

# Ordinary Meeting Of Council

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**Wollondilly**  
Shire Council

## Minutes

**Monday 20 November 2017**

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The meeting commenced at 6.30pm and was held in the Council Chamber 62-64 Menangle Street, Picton NSW 2571.

## WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 November 2017

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## **RECORDING OF MEETING**

The Mayor stated that in accordance with Council's Code of Meeting Practice the electronic recording of the Council Meeting and the use of electronic media during the proceedings is not permitted. It was requested that mobile phones be placed on silent.

## **WEBCAST NOTICE**

The Mayor advised members of the public present that tonight's meeting is webcast live and requested that as both video and audio transmission is being publically broadcast to please remain quietly seated in the public gallery.

Members of the public are advised, in accordance with Section 18 of the Privacy and Personal Information Protection Act 1998 (PPIPA), that Wollondilly Shire Council records and webcasts live all Ordinary and Extraordinary Meetings of Council held in open session for the purpose of facilitating community access. The webcasts are publically available for viewing on Council's website.

Video footage collected is of the decision making body only, if you do not wish your image to be recorded please remain in the public gallery. Your image, voice, personal and health information may be recorded, publicly broadcast and archived if you speak during the meeting and/or don't remain in the space provided.

The webcasts and webcast recordings are protected by copyright and owned by Council. No part of the proceedings of a meeting of the Council may be recorded, copied or made available to others by members of the public without the authority of the Council.

Council may be required to disclose recordings pursuant to the Government Information (Public Access) Act 2009, or where Council is compelled to do so by court order, warrant or subpoena or by any other legislation.

## **PRESENT**

Councillors: Hannan (Mayor), Landow, Gould, Khan, Lowry, Banasik, Deeth and Briggs.

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## **ALSO PRESENT WERE**

General Manager, Executive Director Corporate and Community, Acting Director Planning, Director Infrastructure and Environment, Acting Assistant Director People, Legal and Governance and one Administration Officer.

## **NATIONAL ANTHEM**

The Mayor requested that everyone stand for the Australian National Anthem.

## **ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged the traditional Custodians of the Land:

I would like to pay my respect and acknowledge the traditional custodians of the land on which this meeting takes place, and also pay respect to Elders both past and present.

## **APOLOGIES AND LEAVE OF ABSENCE REQUESTS**

TRIM 88-12

A leave of absence was accepted for Cr Smith for this meeting.

## **DECLARATION OF INTEREST**

TRIM 9156

Cr Khan declared a Pecuniary Conflict of Interest in the confidential report GR2 – Request for Release from Deed of Agreement – Picton Mall as the proponent of Picton Mall is his Landlord. Cr Khan advised that he would leave the meeting for this Item and not vote on the matter.

## **CONFIRMATION OF MINUTES**

TRIM 88-12

**225/2017      Resolved on the Motion of Crs Banasik and Briggs:**

**That the Minutes of the Ordinary Meeting held on Monday 16 October 2017, as circulated, be adopted as true and correct.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Briggs, Banasik, Khan, Deeth, Lowry, Landow, Hannan and Gould

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**ITEMS TABLED**

TRIM 88-12

- 449 Return Register 2016/17
- 449 Return Register 2017/18
- EC3 – Current list of Projects Comprising the Capital Works Program
- *My Gateway Trainees – Recognition of ten years support and training of apprentices and trainees.*

The Acting Assistant Director People, Legal and Governance left the meeting at 6.34 pm.

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## MAYORAL MINUTE

TRIM 531

During the past Month the following events were attended by either myself or as indicated by other Councillors with details provided on the following pages.

