



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 27 March 2018
location: council chambers
time: 6:30 p.m.

ORDINARY MEETING

Minutes: 27 March 2018

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	ATTENDANCE	1
	APOLOGIES AND LEAVE OF ABSENCE	1
	DECLARATIONS OF INTEREST	1
	SECTION 1 - Confirmation of Minutes	2
	SECTION 2 – Mayoral Minutes	3
Item: 072	MM - 2018 Red Shield Appeal	3
	SECTION 3 – Reports for Determination	4
	PLANNING DECISIONS	4
Item: 073	CP - Draft Voluntary Planning Agreement for Lot 87 DP 1040092, 219 Bells Line of Road, North Richmond - (95498, 124414)	4
Item: 074	CP - Review of Hawkesbury Development Control Plan - (95498, 124414)	5
	SUPPORT SERVICES	6
Item: 075	SS - Monthly Investments Report - February 2018 - (95496, 96332)	6
Item: 076	SS - Pecuniary Interest Return - Designated Person - (95496, 96333)	6
	SECTION 4 – Reports of Committees	7
Item: 077	ROC - Human Services Advisory Committee - 8 February 2018 - (124414, 123486)	7
Item: 078	ROC - Local Traffic Committee - 12 March 2018 - (80245)	7
	SECTION 5 – Notices of Motion	8
Item: 079	NM1 - Impacts of Rising Energy Costs and Extreme Weather	8
Item: 080	NM2 - Thompson Square Drainage System	9
	QUESTIONS FOR NEXT MEETING	10
Item: 081	Councillor Questions from Previous Meetings and Responses - 27 February 2018 - (79351)	10
Item: 082	Councillor Questions from Previous Meetings and Responses - 13 March 2018 - (79351)	10
	CONFIDENTIAL REPORTS	12
Item: 083	IS - Land Acquisition - Road Reserve - 74 Laws Farm Road, Lower Portland - (95496, 89961, 89962)	12

ORDINARY MEETING

Minutes: 27 March 2018

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 27 March 2018, commencing at 6:30pm.

Welcome

The General Manager addressed the Council meeting, mentioning:

- Acknowledgement of Indigenous Heritage
- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones.

ATTENDANCE

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

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Strategic Planning Manager - Andrew Kearns, Manager Corporate Communication - Suzanne Stuart, Manager Corporate Services and Governance - Michael Wearne and Acting Administrative Support Coordinator – Jodie Tillinghast.

APOLOGIES AND LEAVE OF ABSENCE

Apologies for absence was received from Councillors P Conolly, P Rasmussen and T Tree .

102 RESOLUTION:

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

DECLARATIONS OF INTEREST

Councillor Reynolds declared an interest on Item 080.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

Director City Planning - Matthew Owens

The Mayor advised that after 11 years at Council Mr Matthew Owens will be leaving his position Director of City Planning on Thursday, 29 March 2018. On behalf of Council The Mayor extended Councils best wishes to Mr Owens and his family, for the future and thanked him for his contribution to Council.

ORDINARY MEETING

Minutes: 27 March 2018

SECTION 1 - Confirmation of Minutes

103 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Garrow that the Minutes of the Ordinary held on the 13 March 2018, be confirmed.

ORDINARY MEETING

Minutes: 27 March 2018

SECTION 2 – Mayoral Minutes

Item: 072 MM - 2018 Red Shield Appeal

Ms Kim Taylor addressed the Council speaking for the recommendation.

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett.

Refer to RESOLUTION

104 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett.

That Council:

1. Endorse the Mayor as Chairperson of the 2018 Red Shield Appeal for Hawkesbury, which would include a Mayoral Reception, hanging of a banner and utilising social media to promote the event and link with the local business community.
2. Staff develop a draft guideline for working with charitable organisations who are seeking Council support and assistance in the promotion of their activities.
3. Set up a meeting with local shopping centre managers and the Hawkesbury Agricultural Society asking them to consider reviewing their policy of charging a fee to charity groups to set up a booth at their shops or events. It is believed that the practice of imposing a fee came about because some charity groups were harassing customers or not complying with the requirements of the centre or event. Council recommends that a more appropriate policy would be to charge the charity group a refundable bond.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Minutes: 27 March 2018

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 073 **CP - Draft Voluntary Planning Agreement for Lot 87 DP 1040092, 219 Bells Line of Road, North Richmond - (95498, 124414)**

Previous Item: 31, Ordinary (28 February 2017)
 89, Ordinary (30 June 2015)
 76, Ordinary (26 May 2015)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

105 RESOLUTION:

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

That:

1. Council exhibit the Draft Voluntary Planning Agreement, Explanatory Note and any other relevant supporting documentation in regard to Lot 87 in Deposited Plan 1040092, 219 Bells Line of Road, North Richmond, for a minimum of 28 days in accordance with the relevant provisions of the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation 2000.
2. The outcome of the community consultation on the Draft Voluntary Planning Agreement be reported to Council following public exhibition.

