



# Hawkesbury City Council

## ordinary meeting minutes

date of meeting: 27 April 2021

location: council chambers

and by audio-visual link

time: 6:30 p.m.



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## ORDINARY MEETING

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Minutes of the Ordinary Meeting held at the Council Chambers and by Audio-Visual Link, Windsor, on 27 April 2021, commencing at 6:32pm.

### Welcome

The Mayor, Councillor Patrick Conolly acknowledged the Indigenous Heritage.

The Acting General Manager addressed the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

### ATTENDANCE

#### PRESENT:

At Council Chambers: Councillor Patrick Conolly, Mayor, Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Barry Calvert, Emma-Jane Garrow, Amanda Kotlash, Peter Reynolds, Sarah Richards, John Ross, Danielle Wheeler and Nathan Zamprogno.

By Audio-Visual Link: Councillor Paul Rasmussen.

#### ALSO PRESENT:

At Council Chambers: Acting General Manager - Laurie Mifsud, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Acting Director Support Services - Emma Galea, Manager Corporate Communication - Suzanne Stuart, Manager Strategic Planning - Andrew Kearns, Manager Corporate Services and Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

### APOLOGIES AND LEAVE OF ABSENCE

The Acting General Manager advised that a leave of absence from Council was received from Councillor Tiffany Tree for the Council Meeting of 27 April 2021.

#### 106 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash and seconded by Councillor Richards that the leave of absence be granted to Councillor Tree for the Council Meeting on 27 April 2021.

The Acting General Manager advised that at the Council Meeting on 20 April, 2021, Council resolved to grant approval for Councillor Rasmussen to attend the Council Meeting of 27 April, 2021 by audio-visual link.

Councillor Richards left the meeting at 8:12pm and returned at 8:16pm.

Councillor Zamprogno left the meeting at 11:17pm.

### DECLARATIONS OF INTEREST

Councillor Reynolds declared an interest on Item 078.

### Acknowledgement of Official Visitors to the Council

There were no official visitors.

## **ORDINARY MEETING**

**Minutes:** 27 April 2021

### **SECTION 1 - Confirmation of Minutes**

**107 RESOLUTION:**

RESOLVED on the motion of Councillor Lyons-Buckett and seconded by Councillor Calvert that the Minutes of the Extraordinary Meeting held on 19 April 2021, be confirmed.

**108 RESOLUTION:**

RESOLVED on the motion of Councillor Lyons-Buckett and seconded by Councillor Calvert that the Minutes of the Ordinary Meeting held on 20 April 2021, be confirmed.

## ORDINARY MEETING

Minutes: 27 April 2021

### SECTION 3 – Reports for Determination

#### PLANNING DECISIONS

**Item: 073** CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012, Draft Development Control Plan, Draft Voluntary Planning Agreement and Biodiversity Certification Application - Jacaranda Development, Glossodia - (124414, 95498)

**Previous Item:** 145, Ordinary (13 August 2019)  
018, Ordinary (9 February 2021)

**Directorate:** City Planning

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Ms Jacqueline Bowie, Mr Nathan Croft and Mr Robert Humphries addressed Council speaking for the recommendation in the Business Paper.

Mr Alf Babazogli addressed Council speaking against the recommendation in the Business Paper.

#### **MOTION:**

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

#### ***Refer to RESOLUTION***

#### **109 RESOLUTION:**

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

That:

1. Council receive and note the outcome of consultation on the Planning Proposal and supporting documentation for the Jacaranda Development.
2. Council adopt and make the Plan (post exhibition amendments) for the Jacaranda Development included as Attachment 4 to this report under the authorisation for Council to exercise delegation issued by the "Gateway" determination, upon receipt of an opinion from Parliamentary Counsel's Office that the Plan may be legally made.
3. Council submit the Biodiversity Certification Application documentation (post-exhibition amendments) for the Jacaranda Development included as Attachment 6 to this report to the Environment, Energy and Science Group of the Department of Planning, Industry and Environment for assessment and to make the necessary arrangements with the Minister for Environment and Energy to confer the Biodiversity Certification Application.
4. The amended Jacaranda Development Control Plan (post exhibition amendments) included as Attachment 5 to this report, be finalised and reported to Council within four months from the date of Council's resolution to adopt and make the Plan.
5. The draft Voluntary Planning Agreement for the Jacaranda Development with appropriate post-exhibition amendments be finalised and reported to Council within four months from the date of Council's resolution to adopt and make the Plan. A Subdivision Certificate cannot be issued for the development until the new Voluntary Planning Agreement is executed.

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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 Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Rasmussen, Reynolds, Richards, Ross, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillor Tree.