Wednesday 18 October 2017 Department of Planning and Environment Councillor Forum attended by Cr Michael Banasik

Wednesday 18 October 2017 Meeting with Premier to discuss Wilton Junction attended by myself; General Manager, Luke Johnson and Precinct Planner Wesley Folitarik

Thursday 19 October 2017 Mayoral Meeting with the Premier to discuss City Deals attended by myself and City Deals Council Mayors

Thursday 19 October 2017 Garden Competition Presentation Evening

Friday 20 October 2017 – Sunday 22 October 2017 Trek Wollondilly

Tuesday 24 October 2017 Local Government NSW Planning Breakfast and Awards attended by Cr Michael Banasik and Chris Stewart, Director Planning

Friday 27 October 2017 Macarthur Disability Halloween Ball

Friday 27 October 2017 Fisher's Ghost Art Award Sponsors Cocktail Party

Wednesday 1 November 2017 The George Hotel Media Opening

Thursday 2 November 2017 Macarthur Nature Photography Competition

Friday 3 November 2017 Fisher's Ghost Art Award Opening Night and Awards Announcement

Saturday 4 November 2017 Fundraiser for Livvi's Place Warragamba – Foods of the World and Comedy Night

Wednesday 8 November 2017 Wollondilly Visitor Information Centre Launch

Thursday 9 November 2017 Rail Symposium

Friday 10 November 2017 Remembrance Day Service Taara Gardens, Thirlmere

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Saturday 11 November 2017

- Remembrance Day Service Thirlmere Memorial Park
- Remembrance Day Service Picton Memorial Park
- Remembrance Day Service Memorial Park Warragamba

Tuesday 14 November 2017 Waste and Recycling Seminar and Tour attended by Cr Michael Banasik

Tuesday 14 November 2017 Visit to Appin Public School

Tuesday 14 November 2017 Marsdens Macarthur Chronicle Lunch attended by myself and Deputy Mayor Robert Khan

Thursday 16 & Friday 17 November 2017 Association of Mining Related Councils Meeting Singleton attended by Crs Michael Banasik and Noel Lowry

Thursday 16 November 2017 Meetings with Minister Don Harwin; Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts, Vice-President of the Executive Council and Minister Niall Blair, Minister for Primary Industries, Minister for Regional Water and Minister for Trade and Industry

Friday 17 November 2017 MG My Gateway Apprentice and Trainee Awards 2017

Saturday 18 November 2017 Silverdale Hall Refurbishment Thank You BBQ Lunch

In November 2017 Council received 1 application for a Donation.

- Application from Flynn Day for \$250 to attend the Pacific School Games in Adelaide in December 2017.

This requests has been assessed against the program criteria and deemed eligible to receive funding through the Donation Program.

I would like it noted I have signed a MACROC draft submission in support of the listing of St John's Anglican Church Precinct, Camden, on the State Heritage Register.

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Tonight I have a 2 Minute Video which I would like to share with you all. Our Youth Advisory Committee submitted this Video to a competition 'Pitch It' and they won. The Video is about their upcoming Youth Week Festival - Branch Out and is based on the 5 Ways to Wellbeing, it is being held on Saturday 21 April 2018 in the Botanic Gardens. The video was made entirely by the YAC members, they wrote the script, performed in the video, filmed and edited it all themselves.

The Festival activities include:

**Give:** Music Festival- local bands have donated their time to perform at the festival

**Keep Learning:** Live art mural- facilitated by a local artist

**Be Active:** A fun run with some colour thrown in!

**Take Notice:** Photography competition- submissions will be displayed throughout the gardens

**Connect:** Information stalls - local service providers that work with young people.

We will now take a look at their winning Video and congratulations to all the Youth Advisory Committee on their success and we look forward to their event next year.

I would also like to congratulate Cr Michael Banasik tonight on his success with his nomination for the Executive Committee of the Association of Mining Related Councils which was announced on Friday 17 November 2017 at a meeting he and Cr Noel Lowry attended in Singleton.

Listed below are the Motions submitted to the 2017 Local Government NSW Conference and on the following pages you will find the Motion and background on each item.

