



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 23 February 2021

location: council chambers and by  
audio-visual link

time: 6:30 p.m.



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## ORDINARY MEETING

Minutes: 23 February 2021

Minutes of the Ordinary Meeting held at the Council Chambers and by Audio-Visual Link, Windsor, on 23 February 2021, commencing at 6:31pm.

### Welcome

The Mayor, Councillor Patrick Conolly acknowledged the Indigenous Heritage.

The Acting General Manager addressed the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

### ATTENDANCE

At Council Chambers: Councillor Patrick Conolly, Mayor and Councillors Barry Calvert, Sarah Richards and Nathan Zamprogno.

By Audio-Visual Link: Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Emma-Jane Garrow, Amanda Kotlash, Paul Rasmussen, Peter Reynolds, Tiffany Tree and Danielle Wheeler.

### ALSO PRESENT:

At Council Chambers: Acting General Manager - Laurie Mifsud, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Acting Director Support Services - Emma Galea, Manager Corporate Communications - Suzanne Stuart, Manager Corporate Services and Governance - Charles McElroy, Senior Governance Officer - Karina Ward and Administrative Support Coordinator - Tracey Easterbrook.

By Audio-Visual Link: Strategic Planning Manager - Andrew Kearns.

### APOLOGIES AND LEAVE OF ABSENCE

The Acting General Manager advised that a request for leave of absence from Council was received from Councillor John Ross for the Council Meeting on 23 February 2021.

### 39 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Kotlash that the leave of absence be granted to Councillor Ross for the Council Meeting on 23 February 2021.

### DECLARATIONS OF INTEREST

Councillor Lyons-Buckett declared an interest on Item 030.

Councillor Richards declared an interest on Item 030.

### Acknowledgement of Official Visitors to the Council

There were no official visitors

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**ADJOURNMENT OF MEETING**

The Mayor adjourned the meeting at 9:06pm for a short break. The meeting resumed at 9:12pm.

**SECTION 1 - Confirmation of Minutes**

**40 RESOLUTION:**

RESOLVED on the motion of Councillor Kotlash and seconded by Councillor Lyons-Buckett that the Minutes of the Ordinary Meeting held on 9 February 2021, be confirmed.

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**SECTION 2 – Mayoral Minutes**

**Item: 027                      MM - Budget Process - (125610)**

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**MOTION:**

RESOLVED on the motion of the Mayor, Councillor Conolly.

***Refer to RESOLUTION***

It was agreed that this motion be dealt with in seriatim.

**41 RESOLUTION:**

RESOLVED on the motion of the Mayor, Councillor Conolly.

That all Councillors be provided with the agenda for the Executive Team Draft Budget Meetings, and be given the opportunity to indicate which Branches they would like further explanation and/or discussion of.

**For the Motion:**                      Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**              Councillor Rasmussen.

**Absent:**                                  Councillor Ross.

**42 RESOLUTION:**

RESOLVED on the motion of the Mayor, Councillor Conolly.

That Council be provided with budget briefing sessions on these areas, where staff including the Directors and Managers (where appropriate) would provide a very brief overview of the budget for the area, and then be open to questions from Councillors. The number of sessions would be determined based on the requests from Councillors and these sessions would be held prior to the Draft Operational Plan being considered by Council.

**For the Motion:**                      Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**              Councillors Rasmussen and Reynolds.

**Absent:**                                  Councillor Ross.

**43 RESOLUTION:**

RESOLVED on the motion of the Mayor, Councillor Conolly.

That Council no longer have Councillor delegates attend the Draft Budget Meetings, instead allowing all Councillors to have the opportunity to gain insight into the various budgets across Council through budget briefing sessions on the relevant areas of interest.

**For the Motion:**                      Councillors Conolly, Calvert, Kotlash, Richards, Tree and Zamprogno.

**Against the Motion:**              Councillors Garrow, Lyons-Buckett, Rasmussen, Reynolds and Wheeler.

**Absent:**                                  Councillor Ross.

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**SECTION 3 – Reports for Determination**

**PLANNING DECISIONS**

**Item: 028**                    **CP - Hawkesbury Local Strategic Planning Statement 2040 - (95498, 124414)**

**Previous Item:**        170, Ordinary (24 September 2019)  
                              232, Ordinary (10 December 2019)  
                              029, Ordinary (25 February 2020)  
                              095, Ordinary (26 May 2020)  
                              217, Ordinary (10 November 2020)

**Directorate:**            City Planning

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**MOTION:**

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

*Refer to RESOLUTION*

**44 RESOLUTION:**

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

That Council adopt the Hawkesbury Local Strategic Planning Statement 2040 attached as Attachment 2 to this report.

