



Ordinary Meeting

Date of meeting: 31 January 2023 and Reconvened on 7 February 2023.
Location: Council Chambers
Time: 6:30 p.m.

MINUTES

ORDINARY MEETING

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 31 January 2023, commencing at 6:35pm.

Welcome

The Mayor, Councillor Sarah McMahon acknowledged the Indigenous Heritage.

The Mayor acknowledged the Smoking and Welcome ceremony held prior to the commencement of the Council Meeting.

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

ALSO PRESENT: General Manager - Elizabeth Richardson, Acting Director City Planning - Meagan Ang, Director Corporate Services - Laurie Mifsud, Manager Corporate Communications and Events - Suzanne Stuart, Chief Financial Officer - Vanessa Browning, Manager Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

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

There were no apologies or leave of absences received from Councillors.

DECLARATIONS OF INTEREST

Councillor Kotlash declared Interests on Items 003 and 012.

Councillor McMahon declared an interest on Item 003.

Councillor Sheather declared an interest on Item 003.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

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SECTION 1 - Confirmation of Minutes

4 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 13 December 2022, be confirmed.

5 RESOLUTION:

RESOLVED on the motion of Councillor Calvert and seconded by Councillor Lyons-Buckett that the Minutes of the Extraordinary Meeting held on the 17 January 2023, be confirmed.

ADJORNMENT OF MEETING

The Mayor, Councillor McMahon adjourned the meeting at 6:50pm for a short break. The meeting resumed at 6:56pm.

The Mayor, Councillor McMahon adjourned the meeting at 9:04pm for a short break. The meeting resumed at 9.19pm.

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SECTION 2 – Mayoral Minutes

Item: 002

MM1 - McQuade Park and Vicinity Improvements - (138879, 79353)

MOTION:

A MOTION was moved by the Mayor, Councillor McMahon.

That:

1. Council prepare a report regarding permissibility, costs, funding options and potential timing of delivery, for each of the following projects in McQuade Park:
 - a) Signage - erect signage on each corner with the words 'The Great Square' and other names used for the park over time, including McQuade Park. Also include Indigenous names and references, in consultation with the local Darug community. This is to be large and attention grabbing to promote tourism and a sense of place and be within the guidelines of the current Wayfinding and Signage plans.
 - b) Fountain - replace the current fountain in the pond with a larger one and ensure it is equipped with lighting. This lighting should be in various colours, for various occasions and displayed every night. This will require an upgraded pump, which needs to be screened so as not to be a visual distraction.
 - c) Smaller Fountain - ensure it is operation and turned on.
 - d) Fountain Pump - (current) screen the pump and its housing with a visually appealing feature, so that it does not detract from the park.
 - e) The Pond Bridge - the bridge to the island, and around the island, should have an arched white picket railing. The tree in the middle should consist of a variety that flowers all year round, encouraging bridal and other forms of photography into the locality.
 - f) RSL Cenotaph – ensure this is erected as soon as possible (once the DA process is complete and in conjunction with the Windsor RSL Sub branch), which when the fountain is lit up, will become a prominent feature of the park.
 - g) View Corridors - Remove the necessary trees, as outlined in the Plan of Management, to construct two 'View Corridors', which as per the Plan of Management, are tree lined corridors, one from the Council Chambers to St Matthew's Anglican Church and the other from Hawkesbury Valley Way to the Church.
 - h) Further trees - Plant more trees as compensation for the removal of others.
 - i) Undergrowth - Ensure the undergrowth of trees in the park are pruned to a height where buildings and features of prominence can be seen, and not hidden by foliage.
 - j) Oleander trees - remove these poisonous trees, located near the Bowling Club.
 - k) Fencing - The cable railing around Don't Worry field should be replaced with a period sympathetic low white post and rail type fence.
 - l) Bins - replace the bins with more appealing bins, in keeping with the heritage theme of the park.

