



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 27 June 2017

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Minutes: 27 June 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

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 27 June 2017, commencing at 6:31pm.

ATTENDANCE

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

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

APOLOGIES

Apologies for absence were received from Councillor B Calvert, Councillor E-J Garrow and Councillor Tree.

182 RESOLUTION:

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

DECLARATIONS OF INTEREST

Councillor Lyons-Buckett declared an interest on Item 104.

Councillor Reynolds declared an interest on Item NM1.

Councillor Rasmussen declared an interest on Item 118.

SECTION 1 - Confirmation of Minutes

183 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Zamprogno that the minutes of the Ordinary Meeting held on 30 May 2017, be confirmed.

184 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Zamprogno that the minutes of the Extraordinary Meeting held on 13 June 2017, be confirmed.

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SECTION 3 - Reports for Determination

GENERAL MANAGER

Item: 101 **GM - Request for Leave of Absence - Councillor Emma-Jane Garrow - (79351, 138883)**

MOTION:

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

Refer to RESOLUTION

185 RESOLUTION:

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

That leave of absence be granted to Councillor Emma-Jane Garrow from the Ordinary meetings of Council on 27 June 2017 and 11 July 2017.

Item: 102 **GM - Request for Leave of Absence - Councillor Nathan Zamprogno - (79351, 138884)**

MOTION:

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

Refer to RESOLUTION

186 RESOLUTION:

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

That leave of absence be granted to Councillor Nathan Zamprogno from Friday, 30 June 2017 to Sunday, 23 July 2017 inclusive, including the Ordinary meeting of Council on 11 July 2017.

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Item: 103 **GM - Proposed Changes to the Civic and Citizenship Advisory Committee Constitution - (96972, 79356)**

Previous Item: 228, Ordinary (12 October 2010)
 215, Ordinary (30 October 2007)
 208, Ordinary (12 July 2005)

MOTION:

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

Refer to RESOLUTION

187 RESOLUTION:

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

That Council adopt the amended Civic and Citizenship Advisory Committee Constitution attached as Attachment 1 to the report.

Item: 104 **GM - Request for Sponsorship - Kurrajong-A-Buzz 2017 - (79351, 90311)**

Councillor Lyons-Buckett declared a less than significant non-pecuniary conflict of interest in this matter as she is the Public Officer of the Kurrajong Community Forum, but is not involved in the decisions made by the Forum or the running of this community event, which is run for the benefit of the whole community, not for personal benefit and no further action is required.

Ms Fiona Smith addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

188 RESOLUTION:

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

That:

1. Council approve sponsorship funding to the Kurrajong Community Forum in regard to the holding of Kurrajong-A-Buzz 2017, to the total value of \$3,715, comprising of financial assistance of \$2,615 and in-kind services to the value of \$1,100, as outlined in the report.
2. Council enter into the standard Sponsorship Agreement with Kurrajong Community Forum for the Kurrajong-A-Buzz 2017 event.

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Minutes: 27 June 2017

Item: 105 **GM - Request for Sponsorship - NSW Women's Country Golf Meeting 2018 - (79351, 141344)**

MOTION:

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

Refer to RESOLUTION

189 RESOLUTION:

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

That:

1. Council approve sponsorship funding to Golf NSW in regard to the NSW Women's Country Golf Meeting 2018, to the total value of \$5,500, as outlined in the report, comprising of financial assistance of \$5,000 and in-kind services to the value of \$500.
2. Council enter in to the standard Sponsorship Agreement with Golf NSW for the NSW Women's Country Golf Meeting 2018 event.
3. Council officers prepare a framework for the evaluation of future proposals, both in terms of achievement of objectives in the Community Strategic Plan and assessment relative to each other.

Item: 106 **GM - Smart Cities Series, Building the Cities of Tomorrow Conference - (79351)**

MOTION:

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

Refer to RESOLUTION

190 RESOLUTION:

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

That:

1. Attendance of nominated Councillors, and staff as considered appropriate by the General Manager, at the Smart Cities Series, Building the Cities of Tomorrow Conference, at an approximate cost of \$150 plus travel costs per delegate, be approved.
2. Councillors Rasmussen, Richards, Ross and Wheeler attend the Smart Cities Series, Building the Cities of Tomorrow Conference as Council's nominated delegates.

