



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 28 February 2017  
location: council chambers  
time: 6:30 p.m.



**ORDINARY MEETING**

**Minutes: 28 February 2017**

**MINUTES**

- **WELCOME**
  - Acknowledgement of Indigenous Heritage**
- **APOLOGIES AND LEAVE OF ABSENCE**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL**
- **MINUTES ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 3 - Reports for Determination**
  - Planning Decisions**
  - General Manager**
  - City Planning**
  - Infrastructure Services**
  - Support Services**
- **SECTION 4 - Reports of Committees**
- **SECTION 5 - Notices of Motion**
- **QUESTIONS FOR NEXT MEETING**
- **REPORTS TO BE DISCUSSED IN CONFIDENTIAL SESSION**

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## ORDINARY MEETING

Minutes: 28 February 2017

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 28 February 2017, commencing at 6:35pm.

### ATTENDANCE

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

**ALSO PRESENT:** Acting General Manager - Laurie Mifsud, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Acting Director Support Services - Emma Galea, Executive Manager - Community Partnerships - Joseph Litwin, Strategic Planning Manager - Andrew Kearns, Strategic Planning Coordinator – Phil Pleffer, Acting Corporate Communication Manager – Suzanne Stuart, Acting Chief Financial Officer – Vanessa Browning, Manager Corporate Services and Governance - Ian Roberts, Administrative Support Coordinator - Natasha Martin and Administrative Support Officer – Jodie Tillinghast.

Councillor Tree left the meeting at 9:25pm.

Councillor Conolly left the meeting at 9:34pm.

Councillor Zamprogno left the meeting at 9:43pm.

### Declarations of Interest

Councillor Wheeler declared an interest on Item 49.

### SECTION 1 - Confirmation of Minutes

#### 52 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Garrow that the Minutes of the Ordinary Meeting held on the 14 February 2017, be confirmed.

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**SECTION 2 - Mayoral Minutes**

**MM**                      **Nominate Thompson Square to the World Monuments Watch - (79351, 79353, 125612)**

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**MOTION:**

RESOLVED on the motion of Councillor Lyons-Buckett.

*Refer to RESOLUTION*

**53 RESOLUTION:**

RESOLVED on the motion of Councillor Lyons-Buckett.

That Council provide written support to the Hawkesbury Branch of the National Trust for its nomination of Thompson Square to be placed on the World Monuments Watch.



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**SECTION 3 - Reports for Determination**

**PLANNING DECISIONS**

**Item: 30**                    **CP - LEP006/15 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - Various properties Richmond Lowlands and Richmond (95498, 124414)**

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The Acting General Manager advised that due to an as yet unproven allegation made regarding matters associated with Item 30, concerning planning proposal LEP006/15, Mr Owens, Director City Planning will not be participating in the consideration of this matter. The allegation is currently being investigated by an independent third party and since the receipt of this allegation Mr Owens has withdrawn from any and all dealings with this application. As such, Mr Owens left the Council Chambers and was replaced for this matter by Mr Andrew Kearns, Manager Strategic Planning.

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Mr Wallace Ashton, Ms Rebecca Higgins and Mr Peter Higgins addressed Council, speaking for the recommendation.

Mr Andrew Minto, Mr Stan Kondilios and Mr Mark Wilson addressed Council, speaking against the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**54 RESOLUTION:**

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

That:

1. Council forward the planning proposal LEP006/15, the subject of this report, to the Department of Planning and Environment and request the preparation of a draft Local Environmental Plan (draft LEP) that will amend the *Hawkesbury Local Environmental Plan 2012* (LEP 2012) to permit with consent the necessary uses associated with the World Polo Championships 2017 only, subject to Council, in addition to any other requirement of the LEP 2012, considering a Flood Risk Management and Evacuation Plan that has been prepared in consultation with the NSW State Emergency Service.
2. Council provide the General Manager with delegation to adopt the draft Local Environmental Plan resulting from Part 1 and to request the Department of Planning and Environment make arrangements for the making of the amendment to the LEP 2012 and the notification of same on the NSW Legislation website.
3. Consideration of the other amendments to the LEP 2012 proposed by the planning proposal LEP006/15, be deferred until the concerns of the NSW Roads and Maritime Services, relating to the planning proposal have been addressed and resolved to the satisfaction of Council and the NSW Roads and Maritime Services.

