



ORDINARY MEETING

Date of meeting: 21 November 2023
Location: Council Chambers
Time: 6:30 PM

MINUTES

ORDINARY MEETING

Minutes: 21 November 2023

Table of Contents

1. PROCEDURAL MATTERS 5

2. CONFIRMATION OF MINUTES 6

4. REPORTS FOR DETERMINATION 7

 4.1. PLANNING DECISIONS..... 7

 4.1.1.CP - Planning Proposal - LEP005/22 - 6/21 Vincents Road, Kurrajong - Community Title Subdivision - (95498, 124414) 7

 4.2. GENERAL MANAGER..... 8

 4.2.1.GM - 2022/2023 Annual Report and Audited Financial Statements for year ended 30 June 2023 - (79351, 95496)..... 8

 4.2.2.GM - Ordinary Council Meetings 2024 - (79351) 9

 4.2.3. GM - Event Sponsorship Round 1 2023/2024 - (79351, 15988)..... 10

 4.2.4.GM - Draft Event Sponsorship Policy - (79351, 15988)..... 12

 4.3. CITY PLANNING 13

 4.3.1.CP - 2023/2024 Community Sponsorship Program - Round 1 - (95498, 96328) 13

 4.3.2.CP - Draft Surveillance Devices Policy - (95498, 96330) 14

 4.4. CORPORATE SERVICES 15

 4.4.1.CS - September 2023 Quarterly Budget Review Statement - (95496, 96332) 15

 4.4.2.CS - Investment Report - September 2023 - (95496, 96332) 16

 4.4.3.CS - Code of Conduct Complaints Statistics Report - 1 September 2022 to 31 August 2023 - (95496) 17

 4.4.4.CS - Disclosure of Pecuniary Interests and Other Matters Returns - (95496)..... 18

 4.4.5.CS - Proposed Road Closure Part of Irrigator Drive, North Richmond - (95496, 112106, 145771) 19

 4.4.6.CS - Proposed Sale of Part of 7 Fernadell Drive, Pitt Town (112106, 95496)..... 20

 4.5. INFRASTRUCTURE SERVICES..... 21

 4.5.1.IS - Francis and West Market Street Traffic Calming Project - (95495, 82045)..... 21

 4.5.2.IS - Quarterly Capital Projects Update Report - (95495) 22

5. REPORTS OF COMMITTEES..... 23

 5.1.1. ROC - Local Traffic Committee - 9 October 2023 - (95495, 80245) 23

6. NOTICES OF MOTION..... 24

ORDINARY MEETING

Minutes: 21 November 2023

6.1.1. NM1 – Fireworks - (125612)	24
6.1.2. NM2 – DA 0173/22 Demolition of Heritage Item Allambie Cottages – (138882)	25
CONTINUATION OF THE ORDINARY MEETING RECONVENED AT THE COUNCIL CHAMBERS, WINDSOR, WHICH WAS ADJOURNED AT 10:59 PM AND RESUMED AT 6:30PM ON TUESDAY, 28 NOVEMBER 2023	
5. REPORTS OF COMMITTEES.....	30
5.1.2. ROC - Audit, Risk and Improvement Committee - 29 September 2023 - (158054, 95496)..	30
5.1.3. ROC - Heritage Committee - 3 August 2023	31
5.1.4. ROC - Heritage Committee - 5 October 2023	33
5.1.5. ROC - Heritage Committee - 2 November 2023.....	35
6. NOTICES OF MOTION.....	40
6.1.3. NM3 – Rising Main C – (155346)	40
6.1.4. NM4 –Valley Way Road, Glossodia – (155346)	41
8. CONFIDENTIAL REPORTS	43
8.1. GENERAL MANAGER.....	45
8.1.1.GM - 2024 Hawkesbury Australia Day Awards - (79351, 15988)	45
8.3. CORPORATE SERVICES	46
8.3.1.CS - Acquisition of Part of 331 Commercial Road, Vineyard – (95496, 159585)	46
8.1. GENERAL MANAGER.....	47
8.1.2.GM - General Manager's Performance Agreement - 2023/2024 - (125610)	47

ORDINARY MEETING

Minutes: 21 November 2023

1. PROCEDURAL MATTERS

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 21 November 2023, commencing at 6:31pm.

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, Eddie Dogramaci, Amanda Kotlash, Mary Lyons-Buckett, Jill Reardon, Les Sheather, Paul Veigel, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager - Elizabeth Richardson, Director City Planning - Meagan Ang, Director Infrastructure Services - Will Barton, Director Corporate Services - Laurie Mifsud, Chief Financial Officer - Vanessa Browning, Manager Corporate Communications and Events - Suzanne Stuart, Corporate Planning and Performance Strategist - Miles Carter, Manager Strategic Planning - Andrew Kearns, and Council Committee Officer – Amy Birks.

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

An apology was received from Councillor Shane Djuric.

178 RESOLUTION

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Kotlash that the apology be accepted.

DECLARATIONS OF INTEREST

Councillor Conolly declared an interest on Item 4.1.1.

Councillor Lyons-Buckett declared an interest on Item 4.1.1.

Councillor McMahon declared interests on Items 4.1.1, 4.2.3, 4.5.2 and 8.1.1.

Councillor Veigel declared an interest on Item 4.1.1.

Councillor Wheeler declared interests on Items 4.1.1, 4.5.2, 5.1.3, 5.1.4 and 5.1.5.

Councillor Zamprogno declared an interest on Item 4.1.1.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

ORDINARY MEETING

Minutes: 21 November 2023

2. CONFIRMATION OF MINUTES

179 RESOLUTION

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Veigel that the minutes of the Ordinary Meeting held on 10 October 2023, be confirmed.