## ORDINARY MEETING

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### GENERAL MANAGER

**Item: 074**                      **GM - 2021 Floodplain Management Australia - National Conference (79351, 80286)**

**Directorate:**                General Manager

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#### **MOTION:**

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

***Refer to RESOLUTION***

#### **110 RESOLUTION:**

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

That:

1. Participation of nominated Councillors and staff as considered appropriate by the General Manager, in the 2021 on-line Floodplain Management Australia National Conference at a cost of \$350 per delegate be considered.
2. After participating in the Conference, delegates provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Conference relevant to Council business and/or the local community.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillors Garrow and Tree.

#### **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 Councillors Conolly, Lyons-Buckett, Rasmussen, Ross and Wheeler attend the Floodplain Management Australia National Conference to be held online from 26 to 28 May 2021.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Tree.

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**Item: 075**                      **GM - Flood Recovery Financial Assistance - (79351)**

**Directorate:**                General Manager

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### **MOTION:**

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

***Refer to RESOLUTION***

### **112 RESOLUTION:**

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

That:

1. Should an Application be submitted to Council related to a flood impacted property to carry out construction or reconstruction works associated with the property, the applicable fees will be waived for applications lodged up until June 2022.
2. Where possible, Development Applications, Construction Certificate applications and the like from flood impacted areas are to be prioritised by Council's assessment team for any applications lodged up until 30 June 2022.
3. Council endorse the undertaking of works relating to the cleanup of flood debris and waste from private property based on guidelines as issued by the NSW State Government from time to time.
4. Council receive and note the information regarding assistance offered to flood affected communities with payment of Rates and other charges.
5. Council note that work is being undertaken to restore public assets and infrastructure, and that any associated financial impact outside the adopted Budget be regularly reported to Council through Quarterly Budget Reviews.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Tree.

## ORDINARY MEETING

Minutes: 27 April 2021

### INFRASTRUCTURE SERVICES

**Item: 076**                      **IS - Hawkesbury Events - Governor Phillip Park Exclusive Use Approval - (95495, 79354, 92138, 74204, 73829, 147051)**

**Directorate:**                      Infrastructure Services

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#### **MOTION:**

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

#### ***Refer to RESOLUTION***

#### **113 RESOLUTION:**

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

That:

1. Approval be granted to Upper Hawkesbury Power Boat Club for "exclusive use" of Governor Phillip Park for the Spectacular Boat Races to be held on Saturday, 11 September 2021 and Sunday, 12 September 2021.
2. Approval be granted to Ski Racing NSW for "exclusive use" of Governor Phillip Park for the Hawkesbury 120 Water Ski Classic to be held on Saturday, 16 October 2021 and Sunday, 17 October 2021.
3. Approval be granted to NSW Waterski Federation Ltd for "exclusive use" of Governor Phillip Park for the Bridge to Bridge Water Ski Classic to be held on Saturday, 20 November 2021 and Sunday, 21 November 2021.
4. The approvals in parts 1, 2 and 3 be subject to the following conditions/documents:
  - Council's General Park Conditions
  - Council's Fees and Charges
  - The Windsor Foreshore Plan of Management
  - The Governor Phillip Exclusive Use Policy
  - The Governor Phillip Noise Policy.
  - Submission and approval of a Traffic Management Plan which has been approved as part of the Special Event Application.
5. Approval be granted to Utopian Touring for "exclusive use" of Governor Phillip Park for the Hawkesbury Flood Relief Concert over Friday, 4 June 2021 to Tuesday, 8 June 2021, subject to the following conditions:
  - Waiving of fees for the Hawkesbury Flood Relief Concert set up and pack down from Friday, 4 June 2021 to Tuesday, 8 June 2021
  - The Governor Phillip Exclusive Use Policy
  - Payment of a bond for exclusive use of the venue
  - Modification of the existing Dinner by the River 2019 Traffic Management Plan
  - Preparation of the COVID-19 Safe Plan for the event
  - Provision of the Event Liquor License
  - Provision of Event Approval by Hawkesbury Local Area Command
  - Event Food vendors to be registered under Council 's Temporary Food Premises and Food Vending Application

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- Adherence to the Protection of the Environment Operations General Regulations noise guidelines for Large Outdoor Activities
  - Preparation of a flyer distributed to surrounding landowners/residents notifying of the event, traffic and noise impacts
  - Provision of, within one month of the Hawkesbury Flood Relief Concert, a copy of the financial statement from the event.
6. As the applicants have not advised alternative dates in the event of inclement weather or other circumstances, the General Manager be given authority to negotiate exclusive use on an alternate dates, if required by the applicant.

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

**Against the Motion:** Nil.

**Absent:** Councillor Tree.

The Mayor adjourned the meeting at 8:55pm for a break. The meeting resumed at 9:10pm

## ORDINARY MEETING

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**Item: 077**                      **IS - Weed and Biosecurity Management - (95495, 79354, 12212)**

**Previous Item:**            34, Ordinary (23 February 2021)

**Directorate:**                Infrastructure Services

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A MOTION was moved by Councillor Zamprogno.