1. Review of Tender and Procurement Requirements
2. Agricultural Enterprise Credit Scheme
3. National Competition and Tendering Procedures
4. Appointment of a Minister for Young People
5. Off the Plan Sales and Land Registrations
6. Administrators running for Local Government Elections
7. Retention of existing Natural Vegetation Assets
8. Resourcing the planning and assessment of large-scale developments in Growth Areas.



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**Listed below are the Motions submitted to the 2017 Local Government NSW Conference:**

**1. Review of Tender and Procurement Requirements**

**Category** Governance/Civic Leadership policy

**Motion**

That LGNSW make representations the NSW State Government requesting that a review take place on Tender and Procurement requirements. With more power to be given to Councils affected by Natural Disasters in awarding tenders and approving development applications to speed up the process.

**Background**

The 2016 East Coast storm event severely impacted Picton and other key locations in the Wollondilly LGA and major infrastructure including Broughton Pass was destroyed. As part of the post-storm recovery, Council engaged Nemesis Consultancy Group (Ken Moroney and David Owens) who issued an investigation report and made a series of recommendations related to disaster recovery. Those recommendations relevant to NSW State Government are provided in summary below:

- make representations to NSW Government regarding the streamlining of development application and planning processes with a view to speedier resumption of business activity following a natural disaster
- make recommendations to NSW Government regarding the need for a comprehensive marketing campaign on the non-insuring or under-insuring of homes and businesses and their contents.

It is noted however that recent changes to the Local Government Act allow the General Manager to accept tenders which has enabled this process to be accelerated. The Act already has provisions for emergency procurement and has done so for some time.

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## **2. Agricultural Enterprise Credit Scheme**

### **Category – Economic Policy**

#### **Motion**

That LGNSW advocates for the NSW State Government to investigate the implementation of an Agricultural Enterprise Credit Scheme across Greater Sydney to enhance food production, improve economic viability for farmers and improve resilience.

#### **Background**

As the Greater Sydney urban area expands and agricultural land is lost to urban development and land fragmentation, a mechanism is required to balance the housing needs of a growing population against its need for food.

Wollondilly Shire Council is exploring ways to protect agricultural land and encourage food production in the Greater Sydney Basin through a market-based credit scheme that would reward farmers for productive use of agricultural land in peri-urban areas.

A credit scheme has the potential to create a market that provides farmers with saleable credits based on the value or amount of agricultural production in any year. Credits are banked and can be purchased by developers to gain additional development rights in targeted areas.

This would provide an incentive for rural zoned land to be used for productive agriculture.

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**3. National Competition and Tendering Procedures**

**Category** Governance/Civic Leadership policy

**Motion**

That LGNSW supports councils in calling for both state and federal government to look at reviewing National Competition Policies and tendering procedures so that councils can award contracts to local businesses where practicable and economical.

**Background**

Local Government is often one of the major sources of government expenditure in their local area. As a result it would be desirable, where appropriate, to utilise this expenditure to stimulate local employment and support local businesses. It is understood that a criteria for potentially paying a premium to achieve this needs to be carefully considered and developed.

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#### **4. Appointment of a Minister for Young People**

**Category** Social Policy

##### **Motion**

That LGNSW calls on the NSW Government to appoint a dedicated minister for young people.

##### **Background**

Young people aged 12 – 25 are not currently represented in the NSW Parliament by a dedicated minister for youth affairs. The last dedicated Youth Minister was Peter Primrose, the portfolio was not continued when the current Government came into power in 2011. Since this time youth affairs have been absorbed into the portfolios of the ministers for Citizenship and Family and Community Services and are currently with the Minister for Disability and Multiculturalism.

Young people make up 18% of the NSW population and face numerous challenges. Young people are often the focus of many Government initiatives around education and employment, health and wellbeing, juvenile justice and counter terrorism. There is no minister in place to represent the specific needs of young people.