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4. In addition to Part 3, consideration of the planning proposal's LEP006/15 amendments to LEP 2012 to allow with consent *function centres* and *eco-tourist facilities* on the subject site and to amend the Height of Buildings Map be deferred until Council has made a determination regarding the permissibility or otherwise of *function centres* and *eco-tourist facilities* in the RU2 Rural Landscape zone as part of Council's General Amendments planning proposal LEP003/15.
5. A report be provided to Council concerning a possible planning proposal and associated amendment to the LEP 2012 to allow properties within the Richmond Lowlands / Richmond / Cornwallis area to be used for polo and equine related purposes.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
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	

Mr Matt Owens returned to the Council Chambers.

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**Item: 31 CP - LEP001/15 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 219 Bells Line of Road, North Richmond - (124414, 95498)**

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**MOTION:**

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

*Refer to RESOLUTION*

**55 RESOLUTION:**

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

That Council:

1. Proceed with the making of the plan to amend the Lot Size Map of the Hawkesbury Local Environmental Plan 2012 to permit a minimum lot size of not less than 4ha for the northern part of the subject site immediately north of Redbank Road.
2. Request that the Parliamentary Counsel's Office prepare a draft Local Environmental Plan to give effect to the planning proposal in accordance with Section 59(1) of the Environmental Planning and Assessment Act, 1979.
3. Adopt and make the draft Local Environmental Plan, under the authorisation for Council to exercise delegation issued by the "Gateway" determination, upon receipt of an opinion from Parliamentary Counsel's Office that the plan can be legally made.
4. Advise the applicant to prepare a draft Voluntary Planning Agreement incorporating appropriate monetary contribution for the additional lot created on the subject site for Council's consideration prior to placing the draft Voluntary Planning Agreement on public exhibition.
5. Following the making of the plan advise the Department of Planning and Environment that the plan has been made and request to notify the plan on the NSW Legislation website.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Calvert	Councillor Rasmussen
Councillor Conolly	Councillor Wheeler
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Tree	
Councillor Zamprogno	

**ORDINARY MEETING**

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**GENERAL MANAGER**

**Item: 32**                      **GM - 2017 Floodplain Management Australia National Conference - (79351, 80286)**

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**MOTION:**

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

*Refer to RESOLUTION*

**56 RESOLUTION:**

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

That:

1. Attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2017 Floodplain Management Australia National Conference at an approximate cost of \$2,630 delegate be approved.
2. Councillors Lyons-Bucket, Reynolds and Wheeler attend the 2017 Floodplain Management Australia National Conference as Council's nominated delegates.

**Item: 33**                      **GM - Local Government Professionals Australia 2017 National Congress & Business Expo - (79351, 130399)**

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**MOTION:**

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

*Refer to RESOLUTION*

**57 RESOLUTION:**

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

That:

1. Attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Local Government Professionals 2017 National Congress and Business Expo at an approximate cost of \$3,525 delegate be approved.
2. Councillors Lyons-Bucket and Ross attend the Local Government Professionals 2017 National Congress and Business Expo as Council's nominated delegates.

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**Item: 34**                      **GM - Sister City and City-Country Alliance Program - Annual Report - (79351, 85814, 8350)**

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**MOTION:**

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

*Refer to RESOLUTION*

**58 RESOLUTION:**

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

That the 2015/2016 annual report for the Sister City Program and City-Country Alliance be received.

**ORDINARY MEETING**

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**CITY PLANNING**

**Item: 35**                    **CP - Delivery Program 2013 - 2017 - Six Month Progress Report 1 July 2016 - 31 December 2016 - (95498, 124414)**

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**MOTION:**

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

*Refer to RESOLUTION*

**59 RESOLUTION:**

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

That the information be received.

