



Ordinary Meeting

Date of meeting: 12 October 2021
Location: By audio-visual link
Time: 6:30 p.m.

MINUTES

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Minutes of the Ordinary Meeting held at the by Audio-Visual Link, Windsor, on 12 October 2021, commencing at 6:31pm.

Welcome

The Mayor, Councillor Patrick Conolly acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

- Recording of the Council Meeting
- Statement regarding people addressing the Meeting

ATTENDANCE

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

ALSO PRESENT: General Manager - Elizabeth Richardson, Director City Planning - Linda Perrine, Acting Director Infrastructure Services - Emma Galea, Director Support Services - Laurie Mifsud, Acting Chief Financial Officer - Vanessa Browning, Strategic Planning Manager - Andrew Kearns, Executive Manager Operations - Jackie Carr, Manager Corporate Communication - Suzanne Stuart, Manager Corporate Services and Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE

No apologies of absence were received from Councillors.

Councillor Reynolds arrived at the meeting at 6:35pm.

DECLARATIONS OF INTEREST

Councillor Garrow declared an interest on Item 194.
Councillor Richards declared an interest on Item 195.
Councillor Wheeler declared an interest on Item 195.
Councillor Conolly declared an interest on Item 201.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

SECTION 1 - Confirmation of Minutes

259 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Garrow that the Minutes of the Ordinary Meeting held on 28 September 2021, be confirmed.

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SECTION 3 – Reports for Determination

CITY PLANNING

Item: 193 **CP - Hawkesbury LGA Aboriginal Cultural Heritage Study - (80242, 124414, 95498)**

Previous Item: 154, Ordinary (10 August 2021)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

260 RESOLUTION:

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

That:

1. Council note the outcome of the public exhibition of the draft Hawkesbury LGA Aboriginal Cultural Heritage Study.
2. Council adopt the Hawkesbury LGA Aboriginal Cultural Heritage Study, attached as Attachment 2 to this report.
3. The implementation items from the Hawkesbury LGA Aboriginal Cultural Heritage Study be referred to when consideration is given to the development of Council's Operational Plan.

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

Against the Motion: Nil.

Absent: Nil.

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Item: 194 **CP - Council Support for Re-establishment of Caravan Parks - (95498)**

Directorate: City Planning

Councillor Garrow declared a pecuniary interest in this matter as her family owns one of the caravan parks mentioned in this item. She left the Meeting and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

261 RESOLUTION:

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

That Council establish a two year framework on enforcement action, relating only to lack of approval under the Local Government Act 1993 to operate existing caravan parks, to ensure required planning and Local Government Act approvals for the parks and associated matters are in place.

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

Against the Motion: Nil.

Absent: Councillor Garrow.

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Item: 195 **CP - NSW Government (NSW Rural Fire Service) Rural Boundary Clearing Code - (95498)**

Previous Item: 067, Ordinary (30 March 2021)

Directorate: City Planning

Councillor Richards declared a less than significant non-pecuniary conflict of interest in this matter as she is a member of the Hawkesbury Communications Rural Fire Brigade and no further action is required.

Councillor Wheeler declared a less than significant non-pecuniary conflict of interest in this matter as she and her son are members of the Rural Fire Service. Her membership of the Rural Fire Service includes no involvement in the use of the Rural Boundary Clearing Code and no further action is required.

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

That Hawkesbury City Council opt into the NSW Rural Fire Service Rural Boundary Clearing Code.

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

That Council:

1. Engages in consultation with the Hawkesbury community and relevant stakeholders in order to establish views of whether or not Council should opt in to the Rural Boundary Clearing Code.
2. Receive a report which includes the following:
 - a) The results of this consultation.
 - b) Advice about which Councils have chosen to opt-in, for those Councils given that discretion.
 - c) What resourcing would be required for Council to:
 - i. Provide landowners guidance on proposed land-clearing activities
 - ii. Provide an adequate compliance and enforcement regime.
 - d) Advice concerning what geospatial mapping tools Council possesses to measure tree coverage across the Local Government Area, changes to tree coverage over time, and reports on the merits of acquiring those tools if we do not have them.
 - e) Advice concerning whether the Rural Boundary Clearing Code can be opted into on a temporary basis.
3. Requests that the Rural Fire Service make available the Rural Boundary Mapping Tool to Council and Hawkesbury Rural Fire Service personnel to evaluate the impact of the Boundary Clearing Code on particular areas.

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

Against the Amendment: Councillors Conolly, Richards and Tree.

Absent: Nil.

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MOTION:

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

Refer to RESOLUTION

262 RESOLUTION:

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

That Council:

1. Engages in consultation with the Hawkesbury community and relevant stakeholders in order to establish views of whether or not Council should opt in to the Rural Boundary Clearing Code.
2. Receive a report which includes the following:
 - a) The results of this consultation.
 - b) Advice about which Councils have chosen to opt-in, for those Councils given that discretion.
 - c) What resourcing would be required for Council to:
 - i. Provide landowners guidance on proposed land-clearing activities
 - ii. Provide an adequate compliance and enforcement regime.
 - d) Advice concerning what geospatial mapping tools Council possesses to measure tree coverage across the Local Government Area, changes to tree coverage over time, and reports on the merits of acquiring those tools if we do not have them.
 - e) Advice concerning whether the Rural Boundary Clearing Code can be opted into on a temporary basis.
3. Requests that the Rural Fire Service make available the Rural Boundary Mapping Tool to Council and Hawkesbury Rural Fire Service personnel to evaluate the impact of the Boundary Clearing Code on particular areas.