ADJOURNMENT OF MEETING

The Mayor, Councillor McMahon adjourned the meeting at 9:22pm for a short break. The meeting resumed at 9:40pm.

ORDINARY MEETING

Minutes: 21 November 2023

4. REPORTS FOR DETERMINATION

4.1. PLANNING DECISIONS

4.1.1. CP - Planning Proposal - LEP005/22 - 6/21 Vincents Road, Kurrajong - Community Title Subdivision - (95498, 124414)

Previous Item: 4.1.1, Ordinary (14 February 2023)

Directorate: City Planning

Councillor Conolly declared a significant non-pecuniary conflict of interest in this matter as the owner of the site is a relative of a friend. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Lyons-Buckett declared a significant non-pecuniary conflict of interest in this matter as the subject site is in the Kurrajong/Kurmond Investigation area and she lives in that area. She is still pursuing reviews around an issue connected to the investigation area which gives rise to a conflict in this matter. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor McMahon declared a pecuniary interest in this matter as the owner is related to her partner. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor Veigel declared a significant non-pecuniary conflict of interest in this matter as he is an acquaintance of a possible party with interest in this item. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Wheeler declared a significant non-pecuniary conflict of interest in this matter as she has a strong personal relationship that prevents her from making an unbiased decision. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor Zamprogno declared a significant non-pecuniary conflict of interest in this matter as he has an ongoing matter. He left the Chamber and did not take part in voting or discussion on the matter.

In the absence of the Mayor, Councillor McMahon, the Deputy Mayor, Councillor Calvert in accordance of Section 369 (1) of the Local Government Act 1993, acted as Chairperson.

The Deputy Mayor, Councillor Calvert, acknowledged there was not a quorum and asked for advice from the General Manager.

The General Manager advised the quorum for the meeting is seven Councillors however for this item there were only five Councillors present in the Chamber. The General Manager advised that as there is not a quorum present in the Council Chamber for Item 4.1.1, no consideration can be given to this matter.

ORDINARY MEETING

Minutes: 21 November 2023

4.2. GENERAL MANAGER

4.2.1. GM - 2022/2023 Annual Report and Audited Financial Statements for year ended 30 June 2023 - (79351, 95496)

Previous Item: 201, Ordinary (22 November 2022)

Directorate: General Manager

A PROCEDURAL MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Veigel that Item 4.2.1 be brought forward in the agenda to be dealt with.

The Procedural Motion was carried.

PRESENTATION – From Council’s Auditors – Financial Statements for Year Ended 30 June 2023.

A presentation was provided by Council’s Auditors, Mr James Winter from Grant Thornton and Mr Kenneth Leung from the NSW Audit Office in respect to Council’s General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2023.

MOTION:

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

Refer to RESOLUTION

180 RESOLUTION

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

That Council:

1. Adopt the 2022/2023 Annual Report attached as Attachment 1 to this report and forward a copy to the Office of Local Government and place on Council’s website by 30 November 2023.
2. Note the completion of the Audited Financial Statements for the period ended 30 June 2023, attached as Attachment 2 to this report.
3. Thank the representatives from Grant Thornton and the NSW Audit Office for their presentation in respect of Council’s 2022/2023 Financial Statements.

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

Against the Motion: Councillor Dogramaci.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.2.2. GM - Ordinary Council Meetings 2024 - (79351)

Directorate: General Manager

MOTION

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

That:

1. Council set dates for the holding of Ordinary Meetings of Council for 2024 as one meeting every first month and two meetings every second month.
2. Council set Ordinary Meetings for 2024 to commence at 6:30pm and take place in the Council Chambers, or by audio-visual link in accordance with Council's Code of Meeting Practice.
3. Councillor Briefing Sessions for 2024 be held in person.

Councillor Sheather and Councillor Dogramaci withdrew the motion.

MOTION

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

Refer to RESOLUTION

181 RESOLUTION

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

That this matter be deferred to the next Councillor Roundtable discussion and be reported back to the Council Meeting on 12 December 2023.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.2.3. GM - Event Sponsorship Round 1 2023/2024 - (79351, 15988)

Directorate: General Manager

Councillor McMahon declared a less than significant non-pecuniary conflict of interest in this matter as the Mayor is a patron of Richmond Lions Club however she is not a member of that Club and no further action is required.

A PROCEDURAL MOTION was moved by Councillor Reardon, seconded Councillor Veigel that Item 4.2.3 be brought forward in the agenda to be dealt with.

The Procedural Motion was carried.

MOTION:

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

Refer to RESOLUTION

182 RESOLUTION

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

That Council:

1. Under Round 1 of the 2023/2024 Event Sponsorship Program, agree to support the following organisations for events at the following level:

No	Event Name	Name of Organisation	Recommended amount (\$) and Inclusions (ExGST)
	Community Applications		
1	St Albans Folk Festival	St Albans Folk Festival	\$4,000
2	Hanna Park Carols	Hawkesbury Valley Baptist Church	\$4,000
3	RuffTREK	RuffTRACK	\$3,500
4	Hawkesbury Show	Hawkesbury District Agricultural Association	\$3,500
5	Heats Jazz Jam	Hawkesbury Entertainers & Artists Regional Theatre Society	\$2,500
6	Kurrajong Community Carols by Candlelight and Family Christmas Fun	Kurrajong Baptist Church	\$2,500
7	Christmas Cheer Alley	Windsor Business Group	\$2,500
8	FIRST Robotics Competition	Faculty of Science and Engineering – Affiliated to Macquarie University	\$2,000
9	Fantasia Showstoppers presents jungle book kids	Fantasia Showstoppers Incorporated	\$2,000
10	Christmas Carols	Richmond Rotary	\$2,000
11	Light up Windsor Street Fair	Windsor Uniting Church	\$1,500