**Item: 36**                    **CP - Submission to Proposed Changes to the Environmental Planning and Assessment Act - (95498, 124414)**

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**MOTION:**

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

*Refer to RESOLUTION*

**60 RESOLUTION:**

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

That Council prepare and forward a submission, addressing the key issues and directions listed in this report, to the planning legislation updates currently on public exhibition by the Department of Planning and Environment prior to the end of the exhibition period of 10 March 2017.

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**Item: 37**                    **CP - Windsor Revitalisation Project Working Group - (79351, 95498)**

**Previous Item:**        NM5, Ordinary (11 October 2016)

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**MOTION:**

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

*Refer to RESOLUTION*

**61 RESOLUTION:**

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

That Council defer consideration of the matter to the next Ordinary Council Meeting.

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**INFRASTRUCTURE SERVICES**

**Item: 38**                      **IS - Exclusive Use of Governor Phillip Reserve - Bridge to Bridge Water Ski Classic Event - (95495, 79354, 74204)**

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**MOTION:**

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

*Refer to RESOLUTION*

**62 RESOLUTION:**

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

That:

1. Approval be granted to NSW Water Ski Federation Ltd for 'exclusive use' of Governor Phillip Reserve for the 2017 Bridge to Bridge Water Ski Classic to be held on 18 and 19 November 2017.
2. The event organisers can commence setting up for the event on Friday, 17 November 2017.
3. The approval be subject to the following conditions/documents:
  - a) Council's general park conditions
  - b) Council's fees and charges
  - c) The Windsor Foreshore Plan of Management
  - d) The Governor Phillip Exclusive Use Policy
  - e) The Governor Phillip Noise Policy
  - f) A Traffic Management Plan which has been approved as part of the Special Event Application.
4. As the applicant has not advised alternative dates in the event of inclement weather or other circumstances, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.
5. Council advise the Local Area Command of the event being held.



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**Item: 39**                      **IS - Exclusive Use of Governor Phillip Reserve - The Hawkesbury 120 Ski Race Classic 2017 - (95495, 79354, 92138)**

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**MOTION:**

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

*Refer to RESOLUTION*

**63 RESOLUTION:**

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

That:

1. Approval be granted to Ski Racing NSW Inc for "exclusive use" of Governor Phillip Reserve for the 2017 Hawkesbury 120 Ski Race Classic to be held on Saturday, 9 and Sunday, 10 September 2017.
2. The approval be subject to the following conditions/documents:
  - a) Council's General Park Conditions.
  - b) Council's Fees and Charges.
  - c) The Windsor Foreshore Plan of Management.
  - d) The Governor Phillip Exclusive Use Policy.
  - e) The Governor Phillip Noise Policy.
  - f) A Traffic Management Plan which has been approved as part of the Special Event Application.
3. As the applicant has not advised alternative dates in the event of inclement weather or other circumstances, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.

**Item: 40**                      **IS - Road Naming Proposal Associated with DA0508/16 and S960136/16 Blaxlands Ridge - (95495, 79346)**

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**MOTION:**

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

*Refer to RESOLUTION*

**64 RESOLUTION:**

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

That:

1. In accordance with the requirements of the Roads Act, 1993, the name Barton Place, Blaxlands Ridge in connection with DA0508/16 and S9601136/16, be publically advertised for a period of 28 days, seeking comment and submissions.
2. The matter be reported back to Council following the public exhibition process.

**ORDINARY MEETING**

**Minutes: 28 February 2017**

**SUPPORT SERVICES**

**Item: 41                    SS - Monthly Investments Reports - January 2017 - (95496, 96332)**

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**MOTION:**

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

*Refer to RESOLUTION*

**65 RESOLUTION:**

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

The report regarding the monthly investments for January 2017 be received and noted.