That Council receive and note the report on weed and biosecurity management.

There was no seconder for the motion and the motion lapsed.

### **MOTION:**

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

***Refer to RESOLUTION***

### **114 RESOLUTION:**

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

That Council refer this report to a Councillor Briefing Session, where details which need further investigation and clarity can be addressed.

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

**Against the Motion:**      Councillor Zamprogno.

**Absent:**                      Councillor Tree.

## ORDINARY MEETING

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**Item: 078**                      **IS - Windsor Bridge Replacement Project - Bridge Demolition and Thompson Square Precinct Works - (95495)**

**Previous Item:**              058, Ordinary (30 March 2021)

**Directorate:**                Infrastructure Services

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Councillor Reynolds declared a pecuniary interest in this matter as his home is within the precinct under discussion. He left the Chamber and did not take part in voting or discussion on the matter.

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Mr Paul Caleo and Ms Patricia Schwartz addressed Council speaking for the recommendation in the Business Paper.

**MOTION:**

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

***Refer to RESOLUTION***

**115 RESOLUTION:**

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

That:

1. Council note the information of artefacts and elements, from the Windsor Bridge demolition to be stored by Council pending determination on future use.
2. Council accept the offer of \$250,000 made by Transport for NSW in lieu of completion of works in Wharf Reserve.
3. Council note that the funding in part 2 can be used to undertake any integrated range of improvements in the Thompson Square Precinct (including Wharf Reserve).
4. Council take immediate steps to secure all remaining artefacts from the Old Windsor Bridge, including the lewis bolts and bricks from the Bridge caissons and investigate the use of the Old Windsor Police Station.
5. Council request photos and other documentation held by the community detailing the demolition works and Bridge structure.
6. Council form a working group with interested community groups and the Heritage Advisory Committee to determine the best possible means of conservation, interpretation and display of the Old Windsor Bridge artefacts.
7. Council consult with the community regarding the best use of the artefacts.
8. The Mayor write to the Minister of Transport and Roads and follow up the offer of additional funding to assist Council in the interpretation, display and use of the artefacts from the Old Windsor Bridge.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillors Reynolds and Tree.

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## ORDINARY MEETING

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**Item: 079**                      **IS - Truck and Trailer Parking - (95495, 79346)**

**Previous Item:**            037, Ordinary (27 February 2018)

**Directorate:**                Infrastructure Services

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### **MOTION:**

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

***Refer to RESOLUTION***

### **116 RESOLUTION:**

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

The information as contained in this report be received and noted.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Tree.

## ORDINARY MEETING

Minutes: 27 April 2021

### SUPPORT SERVICES

**Item: 080**                      **SS - Investment Report - March 2021 - (95496, 96332)**

**Previous Item:**            150, Ordinary (10 March 2020)

**Directorate:**               Support Services

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#### **MOTION:**

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

#### ***Refer to RESOLUTION***

#### **117 RESOLUTION:**

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

That the Monthly Investment Report for March 2021 be received and noted.

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

**Against the Motion:**      Nil.

**Absent:**                      Councillor Tree.



## ORDINARY MEETING

Minutes: 27 April 2021

**Item: 081**                      **SS - Audit Committee Annual Report - September 2020 - (95496, 91369, 79351)**

**Directorate:**                Support Services

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### **MOTION:**

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

*Refer to RESOLUTION*

### **118 RESOLUTION:**

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

That the Audit Committee's Annual Report for the period ending 16 September 2020, attached as Attachment 1 to this report, be received and noted.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Tree.

## ORDINARY MEETING

Minutes: 27 April 2021

**Item: 082**                      **SS - Attendance by Councillors at Council and Committee Meetings - (95496)**

**Directorate:**                Support Services

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### **MOTION:**

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

*Refer to RESOLUTION*

### **119 RESOLUTION:**

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

That Council:

1. Adopt Procedures for Attendance by Councillors at Meetings by audio-visual link, attached as Attachment 2 to this report.
2. Endorse Council's draft submission in response to the Office of Local Government's Consultation Paper concerning proposed changes to the Model Code of Meeting Practice, attached as Attachment 4 to this report.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Tree.

## ORDINARY MEETING

Minutes: 27 April 2021

**Item: 083**                      **SS - Development of the Hawkesbury Indoor Stadium - (95496)**

**Previous Item:**        121, Ordinary (8 May 2018)  
                             199, Ordinary (14 August 2018)  
                             015, Ordinary (12 February 2019)  
                             083, Ordinary (14 May 2019)  
                             119, Ordinary (30 June 2020)

**Directorate:**              Support Services

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Mr Lester Stump addressed Council speaking for the recommendation in the Business Paper.