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- m) Tables and chairs - replace all old and ruined tables and chairs with new ones, keeping with the heritage theme of the park.
 - n) Playground - construct a new playground to replace the existing old one, located next to the Grandstand.
 - o) Events - create a calendar of potential events to be held in McQuade Park, including outdoor concerts on the island, picnics, car meets, markets etc.
 - p) Maintenance - create a plan of maintenance, discussing number of staff required and the cost and outline whether an MoU can be created with local Mens Sheds or Community groups, to assist with the work.
 - q) The feasibility of public amenities in the vicinity of Don't Worry Oval.
 - u) The feasibility of reinstalling the Krupp Gun to the Park.
2. Council investigate the possibility of Gateway signage on the corner of Hawkesbury Valley Way and Macquarie Street, as well as at other entry sites to Windsor including Windsor Bridge on the Wilberforce side and Windsor Road McGraths Hill), stating 'Welcome to Historic Windsor', in conjunction with the guidelines of the current Wayfinding and Signage plans.
 3. Signage and fencing at and around the Catholic Burial Ground opposite the Council Chamber.
 4. This report be returned to Council within three months.
 5. This matter be referred to the Heritage Committee for feedback.

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

That Council refer the matter of the items outlined in the Mayoral Minute Item 002 of the 31 January 2023 Council Meeting identifying potential projects in McQuade Park to the Heritage Committee for discussion.

For the Amendment: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Amendment: Nil.

Absent: Nil.

The Amendment was carried.

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MOTION:

RESOLVED on the motion of Mayor, Councillor McMahon.

Refer to RESOLUTION

6 RESOLUTION:

RESOLVED on the motion of Mayor, Councillor McMahon.

That Council refer the matter of the items outlined in the Mayoral Minute Item 002 of the 31 January 2023 Council Meeting identifying potential projects in McQuade Park to the Heritage Committee for discussion.

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

Against the Motion: Nil.

Absent: Nil.

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Item: 003 MM2 - Project Funding - NSW Government's WestInvest Program - (138879, 79353)

Councillor Kotlash declared a significant non-pecuniary conflict of interest in this matter as she is a candidate at the State Election, the content of the Mayoral Minute is predominately political and is highly likely to be the subject of her campaigning. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor McMahon declared a less than significant non-pecuniary conflict of interest in this matter as her son plays for one of the clubs associated with Turnbull Oval, being one of the locations suggested in the Mayoral Minute for the allocation of funding and no further action is required.

Councillor Sheather declared a less than significant non-pecuniary conflict of interest in this matter as he is and has for many years been a patron of the Oakville Raiders Baseball Club at Colbee Park. The Plan of Management does nothing specifically for baseball, and he is not involved in activities other than as patron of the Club and therefore no further action is required.

A PROCEDURAL MOTION was moved by Councillor Wheeler, seconded by the Mayor, Councillor McMahon that Council move into Committee of the Whole to consider this matter.

The Procedural Motion was carried.

A PROCEDURAL MOTION was moved by Councillor Wheeler, seconded by Councillor Lyons-Buckett that Council move out Committee move out Committee of the Whole.

The Procedural Motion was carried.

The General Manager reported to Council that whilst in Committee of the Whole, the Committee discussed a number of matters in relation to project funding under the NSW Government's WestInvest Program - Local Government Allocation, and options for the use of Council's remaining funding allocation. These options included:

- Redevelopment of Turnbull Oval
- Redevelopment of Colbee Park
- Road Safety Projects

The Committee also discussed the process for the making of a decision concerning Council's remaining funding allocation.

The General Manager reported that no recommendation was made by the Committee of the Whole.

A MOTION was moved by Councillor Sheather, seconded by Councillor Reardon.

That Council:

1. Note the successful project funding applications from the NSW Government's WestInvest Program as follows:
 - a) Richmond Swimming Centre - \$30,319,843
 - b) North Richmond Community Precinct - \$23,970,000
 - c) Tamplin Field Redevelopment - \$9,795,000
 - d) Oasis Aquatic and Leisure Centre Upgrade - \$6,716,000
 - e) Cycleway Bridge over Rickabys Creek - \$4,695,810
 - f) Upgrade of Woodbury Reserve, Glossodia - \$5,423,000
 - g) New Recreation and Community Facility at Fernadell Park, Pitt Town - \$4,538,000
 - h) Kurrajong to Kurmond Cycleway - \$4,538,000
-

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- i) Discover the Hawkesbury – New Wayfinding Signage - \$2,346,000.
2. Write to the State Member for Hawkesbury, Robyn Preston MP, thanking her for her advocacy under the Program.
3. Write to all staff who worked tirelessly on the applications for the WestInvest projects, thanking them for their extraordinary efforts within tight deadlines.
4. a) Delegate to the General Manager authority to determine Council's preferred remaining project under the Local Government Allocation of the WestInvest Program.
b) Receive a further report upon receipt and prior to execution of the funding agreements from the NSW Government, that includes opportunities for value management of the overall cost of the project.