**Item: 42                    SS - Consultants Utilised by Council - 1 July 2016 to 31 December 2016 - (95496, 96332)**

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**MOTION:**

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

*Refer to RESOLUTION*

**66 RESOLUTION:**

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

That:

1. The information concerning consultancies utilised by Council during the period July to December 2016 be received.
2. The six monthly reporting on the use of Consultants by Council is discontinued as from 1 January 2017.

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**Item: 43**                    **SS - December 2016 Quarterly Budget Review Statement - (95496, 96332)**

**Previous Item:**        113, Extraordinary (14 June 2016)

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**MOTION:**

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

*Refer to RESOLUTION*

**67 RESOLUTION:**

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

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – December 2016 be adopted.

**ORDINARY MEETING**

**Minutes: 28 February 2017**

**Item: 44                    SS - Establishment of a Budget Monitoring Committee - (95496, 96332)**

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**MOTION:**

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

***Refer to RESOLUTION***

**68 RESOLUTION:**

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

That:

1. Council endorse the delivery of a presentation providing an overview of Council's progress towards meeting its Budget on a quarterly basis, as part of a scheduled Councillor Briefing Session, prior to the applicable Quarterly Budget Review Statement being submitted to the relevant Council meeting.
2. Council endorse that an update on the progress of Fit For The Future strategies is included in the presentations referred to in Part 1 above.
3. A report on the progress of the implementation of Fit For The Future strategies is submitted to Council on a six monthly basis, being June and December each year.
4. Council endorse that an update on performance against Fit For The Future benchmarks is included in the presentations referred to in Part 1 above.
5. An addendum is included within the Quarterly Budget Review Statement in regard to performance against the Fit For The Future financial benchmarks.
6. The Council Budget Preparation Process Committee, with the Councillor representatives being the Mayor, Councillor Lyons-Buckett and Councillor Conolly, attend the applicable meetings in regard to the preparation of the Draft 2017/2018 Budget.

**Item: 45                    SS - Gifts and Benefits Policy - (95496, 96333)**

**Previous Item:**        120, Ordinary (25 June 2013)

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**MOTION:**

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

***Refer to RESOLUTION***

**69 RESOLUTION:**

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

That Council adopt the Gifts and Benefits Policy attached as Attachment 1 to this report.

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**Item: 46**                    **SS - Revaluation of Properties within the Hawkesbury City Council Local Government Area - (95496, 96332)**

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**MOTION:**

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

*Refer to RESOLUTION*

**70 RESOLUTION:**

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

That the information concerning the revaluation of properties within the Hawkesbury Council Local Government Area be received and noted.

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**SECTION 4 - Reports of Committees**

**ROC**

**Local Traffic Committee - 13 February 2017 - (80245)**

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**71 RESOLUTION:**

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

That the minutes of the Local Traffic Committee held on 13 February 2017 as recorded on pages 131 to 154 of the Ordinary Business Paper be adopted.

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**SECTION 5 - Notices of Motion**

**NM1 Council to fly Rainbow Flag for Mardis Gras period - (79351, 105109, 138882)**

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Bridget Howart addressed Council, speaking for the recommendation.

**MOTION:**

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

*Refer to RESOLUTION*

**72 RESOLUTION:**

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

That Council:

1. Shows its support for the LGBTIQ community and reaffirms its support for marriage equality by flying the rainbow flag for the Mardi Gras Festival period each year, beginning 1 March 2017 and including the day of the annual Sydney Gay and Lesbian Mardi Gras Parade.
2. Investigates participating in the annual Sydney Gay and Lesbian Mardi Gras Festival with the aim of hosting one event each year as part of the Festival.
3. Also fly the rainbow flag on 17 May 2017, which is the International Day Against Homophobia, Transphobia and Biphobia.

Councillors Conolly and Richards requested that their names be recorded as having voted against the motion.