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

Against the Motion: Nil.

Absent: Nil.

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SUPPORT SERVICES

Item: 196 **SS - Disclosure of Pecuniary Interests and Other Matters Returns - (95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

263 RESOLUTION:

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

That Council note that the Disclosures of Pecuniary Interests and Other Matters Returns, lodged with the General Manager, have been tabled.

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

Against the Motion: Nil.

Absent: Councillor Reynolds.

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Item: 197 **SS - Crown Land Manager of Hawkesbury Showground - 40 Racecourse Road, Clarendon - (112106, 95496, 74207)**

Directorate: **Support Services**

MOTION:

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

Refer to RESOLUTION

264 RESOLUTION:

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

That Council defer consideration of this matter.

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

Against the Motion: Councillor Ross.

Absent: Councillor Kotlash.

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SECTION 4 – Reports of Committees

Item: 198 **ROC - Disaster and Emergency Committee - 7 September 2021 - (151940, 95495)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

265 RESOLUTION:

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

That in relation to the Minutes of the Disaster and Emergency Committee Meeting held on the 7 September 2021:

1. Council receive and note the Disaster and Emergency Committee minutes in respect to points 1, 4 and 7.
2. Council endorse the Committee Recommendations in respect of 2, namely:
"Endorse, in principle, the establishment of the position of a dedicated Emergency Management Coordinator, to provide oversight and control of Councils role and responsibilities in Emergency Management including Planning, Preparedness, Response and Recovery."
3. In regard to Point 3 of the Committee Recommendation, Council receives and notes the information contained within this report in regard to details of the Emergency Management Coordinator role and the financial aspects of establishing the role on a permanent basis.
4. In regard to Point 5 of the Committee Recommendation, Council receives and notes the information contained within this report and endorses the finalisation and mail out of the Emergency Management Guide by mid November 2021, and allocation of funding to a maximum of \$23,000.
5. Council endorse the Committee Recommendation in respect of 6, namely:
"Hold a workshop for Councillors, and invite Robyn Preston MP and Susan Templeman MP to participate:
 - a) *To establish a protocol around engagement at the representative level between the 3 levels of government;*
 - b) *To define the role of Councillors in Emergency Management;*
 - c) *To compile a list of frequently asked questions received by Councillors from residents during and after extreme events, which can be incorporated into existing, or if necessary, new plans or policies;*
 - d) *To assess the need for sub-committees or working groups to address any identified gaps which may require further investigation and solutions; and"*
6. Council endorse the Committee Recommendation in respect of 8, namely:
"Place on Council's website a link to Council's Emergency Management reports."

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

Against the Motion: Nil.

Absent: Nil.

Item: 199 ROC - Audit Committee - 22 September 2021 - (91369, 95496, 79351)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

266 RESOLUTION:

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

That Council receive and note the Minutes of the Audit Committee Meeting held on the 22 September 2021.

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

Against the Motion: Nil.

Absent: Councillor Reynolds.

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QUESTIONS FOR NEXT MEETING

Item: 200 **Response to Councillor Question Taken on Notice at the Council Meeting - 28 September 2021 - (79351)**

There was no comment on the response to the Question Taken on Notice at the Council Meeting on 28 September 2021.

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CONFIDENTIAL REPORTS

267 RESOLUTION:

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

That:

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

Item: 201 SS - Tender for the Provision of Internal Audit Services - (95496, 79351, 128732)

*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 released 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.

268 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Garrow that open meeting be resumed.

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Item: 201 **SS - Tender for the Provision of Internal Audit Services - (95496, 79351, 128732)**

Previous Item: 125, Ordinary (30 June 2020)

Directorate: Support Services

Councillor Conolly declared a less than significant non-pecuniary conflict of interest in this matter as he occasionally works with RSM Australia due to having mutual clients. RSM Australia are tendering for this service. There is no financial or significant relationship with RSM Australia. He does not stand to gain anything if they are (or aren't) awarded the tender and no further action is required.

MOTION:

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

Refer to RESOLUTION

269 RESOLUTION:

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

That Council:

1. Accept the tender offer of Centium Pty Ltd for the provision of internal audit services to Council, for the period ending 30 June 2024 with the option of a further two by one year periods which may be exercised at the discretion of Council.
2. Delegate to the General Manager the authority to sign documents relating to the contract for the Provision of Internal Audit Services to Council.
3. Authorise the affixing of the Seal of Council to any documentation in regard to this matter, if necessary.

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

Against the Motion: Councillor Ross.

Absent: Nil.

The meeting terminated at 8:45pm.

Submitted to and confirmed at the Ordinary meeting held on 26 October 2021.

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Mayor