



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 30 April 2019

location: council chambers

time: 6:30 p.m.

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ORDINARY MEETING

Minutes: 30 April 2019

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 30 April 2019, commencing at 6.32pm.

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 Patrick Conolly, Emma-Jane Garrow, Paul Rasmussen, Peter Reynolds, Sarah Richards, John Ross, 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, Executive Manager - Community Partnerships - Joseph Litwin, Chief Financial Officer - Emma Galea, Manager Corporate Communication - Suzanne Stuart, Manager Corporate Services and Governance - Michael Wearne and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was previously received from Councillor Tree at the Council Meeting the 9 April 2019.

An apology for absence was received from Councillor Kotlash.

78 RESOLUTION:

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

That the apologies from Councillor Kotlash and Councillor Tree be accepted and that leave of absence from the meeting be granted.

DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

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SECTION 1 - Confirmation of Minutes

79 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Rasmussen that the Minutes of the Extraordinary Meeting held on the Monday, 8 April 2019, be confirmed.

80 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Zamprogno that the Minutes of the Ordinary Meeting held on the Tuesday, 9 April 2019, be confirmed.

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SECTION 3 – Reports for Determination

SUPPORT SERVICES

Item: 066 **SS - Monthly Investments Report - March 2019 - (95496, 96332)**

Previous Item: 150, Ordinary (26 June 2018)

Division: Support Services

MOTION:

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

Refer to RESOLUTION

81 RESOLUTION:

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

That the Monthly Investments Report for March 2019 be received and noted.

Item: 067 **SS - Asset Management and Depreciation - (95496, 96332)**

Previous Item: 45, Ordinary (12 March 2019)

Division: Support Services

MOTION:

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

Refer to RESOLUTION

82 RESOLUTION:

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

That:

1. Council receive and note the report.
2. A further report be brought back to Council regarding the actions outlined in the 2017/2018 NSW Audit Office Management Letter.

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Item: 068 **SS - 2018/2019 Community Sponsorship Strategy - (95496, 96328)**

Previous Item: 211 Ordinary (28 August 2018)
 212 Ordinary (28 August 2018)

Division: Support Services

Ms Maria Losurdo and Ms Carolyn McKenzie addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

83 RESOLUTION:

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

That:

1. The Draft Community Sponsorship Strategy, attached as Attachment 1 to the report, be placed on public exhibition for a period of not less than 28 days.
2. At the expiry of the exhibition period the following action be taken:
 - (a) Should any submissions be received, a further report be submitted to Council summarising the submissions together with a response to the matters raised in the submissions;
 - (b) Should no submissions be received, Council adopt the Draft Community Sponsorship Strategy, attached as Attachment 1 to the report.
3. Council endorse the proposed draft 'Guidelines for Working with Charitable Organisations', as attached as Attachment 2 to the report.
4. Council commence consultation with the Hawkesbury Eisteddfod and the Hawkesbury Area Women and Kids Collective (The Womens Cottage) with a view to negotiating a third party service agreement for the ongoing sponsorship of these organisations.

ORDINARY MEETING

Minutes: 30 April 2019

Item: 069 **SS - Fit for the Future Strategy: Council Owned Child Care Centres, Building Renewal Charge and Draft Lease - Outcome of Consultation - (95496)**

Previous Item: 259 Ordinary (30 October 2018)
 143 Extraordinary (13 June 2018)
 84 Extraordinary (9 April 2018)
 212 Ordinary (28 November 2017)
 186 Ordinary (10 October 2017)
 172 Ordinary (26 September 2017)
 159 Ordinary (12 September 2017)
 241 Ordinary (8 November 2016)
 211 Ordinary (11 October 2016)
 146 Ordinary (26 July 2016)
 138 Ordinary (12 July 2016)
 MM Ordinary (27 October 2015)
 RM Ordinary (30 June 2015)
 185 Extraordinary (23 June 2015)
 182 Ordinary (30 September 2014)

Division: Support Services

Ms Nicole Mulford and Ms Danielle Shepherd addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

84 RESOLUTION:

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

That:

1. Council approve the execution of three year leases with the Golden Valley Childrens Centre, Greenhills Child Care Centre, Hobartville Long Day Pre-School, McGraths Hill Childrens Centre, Elizabeth St Extended Hours Pre-School, Richmond Preschool Kindergarten, Wilberforce Early Learning Centre, Windsor Pre-School, and Wilberforce Pre-School, in accordance with the proposed lease conditions outlined within this report.
2. Authority be given for the leases and any other documentation in association with the matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessees, together with the advice that Council is not, and will not, be bound by the terms of the resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

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SECTION 4 – Reports of Committees

Item: 070 **ROC - Audit Committee - 20 March 2019 - (95496, 91369, 79351)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

85 RESOLUTION:

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

That the minutes of the Audit Committee Meeting held on 20 March 2019 be received and noted.

Item: 071 **ROC - Local Traffic Committee - 08 April 2019 - (95495, 80245)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

86 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 08 April 2019 be received and the recommendations therein be adopted and noted.

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Questions for Next Meeting
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QUESTIONS FOR NEXT MEETING

Item: 072 **Councillor Questions from Previous Meetings and Responses - 9 April 2019 - (79351)**

Questions and Responses in relation to previous Questions for the next Meeting - 9 April 2019 were provided.