The current NSW Government framework for supporting young people includes the Advocate for Children and Young People: an independent statutory office reporting to the NSW Parliament through the Parliamentary Joint Committee on Children and Young People. The Advocate replaced the previous NSW Commission for Children and Young People. The office is established under the Advocate for Children and Young People Act 2014. The Minister for Multiculturalism, The Hon. (Ray) Raymond Craig WILLIAMS, MURP(Curtin) MP is the Minister responsible for the Act. The Advocate for Children and Young People (ACYP) is supported by a small team in the Department of Family and Community Services. Although the ACYP is a well-regarded and well-resourced body it does not supplement a Cabinet Minister with the wellbeing and empowerment of young people at the forefront of their agenda.

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**5. Off the Plan Sales and Land Registrations**

**Category**      Infrastructure and Planning Policy

**Motion**

That LGNSW make representations to NSW State Government to review and seek to extend the consumer protections available for buyers when “buying off the plan” and also to improve processing times for the land registration process.

**Background**

The Wollondilly LGA has a large number of areas being rezoned to permit housing and consequently there are a number of subdivisions being approved. Developers are rapidly selling the proposed lots ‘off the plan’ to buyers however the future home owners are prevented from getting approval for the new home as the lots are yet to be registered.

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**6. Administrators running for Local Government Elections**

**Category** Governance/Civic Leadership Policy

**Motion**

That LGNSW support councils in calling for changes to the Local Government Act to prevent Administrators running for Local Council Elections.

**Background**

Council is of the view a sitting Administrator has an unfair advantage in an election and shouldn't be allowed to stand for election.

Council's specific concern is the impact additional funding given to those Councils under administration will have upon voter perception that previous terms of Council were not as effective. It is considered that this could lead to an unfair advantage to an administrator seeking election.

Council believes legislative changes to the Local Government Act are required to prevent this situation from happening in the future.

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**7. Retention of existing Natural Vegetation Assets**

**Category**      Environmental Policy

**Motion**

That LGNSW make representations to NSW State Government regarding a review of environmental planning policies to ensure greater retention of natural existing vegetation assets.

**Background**

Council's position is that a certain percentage of trees and bush in new developments should be retained.

A review and investigation of the opportunities through current internal and external environmental planning policies to ensure greater retention of natural existing vegetation assets was performed.

Council made a submission to the NSW Government on implementation of the Biodiversity Conservation Act 2016 (biodiversity reform package). The submission included details on these opportunities.

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**8. Resourcing the planning and assessment of large-scale developments in Growth Areas**

**Category** – Governance/Civic Leadership policy

**Motion**

That the LGNSW prepares a best practice guideline for the procurement of funding from developers to assist Councils in fulfilling their obligations under the Environmental Planning & Assessment Act 1979 resulting from accelerated housing supply in Growth Areas. That the guideline is prepared in partnership with the Office of Local Government and the NSW Department of Planning and environment and builds community confidence in the assessment and decision making process.

**Background**

Many Council area, particularly those in Growth Areas, are subject to significant pressure for development and population growth. In some cases these fast-growing areas are growing at double the national rate.

One of the challenges presented by such growth for these Councils is resourcing the planning and assessment of large-scale developments.

In order to manage the scale of development expected over the coming years, Council is investigating options to resource its role in development while not impacting on regular services to the community.

One option is to allow developers to make special payments to Councils to support Council work related to their large developments. These funds could pay for the substantial assessment services associated with the large development projects, facilitate faster assessments for the developer and allow Council to maintain its ability to provide regular assessments to the community.

However, any process involving special payments from developers to Councils regarding their development applications is open to significant ethical and probity risks. Any such process will need to account for these risks and maintain community perceptions of Council's ability to impartially undertake its regulatory function. Currently there is no established best practice for how this can be done in NSW.



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The Mayor stated that advice had been received from LGNSW today. After assessment of the criteria, motions 1, 2, 4 and 8 listed above were approved for inclusion in the business paper.

On Thursday 19 October 2017 all Western Sydney Mayors met with the Premier at Parliament House, Sydney to discuss City Deals.