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

That Council:

1. Note the successful project funding applications from the NSW Government's WestInvest program as follows:
 - a) Richmond Swimming Centre - \$30,319,843
 - b) North Richmond Community Precinct - \$23,970,000
 - c) Tamplin Field Redevelopment - \$9,795,000
 - d) Oasis Aquatic and Leisure Centre Upgrade - \$6,716,000
 - e) Cycleway Bridge over Rickabys Creek - \$4,695,810
 - f) Upgrade of Woodbury Reserve, Glossodia - \$5,423,000
 - g) New Recreation and Community Facility at Fernadell Park, Pitt Town - \$4,538,000
 - h) Kurrajong to Kurmond Cycleway - \$4,538,000
 - i) Discover the Hawkesbury – New Wayfinding Signage - \$2,346,000.
2. a) Nominate Road Safety Projects as its preferred remaining project under the Local Government Allocation of the WestInvest Program.
b) Request from the Department of Premier and Cabinet that the remaining \$4M be provided to Council to establish a fund for ongoing maintenance.

For the Amendment: Councillors Dogramaci, Lyons-Buckett and Wheeler.

Against the Amendment: Councillors McMahon, Calvert, Conolly, Djuric, Reardon, Sheather, Veigel and Zamprogno.

Absent: Councillor Kotlash.

The Amendment was lost.

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MOTION:

RESOLVED on the motion of Councillor Sheather, seconded by Councillor Reardon.

Refer to RESOLUTION

7 RESOLUTION:

RESOLVED on the motion of Councillor Sheather, seconded by Councillor Reardon.

That Council:

1. Note the successful project funding applications from the NSW Government's WestInvest program as follows:
 - a) Richmond Swimming Centre - \$30,319,843
 - b) North Richmond Community Precinct - \$23,970,000
 - c) Tamplin Field Redevelopment - \$9,795,000
 - d) Oasis Aquatic and Leisure Centre Upgrade - \$6,716,000
 - e) Cycleway Bridge over Rickabys Creek - \$4,695,810
 - f) Upgrade of Woodbury Reserve, Glossodia - \$5,423,000
 - g) New Recreation and Community Facility at Fernadell Park, Pitt Town - \$4,538,000
 - h) Kurrajong to Kurmond Cycleway - \$4,538,000
 - i) Discover the Hawkesbury – New Wayfinding Signage - \$2,346,000.
2. Write to the State Member for Hawkesbury, Robyn Preston MP, thanking her for her advocacy under the Program.
3. Write to all staff who worked tirelessly on the applications for the WestInvest projects, thanking them for their extraordinary efforts within tight deadlines.
4.
 - a) Delegate to the General Manager authority to determine Council's preferred remaining project under the Local Government Allocation of the WestInvest Program.
 - b) Receive a further report upon receipt and prior to execution of the funding agreements from the NSW Government, that includes opportunities for value management of the overall cost of the project.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Reardon, Sheather, Veigel and Zamprogno.

Against the Motion: Councillors Dogramaci, Lyons-Buckett and Wheeler.

Absent: Councillor Kotlash.

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SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 004 **CP - Redbank Voluntary Planning Agreement - Proposed Grose River Bridge Crossing - (95498, 124414)**

Previous Item: 200, Ordinary (22 November 2022)
 152, Ordinary (13 September 2022)
 123, Ordinary (19 July 2022)
 152, Ordinary (10 August 2021)
 11, Ordinary (11 February 2020)
 294, Ordinary (11 December 2018)
 124, Ordinary (29 May 2018)
 118, Ordinary (27 June 2017)
 99, Ordinary (24 June 2014 – deferred 1 July 2014)
 54, Ordinary (25 March 2014)
 223, Ordinary (12 November 2013)

Directorate: City Planning

Mr Matthew Parkes, Ms Stephanie Calabornes and Ms Marian Wilcox addressed Council speaking against the recommendation in the business paper.

