



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 13 November 2018

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING**Table of Contents**

Minutes: 13 November 2018

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	ATTENDANCE	2
	APOLOGIES AND LEAVE OF ABSENCE	2
	DECLARATIONS OF INTEREST	2
	PRESENTATION	2
	SECTION 1 - Confirmation of Minutes	3
	SECTION 3 – Reports for Determination	4
	PLANNING DECISIONS	4
Item: 269	CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 Land Zoning Map from RU4 Primary Production Small Lots to IN1 General Industrial - 27 Park Road, Vineyard and 41 Park Road, Mulgrave - (95498, 144940, 124414)	4
	GENERAL MANAGER	6
Item: 270	GM - Annual Report 2017/2018 incorporating Audited Financial Statements - (95498, 124414, 79351)	6
	SUPPORT SERVICES	7
Item: 271	SS - General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2018 - (95496)	7
	SECTION 4 – Reports of Committees	8
Item: 272	ROC - Waste Management Advisory Committee - 3 October 2018 - (124414, 95249)	8
Item: 273	ROC - Environmental Sustainability Advisory Committee - 17 September 2018 - (124414, 126363)	9
	SECTION 5 – Notices of Motion	10
Item: 274	NM1 - Bells Line of Road - Safe Shared Pathway - (79351, 125612)	10
Item: 275	NM2 - Rape and Domestic Violence Service Australia - "Dunny Door Campaign" - (79351, 138880)	10
Item: 276	NM3 - Streamwatch - (79351, 138882)	11
	QUESTIONS FOR NEXT MEETING	12
Item: 277	Councillor Questions from Previous Meetings and Responses - 30 October 2018 - (79351)	12

ORDINARY MEETING

Table of Contents

Minutes: 13 November 2018

CONFIDENTIAL REPORTS	14
Item: 278 SS - Acquisition for Drainage Purposes - Part of Lot 2 in Deposited Plan 76375, being 130 Hall Street, Pitt Town - (95496, 112106, 10535, 5247)	15
Item: 279 SS - Lease to Pitt Town Pizza Pty Ltd - Shop 8, Wilberforce Shopping Centre - (125631, 95496, 112106)	16

ORDINARY MEETING

Minutes: 13 November 2018

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 13 November 2018, commencing at 6.31pm.

Welcome

The 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: Councillor Barry Calvert, Mayor, Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Patrick Conolly, Emma-Jane Garrow, Amanda Kotlash, Paul Rasmussen, Peter Reynolds, Sarah Richards, John Ross, Tiffany Tree, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Acting Chief Financial Officer – Vanessa Browning, Acting Director Support Services - Michael Wearne, Administrative Support Coordinator - Tracey Easterbrook and Administration Support Officer - Jodie Tillinghast.

APOLOGIES AND LEAVE OF ABSENCE

No apologies or leave of absence were received from Councillors.

Councillor Garrow arrived at the meeting at 6.33pm.

Councillor Rasmussen arrived at the meeting at 6.37pm.

DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

Acknowledgement of Official Visitors to the Council

The Mayor acknowledged and welcomed official visitors to the Council.

PRESENTATION

A presentation was provided by Council's Auditor, Mr Alexio Chibika from PricewaterhouseCoopers and Ms Somaiya Ahmed from the NSW Audit Office, in respect of Council's audited 2017/2018 Financial Statements.

ORDINARY MEETING

Minutes: 13 November 2018

SECTION 1 - Confirmation of Minutes

344 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Rasmussen that the Minutes of the Ordinary held on the Tuesday, 30 October 2018, be confirmed.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Minutes: 13 November 2018

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 269 **CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 Land Zoning Map from RU4 Primary Production Small Lots to IN1 General Industrial - 27 Park Road, Vineyard and 41 Park Road, Mulgrave - (95498, 144940, 124414)**

Directorate: City Planning

Ms Natalie Richter, made herself available to answer questions in relation to the matter.

MOTION:

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

Refer to RESOLUTION

345 RESOLUTION:

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

That Council:

1. Note the advice provided by the Hawkesbury Local Planning Panel on the matter.
2. Support the preparation of a planning proposal to amend the Hawkesbury Local Environmental Plan (LEP) 2012 to allow development of the subject site for general industrial purposes as follows:
 - a) Amend the Land Zoning Map to change the current RU4 Primary Production Small Lots zoning of the subject site to IN1 General Industrial.
 - b) Amend the Height of Buildings Map to remove the current 10m maximum permissible height provision currently applying to the subject site.
 - c) Amend the Lot Size Map to remove the current 2ha minimum lot size provision currently applying to the subject site.
3. The planning proposal be forwarded to the Greater Sydney Commission/the Department of Planning and Environment, requesting a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Minutes: 13 November 2018

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	

ORDINARY MEETING
SECTION 3 – Reports for Determination
Minutes: 13 November 2018

GENERAL MANAGER

Item: 270 **GM - Annual Report 2017/2018 incorporating Audited Financial Statements - (95498, 124414, 79351)**