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

For the Motion	Against the Motion
Councillor Calvert	NIL
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Wheeler	
Councillor Zamprogno	

Councillors Conolly, Rasmussen and Tree were absent from the meeting.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Minutes: 27 March 2018

Item: 074 **CP - Review of Hawkesbury Development Control Plan - (95498, 124414)**

Previous Item: 18 - NM3, Ordinary (30 January 2018)

Directorate: City Planning

Mr Peter Nicholson addressed the Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

106 RESOLUTION:

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

That Council:

1. Receive and note the information.
2. Officers contact the Department of Planning and Environment to ascertain the possibility of utilising the proposed standard format in the completion of the review of the Hawkesbury Development Control Plan.
3. Hold a forum for Councillors to review and build on the discussion held during the development of the Community Strategic Plan as well as other relevant information before 30 June 2018.
4. Hold a follow up Councillor workshop to discuss the review process, and proposed changes to the format and content of the Hawkesbury Development Control Plan.

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

For the Motion	Against the Motion
Councillor Calvert	NIL
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Wheeler	
Councillor Zamprogno	

Councillors Conolly, Rasmussen and Tree were absent from the meeting.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Minutes: 27 March 2018

SUPPORT SERVICES

Item: 075 **SS - Monthly Investments Report - February 2018 - (95496, 96332)**

Previous Item: 97, Ordinary (30 May 2017)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

107 RESOLUTION:

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

That the Monthly Investments Report for February 2018 be received and noted.

Item: 076 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

108 RESOLUTION:

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

That the Section 449(1) Pecuniary Interest Return be received and noted.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Minutes: 27 March 2018

SECTION 4 – Reports of Committees

Item: 077 **ROC - Human Services Advisory Committee - 8 February 2018 - (124414, 123486)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

109 RESOLUTION:

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

That:

1. The Minutes of the Human Services Advisory Committee held on 8 February 2018 be received and noted.
2. The Recommendations of the Affordable Housing Working Group, together with the Recommendations of the Human Services Advisory Committee, be reported to the next Council Meeting.

Item: 078 **ROC - Local Traffic Committee - 12 March 2018 - (80245)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

110 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 12 March 2018 be received and the recommendations therein be adopted and noted.

ORDINARY MEETING
SECTION 5 – Notices of Motion
Minutes: 27 March 2018

SECTION 5 – Notices of Motion

Item: 079

NM1 - Impacts of Rising Energy Costs and Extreme Weather

MOTION:

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

Refer to RESOLUTION

111 RESOLUTION:

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

That:

1. Council note a number of initiatives within the Community Strategic Plan relate to environmental outcomes and community wellbeing.
2. Council note staff are in the process of developing the draft budget for 2018/2019.
3. In the event that staff have not already given consideration to budget initiatives in relation to energy, climate change and community wellbeing, Council formally request staff to include options in the upcoming draft Budget in relation to both:
 - a) Council's generation, purchasing and conservation of energy
 - b) Supporting community actions in relation to energy costs, decreasing the City's carbon emissions and dealing with the effects of extreme weather events.
4. Council write to Local Government NSW seeking their support in writing to the Minister for Local Government, The Hon. Gabrielle Upton asking for clarification on the legislative barriers to Council pursuing a Victorian-style Solar Savers Scheme for ratepayers.
5. Council write to the ALGA seeking their support in writing to the relevant Commonwealth Minister asking for clarification on the legislative barriers to Council pursuing a Victorian-style Solar Savers Scheme for ratepayers.
6. Council use its partnerships with other organisations such as the Regional Strategic Alliance and WSROC to lobby for greater feed in tariffs back to the grid.

ORDINARY MEETING
SECTION 5 – Notices of Motion

Minutes: 27 March 2018

Item: 080 **NM2 - Thompson Square Drainage System**

Councillor Reynolds declared a significant non-pecuniary conflict of interest in this matter as he lives near the area of Thompson Square. He left the Chamber and did not take part in voting or discussion on the matter.