The Mayor, Councillor McMahon directed Ms Stephanie Calabornes not to digress to irrelevant matters while addressing Council, pursuant to Clause 4.14 of the Code of Meeting Practice. Ms Calabornes failed to observe this direction and was not further heard.

MOTION:

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

Refer to RESOLUTION

8 RESOLUTION:

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

That:

1. Council determines Option 1 to be its preferred route alignment for the proposed Grose River Bridge Crossing.
2. Option 1 is included in an amended Redbank Voluntary Planning Agreement, and publicly exhibited for a minimum of 28 days.
3. The matter be reported to Council following completion of the public exhibition of the draft amended Redbank Voluntary Planning Agreement.

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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: Councillors McMahon, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Veigel, Wheeler and Zamprogno.

Against the Motion: Councillors Conolly and Sheather.

Absent: Nil.

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CORPORATE SERVICES

Item: 005 **CS - Investment Report - November 2022 - (95496)**

Previous Item: 129, Ordinary (19 July 2022)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

9 RESOLUTION:

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

That the Monthly Investment Report for November 2022 be received and noted.

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

Against the Motion: Nil.

Absent: Nil.

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Item: 007 **CS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

10 RESOLUTION:

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

That the Clause 4.21(a) Pecuniary Interest Return be received and noted.

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

Against the Motion: Nil.

Absent: Nil.

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SECTION 4 – Reports of Committees

Item: 009 **ROC - Minutes Local Traffic Committee - 9 January 2023 - (95495)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

11 RESOLUTION:

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

That Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Local Traffic Committee meeting held on 9 January 2023.

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

Against the Motion: Nil.

Absent: Nil.

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SECTION 5 – Notices of Motion

Item: 010 NM1 - Prayer-Blessing at Council Meetings - (155346)

A PROCEDURAL MOTION was moved by Councillor Sheather, seconded by Councillor Veigel that permission be granted to Pastor Daniel Cannone to address Council on this matter.

The Procedural Motion was carried.

Mr Bill Sneddon and Pastor Daniel Cannone addressed Council speaking for the recommendation in the business paper.

A MOTION was moved by Councillor Dogramaci, seconded by Councillor Sheather.

That Council:

1. Re-introduce a prayer/blessing at the beginning of each public Council meeting held in the Chambers.
2. Request the Hawkesbury Ministers Association provide representatives to offer this prayer/blessing.
3. Amend the Code of Meeting Practice accordingly.

For the Motion: Councillors Djuric, Dogramaci, Reardon and Sheather.

Against the Motion: Councillors McMahon, Calvert, Conolly, Kotlash, Lyons-Buckett, Veigel, Wheeler and Zamprogno.

Absent: Nil.

The Motion was lost.

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Minutes: 31 January 2023

Item: 012 NM3 - Richmond Bridge Duplication Project - (125612, 1388820)

Councillor Kotlash declared a significant non-pecuniary conflict of interest in this matter as she is a candidate at the State Election and she will be involved with this issue. She left the Chamber and did not take part in voting or discussion on the matter.

Mr Matthew Parkes addressed Council speaking against the recommendation in the business paper.

MOTION:

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

Refer to RESOLUTION

12 RESOLUTION:

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

That:

1. Council acknowledges Transport for NSW (TfNSW) will brief Councillors on 7 February 2023 with respect to the 'New Bridge and Traffic Improvements - Revised Preferred Option Report' released in December 2022.
2. Included in that briefing and with regard to the information contained within the report, Council request TfNSW to provide the following information:
 - Impacts on the local road network (access, traffic flow etc.)
 - Impacts related to flooding and floodplain from the presence of the proposed bridge and road network
 - Impacts on the commercial and residential sectors of Richmond, North Richmond and Hobartville
 - Impacts on heritage
 - Impacts on tree canopy and environmental impacts
 - Rationale of proposed noise abatement measures
 - Relationship to State Government strategic plans for future transport and development
3. Council request Transport for NSW hold a public meeting in Hobartville to explain the impacts of the project (specifically the section in Hobartville) and hear public feedback.
4. Council inform TfNSW that our representatives on the Community Reference Group for any further meetings will be the Mayor and the Deputy Mayor.
5. Council request that TfNSW invite two representatives from the Hobartville Community to attend the Community Reference Group.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Kotlash.