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:**            Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**        Nil.

**Absent:**                        Councillor Ross.



**ORDINARY MEETING**

**Minutes:** 23 February 2021

**Item: 029**                    **CP - Vineyard Precinct Stage 1 Contributions Plan - (95498, 124414)**

**Previous Item:**        099, Ordinary (8 May 2018)  
                              192, Ordinary (14 August 2018)  
                              181, Ordinary (29 September 2020)

**Directorate:**            City Planning

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**MOTION:**

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

*Refer to RESOLUTION*

**45 RESOLUTION:**

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

That Council:

1. Receive the outcome of the public exhibition of the draft Vineyard Precinct Stage 1 Contributions Plan.
2. Adopt the Vineyard Precinct Stage 1 Contributions Plan attached as Attachment 2 to this report.

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:**            Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**        Nil.

**Absent:**                        Councillor Ross.

## ORDINARY MEETING

Minutes: 23 February 2021

**Item: 030**                    **CP - Update on Kurmond-Kurrajong Investigation Area Structure Plan - (124414, 95498)**

**Previous Item:**        40, Ordinary (March 2015)  
                              114, Ordinary (July 2015)  
                              134, Ordinary (August 2015)  
                              199, Ordinary (November 2015)  
                              188, Ordinary (August 2016)  
                              257, Ordinary (November 2016)  
                              164, Ordinary (10 September 2019)  
                              111, Ordinary (30 June 2020)

**Directorate:**            City Planning

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Councillor Lyons-Buckett declared a significant non-pecuniary conflict of interest in this matter as she resides in a property in Kurrajong Road, which is within the Kurmond-Kurrajong Investigation Area. She left the Meeting and did not take part in voting or discussion on the matter.

Councillor Richards declared a pecuniary conflict of interest in this matter as her partner owns property within the Kurmond-Kurrajong Investigation Area. She left the Meeting and did not take part in voting or discussion on the matter.

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Mr David O'Dowd addressed Council, speaking for the recommendation in the Business Paper.

A MOTION was moved by Councillor Wheeler, seconded by Councillor Garrow.

That Council adopt the Kurmond-Kurrajong Investigation Area Structure Plan and proceed with planning proposal to amend zoning, minimum lot sizes and Development Contributions Plan provisions.

An AMENDMENT was moved by Councillor Calvert, seconded by Councillor Zamprogno.

That Council:

1. Not adopt the Kurmond-Kurrajong Investigation Area Structure Plan.
2. Assess remaining individual planning proposals within the Kurmond-Kurrajong Investigation Area against the interim development constraints principles and the NSW Planning Framework (Sydney Region Plan and Western City District Plan including Metropolitan Rural Area).
3. Not encourage the lodgement of additional individual Planning Proposals within the Kurmond-Kurrajong Investigation Area for rural residential development.

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 Amendment, the results of which were as follows:

**For the Amendment:**        Councillors Conolly, Calvert, Kotlash, Tree and Zamprogno.

**Against the Amendment:**    Councillors Garrow, Rasmussen, Reynolds and Wheeler.

**Absent:**                        Councillors Lyons-Buckett, Richards and Ross.

The Amendment was carried.

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**MOTION:**

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

*Refer to RESOLUTION*

**46 RESOLUTION:**

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

That Council:

1. Not adopt the Kurmond-Kurrajong Investigation Area Structure Plan.
2. Assess remaining individual planning proposals within the Kurmond-Kurrajong Investigation Area against the interim development constraints principles and the NSW Planning Framework (Sydney Region Plan and Western City District Plan including Metropolitan Rural Area).
3. Not encourage the lodgement of additional individual Planning Proposals within the Kurmond-Kurrajong Investigation Area for rural residential development.

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:** Councillors Conolly, Calvert, Kotlash, Tree and Zamprogno.