ORDINARY MEETING**Minutes: 21 November 2023**

No	Event Name	Name of Organisation	Recommended amount (\$) and Inclusions (ExGST)
12	North Richmond Cricket Club Gala Day	North Richmond Cricket Club	\$1,500
13	Pics In The Park Outdoor Christmas Cinema	Lions Club of Richmond	\$1,500
14	2024 Bad Boat National Championship	Upper Hawkesbury Power Boat Club	\$1,500
15	Windsor Experience Gas Lamp Festival	The Windsor Experience Action Group Inc	\$5,000
16	The Secret Dyarubbin River Ride	MPN-Mate Research Foundation	\$2,000
17	Macdonald Valley Association Events	Macdonald Valley Association	\$1,500
	Commercial Applications		
20	Convict 100	Max Adventure Pty Ltd	\$2,000
21	St Albans Village Markets	St Albans Village Markets and Events	\$2,500
22	Richmond Good Food Markets	Richmond Good Food Market	\$1,500

2. Approve the execution of Council's standard Sponsorship Agreement for the applications numbered 1-17 (Community) and 20-22 (Commercial) as identified in Table 1 and Attachment 1 of this report.
3. Advise the applicant Merana Aboriginal Community Association for the Hawkesbury Inc numbered 18 and The Jeremiah Project Inc numbered 19 as identified in Table 1 and Attachment 1 of this report that their application was not successful in accordance with the event sponsorship assessment criteria and to apply for funding under the Community Sponsorship Program.
4. Advise the applicant Lynwood Golf Club numbered 23 as identified in Table 2 and Attachment 1 of this report that their application was not successful in accordance with the event sponsorship assessment criteria matrix.

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

Against the Motion: Councillor Wheeler.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.2.4. GM - Draft Event Sponsorship Policy - (79351, 15988)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

183 RESOLUTION

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

That:

1. The Draft Event Sponsorship Policy, attached as Attachment 1 to this report, be placed on public exhibition for at least 28 days.
2. At the expiration of the public notification period outlined in Part 1 above, the following action be taken:
 - a) Should any submissions be received regarding the Draft Event Sponsorship Policy, a further report be submitted to Council, or
 - b) Should no submissions be received:
 - (i) Council adopt the Event Sponsorship Policy attached in Attachment 1 to this report.
 - (ii) The General Manager be given delegated authority to make minor amendments to the Community Event Matrix Criteria and the Commercial Event Matrix Criteria, that are part of the Event Sponsorship Policy, as required.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.3. CITY PLANNING

4.3.1. CP - 2023/2024 Community Sponsorship Program - Round 1 - (95498, 96328)

Previous Item: 4.3.2, Ordinary (20 June 2023)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

184 RESOLUTION

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

That Council:

1. Approve payments for Section 356 Financial Assistance to the individuals and organisations listed in this report and at the level of funding recommended in this report.
2. Approve the execution of Council's standard Sponsorship Agreement for those applications where the approved level of funding is over \$500.
3. Advise the two applicants, Hawkesbury Racing Club and Hawkesbury Scouts, that their applications were not successful as listed in this report.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.3.2. CP - Draft Surveillance Devices Policy - (95498, 96330)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

185 RESOLUTION

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

That:

1. The Draft Surveillance Devices Policy be placed on public exhibition for 28 days.
2. At the expiration of the public exhibition period, the following action be taken:-
 - a) Should any submissions be received regarding the Draft Surveillances Devices Policy, a further report be submitted to Council, or;
 - b) Should no submissions be received, Council adopt the Surveillance Devices Policy, provided as Attachment 1 to this report.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.4. CORPORATE SERVICES

4.4.1. CS - September 2023 Quarterly Budget Review Statement - (95496, 96332)

Previous Item: 4.2.2, Ordinary (20 June 2023)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

186 RESOLUTION

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

That Council receive the information contained in this report regarding the September 2023 Quarterly Budget Review, and that the Budget adjustments, as summarised in the report and detailed in Attachment 1 to the report, be adopted.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.4.2. CS - Investment Report - September 2023 - (95496, 96332)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

187 RESOLUTION

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

That the Monthly Investment Report for September 2023 be received and noted.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.4.3. CS - Code of Conduct Complaints Statistics Report - 1 September 2022 to 31 August 2023 - (95496)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

188 RESOLUTION

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

That the report provided under Clause 11.1 of the Council's Procedures for the Administration of the Code of Conduct, in respect of the Code of Conduct complaints statistics for the period from 1 September 2022 to 31 August 2023, be noted.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.4.4. CS - Disclosure of Pecuniary Interests and Other Matters Returns - (95496)

Previous Item: 4.4.4. Ordinary (10 October 2023)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

189 RESOLUTION

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

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 McMahon, Calvert, Conolly, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.4.5. CS - Proposed Road Closure Part of Irrigator Drive, North Richmond - (95496, 112106, 145771)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

190 RESOLUTION

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

That:

1. Council publicly exhibit and notify adjoining owners of the proposed road closure of an area of approximately 23.07m² of Irrigator Drive, North Richmond as shown in the location plan attached as Attachment 1, to this report.
2. At the expiration of the public exhibition period outlined in Part 1, the following action be taken:
 - a) Should any submissions be received regarding the proposed road closure a further report be submitted to Council, or
 - b) Should no submissions be received:
 - (i) Council approve the road closure as shown in Attachment 1 to this report, being part of Irrigator Drive, North Richmond.
 - (ii) Authority be given for the Road Closure Plan, and any documentation in association with the matter to be executed under the Seal of Council.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.4.6. CS - Proposed Sale of Part of 7 Fernadell Drive, Pitt Town (112106, 95496)

Previous Item: 251, Ordinary (30 October 2018)

Directorate: Corporate Services

Mr Peter Ryan addressed Council, speaking for the recommendation in the business paper.

