



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 10 December 2019

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING**Table of Contents****Minutes: 10 December 2019****TABLE OF CONTENTS**

ITEM	SUBJECT	PAGE
	ATTENDANCE	3
	APOLOGIES AND LEAVE OF ABSENCE	3
	DECLARATIONS OF INTEREST	3
	SECTION 1 - Confirmation of Minutes	4
	SECTION 2 – Mayoral Minutes	5
	SUPPLEMENTARY REPORT	5
Item: 244	MM - Rural Fire Service Control Centre - (80093)	5
	SECTION 3 – Reports for Determination	6
	PLANNING DECISIONS	6
Item: 227	CP - Update on General Amendments to Hawkesbury Local Environment Plan 2012 Planning Proposal - (95498, 124414)	6
Item: 228	CP - Proposed Exhibition of Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Cattai Catchment Area - (95498, 124414)	7
Item: 229	CP - Redbank Voluntary Planning Agreement Child Care Milestones - (79351, 112157)	8
Item: 230	CP - Redbank Voluntary Planning Agreement and Grose River Crossing - (95498, 79351)	10
	GENERAL MANAGER	12
Item: 231	GM - Nominations for the Local Government Representatives for the Local Land Services Board - (79351, 137929)	12
	CITY PLANNING	13
Item: 232	CP- Draft Hawkesbury Local Strategic Planning Statement (LSPS) 2040 - Post Exhibition Report - (95498, 124414)	13
Item: 233	CP - Draft Voluntary Planning Agreements Policy - (95498, 124414)	14
Item: 234	CP - Draft On-Site Sewage Management Policy - (95498, 96330)	15

ORDINARY MEETING

Table of Contents

Minutes: 10 December 2019

SUPPORT SERVICES	16
Item: 235 SS - A New Risk Management and Internal Audit Framework for Local Councils in NSW - Discussion Paper - (95496)	16
Item: 236 SS - 2019/2020 Community Sponsorship Program - Round 1 - (95496, 96328)	18
Item: 237 SS - Pecuniary Interest Return - Designated Person - (95496, 96333)	19
SECTION 4 – Reports of Committees	20
Item: 238 ROC - Heritage Advisory Committee 31 October 2019 - (124414, 80242)	20
Item: 239 ROC - Audit Committee - 6 November 2019 - (95496, 91369, 79351)	22
Item: 240 ROC - Human Services Advisory Committee 21 November 2019 - (1234869, 124414, 95498)	22
SECTION 5 – Notices of Motion	23
Item: 241 NM - Domestic Violence Action Plan and Domestic and Family Abuse Policy - (79351, 138882)	23
CONFIDENTIAL REPORTS	24
Item: 242 SS - Lease to Soul Based Pty Ltd - Shop 1a McGraths Hill Shopping Centre - (148194, 95496, 112106)	25
Item: 243 SS - Insurance Claim 2-8 The Driftway, Londonderry - (112106, 95496)	26

ORDINARY MEETING

Minutes: 10 December 2019

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 10 December 2019, commencing at 6:34pm.

Welcome

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

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Strategic Planning Manager - Andrew Kearns, Manager Communications, Chief Financial Officer - Emma Galea, Events and Visitor Services - Suzanne Stuart, Manager Corporate Services and Risk - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor Conolly.

280 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Lyons-Buckett that the apology be accepted and that leave of absence from the meeting be granted.

Councillor Tree left the meeting at 9:57pm.

DECLARATIONS OF INTEREST

Councillor Lyons-Buckett declared interests on Items 227 and 236.

Councillor Rasmussen declared an interest on Item 230.

Councillor Richards declared interests on Items 229, 230 and 236.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

ORDINARY MEETING

Minutes: 10 December 2019

SECTION 1 - Confirmation of Minutes

281 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Lyons-Buckett that the Minutes of the Ordinary Meeting held on the 26 November 2019, be confirmed.

