

Date of meeting: 14 May 2024 Location: Council Chambers

Time: 6:30 PM

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1. PROCEDURAL MATTERS

Meeting Date: 14 May 2024

1. PROCEDURAL MATTERS

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 14 May 2024, commencing at 6:31pm.

Welcome

The Mayor, Councillor Sarah McMahon acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

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

ATTENDANCE

PRESENT: Councillor Sarah McMahon, Mayor, Councillor Barry Calvery, Deputy Mayor and Councillors Patrick Conolly, Shane Djuric, Eddie Dogramaci, Amanda Kotlash, Mary Lyons-Buckett, Jill Reardon, Les Sheather, Paul Veigel, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager – Elizabeth Richardson, Director City Planning - Meagan Ang, Director Corporate Services - Laurie Mifsud, Director Infrastructure Services - Will Barton, Manager Governance and Risk - Patricia Krzeminski, Chief Financial Officer - Vanessa Browning, Manager Communications and Events - Suzanne Stuart, Manager Economic Development – Phil Moore, Coordinator Waste Projects and Contracts - Justin Murphy, Administrative Support Coordinator - Melissa Ryan.

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

There were no apologies or leave of absences received from Councillors.

Councillor Zamprogno left the meeting at 10:05pm.

DECLARATIONS OF INTEREST

Councillor McMahon declared interests in Items 4.5.2. and 5.1.3.

Councillor Sheather declared an interest in Item 5.1.3.

Councillor Wheeler declared an interest in Item 4.5.2.

Councillor Zamprogno declared an interest in Item 3.1.1.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

2. CONFIRMATION OF MINUTES

Meeting Date: 14 May 2024

2. CONFIRMATION OF MINUTES

66 RESOLUTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Veigel that the minutes of the Ordinary Meeting held on 9 April 2024, be confirmed.

A PROCEDURAL MOTION was moved by Councillor Veigel, seconded by Councillor Sheather that the Condolence motion be moved forward in the agenda.

The Procedural Motion was carried.

ORDINARY MEETING CONDOLENCES

Meeting Date: 14 May 2024

CONDOLENCES

Late Supplementary

Condolence Motion - Tony Bleasdale OAM

The Deputy Mayor, Councillor Calvert extended condolences to the family, friends and Blacktown Community of Tony Bleasdale OAM, Mayor of Blacktown City Council and longstanding leader for the Blacktown community who passed away on 2 May 2024 at the age of 77.

Council observed a moment of silence in honour of Tony Bleasdale's memory.

3. MAYORAL MINUTES

Meeting Date: 14 May 2024

3. MAYORAL MINUTES

Late Supplementary

3.1.1. MM – Transparency and Accountability in the Hawkesbury

Councillor Zamprogno declared a less than significant non-pecuniary interest in this item, being that the Facebook page referred to in the Mayoral Minute was created and is run by his partner. He remained in the Chamber during part of the discussion of the matter.

MOTION:

MOVED on the motion of Mayor, Councillor Sarah McMahon.

Refer to RESOLUTION

ADJOURNMENT OF MEETING

At 9:38pm the Mayor adjourned the meeting for a short break.

RESUMPTION OF MEETING

The meeting resumed at 10:04pm.

Upon resumption, the Mayor, Councillor McMahon declared that Councillor Zamprogno had committed an Act of Disorder in accordance with Clause 15.11(d) of the Code of Meeting Practice.

The Mayor, Councillor McMahon sought a retraction and an apology from Councillor Zamprogno in accordance with Clause 15.12(c) of the Code of Meeting Practice. Councillor Zamprogno did not apologise.

The Mayor, Councillor McMahon expelled Councillor Zamprogno from the Council Meeting in accordance with Clauses 15.14 and 15.16 of the Code of Meeting Practice. Councillor Zamprogno left the meeting at 10:05pm.

67 RESOLUTION:

RESOLVED on the motion of Mayor, Councillor Sarah McMahon.