MOTION:

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

Refer to RESOLUTION

191 RESOLUTION

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

That:

1. Following the subdivision of Fernadell Park, 7 Fernadell Drive, Pitt Town the surplus land known as Lot 1 in Deposited Plan 1291976 be sold at Public Auction.
2. The reserve price be set in accordance with current market valuation prepared by one of Council's Panel Valuers.
3. The Seal of Council be affixed to the Contract for Sale and any other relevant documentation.
4. Any surplus funds after works are completed at Ferndell Park be used for undelivered Pitt Town infrastructure works.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.5. INFRASTRUCTURE SERVICES

4.5.1. IS - Francis and West Market Street Traffic Calming Project - (95495, 82045)

Previous Item: 4.1.2, Ordinary (10 October 2023)

Directorate: Infrastructure Service

Ms Jacqueline Leal and Ms Louise Ross addressed Council, speaking against the recommendation in the business paper.

MOTION:

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

Refer to RESOLUTION

192 RESOLUTION

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

That Council:

1. Not proceed with the installation of a roundabout at West Market and Francis Street.
2. Support the provision of other traffic safety and traffic calming treatments which include Speed Humps (Watts Profiles), Speed Cushions, Pedestrian Refuges, with associated linemarking, signage and lighting, to improve the safety and functionality along Francis Street, Richmond between Onus Lane and Toxana Street, Richmond as endorsed by the Local Traffic Committee.
3. Seek to renegotiate the terms of the Blackspot Funding to allow for the other traffic safety and traffic calming treatments to be delivered.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

4.5.2. IS - Quarterly Capital Projects Update Report - (95495)

Previous Item: 4.5.1, Ordinary (18 April 2023)

Directorate: Infrastructure Service

Councillor McMahon declared a less than significant non-pecuniary conflict of interest in this matter as she is a member of the Communications Team at RFS Fire Control and her son plays for the Hawkesbury Hawks at Turnbull Oval and no further action is required.

Councillor Wheeler declared a less than significant non-pecuniary conflict of interest in this matter as she is an RFS member and a volunteer at Fire Control and her son is a member of Wilberforce RFS and no further action is required.

MOTION:

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

Refer to RESOLUTION

193 RESOLUTION

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

That the Quarter 1 2023/2024 Financial Year Capital Projects Report be received and noted.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

5. REPORTS OF COMMITTEES

5.1.1. ROC - Local Traffic Committee - 9 October 2023 - (95495, 80245)

MOTION:

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

Refer to RESOLUTION

194 RESOLUTION

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

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

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

6. NOTICES OF MOTION

6.1.1. NM1 – Fireworks - (125612)

A PROCEDURAL Motion was moved by Councillor Lyons-Buckett to allow a fourth speaker to address Council speaking for the recommendation.

The Procedural Motion was carried.

Mr Andrew Greuter, Mr Peter Doolin, Ms Diana Thurgood and Ms Kelsey Thurgood addressed Council, speaking for the recommendation in the business paper.

MOTION:

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

Refer to RESOLUTION

195 RESOLUTION

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

That Council:

1. Compile data regarding the number of annual pyrotechnic display licences issued by SafeWork NSW for the Hawkesbury local government area.
2. Prepare a Fireworks (Pyrotechnic) Display Policy which is concerned with the process of notification to Council, which must be followed by licensed pyrotechnicians who plan on conducting fireworks displays within the Hawkesbury local government area. The Policy would require all proposed pyrotechnical displays are reviewed and assessed by Council, and that appropriate controls are imposed to limit their impact in relation to safety, noise and potential to generate pollution.
3. Request that SafeWork NSW revoke the licence for the fireworks event in Berambing on 24 November 2023.

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

Against the Motion: Nil.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

6.1.2. NM2 – DA 0173/22 Demolition of Heritage Item Allambie Cottages – (138882)

Mr Jeremy Braithwaite addressed Council, speaking for the recommendation in the business paper.

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

That Councillors:

1. Strongly objects to Development Application DA 0173/22 Demolition of Heritage Item Allambie Cottages;
2. Note the numerous objections from the community, including the National Trust and Kurrajong-Comleroy Historical Society, along with concerned local community members;
3. Note that Allambie has been allowed to deteriorate to a condition where the land holder, Transport for NSW, now views demolition as the most desirable outcome, contrary to their obligations under the Heritage Act 2004 and the State Agency Heritage Guidelines;
4. Note that Allambie holds an important place in the cultural and built heritage fabric of the Hawkesbury and wider region, including its role in Legacy's support of war widows and their families, its place in the visual amenity of Kurrajong Heights and its relationship to other heritage items in the Kurrajong Heights Heritage Precinct;
5. Prepare a verbal submission to the November meeting of the Sydney Western City Planning Panel strongly recommending against the demolition.

A PROCEDURAL MOTION was moved by the Mayor, Councillor McMahon and seconded by Councillor Kotlash, that this item be dealt with in seriatim.

The Procedural Motion was carried.

MOTION:

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

Refer to RESOLUTION

196 RESOLUTION

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

That Councillors:

1. Strongly objects to Development Application DA 0173/22 Demolition of Heritage Item Allambie Cottages;

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

Against the Motion: Councillor Conolly.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

MOTION:

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

Refer to RESOLUTION

197 RESOLUTION

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

That Councillors:

2. Note the numerous objections from the community, including the National Trust and Kurrajong-Comleroy Historical Society, along with concerned local community members;

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

Against the Motion: Nil.