ORDINARY MEETING

Minutes: 10 December 2019

SECTION 2 – Mayoral Minutes

SUPPLEMENTARY REPORT

Item: 244 **MM - Rural Fire Service Control Centre - (80093)**

Mr Michael Scholz addressed Council, speaking for the recommendation.

MOTION:

RESOLVED on the motion of the Mayor, Councillor Calvert.

Refer to RESOLUTION

282 RESOLUTION:

RESOLVED on the motion of the Mayor, Councillor Calvert.

That Council:

1. Initiate formal discussions with the State Government and its various emergency agencies to explore the possibility of establishing a purpose built facility to service the needs of the emergency agencies. This Centre should:-
 - Be easily scaled up at times of emergency
 - Also include some consideration of the co-location of the various emergency services and allow for common parking, training facilities and administrative areas, including common technology and communications systems, thereby achieving economies of scale and efficiencies going forward
 - Facilitate ongoing co-operation between Council and the various emergency services.
2. Formally request staff to identify potential sites and initiate discussions with the relevant parties.
3. Fast track the relocation of Wilberforce Rural Fire Service facility to a new location, ideally within the next twelve months.
4. Thank Emergency Services staff and volunteers for their service during this time of crisis.

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

Against the Motion: Nil.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 10 December 2019

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 227 CP - Update on General Amendments to Hawkesbury Local Environment Plan 2012 Planning Proposal - (95498, 124414)

Previous Item: 41, Ordinary (31 March 2015)

Directorate: City Planning

Councillor Lyons-Buckett declared a pecuniary interest in this matter as a relative owns a business within the tourism sector which is the subject of potential change of permissible use within the zoning as part of the Local Environmental Plan amendments. She left the Chamber and did not take part in voting or discussion on the matter.

Mr William Sneddon addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

283 RESOLUTION:

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

That this matter be deferred to the first Council Meeting in 2020.

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

For the Motion: Councillors Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Tree, Wheeler and Zamprognio.

Against the Motion: Nil.

Absent: Councillors Conolly and Lyons-Buckett.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 228 **CP - Proposed Exhibition of Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Cattai Catchment Area - (95498, 124414)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

284 RESOLUTION:

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

That:

1. The Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Contribution Area 4 attached as Attachment 1 to the report, be publically exhibited in accordance with Council's Community Participation Plan.
2. Following the exhibition of the Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Contribution Area 4, a further report be prepared for Council's consideration of any submissions. In the event that no public submissions are received, the Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Contribution Area 4 will take effect at the expiration of the exhibition period.

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

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

Against the Motion: Councillor Ross.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 229 CP - Redbank Voluntary Planning Agreement Child Care Milestones - (79351, 112157)

Previous Item: 294, Ordinary (11 December 2018)
124, Ordinary (29 May 2018)
118, Ordinary (27 June 2017)
99, Ordinary (24 June 2014 - *deferred* 1 July 2014)
54, Ordinary (25 March 2014)
223, Ordinary (12 November 2013)

Directorate: City Planning

Councillor Richards declared a less than significant non-pecuniary conflict of interest in this matter as she lives in Redbank, but only rents there and no further action is required.

MOTION:

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

Refer to RESOLUTION

285 RESOLUTION:

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

That Council:

1. Note the traditional sequence of events for approving, constructing and operating a Child Care Centre
2. Agree to amend the relevant Voluntary Planning Agreement Milestones, in relation to the proposed Child Care Centre, as follows:

	Reference	Activity	Current Milestone	Proposed Amended Milestone
A.	Refer Schedule 2, Item 1.6b, Page 4 of 9, Milestone 1	Identify in both a DA and CC a portion of land to enable the full construction of a Child Care Centre.	601 st Urban Lot - Amended 27/6/17	No change - Milestone not reached
B.	Refer Schedule 2, Item 4.2, Page 9 of 9, Milestone 2	Assist and ensure a third party, being an approved child care operator, can construct and establish a Child Care Centre within the Redbank development	601 st Urban Lot	901st Urban Lot

3. Seek the agreement of the Developer and RMS as parties to the Redbank Voluntary Planning Agreement, to the amendment of the second milestone in relation to the proposed Child Care Centre.