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MOTION:

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

Refer to RESOLUTION

13 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Veigel, that as the business of the meeting is unfinished at 11pm, Council deal with Items 15 and 16 on the Agenda and then adjourn the meeting to Tuesday, 7 February 2023, at the Council Chambers, Windsor commencing at 6.30pm.

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

Against the Motion: Nil.

Absent: Nil.

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CONFIDENTIAL REPORTS

14 RESOLUTION:

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

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: 015 CS – Lease to Amy Mary Platt – Shop 3, McGraths Hill Shopping Centre, 1 Phillip Place, McGraths Hill – (12106, 95496, 125184)

*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 public interest.*

Item: 016 CS – Property Matter – Lease to Stephen Hile – 139 March Street, Richmond – (112106, 496, 22455)

*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 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.

15 RESOLUTION:

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

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Item: 015 **CS - Lease to Amy Mary Platt - Shop 3, McGraths Hill Shopping Centre, 1 Phillip Place, McGraths Hill - (112106, 95496, 125184)**

Previous Item: 95, Ordinary (27 May 2014)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

16 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Amy Mary Platt, in regard to Shop 3, McGraths Hill Shopping Centre, 1 Phillip Place, McGraths Hill, in accordance with the proposal outlined in the report.
2. Authority be given for the lease and any other necessary 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 resolution into effect has been agreed to and executed by all parties.

For the Motion: Councillors McMahon, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Calvert.

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Item: 016 **CS - Property Matter - Lease to Stephen Hile - 139 March Street, Richmond - (112106, 95496, 22455)**

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

17 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Stephen Hile in regard to 139 March Street, Richmond, 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 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 McMahon, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Calvert.

The meeting adjourned at 11:16pm and will be reconvened on Tuesday, 7 February 2023 at 6:30pm in the Council Chambers, Windsor.

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Minutes: 31 January 2023

The meeting reconvened on Tuesday, 7 February 2023 at 6:30pm

Minutes of the Ordinary Meeting reconvened at the Council Chambers, Windsor, on 7 February 2023, commencing at 6:30pm.

Welcome

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

ALSO PRESENT: General Manager - Elizabeth Richardson, Acting Director City Planning - Meagan Ang, Director Corporate Services - Laurie Mifsud, Director Infrastructure Services - Will Barton, Manager Corporate Communications and Events - Suzanne Stuart, Chief Financial Officer - Vanessa Browning, Manager Governance - Charles McElroy and Council Committee Officer - Amy Birks.

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

There were no apologies or leave of absences received from Councillors.

DECLARATIONS OF INTEREST

There were no declarations of interest made on items dealt with at the reconvened meeting.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

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SECTION 3 – Reports for Determination

CORPORATE SERVICES

Item: 006 **CS - 2023 National Assembly of Local Government - Conference Motions - (95496)**

Directorate: Corporate Services

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

That Councillors provide any proposed motions for the 2023 National General Assembly of Local Government to the General Manager by Monday, 20 February 2023 to be included for consideration by Council at the Council Meeting on 14 March 2023.

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

That:

1. Councillors provide any proposed motions for the 2023 National General Assembly of Local Government to the General Manager by Monday, 20 February 2023 to be included for consideration by Council at the Council Meeting on 14 March 2023.
2. Council formulate a Conference motion expressing the need to raise the Warragamba Dam Wall and to reach out to adjacent Councils in the Hawkesbury - Nepean Floodplain to invite them to participate in a joint Conference motion.

For the Amendment: Councillors McMahon, Conolly, Reardon, Sheather, Veigel, and Zamprogno.

Against the Amendment: Councillors Calvert, Dogramaci, Djuric, Kotlash, Lyons-Buckett and Wheeler.

Absent: Nil.

The Amendment was carried on the casting vote of the Mayor, Councillor McMahon.

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MOTION:

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

Refer to RESOLUTION

18 RESOLUTION:

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

That:

1. Councillors provide any proposed motions for the 2023 National General Assembly of Local Government to the General Manager by Monday, 20 February 2023 to be included for consideration by Council at the Council Meeting on 14 March 2023.
2. Council formulate a Conference motion expressing the need to raise the Warragamba Dam Wall and to reach out to adjacent Councils in the Hawkesbury - Nepean Floodplain to invite them to participate in a joint Conference motion.