Absent: Councillor Djuric.

MOTION:

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

Refer to RESOLUTION

198 RESOLUTION

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

That Councillors:

3. Note that Allambie has been allowed to deteriorate to a condition where the land holder, Transport for NSW, now views demolition as the most desirable outcome, contrary to their obligations under the Heritage Act 2004 and the State Agency Heritage Guidelines;

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

Against the Motion: Councillors McMahon, Conolly and Reardon.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

MOTION:

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

Refer to RESOLUTION

199 RESOLUTION

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

4. Note that Allambie holds an important place in the cultural and built heritage fabric of the Hawkesbury and wider region, including its role in Legacy's support of war widows and their families, its place in the visual amenity of Kurrajong Heights and its relationship to other heritage items in the Kurrajong Heights Heritage Precinct;

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

Against the Motion: Nil.

Absent: Councillor Djuric.

MOTION:

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

Refer to RESOLUTION

200 RESOLUTION

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

5. Prepare a verbal submission to the November meeting of the Sydney Western City Planning Panel strongly recommending against the demolition.

For the Motion: Councillors Calvert, Dogramaci, Lyons-Buckett, Sheather, Wheeler and Zamprogno.

Against the Motion: Councillors McMahon, Conolly, Kotlash, Reardon and Veigel.

Absent: Councillor Djuric.

ORDINARY MEETING

Minutes: 21 November 2023

ADJOURNMENT OF MEETING

201 RESOLUTION:

RESOLVED on the Motion of Councillor Conolly, seconded by Councillor Reardon that the Council Meeting be adjourned to Tuesday, 28 November 2023 at 6:30pm in the Council Chambers, Windsor.

The meeting adjourned at 10:59pm and was reconvened on Tuesday, 28 November 2023 at 6:30pm in the Council Chambers, Windsor.

The meeting reconvened on Tuesday, 28 November 2023 at 6:30pm.

MEETING

Minutes: 21 November 2023

Minutes of the Ordinary Meeting reconvened at the Council Chambers, Windsor, on 28 November 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
- 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, Director City Planning - Meagan Ang, Director Infrastructure Services - Will Barton, Director Corporate Services - Laurie Mifsud, Chief Financial Officer - Vanessa Browning, Manager Corporate Communications and Events - Suzanne Stuart 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

Councillor Conolly declared an interest on Item 8.1.1.

Councillor McMahon declared interests on Items 5.1.5 and 8.1.1.

Councillor Reardon declared an interest on Item 8.1.1.

Councillor Wheeler declared interests on Items 5.1.3, 5.1.4 and 5.1.5.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

Mayoral Photograph Gallery Unveiling Celebration

The Mayor, Councillor McMahon, acknowledged the Mayoral Photograph Gallery Unveiling Celebration which occurred on 28 November 2023 welcoming the former Mayors of Hawkesbury City Council. The Mayor, Councillor McMahon, acknowledged former Mayor, John Horrex who attended the Council Meeting.

ADJOURNMENT OF MEETING

The Mayor, Councillor McMahon adjourned the meeting at 8:45pm for a short break. The meeting resumed at 8:55pm.

ORDINARY MEETING

Minutes: 21 November 2023

5. REPORTS OF COMMITTEES

5.1.2. ROC - Audit, Risk and Improvement Committee - 29 September 2023 - (158054, 95496)

MOTION:

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

Refer to RESOLUTION

202 RESOLUTION:

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

That Council receive and note the Minutes of the Audit, Risk and Improvement Committee Meeting held on the 29 September 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.

ORDINARY MEETING

Minutes: 21 November 2023

5.1.3. ROC - Heritage Committee - 3 August 2023

Councillor Wheeler declared a less than significant non-pecuniary conflict of interest in this matter as she is a part owner of a property in the Slab Barn Study and no further action is required.

MOTION:

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

Refer to RESOLUTION

203 RESOLUTION:

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

That in relation to the Minutes of the Heritage Committee Meeting held on the 3 August 2023:

1. Council receive and note the Minutes of the Heritage Committee in respect to items 3.1.2 and 3.1.8.
2. Council note the advice from the Heritage Committee with respect to item 3.1.1 Mayoral Minute - McQuade Park, Windsor will be included in a report to Council responding to the Mayoral Minute of 31 January 2023.
3. Council endorse the Committee Recommendations in respect of item 3.1.3 (Windsor Bridge Artefacts Working Group Meeting), namely:
 - a) Note the update with respect to the formation of the Windsor Bridge Artefacts Working Group.
 - b) Recommends that the focus of the Working Group should be on the Old Windsor Bridge and interpretation of the Bridge.
 - c) Recommends that Council make representations to both levels of government for funding of interpretation.
4. Council endorse the Committee Recommendations in respect of item 3.1.4 (Thomas James Bridge Conservation Management Plan), namely:

That Council consider the preparation of applications for listing of the Thomas James Bridge on:

- a) Hawkesbury Councils LEP and;
- b) On the NSW State Heritage Register and;
- c) On the Old Great North Road World Heritage Listing using the information provided in the Thomas James Bridge Conservation Management Plan.