ORDINARY MEETING

Minutes: 10 December 2019

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

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

Against the Motion: Councillor Ross.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 230 **CP - Redbank Voluntary Planning Agreement and Grose River Crossing - (95498, 79351)**

Previous Item: 294, Ordinary (11 December 2018)
 124, Ordinary (29 May 2018)
 118, Ordinary (27 June 2017)
 99, Ordinary (24 June 2014 - *deferred* 1 July 2014)
 54, Ordinary (25 March 2014)
 223, Ordinary (12 November 2013)

Directorate: City Planning

Councillor Rasmussen declared a pecuniary interest in this matter as he owns land affected by the proposed Grose River Crossing bridge. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Richards declared a less than significant non-pecuniary conflict of interest in this matter as she lives in Redbank, but only rents there and no further action is required.

MOTION:

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

That:

1. The report be received and noted.
2. Council confirm its "In Principle" support for the proposed "Alternative Route" based on:
 - a) The fact that it does not involve any loss of public open space
 - b) The contribution it will make towards providing an alternative flood route for local residents
 - c) The offer of Roads and Maritime Services to acquire and fund land required for the alternative route.
3. Council staff work with the Developer and Roads and Maritime Services to draft a Memorandum of Understanding to confirm way forward, the key features of such a document to include:
 - a) Limiting Redbank's financial contribution to the cost of original "Navua" alignment (Grose River Road from Grose Vally Road to Springwood Road, via Navua Reserve) less expenditure (surveys, studies, plans, applications etc) to date
 - b) Finalising a new design, new costings, approval process, supporting documentation and revised timetable
 - c) Confirmation that Roads and Maritime Services will both acquire and fund the acquisition of land required for the revised crossing/alignment
 - d) Confirmation that Roads and Maritime Services will commence acquisition after July 2020.
4. Council staff initiate discussion with Roads and Maritime Services and other relevant State Agencies to establish a process for ensuring that the balance of the route between Grose Vale Road and Springwood is above the 1:100 flood level.
5. Council staff advise the community of the points outlined in points 1-4 above and confirm that subject to the execution of the Memorandum of Understanding Council will be working with the Developer and Roads and Maritime Services to:

ORDINARY MEETING

Minutes: 10 December 2019

- a) Develop detailed documentation including plans, studies, and a Draft Amended Voluntary Planning Agreement
- b) Submit a relevant application and formally notify the local community, seeking community feedback
- c) Arrange for the “Independent” assessment and determination of the application and Draft Amended Voluntary Planning Agreement.

AMENDMENT:

An AMENDMENT was moved by Councillor Ross, seconded by Councillor Wheeler.

That this matter be deferred to the next Council Meeting.

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 Amendment: Councillors Calvert, Lyons-Buckett, Garrow, Reynolds, Ross and Wheeler.

Against the Amendment: Councillors Kotlash, Richards, Tree and Zamprogno.

Absent: Councillors Conolly and Rasmussen.

The amendment was carried.

MOTION:

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

Refer to RESOLUTION

286 RESOLUTION:

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

That this matter be deferred to the next Council Meeting.

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

For the Motion: Councillors Calvert, Garrow, Kotlash, Reynolds, Ross, Wheeler.

Against the Motion: Councillors Richards and Zamprogno.

Absent: Councillors Lyons-Buckett, Conolly, Rasmussen and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

GENERAL MANAGER

Item: 231 **GM - Nominations for the Local Government Representatives for the Local Land Services Board - (79351, 137929)**

Division: General Manager

MOTION:

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

Refer to RESOLUTION

287 RESOLUTION:

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

That the nomination of a number of representatives to the Local Land Services Board be considered.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

Council nominated Councillors Kotlash and Rasmussen as Council's representatives to the Local Land Services Board.