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Questions for Next Meeting
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Questions – 30 April 2019

#	Councillor	Question	Response
1	Wheeler	Requested if bins could be placed near the wharf in Hanna Park, North Richmond for the collection of rubbish.	The Director Infrastructure Services
2	Garrow	Enquired as to whether RMS contractors have to adhere to Council's policy regarding rules in relation to using vibrating equipment adjacent to heritage listed properties.	The Director Infrastructure Services
3	Garrow	Requested an update in relation to the responses to the 2019/2020 Draft Operational Plan.	The Director City Planning
4	Garrow	Enquired as to when the abandoned vehicle in Kable Street, Windsor car park will be removed.	The Director City Planning
5	Garrow	Requested that Council Officers remind the group in Windsor Mall not to feed the pigeons.	The Director City Planning
6	Rasmussen	Requested if Council could investigate the damage to the guard rail on Old Kurrajong Road, North Richmond near the polo fields.	The Director Infrastructure Services
7	Rasmussen	Enquired as to whether there is any information available regarding the \$200M that has been promised in relation to the Richmond/North Richmond Bridge and if there so, could Councillors be updated.	The General Manager
8	Ross	Enquired in relation to the Windsor Bridge Project what communications have been held between the RMS and Council regarding the Interpretation Plan, specifically the community consultation held on 30 April 2019.	The Director City Planning
9	Ross	Enquired as to whether representations have been made to the RMS that Councillors be included in Windsor Bridge Project community consultations, and were Council staff in attendance and if so how many attended.	The Director City Planning
10	Ross	Requested an update on the Windsor Bridge Project progress in relation to the archaeological discoveries found at the construction site and timeframes in regard to the Interpretation Plan.	The General Manager

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Questions for Next Meeting
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#	Councillor	Question	Response
11	Ross	Enquired as to what is the process for the removal of electoral signage that is over 0.8m ² that is in breach of the Council's Signage Policy and the Electoral Signage legislation. Will a fine be issued in relation to this matter.	The Director City Planning

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CONFIDENTIAL REPORTS

87 RESOLUTION:

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

That:

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

Item: 073 Contract Tender No. 009/FY09 - Provision of Co-mingled Kerbside Recycling Collection and Processing Service - (95498, 96330)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it related to details concerning tenders for the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 074 IS - Lease from Western Sydney University - Part of South Windsor Waste Management Facility, being Lot 192 in Deposited Plan 729625 - (112106, 95496, 95495, 79541, 112179)

*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 property by Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 075 Lease to The Minister for Police and Emergency Services (Fire and Recuse NSW) - Unformed Road Reserve adjoining 43 March Street, Richmond - (112106, 95496, 120506)

*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: 076 Peppercorn Place: Lease of Vacant Activity Room - (95496, 96328, 28772)

*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.*

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.

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

88 RESOLUTION:

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

Item: 073 **CP - Contract Tender No. 009/FY09 - Provision of Co-mingled Kerbside Recycling Collection and Processing Service - (95498, 96330)**

Previous Item: 95, Ordinary (12 May 2009)
 214, Ordinary (11 October 2016)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

89 RESOLUTION:

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

That:

1. The information contained within the report be received and noted.
2. Council, in accordance with the provisions of Section 55(3)(i) of the Local Government Act 1993, not invite public tenders due to extenuating circumstances, and approve a further 12 month contract for the Provision of Co-mingled Kerbside Recycling Collection and Processing Services with JJ Richards & Sons Pty Ltd, under the same general terms and conditions in the current contract.
3. Authority be given for the contract and any other documentation in association with the matter to be executed under the Seal of Council.

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Item: 074 **IS - Lease from Western Sydney University - Part of South Windsor Waste Management Facility, being Lot 192 in Deposited Plan 729625 - (112106, 95496, 95495, 79541, 112179)**

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

90 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Western Sydney University for the parcel of land known as Lot 192 in Deposited Plan 729625 as outlined in the report.
2. Authority be given for the lease and any other documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to Western Sydney University, 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.

Item: 075 **SS - Lease to The Minister for Police and Emergency Services (Fire and Rescue NSW) - Unformed Road Reserve adjoining 43 March Street, Richmond - (112106, 95496, 120506)**

Previous Item: 147, Ordinary (14 August 2014)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

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91 RESOLUTION:

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

That:

1. Council proceed to publically exhibit the proposed Deed of Lease with The Minister for Police and Emergency Services (Fire & Rescue NSW) for the road reserve adjoining 43 March Street, Richmond, as outlined in the report, in accordance with Section 154 of the Roads Act, 1993.
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 Agreement to The Minister for Police and Emergency Services (Fire & Rescue NSW) a further report be submitted to Council, or
 - (b) Should no submissions be received:
 - i. Council agree to enter into a new Deed of Lease with The Minister for Police and Emergency Services (Fire & Rescue NSW) in regard to the unformed road adjoining 43 March Street, Richmond, as outlined in this report.
 - ii. Authority be given for the Deed of Lease and any other documentation in association with the matter to be executed under the Seal of Council.
 - iii. 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 the resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

Item: 076 **SS - Peppercorn Place: Lease of Vacant Activity Room - (95496, 96328, 28772)**

Previous Item: 181, Ordinary (26 September 2017)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

92 RESOLUTION:

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

ORDINARY MEETING

Minutes: 30 April 2019

That:

1. Council agree to enter into a Licence Agreement, as outlined in this report, with Health and Leisure to You in regard to vacant Activity Room space at Peppercorn Place, 320 George Street, Windsor for the period from 1 May 2019 to 31 December 2021.
2. Authority be given for the Licence Agreement, and any other documentation in association with the matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed tenant, together with the advice that Council is not, and will not, be bound by the terms of the resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

The meeting terminated at 8.16pm.

Submitted to and confirmed at the Ordinary meeting held on 14 May 2019.

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Mayor