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Item: 107 GM - Questions Tabled at Ordinary Meeting of 9 May 2017 - (79351)

Mr Michael Want addressed Council, speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

191 RESOLUTION:

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

That the report be received and noted.

ORDINARY MEETING

Minutes: 27 June 2017

INFRASTRUCTURE SERVICES

Item: 108 **IS - Extension of Approval for Markets at Governor Phillip Reserve and Richmond Park - (95495, 79354, 127235, 129069, 75504, 94012)**

Previous Item: 282, Ordinary (27 August 2013)
 68, Ordinary (11 March 2014)
 63, Ordinary (28 March 2017)

Ms Sharon Black, Ms Gae Kelly and Mr Uri Ananin addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

192 RESOLUTION:

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

That:

1. Council note the delay in receiving the Markets Policy and as a consequence extend the current market approvals as follows:
 - a) Richmond Fresh Food be given approval to hold a weekly Saturday growers market at Richmond Park for a period up to 30 June 2018
 - b) Eclectic Markets and Events Market be given approval to hold a market at Governor Phillip Park on 30 September and 16 December 2017 and 17 March 2018
 - c) Rotary Club of Richmond be given approval to hold a monthly market (fourth Saturday of the month) at McQuade Park for a period up to 30 June 2018
 - d) Windsor Business Group Inc be given approval to hold a monthly market (third Saturday of the month) at McLeod Park for a period up to 30 June 2018.
2. The General Manager be given authority to negotiate additional markets or variations, if required by each applicant.
3. The approvals be subject to the following:
 - a) Council's general park conditions
 - b) Council's fees and charges
 - c) The Richmond Park and Windsor Foreshore Plans of Management
 - d) Satisfactory management of conflict with other users
 - e) Council reserving the right to suspend the use where conflicts of use arise.

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Item: 109 **IS - Pigeon Management and Control - (95495, 79354)**

MOTION:

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

Refer to RESOLUTION

193 RESOLUTION:

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

That:

1. A fact sheet be developed to guide local residents/businesses in the management of feral pigeons within their properties.
2. Local businesses/shops be contacted regarding how best to reduce the food source, in order to discourage pigeons and provide advice to local businesses to reduce or remove food waste from the areas in front of their shops.
3. Council implement 'Do not feed the birds' signage in Windsor Mall.

Item: 110 **IS - Road Naming Proposal Associated with DA0637/15 - 4 Dight Street, Richmond - (95495, 79346)**

MOTION:

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

Refer to RESOLUTION

194 RESOLUTION:

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

That:

1. In accordance with the requirements of the Roads Act 1993, the name Sandstone Place, Richmond in connection with DA0637/15, be publically advertised for a period of 28 days, to seek comment on the proposal.
2. The matter be reported back to Council following the public exhibition process.

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SUPPORT SERVICES

Item: 111 **SS - Exemption from Rating - 87 Mileham Street, South Windsor - (95496, 96332, 76085)**

MOTION:

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

Refer to RESOLUTION

195 RESOLUTION:

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

That:

1. McCall Gardens Community Limited be granted an exemption from rating from 4 July 2016 for the property known as 87 Mileham Street, South Windsor (Lot 16 Sec Q DP 759096).
2. An amount of \$1,019.42 be abandoned in respect of rates for the period 4 July 2016 to 30 June 2017 for the property known as 87 Mileham Street, South Windsor (Lot 16 Sec Q DP 759096).

Item: 112 **SS - Monthly Investments Report - May 2017 - (95496, 96332)**

MOTION:

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

Refer to RESOLUTION

196 RESOLUTION:

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

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

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Item: 113 SS - Outstanding Receivables - Bad Debts Write Off - (95496, 96332)

MOTION:

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

Refer to RESOLUTION

197 RESOLUTION:

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

That Council write off the three debts due for the total amount of \$21,353.01 from Debtor Account Nos 7307288, 7309842 and 7310019.

Item: 114 SS - Audit Office of NSW - Local Government Performance Audits - (95496, 139184)

MOTION:

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

Refer to RESOLUTION

198 RESOLUTION:

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

That Council receive and note the information within this report and the letter dated 27 April 2017 from the Audit Office of NSW.