Previous Item: 201, Ordinary (14 November 2017)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

346 RESOLUTION:

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

That:

1. Council's Annual Report 2017/2018 and accompanying audited Financial Statements be received and noted, and a copy forwarded to the Office of Local Government by 30 November 2018.
2. The Annual Report 2017/2018 and accompanying audited Financial Statements be made available on Council's website by 30 November 2018.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Minutes: 13 November 2018

SUPPORT SERVICES

Item: 271 **SS - General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2018 - (95496)**

Previous Item: 239, Ordinary (25 September 2018)

Division: Support Services

MOTION:

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

Refer to RESOLUTION

347 RESOLUTION:

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

That Council:

1. Note the completion of the General Purpose and Special Purpose Financial Statements and Special Schedules for the period ended 30 June 2018.
2. Thank the representatives from The NSW Audit Office and PricewaterhouseCoopers, for their presentation in respect of Council's audited 2017/2018 Financial Statements.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Minutes: 13 November 2018

SECTION 4 – Reports of Committees

Item: 272 **ROC - Waste Management Advisory Committee - 3 October 2018 - (124414, 95249)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

348 RESOLUTION:

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

That:

1. The Minutes of the Waste Management Advisory Committee Meeting held on 3 October 2018 be received and noted.
2. Council endorse the Committee Recommendation in respect of Item 1, namely:

"That Council:

1. *Work towards facilitating further, reuse, repair and upcycling in the community through already established local businesses and organisations operating in this space. This will involve the creation of a free online public database on the Council website which lists all these individuals, businesses and organisations.*
 2. *Undertake further research and analysis to determine the resource recovery outcomes, as well as how materials would be sourced, how the sale of items would operate and the impact of reuse/ repair centre on existing reuse/ repair services provided by businesses, organisations and individuals.*
 3. *Further explore the expansion of the reuse site either at the landfill or elsewhere.*
 4. *Run a specific publicity campaign associated with the existing reuse networks and reuse shed."*
3. Council endorse the Committee Recommendation in respect of Item 2, namely:

"That:

1. *The report regarding the update on specific projects be received and noted.*
2. *Council investigate the outcomes of the Penrith Food Organics Program and where compost that is generated is used and investigate ways in which to increase demand and use for compost produced by Hawkesbury Council."*

ORDINARY MEETING
SECTION 4 – Reports of Committees

Minutes: 13 November 2018

4. In respect to the Committee's Recommendation in part(h) of the General Business items, Council:
 - a) Invite a student representative(s) from the Western Sydney University to join the Waste Management Advisory Committee.
 - b) Amend the Constitution for the Waste Management Advisory Committee to provide for an additional appointment to the Committee from a local environmental network/organisation, and call for Expressions of Interests from appropriately qualified candidates.

Item: 273 **ROC - Environmental Sustainability Advisory Committee - 17 September 2018 - (124414, 126363)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

349 RESOLUTION:

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

That:

1. The Minutes of the Environmental Sustainability Advisory Committee Meeting held on 17 September 2018 be received and noted.
2. Council endorse the Committee Recommendation in respect of Item 1, namely
"That the Environmental Sustainability Advisory Committee and Council receive a briefing on the Southern Sydney Regional Organisation of Councils Our Energy Future Program, and other council's experiences with the program and pro rata costings."
3. In relation to Part (e) General Business of the Minutes, Council write to Western Sydney University to invite a student enrolled in studies associated with Environmental Sustainability to join the Committee.
4. In relation to part i) in General Business of the Minutes, a review of documented evidence be undertaken regarding this matter.
5. In relation to part j) in General Business of the Minutes, the matter be referred for consideration in the 2019/2020 Budget process.

ORDINARY MEETING
SECTION 5 – Notices of Motion
Minutes: 13 November 2018

SECTION 5 – Notices of Motion

Item: 274 **NM1 - Bells Line of Road - Safe Shared Pathway - (79351, 125612)**

MOTION:

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

Refer to RESOLUTION

350 RESOLUTION:

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

That Council:

1. Take a position identifying the urgent need for a safe shared pathway to be provided along the Bells Line of Road between Richmond and North Richmond.
2. Writes to the RMS, the Minister for Roads, The Hon. Melinda Pavey MP and the Local Member for Hawkesbury, The Hon. Dominic Perrottet MP requesting a meeting to discuss prioritising a shared pathway along the Bells Line of Road between Richmond and North Richmond.
3. Investigate funding through the NSW Government Active Transport Program to assist with expediting the provision of a shared pathway in this location.
4. Write to the RMS, to alert them to the condition of the bicycle lane on Wilberforce Road, between Wilberforce and Windsor, and the lack of provision for bicycle access through the Windsor Bridge Replacement Project roadworks.

Item: 275 **NM2 - Rape and Domestic Violence Service Australia - "Dunny Door Campaign" - (79351, 138880)**

MOTION:

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

Refer to RESOLUTION

351 RESOLUTION:

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

That Council:

1. Supports the campaign organised by the Rape and Domestic Violence Service Australia (RDVSA) which aims to place an information sticker on the back of every public toilet door.

