands Ridge between Putty Road and West Portland Road.	Director Infrastructure Services
3	Wheeler	Enquired if directions for Councillors could be provided on the structure and suitability of Questions For Next Meeting.	Director Support Services
4	Reynolds	Enquired how the development application for a motel at Vineyard has been allowed to change its use and how this related to the nature of the original development application.	Director City Planning
5	Reynolds	Enquired if vehicle access arrangements were made part of the conditions of consent for the development at 24 Bridge Street, Windsor.	Director City Planning
6	Reynolds	Enquired as to why there was no consideration as to the extant Barrack wall at 24 Bridge Street, Windsor during the development application review process.	Director City Planning
7	Ross	Enquired if the natural drainage element between 474 and 480 Greggs Road, Kurrajong could be investigated to determine if it has been affected by recent works.	Director Infrastructure Services
8	Garrow	Enquired if the building on the corner of Baker Street and George Street, Windsor could be reviewed from a compliance perspective as the roof guttering is blocked and overflows.	Director City Planning

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#	Councillor	Question	Response
9	Garrow	Enquired if the concrete drain cover on the footpath near Baker Street and George Street, Windsor that is being constantly damaged could be assessed with a view to minimising future damage.	Director Infrastructure Services

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CONFIDENTIAL REPORTS

405 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, 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: 234 IS - Current Sullage Collection, Transportation and Disposal Contract - (95495, 112179)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to the current Sullage Collection, Transportation and Disposal Contract and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret 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.

406 RESOLUTION:

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

Item: 234 IS - Current Sullage Collection, Transportation and Disposal Contract - (95495, 112179) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

407 RESOLUTION:

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

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That Council:

1. Approve the extension of the current contract for sullage collection, transportation and disposal service currently provided by Premier Pumpout Pty. Ltd. post 31 January, 2018 on a month by month basis based on the current terms, conditions and pricing until the current tender for the sullage collection, transportation and disposal service is awarded, under the provisions of Section 55(3)(i) of the Local Government Act 1993.
2. Make further representations to the Member for Hawkesbury for residents that currently use a sullage service to receive a subsidy.

The meeting terminated at 8:52pm.

Submitted to and confirmed at the Ordinary meeting held on 30 January 2018.

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Mayor