ORDINARY MEETING

Minutes: 21 November 2023

5. Council endorse the Committee Recommendations in respect of item 3.1.5 (Discovery of a Brick Barrel Drain - Pitt Street, Windsor), namely:
 - a) That the Heritage Committee received information from Ms Jan Barkley-Jack regarding the possible location of the brewery from the original survey, and that the Committee consider further information as it becomes available.
6. Council endorse the Committee Recommendations in respect of item 3.1.6 (Local Heritage Assistance Fund 2022/2023 - Minor Maintenance/Conservation Works to Heritage Listed Properties Within the Hawkesbury LGA), namely:
 - a) Receive and note the information contained within the report, and that \$216,865.41 was the contribution from applicants to the program.
 - b) Recommends that Council increase the funding available under the Local Heritage Assistance Fund, noting the need to increase the size of the \$2,000 maximum available funding per applicant.
 - c) Notes that the NSW State Government contribution to the fund of \$5,500 has been unchanged for many years, and that with a higher number of listings compared to surrounding local government areas that representations should be made to Heritage NSW and the State Member for increased funding.
 - d) Recommend that Council consider a special rate for heritage conservation.
7. Council endorse the Committee Recommendations in respect of item 3.1.7 (State Heritage Listing of Singleton's Mill Site Kurrajong), namely:
 - a) Notes the finalisation of the State Heritage Listing of the Singleton Mill Site at 154 Mill Road, Kurrajong.
 - b) Recommends that Council formally thank everyone involved in assisting with the research that led to the finalisation of the State Heritage Listing.
8. Council note that in respect of General Business items:
 - a) A briefing of Heritage Committee members with respect to the Liveability Project was provided ahead of the 5 October 2023 Committee Meeting.
 - b) A report was provided to the 2 November 2023 Committee Meeting with updated Heritage Fact Sheets (Roofs and Rising Damp).
 - c) A report was provided to the 5 October 2023 Committee Meeting detailing the finalisation and progress of outstanding items of the Heritage Committee.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 21 November 2023

5.1.4. ROC - Heritage Committee - 5 October 2023

Councillor Wheeler declared a less than significant non-pecuniary conflict of interest in this matter as she is a part owner of a property in the Slab Barn Study and no further action is required.

MOTION:

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

Refer to RESOLUTION

204 RESOLUTION:

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

That in relation to the Minutes of the Heritage Committee Meeting held on the 5 October 2023:

1. Council receive and note the Minutes of the Heritage Committee in respect to items 3.1.1, 3.1.2, and 3.1.3.
2. Council note the Committee Recommendations in respect of 3.1.4 (Windsor Bridge Artefacts Working Group September Meeting), namely:
 - (i) Receive and note the update on progress of the Windsor Bridge Artefacts Working Group.
 - (ii) Recommends that Council:
 - a) Takes immediate action to undertake an inventory and providence of what artefacts Council has in their possession from the Windsor Bridge Project.
 - b) Considers urgently taking measures to protect the artefacts in Council's possession by storing in shipping containers or adequate protective covering
 - c) Undertake a series of tool box talks with relevant staff to assist them with understanding what the various artefacts from the Windsor Bridge Project are, their significance, and how they should be treated.
 - d) Commission a Heritage Interpretation Strategy, including assessment of material and interpretation.
 - e) Consider consulting engineering heritage experts with respect to the artefacts.
3. Council endorse the Committee Recommendations in respect of 3.1.5, namely:
 - a) That the report on the 2023/2024 Local Heritage Assistance Fund Program be received and noted.
 - b) That Council consider resourcing studies that ensure that heritage items are listed at the right level (local versus state listing) so that owners of heritage items have the opportunity to be better supported financially.

ORDINARY MEETING

Minutes: 21 November 2023

4. Council note that in respect of General Business items:
- a) An update on the condition, protection and planned improvements to the Council owned barn near Tebbutts Observatory in Windsor will be investigated and reported back to the Heritage Committee at a subsequent Meeting.
 - b) A pre briefing of Heritage Committee members was arranged for Ms Jan Barkley-Jack to present her PhD paper on the Green Hills Village on 2 November 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.

ORDINARY MEETING

Minutes: 21 November 2023

5.1.5. ROC - Heritage Committee - 2 November 2023

Councillor McMahon declared a less than significant non-pecuniary conflict of interest in this matter as it concerns the Liveability Project however, there is no reference to Richmond and no further action is required.

Councillor Wheeler declared a less than significant non-pecuniary conflict of interest in this matter as she is a part owner of a property in the Slab Barn Study and no further action is required.

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

That in relation to the Minutes of the Heritage Committee Meeting held on the 2 November 2023:

1. Council receive and note the Minutes of the Heritage Committee in respect to item 3.1.4.
2. Council consider the Committee Recommendations in respect of item 3.1.1 (Windsor Bridge Replacement Project Working Group October Meeting), namely:
 - a) The amended recommendations of the Windsor Bridge Replacement Project Working Group October Meeting included as Attachment 2.
3. Council endorse the Committee Recommendations in respect of item 3.1.2 (Heritage Information Sheets Update), namely:
 - a) The Guidelines for Roofs be amended for use based on the feedback from the Committee.
 - b) The Guidelines for Rising Damp be amended based on feedback from the Committee, and presented to the next Committee Meeting.
4. Council endorse the Committee Recommendations in respect of item 3.1.3, namely:
 - a) Lobby the NSW Government for increased funding for this program.
 - b) Notes that an increase in heritage listings provides further justification to seek further NSW Government funding, and increasing the size of the program.

and refers the following recommendation to Council's 2024/2025 Budget/Operational Plan process:

- c) Increases funding of the Local Heritage Assistance Fund to \$100,000, and consider a tiered contributions, and other means to administer the program.
5. Council endorse the Committee Recommendation in respect of Item A in General Business (Liveability Project), namely:
 - a) That the Heritage Committee requests a roundtable discussion between Committee members, Council's Liveability Project consultants, Council's Heritage Advisor and relevant Council Officers that are involved with this project to resolve outstanding issues and avoid deterioration of building fabric as a consequence of the Liveability Project.

A PROCEDURAL MOTION was moved by Councillor Conolly that this item be dealt with in seriatim.