**Against the Motion:** Councillors Garrow, Rasmussen, Reynolds and Wheeler.

**Absent:** Councillors Lyons-Buckett, Richards and Ross.

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**GENERAL MANAGER**

**Item: 031**                    **GM - Six Month Update on the 2020/2021 Operational Plan - 1 July to 30 December 2020 - (79351)**

**Previous Item:**        112, Ordinary (30 June 2020)

**Directorate:**            General Manager

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**MOTION:**

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

*Refer to RESOLUTION*

**47 RESOLUTION:**

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

That Council receive and note the six month progress update on the 2020/2021 Operational Plan for the period from 1 July 2020 to 31 December 2020.

**For the Motion:**            Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**        Nil.

**Absent:**                      Councillor Ross.

**ORDINARY MEETING**

**Minutes:** 23 February 2021

**INFRASTRUCTURE SERVICES**

**Item: 032**                    **IS - Hawkesbury and Blue Mountains World Heritage Centre Proposal - (95495)**

**Previous Item:**        Item 159, Ordinary (14 July 2020)  
                              Item 272, Ordinary (27 October 2020)  
                              Item 226, Ordinary (10 November 2020)

**Directorate:**            Infrastructure Services

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**MOTION:**

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

*Refer to RESOLUTION*

**48 RESOLUTION:**

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

That the correspondence from the Minister for Infrastructure, Transport and Regional Development regarding the Hawkesbury and Blue Mountains World Heritage Centre Proposal be received and noted.

**For the Motion:**            Councillors Conolly, Calvert, Kotlash, Rasmussen, Richards, Tree and Zamprogno.

**Against the Motion:**        Councillors Garrow, Lyons-Buckett, Reynolds and Wheeler.

**Absent:**                      Councillor Ross.

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**Item: 033**                    **IS - Short Term Licence for McMahon Park, Kurrajong - (95495, 79354, 105529)**

**Directorate:**                Infrastructure Services

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**MOTION:**

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

*Refer to RESOLUTION*

**49 RESOLUTION:**

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

That:

1. Council to enter into a Temporary Licence for a maximum of 12 months with Hawkesbury Community Outreach Services Inc. to install a temporary bus shelter at McMahon Park, Kurrajong.
2. The General Manager be given delegated authority to execute the Temporary Licence.
3. The General Manager be given delegation to negotiate with Hawkesbury Community Outreach Services Inc., an appropriate bond or security which is refundable less any costs incurred by Council, administrative or otherwise, to remove the temporary structure after the twelve month period in the event that the necessary approvals are not in place at that time.

**For the Motion:**                Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**            Nil.

**Absent:**                            Councillor Ross.

**ORDINARY MEETING**

**Minutes:** 23 February 2021

**Item: 034**                    **IS - Weed and Biosecurity Management - (95495, 79354, 12212)**

**Previous Item:**        199, Ordinary (13 October 2020)

**Directorate:**            Infrastructure Services

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**MOTION:**

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

***Refer to RESOLUTION***

**50 RESOLUTION:**

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

That:

1. The report regarding Weed and Biosecurity Management be received and noted.
2. By 30 April 2021, Council receive a further report on the costs of what was actually delivered by Hawkesbury River County Council in the Hawkesbury Local Government Area versus the annual targets outlined in the annual operational plans, for the last four years.
3. By 30 April 2021, Council receive a report outlining the process it would need to follow if it wished to withdraw from Hawkesbury River County Council and take over as the local control authority.
4. By 30 April 2021, Council receive a cost estimate of a replacement service provided in-house and likely timeframe to be operational.

**For the Motion:**            Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**        Nil.

**Absent:**                        Councillor Ross.

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**SUPPORT SERVICES**

**Item: 035**                    **SS - Investment Report - January 2021 - (95496, 96332)**

**Previous Item:**            150, Ordinary (10 March 2020)

**Directorate:**              Support Services

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**MOTION:**

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

***Refer to RESOLUTION***

**51 RESOLUTION:**

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

That the Monthly Investments Report for January 2021 be received and noted.