Professor Robert Ian Jack, Mr Graham Edds and Ms Jan Sparks addressed the Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

112 RESOLUTION:

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

That Council:

1. Reiterate its opposition to the construction of the Windsor Bridge Replacement project and request an immediate halt to works in accordance with its resolution on 25 October 2016.
2. Receives and notes the information provided by Professor Ian Jack regarding the drainage system in Thompson Square, as requested by Council's Heritage Advisory Committee.
3. Disseminates this information to the community and the wider media, with strong emphasis on the need to retain and preserve the drains in a manner which allows for conservation and display.
4. Urgently contacts the Prime Minister, The Hon. Malcolm Turnbull, the Federal Minister for the Environment and Energy, The Hon. Josh Frydenberg, the Member for Macquarie, The Hon. Susan Templeman requesting:–
 - a) Information from the Australian Heritage Council as to why the initial request for emergency listing was refused.
 - b) That in light of the archaeological findings of the brick barrel drains, that an emergency listing be urgently reconsidered.
5. Urgently contact the Premier of NSW, The Hon. Gladys Berejiklian, the Member for Hawkesbury, The Hon. Dominic Perrottet, the Minister for Roads, Maritime and Freight, The Hon. Melinda Pavey, and the Minister for Heritage, The Hon. Gabrielle Upton, requesting that –
 - a) They receive the information and ask for comment on the current and proposed damage to the drains and wider Square.
 - b) Immediately halt works and to further investigate the options needed for the conservation, preservation and realisation of tourism and educational potential.
6. Requests that the NSW Upper House Inquiry into the Windsor Bridge Replacement Project receives the information.

The meeting was adjourned at 8:41pm

The meeting resumed at 8:55pm

ORDINARY MEETING
Questions for Next Meeting
Minutes: 27 March 2018

QUESTIONS FOR NEXT MEETING

Item: 081 **Councillor Questions from Previous Meetings and Responses - 27 February 2018 - (79351)**

Raised at the Ordinary Meeting Held on 27 February 2018

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

Item: 082 **Councillor Questions from Previous Meetings and Responses - 13 March 2018 - (79351)**

Raised at the Ordinary Meeting Held on 13 March 2018

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

ORDINARY MEETING
Questions for Next Meeting
Minutes: 27 March 2018

Questions – 27 March 2018

#	Councillor	Question	Response
1	Calvert	Enquired as to whether Council has been invited to prepare a submission for the NSW Government regarding the proposed Bells Line of Road and M9 declared road corridors.	Director of City Planning
2	Garrow	Enquired as to whether Council could write to The Hon. Dominic Perrottet and the NSW State Government regarding the proposed Bells Line of Road and M9 declared road corridors asking the following: - 1. Why are there no meetings being held for the Hawkesbury residents affected by the M9 corridor, namely the Vineyard, Oakville and Maraylya areas. 2. Why has the local member met and consulted specifically with residents of Windsor Downs to ensure the route is changed but has not met with residents of any of the other effected areas.	General Manager
3	Garrow	Enquired whether Council can make a clear statement to the community that the recent corridor announcements are a State Government decision.	General Manager
4	Garrow	Enquired as to what is Council's procedure to inspect/clean ovals prior to them being used for training sessions or games.	Director Infrastructure Services
5	Ross	Requested an update on the actions associated with Notice of Motion 3 and Notice of Motion 6 from the Council Meeting on 9 May 2017.	General Manger and the Director of Infrastructure

ORDINARY MEETING

Confidential Reports

Minutes: 27 March 2018

CONFIDENTIAL REPORTS

113 RESOLUTION:

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

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: 083 IS - Land Acquisition - Road Reserve - 74 Laws Farm Road, Lower Portland - (95496, 89961, 89962)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 Specifically, as it relates to details concerning 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*

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.

114 RESOLUTION:

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

Item: 083 IS - Land Acquisition - Road Reserve - 74 Laws Farm Road, Lower Portland - (95496, 89961, 89962)

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

ORDINARY MEETING

Confidential Reports

Minutes: 27 March 2018

115 RESOLUTION:

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

That:

1. The acquisition of the entire property at 74 Laws Farm Road, Lower Portland, being Lot 2 in Deposited Plan 774847, proceed and compensation in the amount detailed in this report be paid to the property owner.
2. Council bear all costs including disturbances where applicable, associated with the process of acquiring 74 Laws Farm Road, Lower Portland.
3. Authority be given for any documentation in association with this matter be executed under the Seal of Council.
4. Details of the resolution be conveyed to the affected landowners together with the advice that Council is not and will not be bound by the terms of the resolution until such time as appropriate documentation to put such a resolution into effect has been agreed to and executed by all parties.
5. Council classify the property known as 74 Laws Farm Road, Lower Portland, being Lot 2 in Deposited Plan 774847, as 'operational' under Section 31(2) of the Local Government Act, 1993.

The meeting terminated at 9:36pm.

Submitted to and confirmed at the Ordinary meeting held on 10 April 2018.

.....
Mayor