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On Thursday 19 October 2017 the 2017 Garden Competition Presentation Evening was held at Bargo Sports Club.

Grand Champion prize went to Kath and Peter Robins for their Thirlmere garden.

Other prize winners were:

New Garden, 1st Place, Ricardo Razza

Small Residential, 1st Place, Joan Pearson

Large Residential, 1st Place, Kathy & Peter Robins

Rural Homestead, 1st Place, Dessirae Luter-Sproule

Senior Citizen's Garden, 1st Place, Susan Chalker

Community Garden, 1st Place, Volunteer Garden Club

Commercial / Industrial Garden, 1st Place, Amanda Barnes

Best Native Garden, 1st Place, Mike Arnold

Best Edible Garden, 1st Place, Willy Vanderzyden



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The Wollondilly Trek commenced on Friday 20 October 2017 and concluded on Sunday 22 October 2017.

I would like to thank the following people for accompanying me in the Trek: Angus Taylor, MP, Member for Hume; Deputy Mayor Robert Khan; Crs Matt Gould; Blair Briggs and Matt Deeth as well as General Manager, Luke Johnson; Executive Director, Ally Dench and Director Planning, Chris Stewart.

I would also like to thank Economic Development and Tourism Team Leader, Jennifer Baldwin, Dr Neil Hannan, Stuart Dench, Brodie Pitt-Owen, Jacqui Briggs and James Gould for attending and assisting along the way.

We witnessed the astounding beauty Wollondilly has to offer which only made us all the more passionate about putting Wollondilly's nature walks and historic heritage on the map for everyone to see.





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On Friday 27 October 2017 the Macarthur Disability Halloween Ball was held at Campbelltown Catholic Club. I would like to thank Crs Michael Banasik, Simon Landow and Executive Director, Ally Dench, for attending on behalf of Council.



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I attended the 2017 Fisher's Ghost Art Award Sponsors Cocktail Party which was held on Friday 27 October at Campbelltown Arts Centre.



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On Wednesday 1 November 2017 The George Hotel Opening Media Launch was held. It was great to see the Hotel open again.



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On Thursday 2 November 2017 the Macarthur Nature Photography Competition Awards Night was held at the Camden Civic Centre. I would like to thank both Deputy Mayor, Robert Khan and Noel Lowry for attending this event on behalf of Council.





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On Friday 3 November I attended the Fisher's Ghost Art Award Opening Night Award Announcement held at Campbelltown Arts Centre. I would like to thanks Cr Michael Banasik for also attending this event.

The Fisher's Ghost Art Award opened on Friday 3 November at Campbelltown Arts Centre. The annual prize includes the open, contemporary, traditional, sculpture and photography and school categories. The exhibition features close to 600 works and will be on display until 15 December.





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A Warragamba Inclusive Playspace Fundraiser was held on Saturday 4 November 2017 was a fantastic success. The organisers thanked the amazing support from local businesses, community, council as well as some great sponsors. The night was a great success raising around \$20,000 with donations still coming in. The night would not have been possible without their fantastic team of dedicated volunteers.

I would like to thank Crs Matt Gould and Blair Briggs; General Manager, Luke Johnson and Executive Director, Ally Dench for accompanying me to this very successful fundraising event.



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On Wednesday 8 November 2017 the Wollondilly Visitor Information Centre Launch in the Shire Hall was held. After 14 months in temporary accommodation in Council's foyer, the Visitor Information Centre (VIC) in Picton has reopened in its new location in the Shire Hall in Menangle Street.

I would like to thank fellow Councillors and Executive Staff for attending this event.

The Visitor Information Centre is now open 7 days a week and has a focus on local producers, artisans and experiences. Why not pop in and say hello, you might even find out something about your local area that you never knew!



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On Thursday 9 November 2017 the Rail Symposium was held at Trainworks, Thirlmere. I would like to thank fellow Councillors and Executive Staff for attending this event.