For the Motion: Councillors McMahon, Conolly, Reardon, Sheather, Veigel, and Zamprogno.

Against the Motion: Councillor Calvert, Dogramaci, Djuric, Kotlash, Lyons-Buckett and Wheeler.

Absent: Nil.

The Motion was carried on the casting vote of the Mayor, Councillor McMahon.

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Item: 008 **CS - Review of Council Committees - (79351)**

Previous Item: 256, Ordinary (8 December 2020)
 010, Ordinary (25 January 2021)
 190, Ordinary (15 November 2022)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

19 RESOLUTION:

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

That Council:

1. Dissolve the following Council Committees:
 - a) Community Services Committee
 - b) Environment Committee
 - c) Innovation and Partnerships Committee.
2. Retain the Heritage Committee.
3. Retain the Disaster and Emergency Committee, the membership being all 12 Councillors.
4. Endorse the preparation of the following Council Committee Constitutions:
 - a) Heritage Committee Constitution
 - b) Disaster and Emergency Committee Constitution.
5. As required, establish by Council resolution working groups, provide working groups with a clear and specific question or task to complete, and endorse the preparation of a template to be used for the establishment of working groups.
6. Note the outstanding items referred from Council to each of the Community Services Committee, Environment Committee and Innovation and Partnerships Committee as contained in Table 1 in this report.
7. Receive a report outlining the specific plans and studies that require the input of the Floodplain Management Working Group, so that Council can provide the working groups with instructions and a timeframe for the advice required.
8. Hold a Councillor Workshop to review the working groups and the progress made in relation to Council's strategic objectives.

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

Against the Motion: Nil.

Absent: Nil.

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SECTION 5 – Notices of Motion

Item: 011 **NM2 - Pathway - Pitt Town Road, McGraths Hill - (155346)**

A PROCEDURAL MOTION was moved by Councillor Conolly that Councillor Dogramaci be permitted to speak for two minutes on the matter prior to receiving a seconder for the Notice of Motion.

The Procedural Motion was carried.

MOTION:

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

Refer to RESOLUTION

20 RESOLUTION:

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

1. That Council receive a confidential verbal briefing within three months outlining the following with regard to the recently completed pathway along Pitt Town Road (From Ivy Avenue to Windsor Road):
 - a) Who was the contractor.
 - b) What was the initial cost and what pool of funds did it come from.
 - c) Who designed the pathway and who supervised it during the construction.
 - d) Who certified the pathway as acceptable.
 - e) Is there any intention to fix the inaccuracies in the pathway.
 - f) The total cost of the completed project-not necessarily where the money came from.
 - g) The guarantee/warranty of the construction in writing if extra money paid for repairs since then.
 - h) The very reason of the project winding right, left, right and left again, and right and left, up, down.
 - i) What was the reason of not fill and not going through the marsh which currently vermin and red belly snakes have been seen and reported to the General Manager.

For the Motion: Councillors McMahon, Conolly, Djuric, Dogramaci, Lyons-Buckett, Reardon, Sheather and Wheeler.

Against the Motion: Councillors Calvert, Kotlash, Veigel and Zamprogno.

Absent: Nil.

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QUESTIONS FOR NEXT MEETING

Item: 013 Responses to Councillor Questions Taken on Notice at the Council Meeting - 13 December 2022 - (79351)

Responses to Questions Taken On Notice at the Council Meeting on 31 January 2023 were provided. An additional question was asked regarding the two dimensional Hawkesbury – Nepean Flood Study and will be answered in the Business Paper for the next Council Meeting.

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CONFIDENTIAL REPORTS

21 RESOLUTION:

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

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: 014 NM – Council’s Sewer System- (155346)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993 as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, 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.

22 RESOLUTION:

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

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Item: 014

NM4 - Council's Sewer System - (155346)

The General Manager advised that whilst in closed session a motion was moved by Councillor Dogramaci which had no seconder and therefore the motion lapsed.

The meeting terminated at 7:32pm.

Submitted to and confirmed at the Ordinary meeting held on 14 February 2023.

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Mayor