ORDINARY MEETING

Minutes: 10 December 2019

CITY PLANNING

Item: 232 CP- Draft Hawkesbury Local Strategic Planning Statement (LSPS) 2040 - Post Exhibition Report - (95498, 124414)

Previous Item: 170, Ordinary (24 September 2019)

Directorate: City Planning

Mr Leslie Sheather and Mr Andrew Thomas addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

288 RESOLUTION:

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

That Council:

1. Receive the report on the outcome of public exhibition of the Draft Hawkesbury Local Strategic Planning Statement 2040.
2. Endorse the proposed Actions to amend the Draft Hawkesbury Local Strategic Planning Statement as outlined in - Attachment 1 to this report.
3. Thank respondents for their valuable input received through their submissions.

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

Against the Motion: Councillors Richards and Tree.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 233 **CP - Draft Voluntary Planning Agreements Policy - (95498, 124414)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

289 RESOLUTION:

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

That Council approve the public exhibition of the draft Voluntary Planning Agreements Policy for a period of two months.

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

Against the Motion: Nil.

Absent: Councillors Conolly, Kotlash and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 234 **CP - Draft On-Site Sewage Management Policy - (95498, 96330)**

Previous Item: 31, Ordinary (11 March 2003)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

290 RESOLUTION:

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

That:

1. Council receive and note the report.
2. Council place the Draft On-Site Sewerage Management Policy on public exhibition for two months.
3. Following the public exhibition of the draft On-Site Sewerage Management Policy, a further report be prepared for Council's consideration.

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

Against the Motion: Councillor Ross.

Absent: Councillors Conolly and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

SUPPORT SERVICES

Item: 235 **SS - A New Risk Management and Internal Audit Framework for Local Councils in NSW - Discussion Paper - (95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

291 RESOLUTION:

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

That Council:

1. Receive and note the information provided within this report regarding the Discussion Paper on the New Risk Management and Internal Audit Framework for Local Councils in NSW.
2. Forward to the Office of Local Government, a submission on the Discussion Paper on the New Risk Management and Internal Audit Framework for Local Councils in NSW based on the comments in Attachment 1 to this report and summarised as follows:

The Office of Local Government is requested to:

- Note that it is debatable whether the proposed Audit, Risk and Improvement Committee should be involved in the remuneration of the Chief Audit Executive.
- Release the Model Terms of Reference for the proposed Audit, Risk and Improvement Committee, for comment.
- Give consideration to Councillors being part of the Audit, Risk and Improvement Committee.
- Note that the proposed requirement for the independent Committee members to be prequalified via the applicable NSW Government's Prequalification Scheme may exclude current Committee members from being eligible. It is suggested that existing Committee members are also prequalified.
- Review the exclusion of individuals that have worked in *any* Council in the last three years. It is suggested only individuals that have worked in the specific council are excluded.
- Note that the application of the NSW Government remuneration scheme fees and charges would place significant cost pressures on councils.
- Mandate a term of four years aligned with Council term.
- Review the proposed requirement for the Audit, Risk and Improvement Committee to be assessed by an external party at least once each Council term.
- Release the proposed Model Charter for endorsement by the Audit, Risk and Improvement Committee and adoption by Council.