That Council:

- Seek advice on the method and potential wording required to amend Hawkesbury City Council's Code of Conduct, to require all Councillors to disclose (annually) whether they personally, or other persons set out in Clause 4.4 of Council's Code of Conduct, administers or is involved in any/all social media pages, websites, newsletters or published material, that particularly and repeatedly discuss the business of Hawkesbury City Council, its Councillors and/or its staff.
- Subject to the advice, Council consider amending its Code of Conduct to accord with this advice.

3. MAYORAL MINUTES

Meeting Date: 14 May 2024

For the Motion: Councillors McMahon, Calvert, Conolly, Dogramaci, Kotlash, Reardon,

Sheather and Veigel.

Against the Motion: Councillors Djuric, Lyons-Buckett, and Wheeler

EXCEPTION REPORTS – ADOPTION OF ITEMS NOT IDENTIFIED FOR DISCUSSION AND DECISION

Meeting Date: 14 May 2024

EXCEPTION REPORTS – ADOPTION OF ITEMS NOT IDENTIFIED FOR DISCUSSION AND DECISION

MOTION:

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

Refer to RESOLUTION

68 RESOLUTION:

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

That the following items are dealt with by exception:

- Item 4.2.2.
- Item 4.3.3.
- Item 4.4.1.
- Item 4.4.3.
- Item 4.4.6.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4. REPORTS FOR DETERMINATION

4.2. GENERAL MANAGER

4.2.1. GM – 2023/2024 Event Sponsorship Program - Round 2 (79351, 15988)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

69 RESOLUTION:

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

That Council:

1. Under Round 2 of the 2023/2024 Event Sponsorship Program, agree to support the following organisations for events at the following level:

No	Event Name	Name of Organisation	Recommended amount (\$) and inclusions (Ex GST)				
Cor	Community Applications						
1	Burralow Bush Run	Hawkesbury Trail Runners (co-run by Running Wild)	\$4,000				
2	Music In the Park	Kurrajong Community Forum	\$3,000				
3	Pitt Town Anzac Day	Pitt Town Progress Association	\$3,000				
Commercial Applications							
4	A Garden of Lights A Vivid Event	Crowne Plaza - Hawkesbury Valley	\$3,000				
5	Hawkesbury 120 Ski Race Classic	Ski Racing NSW	\$3,000				

- 2. Approve the execution of Council's standard Sponsorship Agreement for the applications numbered 1-3 (Community) and 4-5 (Commercial) as identified in Table 1 and Attachment 1 of this report.
- 3. Advise Sydney Sheepdog Club Inc that their application was not successful in accordance with the Event Sponsorship Assessment Criteria Matrix and advise Link Wentworth that their application cannot be considered as the event was held prior to the closing date of the 2023/2024 Event Sponsorship Program Round 2.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4.2.2. GM – Additional Council Meeting – 28 May 2024 - (79351)

Previous Item: 4.2.1, Ordinary (9 April 2024)

4.2.2, Ordinary (12 December 2023)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

70 RESOLUTION:

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

That Council hold an additional Ordinary Council Meeting on Tuesday, 28 May 2024 in the Council Chambers, commencing at 6:30pm.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4.3. CITY PLANNING

4.3.1. CP - Crown Land Status - McMahon Park - Kurrajong - (95498)

Previous Item: 172, Ordinary (11 October 2022)

127, Ordinary (9 July 2019)

Directorate: City Planning

Ms Angela Hall addressed Council, speaking for the recommendation in the business paper.

MOTION:

MOVED on the motion of Councillor Reardon, seconded by Councillor Lyons-Buckett.

Refer to RESOLUTION

71 RESOLUTION:

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

That Council:

- 1. Consent to the declaration of McMahon Park (30 McMahons Park Road, Kurrajong), as Crown Land in writing to Crown Lands.
- 2. Agree to the land known as McMahon Park, Kurrajong, being reserved for the purpose of Public Recreation and Community Purposes.
- 3. Provide a written request to Crown Lands that Hawkesbury City Council be appointed as Crown Land Managers for the new reserve.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4.3.2. **CP - Place Plans - (95498)**

Directorate: City Planning

At 7:44pm Mayor, Councillor McMahon left the Chamber due to being unwell.