**For the Motion:**            Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**      Nil.

**Absent:**                      Councillor Ross.



**ORDINARY MEETING**

**Minutes:** 23 February 2021

**Item: 036**                    **SS - December 2020 Quarterly Budget Review Statement - (95496, 96332)**

**Previous Item:**        112, Ordinary (30 June 2020)

**Directorate:**            Support Services

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**MOTION:**

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

*Refer to RESOLUTION*

**52 RESOLUTION:**

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

That:

1. Council receive the information contained in this report regarding the December 2020 Quarterly Budget Review and that the Budget adjustments, as summarised in the report and detailed in Attachment 1 to the report, be adopted.
2. The budgeted surplus of \$126K is transferred to the Multi Year Reserve.

**For the Motion:**            Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**        Nil.

**Absent:**                      Councillor Ross.

**ORDINARY MEETING**

**Minutes:** 23 February 2021

**Item: 037**                    **SS - Financial Information Regarding Various Matters - (95496)**

**Previous Item:**        093, Ordinary (26 May 2020)

**Directorate:**            General Manager

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**MOTION:**

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

*Refer to RESOLUTION*

**53 RESOLUTION:**

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

That the information in regard to various financial matters be received and noted.

**For the Motion:**            Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**        Nil.

**Absent:**                      Councillor Ross.

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**SECTION 4 – Reports of Committees**

**Item: 038**                      **ROC - Audit Committee - 2 December 2020 - (91369, 95496, 79351)**

**Directorate:**                Support Services

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**MOTION:**

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

*Refer to RESOLUTION*

**54 RESOLUTION:**

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

That Council receive and note the Minutes of the Audit Committee Meeting held on 2 December 2020.

**For the Motion:**                Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**        Nil.

**Absent:**                            Councillor Ross.

**ORDINARY MEETING**

**Minutes:** 23 February 2021

**Item: 039**                    **ROC - Local Traffic Committee - 8 February 2021 - (80245, 95495)**

**Directorate:**                Infrastructure Services

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**MOTION:**

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

*Refer to RESOLUTION*

**55 RESOLUTION:**

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

That Council receive and note the Minutes of the Local Traffic Committee Meeting held on 8 February 2021.

**For the Motion:**                Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**            Nil.

**Absent:**                            Councillor Ross.

## ORDINARY MEETING

Minutes: 23 February 2021

**Item: 040**                      **ROC - Innovation and Partnerships Committee - 9 February 2021 - (79351, 95496)**

**Directorate:**                      General Manager

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Mr Michael Want addressed Council, speaking against the recommendation in the Business Paper.

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

That in relation to the Minutes of the Innovation and Partnerships Committee Meeting held on 9 February 2021:

1. Council receive and note Item 1 – Election of Chairperson.
2. The Minutes be amended to reflect the correct voting on Items 1 and 2.
3. In regard to Item 2 - Arrangements for meetings concerning Telecommunications Matter, as Telstra have indicated they are not available to attend the Innovation and Partnerships Committee Meeting at Bilpin on any of the dates proposed to them, the Committee be advised not to hold a meeting at Bilpin until such time as Telstra's attendance can be arranged.
4. A letter of support be forwarded to Telstra, the Communications Minister, the Federal Member for Macquarie, and include information submitted to the Bushfire Royal Commission.

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

1. Council receive and note Item 1 – Election of Chairperson
2. The Minutes be amended to reflect the correct voting on Items 1 and 2.
3. In regard to Item 2 - Arrangements for meetings concerning Telecommunications Matter, as Telstra have indicated they are not available to attend the Innovation and Partnerships Committee Meeting at Bilpin on any of the dates proposed to them, the Committee be advised not to hold a meeting at Bilpin for two months while continuing to secure Telstra's attendance.
4. If Telstra cannot attend the meeting, that Council hold and record the meeting and forward the recording to Telstra.
5. A letter of support be forwarded to Telstra, the Communications Minister, the Federal Member for Macquarie, and include information submitted to the Bushfire Royal Commission.

**For the Amendment:**                      Councillors Lyons-Buckett, Garrow, Rasmussen, Reynolds and Wheeler.

**Against the Amendment:**                      Councillors Conolly, Calvert, Kotlash, Richards, Tree and Zamprogno.

**Absent:**                                      Councillor Ross.

The Amendment was lost.