ORDINARY MEETING

Minutes: 10 December 2019

- Review the proposed timeframe of 10 working days applicable to remedial actions and responses to be submitted to the Audit committee, to be “the next available Audit Risk and Improvement Committee meeting”.
- Clarify whether the submission of Minute of the Audit, Risk and Improvement Committee to Council addresses the requirement to advise Council of progress regarding the implementation of corrective actions.
- Review the Audit, Risk and Improvement Committee being able to approve, as opposed to endorse, plans, scope of assignments and tools to be used by Internal Auditors.
- Review the inconsistent use of terminology when referencing the applicable Australian Standards and/ or the International Professional Practices Framework.
- Note that there is no community representation provided for in the Committee composition.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 236 **SS - 2019/2020 Community Sponsorship Program - Round 1 - (95496, 96328)**

Previous Item: 068, Ordinary (30 April 2019)

Division: **Support Services**

Councillor Lyons-Buckett declared significant non-pecuniary conflict of interest in this matter as she is the Chairperson of the Facilitative Committee Running the event connections In the Park, which is a mental Health Week initiative. She left the Chamber and did not take part in the voting or discussion on the matter.

Councillor Richards declared a significant non-pecuniary conflict of interest in this matter as she is on the Hawkesbury District Health Service Community Board of Advice and assists with fundraising for Hawkesbury Helping Hands as Director of Windsor RSL. She left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

292 RESOLUTION:

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

That Council:

1. Approve payments for Section 356 Financial Assistance to the organisations and individuals listed and at the level recommended in the tables in this report.
2. Approve the execution of Council's standard Sponsorship Agreement for applications 8, 9, 10, 12, 15, 16, 17 and 18.
3. Respond to applications 11 and 13 with advice that the applications were not successful in accordance with the Community Sponsorship Program assessment criteria.

For the Motion: Councillors Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Ross, Wheeler and Zamprognio.

Against the Motion: Nil.

Absent: Councillors Lyons-Buckett, Conolly, Richards and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 237 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

293 RESOLUTION:

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

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

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

Against the Motion: Nil.

Absent: Councillor Conolly.

ORDINARY MEETING

Minutes: 10 December 2019

SECTION 4 – Reports of Committees

Item: 238 **ROC - Heritage Advisory Committee - 31 October 2019 - (124414, 80242)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

294 RESOLUTION:

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

That:

1. The Minutes of the Heritage Advisory Committee held on 31 October 2019 be received and noted.
2. In relation to Item 1 of the Minutes, Council endorse the recommendation of the Heritage Advisory Committee, namely that:
 - a) Recommends that Council invite Jan Barkley Jack to replace Professor Ian Jack's position on the Heritage Advisory Committee.
 - b) Requests Council consider the allocation of funding in the 2020/2021 budget for the Hawkesbury Heritage Awards including an award named after Professor Ian Jack.
3. In relation to the item 3 of the Minutes, Council endorse the recommendation of the Heritage Advisory Committee, namely that:
 - a) The next item on the Local Heritage Assistance Fund short list, be funded due to 319 George Street, Windsor withdrawing from the project.
 - b) Council consider increasing their allocation to the Local Heritage Assistance Fund in the 2020/2021 financial year to \$30,000, and consider increasing this by a similar amount on an incremental basis each year.
4. In relation to the item 4 of the Minutes:
 - a) Council receive a separate report on the endorsement of the Draft Conservation Management Plan – "Hawkesbury City Council Cemeteries" and relevant draft Cemetery Handbooks completed by GML.
5. In relation to the item A. in General Business of the Minutes, Council endorse the recommendation of the Heritage Advisory Committee, namely that:
 - a) Council not recommend or support the monument in its current state as it is too grand for the site and inconsistent with the traits of the man being commemorated and recommend that the commemoration be in the form of a plaque placed in an appropriate place and that the commemoration is reflective of the sensitivities of the cemetery site, the characteristics of the cemetery and appropriately reflects the modesty and privacy of Private Whirlpool, displayed during his lifetime.

ORDINARY MEETING

Minutes: 10 December 2019

6. In relation to the item H. in General Business of the Minutes, that officers investigate the matter further and report back to the Heritage Advisory Committee with respect to the request that Council Officers flag any potential Development Applications received that involve a building over 50 years of age to be referred to Council's Heritage Advisor to determine whether a Heritage Assessment Report is required.
7. In relation to the Item I in Additional General Business of the Minutes, Council note the recommendation of the Heritage Advisory Committee, namely that:
 - a) The Heritage Advisory Committee in principle, object to the removal of any extra land from Thompson Square and recommend that Council makes a response to reject the application.