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**QUESTIONS FOR NEXT MEETING**

**Councillor Questions from Previous Meetings and Responses - (79351)**

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



**ORDINARY MEETING****Minutes: 28 February 2017****Questions for Next Meeting**

#	Councillor	Question	Response
1	Conolly	Enquired if it is possible for Council to report on its investment property portfolio, in the same way that it reports on its other investments.	Acting Director Support Services
2	Zamprogno	Requested information as to the status of operation of the gas powered lamp posts in Windsor Mall, how long they have been not operating and what measures are required for the lamp posts to become operational.	Director Infrastructure Services
3	Zamprogno	Enquired about recent road reconstruction works carried out in the vicinity of Bathurst Street, Hall Street and Punt Road, Pitt Town in relation to traffic control signs and road marking being removed and not replaced.	Director Infrastructure Services
4	Zamprogno	Enquired as to who has responsibility for the road pavement, kerb and guttering on the northern side of Johnston Street, near Hawkesbury Street, Pitt Town and when will the remaining portion be delivered.	Director Infrastructure Services
5	Zamprogno	Requested that potholes and water settlement in Eldon Street, east of the intersection of Wisemans Ferry Road be reviewed.	Director Infrastructure Services
6	Garrow	Requested that Woolworths be reminded that delivery trucks are to access Macquarie Street via Baker Street, not George Street, Windsor.	Director City Planning

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**CONFIDENTIAL REPORTS**

**73 RESOLUTION:**

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

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: 47 IS - Land Acquisition - Bridge Replacement - Part 2042 Upper Macdonald Road, Higher Macdonald - (95495, 75183, 29317, 29318)**

*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: 48 IS - Legal Matter - South Windsor Sewage Treatment Plant - (95495, 112179)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the Local Government Act, 1993 as it relates to legal advice concerning the Prosecution by Environment Protection Authority of Hawkesbury City Council for Sewage Sludge Spills – South Windsor Sewage Treatment Plant and the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

**Item: 49 IS - Tender No. T00051 - Reconstruction of Pavement Section of King Road, Wilberforce - (95495, 79344)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to tender information regarding the reconstruction of failed sealed pavement sections of various roads and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to these matters be withheld from the Press and public.

The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with these confidential matters.

There was no response, therefore, the Press and the public left the Council Chambers.

**74 RESOLUTION:**

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

**ORDINARY MEETING**

**Minutes: 28 February 2017**

**Item: 47**                    **IS - Land Acquisition - Bridge Replacement - Part 2042 Upper Macdonald Road, Higher Macdonald - (95495, 75183, 29317, 29318)    CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**75 RESOLUTION:**

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

That:

1. The acquisition of an area, in the order of 3,300m<sup>2</sup> within 2042 Upper Macdonald Road, Higher Macdonald (Lots 43 and 63 in DP 755206) proceed with compensation in the amount detailed in this report be paid to the property owner.
2. Council bear all costs associated with the process of acquiring the subject portions of land including, if applicable, the replacement of any fencing required by the acquisition.
3. Authority be given for any documentation in association with this matter be executed under the Seal of Council.
4. Details of the 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 agreed to and executed by all parties.

**Item: 48**                    **IS - Legal Matter - South Windsor Sewage Treatment Plant - (95495, 112179)    CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**76 RESOLUTION:**

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

That:

1. The information be noted.
2. The actions proposed in this report be endorsed and conveyed to the Court.

**ORDINARY MEETING**

**Minutes: 28 February 2017**

**Item: 49**                    **IS - Tender No. T00051 - Reconstruction of Pavement Section of King Road, Wilberforce - (95495, 79344)    CONFIDENTIAL**

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Councillor Wheeler declared a significant non-pecuniary conflict of interest in this matter as she lives on the section of King Road, Wilberforce under discussion. She left the Chamber and did not take part in voting or discussion on the matter.

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**MOTION:**

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

***Refer to RESOLUTION***

**77    RESOLUTION:**

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

That Council:

1.    Accept the tender of Cleary Bros (Bombo) Pty Ltd to undertake reconstruction of King Road (Tender T00051), at a cost of \$954,226.43 excluding GST.
2.    The Seal of Council be affixed to any necessary documentation.

The meeting terminated at 9:45pm.

Submitted to and confirmed at the Ordinary meeting held on 14 March 2017.

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Mayor