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**MOTION:**

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

***Refer to RESOLUTION***

**56 RESOLUTION:**

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

That in relation to the Minutes of the Innovation and Partnerships Committee Meeting held on 9 February 2021:

1. Council receive and note Item 1 – Election of Chairperson.
2. The Minutes be amended to reflect the correct voting on Items 1 and 2.
3. In regard to Item 2 - Arrangements for meetings concerning Telecommunications Matter, as Telstra have indicated they are not available to attend the Innovation and Partnerships Committee Meeting at Bilpin on any of the dates proposed to them, the Committee be advised not to hold a meeting at Bilpin until such time as Telstra's attendance can be arranged.
4. A letter of support be forwarded to Telstra, the Communications Minister, the Federal Member for Macquarie, and include information submitted to the Bushfire Royal Commission.

**For the Motion:** Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillor Ross.

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**SECTION 5 – Notices of Motion**

**Item: 041**                      **NM1 - Proposed Amendments to the Code of Meeting Practice - (79351, 125612)**

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**MOTION:**

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

*Refer to RESOLUTION*

**57 RESOLUTION:**

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

That:

1. The following minor amendments be made to Council's Code of Meeting Practice adopted on 18 February 2020:
  - a) Replace Clause 3.16 with the following:

*3.16 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted seven days before the meeting is to be held, or ten days if the notice is a question under clause 3.19.*
  - b) Replace Clause 9.17 with the following:

*9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice. Responses to questions taken on notice will be reported to the next meeting of the council in the 'Questions With Notice' section of the agenda.*
2. Pursuant to Section 362(2) of the Local Government Act 1993, Council, being of the opinion that the amendments in Part 1 are not substantial, adopt the amended Code of Meeting Practice without public exhibition.

**For the Motion:** Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillor Ross.

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**Item: 042**                      **NM2 - Parramatta Powerhouse Museum - (79351, 138880)**

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**MOTION:**

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

*Refer to RESOLUTION*

**58 RESOLUTION:**

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

That Council write to the Minister for Planning and the Minister for the Public Service and Employee Relations, Aboriginal Affairs and the Arts expressing:

1. Concern at the manner in which approval has been granted for the Parramatta Powerhouse Museum project prior to the completion of the Parliamentary Inquiry.
2. Confirming that as a Western Sydney Council, this Council cannot support this project when significant community concerns addressing heritage and flooding have not been addressed.

**For the Motion:**                      Councillors Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Wheeler and Zamprogno.

**Against the Motion:**                Councillors Conolly, Richards and Tree.

**Absent:**                                  Councillor Ross.



**ORDINARY MEETING**

**Minutes: 23 February 2021**

**CONFIDENTIAL REPORTS**

**59 RESOLUTION:**

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

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 Meeting during consideration of the following items:

**Item: 043 SS - Lease to Y Ghet Cang - Shop 2, McGraths hill Shopping Centre - (95496, 111656, 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 leasing of 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 disclosed in an open meeting would, on balance, be contrary to the public interest.*

**Item: 044 SS - Tender - Provision of Legal Services - (95496)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to Tenders for the provision of legal 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.

**60 RESOLUTION:**

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

**ORDINARY MEETING**

**Minutes: 23 February 2021**

**Item: 043**                    **SS - Lease to Y Ghet Cang - Shop 2, McGraths Hill Shopping Centre - (95496, 111656, 112106)**

**Directorate:**                Support Services

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**MOTION:**

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

***Refer to RESOLUTION***

**61 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with Y Ghet Cang in regard to Shop 2 McGraths Hill Shopping Centre, as outlined in this report.
2. Authority be given for the lease and 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.

**For the Motion:**                Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**            Nil.

**Absent:**                            Councillor Ross.

**ORDINARY MEETING**

**Minutes:** 23 February 2021

**Item: 044**                    **SS - Tender - Provision of Legal Services - (95496)**

**Directorate:**                Support Services

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**MOTION:**

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Garrow, seconded by Councillor Lyons-Buckett.

*Refer to RESOLUTION*

**62 RESOLUTION:**

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Garrow, seconded by Councillor Lyons-Buckett.

That Council:

1. Accept the proposals submitted by Marsdens Law Group, Pikes & Verekers Lawyers and Wilshire Webb Staunton Beattie to undertake the Provision of Legal Services, based on the Schedule of Rates for a three year period with the option to extend for an additional three years at Council's discretion.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.

**For the Motion:**                Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**            Nil.

**Absent:**                            Councillor Ross.

The meeting terminated at 9:40pm.

Submitted to and confirmed at the Ordinary meeting held on 9 March 2021.

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Mayor