Special guests included Former Deputy Prime Minister, Tim Fischer; Government Representatives and Industry Stakeholders. Participants highlighted the importance of rail as a critical element of Wollondilly's future transport infrastructure framework.

We are seeking a commitment from Federal and State Government for public transport, in particular electrified rail, to support our growing community. It is important that we continue to advocate for improved rail for future generations.





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On Thursday 10 November 2017 a Remembrance Day Service was held at Taara Gardens, Thirlmere.

I would like to thank Crs Michael Banasik, Matt Smith and Assistant Director, Matthew Toro for attending on behalf of Council.



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On Sunday 11 November 2017 three (3) Remembrance Day Services were held throughout the Shire. One was held at Thirlmere Memorial Park, one at Picton Memorial Park and another at the Memorial Park at Warragamba.

I would like to thank Crs Michael Banasik, Simon Landow and Director Infrastructure and Environment, Michael Malone for attending the Thirlmere Service.

Pictured below is the NSW Surveyor General Narelle Underwood with Tim Bennett-Smith, Crs Michael Banasik, Simon Landow, Director Infrastructure and Environment, Michael Malone and Lou Amato. The soil sample will be installed at the Hall of Service at the ANZAC Memorial Hyde Park as part of the Centenary Project. There will be a plaque created for every town, suburb and locality around NSW that enlistees of the First World War gave as their place of address.



Thanks to Cr Matthew Gould and Executive Director, Ally Dench for attending the Warragamba Service.

Also thanks to Deputy Mayor, Robert Khan, Crs Blair Briggs, Noel Lowry, Matt Smith and General Manager, Luke Johnson for accompanying me to the Picton Service.



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On Tuesday 14 November I visited Appin Public School with Crs Matt Smith and Noel Lowry to meet with one of the Year 1 classes. The students had written in to Council to tell us what they like about living in Appin and the things they like to do for fun. This was a great opportunity to talk to the class about some of their ideas for their area. They were a very articulate group and it was great to see such young members of our community taking part in the democratic process. We'll be taking their ideas on board!



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On Thursday 16 November 2017 General Manager, Luke Johnson accompanied me to two meetings with Ministers. We met with Minister Don Harwin, Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts, Vice-President of the Executive Council and Minister Niall Blair, Minister for Primary Industries, Minister for Regional Water and Minister for Trade and Industry.

Discussions with the Ministers were in regards to the upgrading of fire trail from Werombi Road to Ridge Road Schedule Two Land to a walking track as well as the potential establishment of a corridor to enable an eco-walk from Wollondilly to the Blue Mountains and Oberon through Schedule One Land.

Pictured below with myself: General Manager, Luke Johnson; Member for Wollondilly, Jai Rowell MP; and Minister Niall Blair.



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The Association of Mining Related Councils held their meeting in Singleton on Thursday 16 and Friday 17 November 2017. I would like to thank Crs Michael Banasik and Noel Lowry for attending this meeting on behalf of Council.

Congratulations to Cr Michael Banasik for his successful nomination to the Executive Committee.

Pictured below are: Association of Mining Related Councils Executive - Deputy Chair (Coal rep) Cr Chris Conner - Wollongong City Council, Cr Michael Banasik - Wollondilly Shire Council, Singleton Mayor, Sue Moore, Deputy Chair (metalliferous rep) Mayor Cobar Shire Council, Lilliane Brady, and Cr Owen Hasler – Gunnedah Shire Council.





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On Friday evening 17 November 2017 Wollondilly Shire Council's Events Trainee, Dokota Simonds was awarded the Indigenous Student of the Year and Overall Trainee of the Year at the 21st Annual MG My Gateway Apprentice and Trainee Awards.

I would like to thank Executive Director, Ally Dench and Dokota's proud colleagues and family for attending with me to see her receive the awards.