And that Officers consider the advice of the Heritage Advisory Committee in preparing a final submission.

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

Against the Motion: Councillors Richards and Zamprogno.

Absent: Councillors Conolly and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 239 **ROC - Audit Committee - 6 November 2019 - (95496, 91369, 79351)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

295 RESOLUTION:

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

That the minutes of the Audit Committee Meeting held on 6 November 2019 be received and noted.

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

Against the Motion: Councillor Ross.

Absent: Councillors Conolly and Tree.

Item: 240 **ROC - Human Services Advisory Committee 21 November 2019 - (1234869, 124414, 95498)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

296 RESOLUTION:

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

That the Minutes of the Human Services Advisory Committee Meeting held on 21 November 2019 be received and noted.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

SECTION 5 – Notices of Motion

Item: 241 **NM - Domestic Violence Action Plan and Domestic and Family Abuse Policy - (79351, 138882)**

MOTION:

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

Refer to RESOLUTION

297 RESOLUTION:

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

That Council:

1. Receive a report detailing progress of its Domestic Violence Action Plan, including identification of ongoing gaps in services and additional supports needed.
2. Receive a report outlining the likely costs of adopting a Domestic and Family Abuse Policy for Council staff that includes 10 days paid special leave, flexible working arrangement, safe disclosure pathways, confidentiality, and education and support.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

298 RESOLUTION:

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

That the meeting continue past 11pm to allow the Business Paper to be completed.

ORDINARY MEETING

Minutes: 10 December 2019

CONFIDENTIAL REPORTS

299 RESOLUTION:

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

That:

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

Item: 242 SS - Lease to Soul Based Pty Ltd - Shop 1a McGraths Hill Shopping Centre - (148194, 95496, 112106)

*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.*

Item: 243 SS - Insurance Claim 2-8 The Driftway, Londonderry - (112106, 95496)

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

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

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

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

300 RESOLUTION:

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

ORDINARY MEETING

Minutes: 10 December 2019

Item: 242 **SS - Lease to Soul Based Pty Ltd - Shop 1a McGraths Hill Shopping Centre - (148194, 95496, 112106)**

Previous Item: 28, Ordinary (14 February 2017)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

301 RESOLUTION:

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

That:

1. Council agree to enter into a lease with Soul Based Pty Ltd for the property known as Shop 1a, McGraths Hill Shopping Centre, as outlined in the report.
2. Authority be given for the Lease and any other relevant 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 a resolution into effect has been agreed to and executed by all parties.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

ORDINARY MEETING

Minutes: 10 December 2019

Item: 243 **SS - Insurance Claim 2-8 The Driftway, Londonderry - (112106, 95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

302 RESOLUTION:

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

That Council:

1. Agree to accept the insurance funds from the fire at 2-8 The Driftway, Londonderry and rebuild at the property known as 14 Cabbage Tree Road, Grose Vale, known as Lot 2 in DP 703967.
2.
 - a) Lodge a Development Application for demolition of the existing structures located at 14 Cabbage Tree Road, Grose Vale.
 - b) Lodge a Development Application for a new dwelling, as set out in Option 1 and associated infrastructure at 14 Cabbage Tree Road, Grose Vale in association with the insurance claim funds received from 2-8 The Driftway, Londonderry.
3. Delegate authority to the General Manager to execute documentation in relation to the insurance claim and construction contract.
4. Authority is given for any documentation in association with this matter to be executed under the Seal of Council.

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

Against the Motion: Nil.

Absent: Councillors Conolly and Tree.

The meeting terminated at 11:09pm.

Submitted to and confirmed at the Ordinary meeting held on 11 February 2020.

.....
Mayor