The Procedural Motion was carried.

ORDINARY MEETING

Minutes: 21 November 2023

AN AMENDMENT was moved by Councillor Conolly seconded Councillor Reardon

That in relation to the Minutes of the Heritage Committee Meeting held on the 2 November 2023:

1. Council receive and note the Minutes of the Heritage Committee in respect to item 3.1.4.
2. Council consider the Committee Recommendations in respect of item 3.1.1 (Windsor Bridge Replacement Project Working Group October Meeting), namely:
 - a) The amended recommendations of the Windsor Bridge Replacement Project Working Group October Meeting included as Attachment 2.
3. Council endorse the Committee Recommendations in respect of item 3.1.2 (Heritage Information Sheets Update), namely:
 - a) The Guidelines for Roofs be amended for use based on the feedback from the Committee.
 - b) The Guidelines for Rising Damp be amended based on feedback from the Committee, and presented to the next Committee Meeting.
4. Council endorse the Committee Recommendations in respect of item 3.1.3, namely:
 - a) Lobby the NSW Government for increased funding for this program.
 - b) Notes that an increase in heritage listings provides further justification to seek further NSW Government funding, and increasing the size of the program.

and refers the following recommendation to Council's 2024/2025 Budget/Operational Plan process:

- c) Increases funding of the Local Heritage Assistance Fund to \$100,000, and consider a tiered contributions, and other means to administer the program.
5. Council arrange a teleconference between members of the Heritage Advisory Committee, the Liveability consultants and Council staff to provide advice in regard to the paving in Windsor.

For the Amendment: Councillors McMahon, Calvert, Conolly, Kotlash, Reardon and Veigel.

Against the Amendment: Councillor Djuric, Dogramaci, Lyons-Buckett, Sheather, Wheeler and Zamprogno.

Absent: Nil.

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

ORDINARY MEETING

Minutes: 21 November 2023

MOTION:

RESOLVED on the Motion of Councillor Sheather seconded Councillor Wheeler

Refer to RESOLUTION

205 RESOLUTION:

That in relation to the Minutes of the Heritage Committee Meeting held on the 2 November 2023:

1. Council receive and note the Minutes of the Heritage Committee in respect to item 3.1.4.

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

Against the Motion: Councillor Sheather.

Absent: Nil.

MOTION:

RESOLVED on the Motion of Councillor Sheather seconded Councillor Wheeler

Refer to RESOLUTION

206 RESOLUTION:

That in relation to the Minutes of the Heritage Committee Meeting held on the 2 November 2023:

2. Council consider the Committee Recommendations in respect of item 3.1.1 (Windsor Bridge Replacement Project Working Group October Meeting), namely:
 - a) The amended recommendations of the Windsor Bridge Replacement Project Working Group October Meeting included as Attachment 2.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 21 November 2023

MOTION:

RESOLVED on the Motion of Councillor Sheather seconded Councillor Wheeler

Refer to RESOLUTION

207 RESOLUTION:

That in relation to the Minutes of the Heritage Committee Meeting held on the 2 November 2023:

3. Council endorse the Committee Recommendations in respect of item 3.1.2 (Heritage Information Sheets Update), namely:
 - a) The Guidelines for Roofs be amended for use based on the feedback from the Committee.
 - b) The Guidelines for Rising Damp be amended based on feedback from the Committee, and presented to the next Committee Meeting.

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

Against the Motion: Nil.

Absent: Nil.

MOTION:

RESOLVED on the Motion of Councillor Sheather seconded Councillor Wheeler

Refer to RESOLUTION

208 RESOLUTION:

That in relation to the Minutes of the Heritage Committee Meeting held on the 2 November 2023:

4. Council endorse the Committee Recommendations in respect of item 3.1.3, namely:
 - a) Lobby the NSW Government for increased funding for this program.
 - b) Notes that an increase in heritage listings provides further justification to seek further NSW Government funding, and increasing the size of the program.

and refers the following recommendation to Council's 2024/2025 Budget/Operational Plan process:

- c) Increases funding of the Local Heritage Assistance Fund to \$100,000, and consider a tiered contributions, and other means to administer the program.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 21 November 2023

MOTION:

RESOLVED on the Motion of Councillor Sheather seconded Councillor Wheeler

Refer to RESOLUTION

209 RESOLUTION:

That in relation to the Minutes of the Heritage Committee Meeting held on the 2 November 2023:

5. Council arrange a teleconference between members of the Heritage Advisory Committee, the Liveability consultants and Council staff to provide advice in regard to the paving in Windsor.

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

Against the Motion: Councillors Lyons-Buckett and Wheeler

Absent: Nil.

ORDINARY MEETING

Minutes: 21 November 2023

6. NOTICES OF MOTION

6.1.3. NM3 – Rising Main C – (155346)

MOTION:

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

Refer to RESOLUTION

210 RESOLUTION:

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

That:

1. Council engage an independent and suitably qualified probity investigator, auditor, lawyer or project manager, to investigate and prepare a report on:
 - a) The failure of Rising Main C, following the 2022 flood event;
 - b) The procuring of the contract to repair, replace and reconstruct Rising Main C;
2. The requests for quotations for the investigation be reported to Council for the procurement decision.
3. The terms of engagement for the requisite investigation, shall require, at the least, the engaged investigator to review or examine:
 - a) Council's maintenance schedule and logs specific to the care and maintenance of Rising Main C, prior to the flood events of 2020-2022;
 - b) All or any precautions or damage mitigation measures implemented by Council to protect Rising Main C prior to the flood events of 2020-2022;
 - c) The likely cause for the failure of Rising Main C;
 - d) The procurement process followed by Council when engaging the relevant contractor to repair, replace and reconstruct Rising Main C;
 - e) The efficiency and effectiveness of Council's response.