Dokota commenced her two year traineeship in January 2017, studying a Certificate III in Events Management and Tourism. She works at Council full time, attending TAFE one day a month.

Dokota was selected from a field of 250 candidates to take out the awards. She said she was "surprised and happy" to be announced the winner for both categories.

Dokota thanked Wollondilly Council for the opportunities that have been provided to her through her traineeship.



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On Saturday 18 November 2017 I attended a thank you BBQ Lunch for all who assisted with the Silverdale Hall Refurbishment.



Judith Hannan  
**MAYOR**  
November 2017

**226/2017      Resolved on the Motion of Crs Hannan and Khan:**

**That the Mayoral Minute be accepted.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Briggs, Banasik, Khan, Deeth, Lowry, Landow, Hannan and Gould

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Sustainable and Balanced GROWTH

SUSTAINABLE AND BALANCED GROWTH

GR1 **Draft Greater Sydney Regional Plan, Draft Western City District Plan & Draft Future Transport Strategy**  
259421 TRIM 10177

The Acting Assistant Director People, Legal and Governance returned to the meeting at 7:39 pm.

227/2017 **Resolved on the Motion of Crs Deeth and Gould:**

1. That Council make a formal submission to the Greater Sydney Commission in response to the public exhibition of the Draft Greater Sydney Region Plan and the Draft Western City District Plan.
2. That Council make a formal submission to Transport for NSW in response to the public exhibition of the Draft Future Transport Strategy 2056. *Note: Without changes to the strategy Council is likely to withdraw support for growth in Wilton.*
3. *That a further councillor workshop be held to clarify and finalise council's submissions on these items.*
4. That a copy of the final submission be sent to:
  - Jai Rowell MP - Member for Wollondilly
  - The Hon. Angus Taylor – Member for Hume & Assistant Minister for Cities and Digital Transformation
  - The Hon. Lou Amato MLC.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Briggs, Banasik, Khan, Deeth, Lowry, Landow, Hannan and Gould



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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 November 2017

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Efficient and Effective COUNCIL

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**EFFICIENT AND EFFECTIVE COUNCIL**

**EC1                      Adoption of Councillors Fees, Expenses & Facilities Policy**  
256 TRIM 111

**229/2017              Resolved on the Motion of Crs Khan and Deeth:**

- 1.     That the amended Councillor's Fees, Expenses & Facilities policy be placed on Public Exhibition for a period of 28 days with a further 14 days for submissions.**
- 2.     That a report come to Council following the submission period for the policy to be adopted.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Briggs, Banasik, Khan, Deeth, Lowry, Landow, Hannan and Gould

**EC2**      **Presentation of 2016-17 Annual Financial Statements to the Public**

1. That the audited Annual Financial Statements for the year ended 30 June 2017 be received.
2. That public submissions on the audited Annual Financial Statements be received up until the close of business Monday 27 November 2017.
3. That any public submissions received by the due date are to be referred to the NSW Audit Office.
4. That the audited Annual Financial Statements be included in the 2016/17 Annual Report.
5. That the 2016/17 Annual Report be provided to the Minister by 30 November 2017 as prescribed by the Local Government Act 1993.
6. That the 2016/17 Annual Report be made available to the general public by posting on Council's website.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Briggs, Banasik, Khan, Deeth, Lowry, Landow, Hannan and Gould



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Efficient and Effective COUNCIL

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**EC4**                    **Investment of Funds as at 30 September 2017**  
112

TRIM 1022-5

**232/2017**           **Resolved on the Motion of Crs Briggs and Khan:**

**That the information and certification in relation to the investment of  
Council funds as at 30 September 2017 be noted.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Briggs, Banasik, Khan, Deeth, Lowry, Landow, Hannan and  
Gould



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 November 2017

Notice of Motion

NOTICE OF MOTION

TRIM 6416-7

**NOM 1      Notice of Motion No. 1 submitted by Cr Banasik on 30 October 2017 regarding the new Timetable on the Southern Highlands Line**