ORDINARY MEETING
SECTION 5 – Notices of Motion
Minutes: 13 November 2018

2. Note that the sticker provides information regarding how to contact a qualified and experienced trauma counsellor, 24 hours a day, 7 days a week.
3. Order a quantity of stickers and place them on the back of all public toilet doors (male and female) throughout the Hawkesbury Local Government Area.
4. Promote the campaign via social media.

Item: 276 **NM3 - Streamwatch - (79351, 138882)**

Ms Margaret Smith and Mr William Sneddon, addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

352 RESOLUTION:

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

That Council:

1. Note the valuable work done by Streamwatch in the Hawkesbury over more than 10 years and its contribution to monitoring the health of our waterways and citizen science.
2. Note the increased pressure on our waterways value due to increased development, the need for maintaining long term, accessible data bases which give both baseline and longitudinal data on waterway health, and the need for this data to be housed by a secure, accessible and reliable host.
3. Contact the Australian Museum and Sydney Water requesting that stable, long term funding be provided for Streamwatch and explaining the use of such data for Council and the community.
4. Liaise with Western Sydney University Office of Sustainability to offer a letter of support should they formally request to host the Streamwatch data collection.

ORDINARY MEETING
Questions for Next Meeting
Minutes: 13 November 2018

QUESTIONS FOR NEXT MEETING

Item: 277

Councillor Questions from Previous Meetings and Responses - 30 October 2018 - (79351)

There were no responses to questions in relation to previous Questions for the Next Meeting - 30 October 2018.

ORDINARY MEETING
Questions for Next Meeting
Minutes: 13 November 2018

Questions – 13 November 2018

#	Councillor	Question	Response
1	Ross	Enquired as to whether Council could request the RMS to contribute towards the cost of remediation works to Wallace Road, Vineyard, which forms part of the Flood Evacuation Route.	The Director Infrastructure Services
2	Ross	Enquired as to whether Council staff could investigate the missing coverplate and paving surface of the carpark outside the newsagent at the North Richmond Shopping Centre.	The Director Infrastructure Services
3	Kotlash	Enquired as to whether the Women's toilet in the Council Chamber could be repaired.	The Director Infrastructure Services

ORDINARY MEETING

Confidential Reports

Minutes: 13 November 2018

CONFIDENTIAL REPORTS

353 RESOLUTION:

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

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: 278 SS - Acquisition for Drainage Purposes - Part of Lot 2 in Deposited Plan 76375, being 130 Hall Street, Pitt Town (95496, 112106, 10535, 5247)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the acquisition of property by the 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: 279 SS -Lease to Pitt Town Plaza Pty Ltd - Shop 8, Wilberforce Shopping Centre - (125631, 95496, 112106)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the acquisition of property by the 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.

354 RESOLUTION:

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

ORDINARY MEETING

Confidential Reports

Minutes: 13 November 2018

Item: 278 **SS - Acquisition for Drainage Purposes - Part of Lot 2 in Deposited Plan 76375, being 130 Hall Street, Pitt Town - (95496, 112106, 10535, 5247)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

355 RESOLUTION:

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

That:

1. Council undertake compulsory acquisition, in accordance with the Local Government Act 1993 (NSW), of an area of land as shown in Attachment 1 to the report, in the order of 9.05 hectares within part of 130 Hall Street, Pitt Town, being Lot 2 in DP 76375, for the purposes of creating stormwater infrastructure and the associated access.
2. Council approve the making of an application to the Minister for Local Government for the issue of a Proposed Acquisition Notice (PAN) under the Land Acquisition (Just Terms Compensation) Act 1991 with respect to the acquisition of the land.
3. Council approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the acquisition of the land.
4. Council bear all costs associated with the process of acquiring the land.
5. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
6. Council grant delegation to the General Manager to execute any documents on behalf of Council, associated with the compulsory acquisition process, which do not require the Seal of Council to be affixed.
7. Details of Council's resolution be conveyed to the affected landowners together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate documentation to put such resolution into effect has been executed.
8. Information be provided to Councillors that includes a table outlining the infrastructure works that have been delivered at each particular stage of the Pitt Town redevelopment and what works are yet to be delivered, and that the report be included in a community update for the Pitt Town residents.

ORDINARY MEETING

Confidential Reports

Minutes: 13 November 2018

Item: 279 **SS - Lease to Pitt Town Pizza Pty Ltd - Shop 8, Wilberforce Shopping Centre - (125631, 95496, 112106)**

Previous Item: 231, Ordinary (11 September 2018)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

356 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with The Hills Family Trust, trading as Pitt Town Pizza Pty Ltd for the property known as Shop 8, Wilberforce Shopping Centre, as outlined in the report.
2. Authority be given for the Lease and any other relevant documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed 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 a resolution into effect has been agreed to and executed by all parties.

The meeting terminated at 8.55pm.

Submitted to and confirmed at the Ordinary meeting held on Tuesday, 27 November 2018.

.....
Mayor