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

At 7:50pm Mayor, Councillor McMahon resumed as Chair.

Ms Fiona Germaine and Mr Lionel Buckett addressed Council, speaking against the recommendation in the business paper.

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

That Council defer the Place Plans to a Councillor Workshop.

AN AMENDMENT was moved by Councillor Reardon, seconded Councillor Conolly.

That Council not progress with the making of the Place Plans.

For the Amendment: Councillors Reardon.

Against the Amendment: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash,

Lyons-Buckett, Sheather, Veigel, Wheeler and Zamprogno.

Absent: Nil.

The Amendment was lost.

ORDINARY MEETING 4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

MOTION:

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

Refer to RESOLUTION

72 RESOLUTION:

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

That Council defer the Place Plans to a Councillor Workshop.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Councillor Reardon.

Absent: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4.3.3. CP - 2023/2024 Community Sponsorship Program - Round 2 - (95498, 96328)

Previous Item: 4.3.2, Ordinary (21 November 2023)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

73 RESOLUTION:

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

That Council:

- 1. Approve payments for Section 356 Financial Assistance to the individuals and organisations listed in this report and at the level of funding recommended in this report.
- 2. Approve the execution of Council's standard Sponsorship Agreement for those applications where the approved level of funding is over \$500.
- 3. Advise the six applicants, Mentoring Men, Link Wentworth, Mountains for Wildlife, Royal Life Saving of Australia (NSW), Sydney Region Endurance Riding Club and Windsor High School Parent and Citizens Association, that their applications were not successful as listed in this report.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4.4. CORPORATE SERVICES

4.4.1. CS - Investment Report - March 2024 - (95496, 96332)

Previous Item: 4.4.2, Ordinary (20 June 2023)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

74 RESOLUTION:

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

That the Monthly Investment Report for March 2024 be received and noted.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4.4.2. CS - March 2024 Quarterly Budget Review Statement - (95496, 96332)

Previous Item: 4.2.2, Ordinary (20 June 2023)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

75 RESOLUTION:

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

That Council receive the information contained in this report regarding the March 2024 Quarterly Budget Review, and that the Budget adjustments, as summarised in the report and detailed in Attachment 1 to the report, be adopted.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4.4.3. CS - Disclosure of Interests in Written Returns - (95496)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

76 RESOLUTION:

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

That Council note that the Disclosures of Interests in Written Returns, lodged with the General Manager, have been tabled.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4.4.4. CS - Risk Management Framework - (95496, 159583)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

77 RESOLUTION:

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

That Council adopt the Risk Management Framework consisting of:

- a) Risk Management Policy attached as Attachment 1 to the report.
- b) Risk Management Plan including the Risk Appetite Statement attached as Attachment 2 to the report.
- c) Risk Register, including the Register of Strategic Risks attached as a Confidential Attachment 3 to the report.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4.4.5. CS - Hawkesbury Sports Council Governance Review - (95496, 73611)

Previous Item: 161, Ordinary (25 August 2020)

199, Ordinary (13 October 2020)

Directorate: Corporate Services

MOTION:

MOVED on the motion of Councillor Sheather, seconded by Councillor Veigel.