**233/2017      Resolved on the Motion of Crs Banasik and Hannan:**

- 1.    That Wollondilly Shire Council write to the State Government expressing major concern of cuts to services with the new timetable on the Southern Highlands Line *and that we ask them to justify the cuts to the services.***
- 2.    *That Council call for a meeting with Wingecarribee Council and user groups to assist with this campaign.***
- 3.    *That Council liaise with the Mayor of Wingecarribee Council with a view to making joint representation to the minister regarding this matter.***
- 4.    *That councillors raise this matter with the Premier at the MACROC breakfast.***

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Briggs, Banasik, Khan, Deeth, Lowry, Landow, Hannan and Gould

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 November 2017

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Notice of Motion

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TRIM 6416-7

**NOM 2      Notice of Motion No. 2 submitted by Cr Banasik on 2 November 2017 regarding the installation of advertising signage**

**234/2017      Resolved on the Motion of Crs Banasik and Gould:**

**That Council review our policies in relation to the installation of advertising signage in our commercial and other zones (including Wilton Junction). Further Council hold a workshop on this matter.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Briggs, Banasik, Khan, Deeth, Lowry, Landow, Hannan and Gould

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 November 2017

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Notice of Motion

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TRIM 6416-7

**NOM 3      Notice of Motion No. 3 submitted by Cr Briggs on 3 November 2017 regarding the Naming of Sportsgrounds in Honour of Local Fallen Soldiers**

**235/2017      Resolved on the Motion of Crs Briggs and Landow:**

- 1.    *That Council collaborates with the community to ensure all Wollondilly Veterans who failed to return are acknowledged in an appropriate way such as, but not exclusive to, Street names, groves of trees and parks and these opportunities be prioritised as they arise.***
- 2.    *That Council convene a community committee to lead and drive remembrance projects that would invite all stakeholders with an interest in this area.***

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Briggs, Banasik, Khan, Deeth, Lowry, Landow, Hannan and Gould

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 November 2017

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Closed Reports

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**CLOSED REPORT**

Cr Khan left the meeting at 7:24 pm due to a previously declared conflict of interest in this item.

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A (2) of the Act and should be dealt with in a part of the meeting closed to the media and public.

**GR2**

**Request for Release from Deed of Agreement – Picton Mall**

266876

TRIM 9707

Set out below is the relevant clause under Section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are referred under:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,

This matter includes advice which is privileged from production in legal proceedings on the ground of legal professional privilege.

Pursuant to section 10A(4) of the *Local Government Act 1993* the public are invited to make representations to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

No representations were received.

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 November 2017

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Closed Reports

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**236/2017      Resolved on the Motion of Crs Deeth and Banasik:**

- 1.    That Council move into Closed Session to consider business identified in the closed report GR2.**
- 2.    That pursuant to Section 10A(1) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2).**
- 3.    That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the Local Government Act 1993.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Briggs, Banasik, Khan, Deeth, Lowry, Landow, Hannan and Gould

Council closed its meeting at 7.26 pm.

The public and media left the chamber.

The Ordinary meeting re-opened to the public at 7:36 pm.

The Mayor read the resolution adopted in respect of Item GR2.

- 1.    That the request for release from a monetary contribution deed – Picton Mall – be deferred for a workshop with Councillors and a further report including additional internal legal advice on this matter.*
- 2.    That Corbett Court Pty Ltd be advised of Council's resolution.*
- 3.    That a report come back to Council within three months.*

## WOLLONDILLY SHIRE COUNCIL

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 November 2017

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### Closing

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#### CLOSING

Cr Khan returned to the meeting at 7:37 pm.

There being no further business, the Mayor declared the Ordinary Meeting closed at 7:37 pm.

This and the preceding 47 pages are the Minutes of the Ordinary Meeting of Council held on Monday 20 November 2017 and were confirmed in the subsequent meeting held on Monday 11 December 2017.

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Mayor

Closing