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Item: 115 **SS - Draft Hawkesbury Family and Domestic Violence Action Plan - (95496, 96328)**

Previous Item: NM1, Ordinary (26 May 2015)
 18, Ordinary (31 January 2017)

MOTION:

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

Refer to RESOLUTION

199 RESOLUTION:

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

That:

1. The Draft Hawkesbury Family and Domestic Violence Action Plan attached as Attachment 1 to the report be placed on public exhibition for a period of not less than 28 days.
2. The outcome of the public exhibition be taken to a Councillor Briefing Session and then reported to Council.

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SECTION 4 - Reports of Committees

ROC Hawkesbury Civic and Citizenship Advisory Committee - 20 April 2017 - (96972, 79356)

200 RESOLUTION:

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

That the minutes of the Hawkesbury Civic and Citizenship Committee held on 20 April 2017 as recorded on pages 67 to 70 of the Ordinary Business Paper be received.

ROC Hawkesbury Access and Inclusion Advisory Committee - 4 May 2017 - (96328, 124569)

201 RESOLUTION:

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

That the minutes of the Hawkesbury Access and Inclusion Advisory Committee held on 4 May 2017 as recorded on pages 71 to 77 of the Ordinary Business Paper be received.

ROC Human Services Advisory Committee - 4 May 2017 - (124414, 123486)

202 RESOLUTION:

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

That the minutes of the human Services Advisory Committee held on 4 May 2017 as recorded on pages 78 to 85 of the Ordinary Business Paper be received.

ROC Sustainability Advisory Committee - 15 May 2017 - (124414, 126363)

203 RESOLUTION:

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

That the minutes of the Sustainability Advisory Committee held on 15 May 2017 as recorded on pages 86 to 93 of the Ordinary Business Paper be received.

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ROC Heritage Advisory Committee - 25 May 2017 - (80242, 124414)

Mr Graham Edds and Ms Venecia Wilson addressed Council, speaking for the recommendation.

204 RESOLUTION:

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

That:

1. The minutes of the Heritage Advisory Committee held on 25 May 2017 as recorded on pages 94 to 105 of the Ordinary Business Paper be received.
2. Council officers prepare a report to Council on the Archaeological Study for Richmond by Edward (Ted) Higginbotham for consideration and adoption.

ROC Local Traffic Committee - 19 June 2017 - (80245)

205 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 19 June 2017 as recorded on pages 106 to 146 of the Ordinary Business Paper be adopted.

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SECTION 5 - Notices of Motion

NM1 Historic Windsor Bridge (79351, 105109, 138880)

Councillor Reynolds declared a less than significant non-pecuniary conflict of interest in this matter as he resides approximately 150m from the Windsor Bridge, however any decision made has no impact, positive or negative on his residence or himself and no further action is required.

Mr Harry Terry addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

206 RESOLUTION:

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

That:

1. The Mayor write to the National Trust of Australia, the Royal Australian Historical Society, Engineers Australia and the NSW Heritage Council to request their support for the refurbishment and ongoing care of the historic Windsor Bridge.
2. A report be presented to Council, detailing any responses received from the National Trust of Australia, the Royal Australian Historical Society, Engineers Australia and the NSW Heritage Council.
3. Subsequent to receipt of any advice of support from the National Trust of Australia, the Royal Australian Historical Society, Engineers Australia and the NSW Heritage Council, Council advise the RMS that it will take possession of the State Significant Windsor Bridge, refurbished for use by pedestrians and cyclists, in the event the planned Option One bridge is constructed.