### **MOTION:**

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

### ***Refer to RESOLUTION***

### **120 RESOLUTION:**

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

That:

1. Information provided by PCYC NSW by letter dated 19 April 2021, attached as Attachment 1 to the report, as to the history of the development of a PCYC in the Hawkesbury, Memorandum of Understanding between PCYC NSW and Council, the negotiation of the Development Agreement and Agreement for Lease, community consultation and the proposed development of the Hawkesbury PCYC, be received and noted.
2. Council note the Concept Design for the PCYC Hawkesbury Stadium, included in the Concept Design Presentation to Hawkesbury City Council on 1 December 2020, attached as Attachment 2 to this report.
3. Council agree to enter into a Development Agreement and Agreement for Lease as outlined in this report including the proposed leased area as outlined in Attachment 3 for the operation and development of the Hawkesbury Indoor Stadium.
4. Authority be given for the Development Agreement and Agreement for Lease and any documentation in association with this matter to be executed under the Seal of Council.
5. 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 resolution into effect has been agreed to and executed by all parties.

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

**Against the Motion:**        Councillor Ross.

**Absent:**                        Councillor Tree.

## ORDINARY MEETING

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**Item: 084**                      **SS - Submission to the Review of the Rate Peg to Include Population Growth by the Independent Pricing and Regulatory Tribunal - (95496)**

**Directorate:**                Support Services

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### **MOTION:**

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

***Refer to RESOLUTION***

### **121 RESOLUTION:**

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

That:

1. The information contained within this report is received and noted, and that the proposed submission attached as Attachment 1 to this report be endorsed to be forwarded to IPART.
2. Council forward to WSROC the submission attached as Attachment 1 to this report.

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

**Against the Motion:**        Nil.

**Absent:**                        Councillor Tree.

## ORDINARY MEETING

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### SECTION 4 – Reports of Committees

**Item: 085**                      **ROC - Local Traffic Committee - 12 April 2021 - (80245, 95495)**

**Directorate:**                Infrastructure Services

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**MOTION:**

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

*Refer to RESOLUTION*

**122 RESOLUTION:**

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

That Council receive and note the Minutes of the Local Traffic Committee Meeting held on 12 April 2021.

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

**Against the Motion:**            Nil.

**Absent:**                            Councillor Tree.

## ORDINARY MEETING

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### SECTION 5 – Notices of Motion

Item: 086

NM - Works In Environmentally Sensitive Areas - (79351, 125612)

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#### MOTION:

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

*Refer to RESOLUTION*

#### 123 RESOLUTION:

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

That:

1. Council commit to ensuring that best practice in protecting wildlife occurs when their habitat is being impacted or removed.
2. Councillors receive a briefing on existing conditions, policies and practice notes addressing works in environmentally sensitive areas. This includes the felling of trees (particularly those containing hollows), work in sensitive areas such as wetlands and riparian zones, and drainage of dams.
3. Following the briefing Council be advised what action can be undertaken to ensure best practice in protecting wildlife occurs, particularly in areas where consent is required, especially new release areas.

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

**Against the Motion:** Nil.

**Absent:** Councillor Tree.

## **ORDINARY MEETING**

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### **QUESTIONS FOR NEXT MEETING**

**Item: 087                      Responses to Councillor Questions Taken On Notice at the Council Meeting -  
20 April 2021 - (79351)**

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The responses to Questions Taken On Notice at the Council Meeting on 20 April 2021 were noted.

#### **Statement by Councillor Sarah Richards**

Councillor Richards addressed Council to make the following statement - On 3 November 2019, the Hawkesbury Liberal Team published a post on Facebook. We have since removed this post and we undertake not to post in this way again. We apologise for any offence this may have caused.

## ORDINARY MEETING

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### CONFIDENTIAL REPORTS

#### 124 RESOLUTION:

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

That:

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

**Item: 088 SS - Property Matter Investigation - (95496)**

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

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.

No representations were made by members of the public as to why Council should not go into closed Council to deal with this confidential matter.

Council staff and the public left the Council Chambers.

#### 125 RESOLUTION:

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



## ORDINARY MEETING

Minutes: 27 April 2021

**Item: 088**                      **SS - Property Matter Investigation - (95496)**

**Previous Item:**            259, Ordinary (8 December 2020)

**Directorate:**                Support Services

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### **MOTION:**

The Mayor, Councillor Conolly advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Garrow, seconded by Councillor Reynolds

### ***Refer to RESOLUTION***

### **126 RESOLUTION:**

The Mayor, Councillor Conolly advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Garrow, seconded by Councillor Reynolds

That Council seek quotations from independent investigators to complete the investigation of the confidential property matter.

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

**Against the Motion:**            Nil.

**Absent:**                            Councillor Tree.

The meeting terminated at 11:20pm.

Submitted to and confirmed at the Ordinary meeting held on 11 May 2021.

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Mayor