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

Against the Motion: Councillors Calvert, Kotlash and Veigel.

Absent: Nil.

ORDINARY MEETING

Minutes: 21 November 2023

6.1.4. NM4 –Valley Way Road, Glossodia – (155346)

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

That Council:

1. Promptly/immediately appoint an independent investigator or, a qualified infrastructure surveyor or, an experienced project manager, and/or a qualified all-round maintenance operator or an external auditor to provide the following reports: (The full details of the repair – VALLEY WAY and report to be tabled to the 12 Councillors.)
 - a) Provide the details of the collapse of the road, investigation and repair process.
 - b) Investigate the flood history, particularly the events leading up to the flood incident involving “the collapse” of the road above examining if any precautions taken.
 - c) How did the Council know about the collapse of the road.
 - d) Examine the repair process including the precautions taken by the Council.
 - e) Determine the appointment of the traffic controlling operation and extensive delay in repair.
 - f) Investigate the initial cost estimate \$45K-50K against the delay in repair costing the Council over a million dollars.

An AMEMENDMENT was moved by Councillor Wheeler seconded by Councillor Lyons-Buckett

That Council:

1. Receive a Briefing on the works undertaken on Valley Way, Glossodia to include:
 - a) Provide the details of the collapse of the road, investigation and repair process.
 - b) Investigate the flood history, particularly the events leading up to the flood incident involving “the collapse” of the road above examining if any precautions taken.
 - c) How did the Council know about the collapse of the road.
 - d) Examine the repair process including the precautions taken by the Council.
 - e) Determine the appointment of the traffic controlling operation and extensive delay in repair.
 - f) Investigate the initial cost estimate \$45K-50K against the delay in repair and increased cost.
2. Following the Briefing, determine the actions arising.

ORDINARY MEETING

Minutes: 21 November 2023

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

Against the Amendment: Councillor Kotlash.

Absent: Nil.

MOTION:

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

Refer to RESOLUTION

211 RESOLUTION:

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

That Council:

1. Receive a Briefing on the works undertaken on Valley Way, Glossodia to include:
 - a) Provide the details of the collapse of the road, investigation and repair process.
 - b) Investigate the flood history, particularly the events leading up to the flood incident involving “the collapse” of the road above examining if any precautions taken.
 - c) How did the Council know about the collapse of the road.
 - d) Examine the repair process including the precautions taken by the Council.
 - e) Determine the appointment of the traffic controlling operation and extensive delay in repair.
 - f) Investigate the initial cost estimate \$45K-50K against the delay in repair and increased cost.
2. Following the Briefing, determine the actions arising.

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

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

Absent: Nil.

ORDINARY MEETING

Minutes: 21 November 2023

8. CONFIDENTIAL REPORTS

212 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, 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: 8.1.1 GM - 2024 Hawkesbury Australia Day Awards - (79351, 15988)

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).

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 this matter are to be withheld from the press and public.

Item: 8.3.1 CS - Acquisition of Part of 331 Commercial Road, Vineyard

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to the purchase 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.

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 this matter are to be withheld from the press and public.

Item: 8.1.2 GM – General Manager’s Performance Agreement – 2023/2024 – (125610)

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).

In accordance with the provisions of Section 11(2) & (3) of the Local Government Act 1993, the reports, correspondence and other relevant documents relating to this matter are to be withheld from the press and public.

ORDINARY MEETING

Minutes: 21 November 2023

3. 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.

213 RESOLUTION:

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

ORDINARY MEETING

Minutes: 21 November 2023

8.1. GENERAL MANAGER

8.1.1. GM - 2024 Hawkesbury Australia Day Awards - (79351, 15988)

Councillor Conolly declared a pecuniary interest in relation to Category 3 in this matter as one of the nominees for the awards is a client of his business. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Reardon declared a less than significant non-pecuniary conflict of interest in relation to Category 4 in this matter as she was the nominator of a nominee, and no further action is required.

Councillor McMahon declared a less than significant non-pecuniary conflict of interest in Categories 1, 3 and 4 in this matter as she is the patron of an organisation that has been nominated and no further action is required.

MOTION:

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

Refer to RESOLUTION

214 RESOLUTION:

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

That Council adopt the confidential recommendation developed in closed session of Council in regard to the recipients of the 2024 Australia Day Awards.

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

Against the Motion: Councillor Dogramaci.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 21 November 2023

8.3. CORPORATE SERVICES

8.3.1. CS - Acquisition of Part of 331 Commercial Road, Vineyard – (95496, 159585)

MOTION:

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

Refer to RESOLUTION

215 RESOLUTION:

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

That:

1. Council approve the acquisition of part of 331 Commercial Road, Vineyard, being Proposed Lot 1 in Deposited Plan 1286630, comprising an area of 722.2m², for the purposes of construction of a roundabout and road widening, for the amount detailed in this Report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Council grant delegation to the General Manager to execute any documents on behalf of Council, associated with the acquisition process, which do not require the Seal of Council to be affixed.
4. Details of Council's resolution be conveyed to the affected landowner 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 executed.

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

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 21 November 2023

8.1. GENERAL MANAGER

8.1.2. GM - General Manager's Performance Agreement - 2023/2024 - (125610)

MOTION:

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

Refer to RESOLUTION

216 RESOLUTION:

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

That Council receive and note the General Manager's Performance Agreement for the 2023/2024 Financial Year.

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

Against the Motion: Nil.

Absent: Nil.

Meeting terminated at 9:27pm.

Submitted to and confirmed at the Ordinary meeting on 12 December 2023.

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Mayor