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QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meeting and Responses - (79351)

Council Meeting - 30 May 2017

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

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Questions for Next Meeting

#	Councillor	Question	Response
1	Ross	Enquired if the proposed road, Sandstone Place, Richmond, as presented in Item 110 of the business paper is situated in flood prone land.	Director City Planning
2	Kotlash	Requested an update in relation to her question from the Ordinary Meeting of 15 February 2017, which requested " <i>an indication from Sydney Water regarding the number of complaints for the Kurmond-Kurrajong Investigation Area in relation to water pressure over the past two to three years</i> ".	Director City Planning
3	Kotlash	Requested an update in relation to her question from the Ordinary Meeting of 14 March 2017, which enquired if " <i>Council is aware of any plans for an ambulance depot west of the river and requested that Council enquire as to how Ambulance NSW plan for such a service and how Council could be involved to augment the process</i> ".	Director Infrastructure Services
4	Zamprogno	Enquired as to the percentage of rate payers' mobile phone and email address details that Council collects and if any data matching and cross referencing is carried out between Council databases.	Director Support Services
5	Conolly	Enquired if Council has any information available to give an indication of the ongoing maintenance costs that Council would be liable for if it took possession of the Windsor Bridge as suggested in NM1 of the Business Paper.	Director Infrastructure Services
6	Richards	Requested an estimate on the costs involved to purchase and install race timing touch pads at the indoor and outdoor pools at the Oasis Aquatic and Leisure Centre.	Director Infrastructure Services

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CONFIDENTIAL REPORTS

207 RESOLUTION:

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

That:

1. The Council meeting be closed to deal with confidential matters and in accordance with Section 10A of the Local Government Act, 1993, members of the Press and the public be excluded from the Council Chambers during consideration of the following items:

Item: 116 CP - Community Representation on Council's Town Centres Master Plan Project Group - (124414, 95498)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 as it relates to personnel matters concerning particular individuals (other than councillors).*

Item: 117 CP - Tender No. EOI 00200 - Expressions of Interest for Hawkesbury River Dredging at Seven Priority Locations between Bens Point and Sackville Ferry - (95498)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to (details concerning tenders for the supply of goods and/or 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.*

Item: 118 CP - Redbank Voluntary Planning Agreement and Delivery of Bridge over Grose River - (95498, 112157)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) and 10A2(g) of the Local Government Act, 1993 as it relates to the Redbank Voluntary Planning Agreement:*

10A(2)(d) 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

10A(2)(g) the information concerns contractual arrangements 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: 119 SS - Property Matter - Lease to The Minister Administering the NPWS Act - Bowman Cottage, 368 Windsor Street, Richmond - (95496, 112106, 134759)

*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 the public interest.*

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Item: 120 SS - Provision of Legal Services - (95496, 107)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and/or 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.

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.

Mr Michael Want expressed his concerns with Item 118 being heard in confidential session.

The General Manager responded, stating that the matter contained confidential legal advice provided in relation to the Redbank Voluntary Planning Agreement between Council, Roads and Maritime Services and North Richmond Joint Venture.

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

208 RESOLUTION:

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

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Item: 116 **CP - Community Representation on Council's Town Centres Master Plan Project Group - (124414, 95498)**

Previous Item: NM5, Ordinary (11 October 2016)
 37, Ordinary (28 February 2017)
 52, Ordinary (14 March 2017)

MOTION:

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

Refer to RESOLUTION

209 RESOLUTION:

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

That:

1. Council appoint the following community representatives to the Town Centres Master Plan Project Group and appoint six community representatives from these submissions, being:
 - a) Abigail Ball
 - b) Alicia Goldstein
 - c) Darren Pead
 - d) Jo Wilbow
 - e) Venecia Wilson
 - f) Sue Wingate.

2. An orientation workshop be arranged for members of the Town Centre Master Plan Group to confirm the parameters of the work involved and to provide an overview of its relationship with other Council Committees such as the Tourism, Heritage and Floodplain Committees.

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Item: 117 **CP - Tender No. EOI 00200 - Expressions of Interest for Hawkesbury River Dredging at Seven Priority Locations between Bens Point and Sackville Ferry - (95498)**

Previous Item: NM, Ordinary (30 March 2010)
 152, Ordinary (28 August 2012)
 NM3, Ordinary (13 November 2012)
 168, Ordinary (27 August 2013)
 87, Ordinary (13 May 2014)

MOTION:

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

Refer to RESOLUTION

210 RESOLUTION:

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

That Council:

1. Receive the Expressions of Interest submitted by six companies namely:
 - Birdon Pty Ltd
 - Boskalis Australia
 - Hall Contracting
 - Heron Construction
 - Kick Industries
 - Davidson Dredging.
2. Not select a preferred company and not invite tenders for river dredging.
3. Thank all companies that submitted an Expression of Interest and notify them of Council's decision not to invite tenders for river dredging.