Refer to RESOLUTION

78 RESOLUTION:

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

That:

- 1. Council receive and note the InConsult Pty Ltd 'Hawkesbury Sports Council Governance Review Report' dated January 2024.
- 2. Council adopt the recommendations contained in the InConsult Pty Ltd 'Hawkesbury Sports Council Governance Review Report'.
- 3. An Action Plan be developed to implement the recommendations contained in the InConsult Pty Ltd 'Hawkesbury Sports Council Governance Review Report'.
- 4. The progress on the Action Plan be reported to Councillor Briefing Sessions on a regular basis.
- 5. The progress on the recommendations contained in the InConsult Pty Ltd 'Hawkesbury Sports Council Governance Review Report' be reported to the Audit, Risk and Improvement Committee on a regular basis.
- 6. Council commit to collaboratively working with the Hawkesbury Sports Council to develop the Action Plan.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

4. REPORTS FOR DETERMINATION

Meeting Date: 14 May 2024

4.4.6. CS - Review of Council's Investment Policy - (95496, 96332)

Previous Item: 4.4.2, Ordinary (20 June 2023)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

79 RESOLUTION:

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

That Council adopt the amended Investment Policy attached as Attachment 1 to this report.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

6. NOTICES OF MOTION

Meeting Date: 14 May 2024

6. NOTICES OF MOTION

6.1.1. NM1 – Staff Resourcing

Mr Michael Want addressed Council, speaking for the recommendation in the business paper.

MOTION:

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

Refer to RESOLUTION

80 RESOLUTION:

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

That:

- 1. Council be provided a Briefing on the following information for Council's consideration.
 - a) Information around current employment numbers of Hawkesbury City Council including:
 - i) Number of current FTE and cost of these employees during each year for the past three years.
 - ii) Number of current staff per department, and any current vacancies within each department.
 - iii) Number of staff recruited, and number of staff departing during the last three years.
 - iv) Retention rates of staff.
 - b) Information detailing employment positions directly funded by alternative sources of funding (grant funding or similar).
- 2. The information provided at the Briefing be reported to a future Council Meeting.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Lyons-Buckett,

Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Councillor Kotlash.

Absent: Nil.

DURATION OF MEETING

Meeting Date: 14 May 2024

DURATION OF MEETING

MOTION:

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

Refer to RESOLUTION

81 RESOLUTION:

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

That

- 1. Council extend the duration of the meeting beyond 11:00pm to consider Confidential Item 8.4.1. in accordance with Clause 18.2 of the Code of Meeting Practice.
- 2. The following items be deferred to the Council Meeting on 28 May 2024:
 - a) Item 4.5.1.
 - b) Item 4.5.2.
 - c) Item 5.1.1.
 - d) Item 5.1.2.
 - e) Item 5.1.3.
 - f) Item 7.1.1.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-

Buckett, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

8. CONFIDENTIAL REPORTS

Meeting Date: 14 May 2024

8. CONFIDENTIAL REPORTS

82 RESOLUTION:

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

That 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:

Attachment 3 to Item 4.4.4. - Strategic Risk Register

REASON FOR CONFIDENTIALITY

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

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(f) of the Act as it relates to matters affecting the security of the council, councillors, council staff or council property.

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

8.4.1. IS – Outcome of Request for Quotations - Investigation into Rising Main C – (95495)

REASON FOR CONFIDENTIALITY

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

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(d) of the Act as it relates to the procurement of investigative services 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.

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

83 RESOLUTION:

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

8. CONFIDENTIAL REPORTS

Meeting Date: 14 May 2024

8.4. INFRASTRUCTURE SERVICES

8.4.1. IS – Outcome of Request for Quotations - Investigation into Rising Main C –

(95495)

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

84 RESOLUTION:

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

That Council seek three new quotations for the purpose of undertaking the independent investigation into matters related to the failure and repair of Rising Main C with a particular emphasis on subject matter expertise.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Lyons-Buckett,

Reardon, Sheather and Wheeler.

Against the Motion: Councillors Kotlash and Veigel.

ORDINARY MEETING 8. CONFIDENTIAL REPORTS

Meeting Date: 14 May 2024

Meeting terminated at 11:28pm.	
Submitted to and confirmed at the Ordinary meeting on 28 May 2024.	
	Mayor



Ordinary Meeting

End of Minutes

This business paper has been produced electronically to reduce costs, improve efficiency and reduce the use of paper. Internal control systems ensure it is an accurate reproduction of Council's official copy of the business paper.