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Item: 118 CP - Redbank Voluntary Planning Agreement and Delivery of Bridge over Grose River - (95498, 112157) CONFIDENTIAL

Councillor Rasmussen declared a pecuniary interest in this matter as he is the owner of land bordering on the proposed Grose River Bridge alignment and that the land value of this property could be affected. He left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

211 RESOLUTION:

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

That Council:

1. Advise the Developer that Council does not agree with their request, dated 20 February 2017, to pay the Monetary Contribution for the "New Proposed Bridge (Multispan)" under the provisions of Clause 7.2(e)(i)(B) of the Redbank Voluntary Planning Agreement.
2. Note that there have been no monetary contributions made by the Developer for the bridge works to date. If the Redbank Voluntary Planning Agreement Monetary Contribution payment provisions for the Bridge Works are pursued they would be made as the development proceeds. The total funds would not be payable for approximately five or more years and that, under the provisions of the Voluntary Planning Agreement, the RMS would receive 95% of those funds with Council receiving 5% of that contribution.
3. Agree to amend the Milestone in Schedule 2, Table 1, Item 1.2 (approval Milestone for New Proposed Bridge (Multispan)) of the Redbank Voluntary Planning Agreement to the following:
 - Milestone 2: amend from 341st Urban Lot to 701st Urban Lot.
4. Agree to amend the Milestone in Schedule 2, Table 1, Item 1.3 (operational milestone for the New Proposed Bridge (Multispan)) of the Redbank Voluntary Planning Agreement to the following:
 - Amend the 'Timing' in Column 3 for the practical completion of the works from 641st Urban Lot to 1001st Urban Lot.
5. Agree to amend Schedule 2, Table 1, Column 2, Item 1.6b (Milestone for the provision of an allotment for a Child Care Centre) of the Redbank Voluntary Planning Agreement by replacing 301st Urban Lot to 601st Urban Lot.
6. Seek the agreement of the Developer and the RMS as parties to the Redbank Voluntary Planning Agreement to the amendment of the milestone changes outlined above.
7. Confirm the 'Council Position on the Bridge and the Redbank Voluntary Planning Agreement' as listed in this report, with additional words to point 3 on page 22 of the report as discussed at the meeting, as the current position of Council, and that the information be publically released.

ORDINARY MEETING

Minutes: 27 June 2017

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Conolly	Nil
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Wheeler	
Councillor Zamprogno	

Councillors Calvert, Garrow and Tree were absent from the meeting.

Councillor Rasmussen was not in the Chamber when the vote was taken.

ORDINARY MEETING

Minutes: 27 June 2017

Item: 119 **SS - Property Matter - Lease to The Minister Administering the NPWS Act - Bowman Cottage, 368 Windsor Street, Richmond - (95496, 112106, 134759)**

Previous Item: 93, Ordinary (29 April 2008)

MOTION:

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

Refer to RESOLUTION

212 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with The Minister Administering the NPWS Act on behalf of National Parks and Wildlife Services, in regard to Bowman Cottage, 368 Windsor Street, Richmond, in accordance with the proposal outlined in the report.
2. Authority be given for any 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.

ORDINARY MEETING

Minutes: 27 June 2017

Item: 120 **SS - Provision of Legal Services - (95496, 107)**

Previous Item: 140, Ordinary (29 July 2014)

MOTION:

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

Refer to RESOLUTION

213 RESOLUTION:

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

That:

1. Council exercise the option available to it, to extend the appointment of Marsdens Law Group to provide legal services to Council for a further period of three years, commencing from 7 August 2017, subject to the same terms, conditions and fees as in the current Contract.
2. Council exercise the option available to it, to extend the appointment of Pikes & Verekers Lawyers to provide legal services to Council for a further period of three years, commencing from 7 August 2017, subject to the same terms, conditions and fees as in the current Contract.
3. Authority be given for any documentation in connection with this matter to be executed under the Seal of Council, if necessary.

The meeting terminated at 10:32pm.

Submitted to and confirmed at the Ordinary meeting held on 11 July 2017.

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Mayor