



MINUTES

Ordinary Council Meeting

17 September 2018

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**MINUTES OF WOLLONDILLY SHIRE COUNCIL
ORDINARY COUNCIL MEETING
held at the Council Chamber, 62-64 Menangle Street, Picton NSW 2571
on Monday, 17 September 2018 at 6.30pm**

PRESENT: Cr Judith Hannan (Mayor), Cr Robert Khan, Cr Michael Banasik, Cr Blair Briggs, Cr Matthew Deeth, Cr Matthew Gould, Cr Simon Landow, Cr Noel Lowry

IN ATTENDANCE: Acting Chief Executive Officer, Acting Executive Director Community & Corporate), Michael Malone (Director Infrastructure & Environment), Chris Stewart (Director Planning), John Sproule (Manager Governance), Matthew Toro (Assistant Director People, Legal & Governance), Ashley Christie (Chief Financial Officer), Susan Ogden (Minute Taker), Danae Launder (Minute Taker), Tracy Paul (Minute Taker), Mia Hallowell (Minute Taker)

1 OPENING

2 RECORDING OF THE MEETING

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. This includes devices such as laptops, mobile phones, tape recorders and video cameras.

3 WEBCAST NOTICE

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 publicly available for viewing on Council's website.

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4 NATIONAL ANTHEM

5 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 the Elders both past and present.

6 APOLOGIES AND LEAVE OF ABSENCE REQUESTS

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

An apology for Cr Simon Landow was accepted for this meeting.

7 DECLARATION OF INTEREST

Cr Deeth declared a pecuniary or perceived pecuniary interest in item 11.1 because he currently lives on Station Street. Cr Deeth advised he will leave the meeting for this item and will not take part in the vote.

Cr Gould later in the meeting declared a non-pecuniary but significant interest in item 11.2 because the matter is before the planning panel and he is the council representative for this matter. Cr Gould left the meeting for this item and did not take part in the vote.

8 CONFIRMATION OF MINUTES

RESOLUTION 18/2018

Moved: Cr Blair Briggs

Seconded: Cr Matthew Deeth

That the minutes of the Ordinary Council Meeting held on 20 August 2018, the Extraordinary Council Meeting held on 27 August 2018 and the Closed Extraordinary Council Meeting held on 27 August 2018 be confirmed.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0

CARRIED

9 ITEMS TO BE TABLED

- 449 Return Register 2017/18
- 449 Return Register 2018/19.

10 MAYORAL MINUTE

10.1 MAYORAL MINUTE

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 22 August 2018 Sod Turning Event at Picton High School

Thursday 23 August 2018 South West Briefing / Accelerating Greenfield Supply attended by myself, Cr Michael Banasik and Chief Executive Officer, Luke Johnson

Saturday 25 August 2018 Old Menangle School Site Community Consultation

Saturday 25 August 2018 Wollondilly Women in Business Annual Event

Tuesday 28 August 2018 Meeting with University of Western Sydney attended by myself, Ally Dench, Acting Chief Executive Officer and Tourism and Economic Development Manager, Kevin Abey

Tuesday 28 August 2018 Art of Ageing Exhibition Launch

Wednesday 29 August 2018 Photo Shoot and Cheque Presentation Dilly Drought Drive Fundraising

Friday 31 August 2018 Mayoral Reception for Member for Wollondilly, Jai Rowell MP

Saturday 1 September 2018 Appin Men's Shed Official Opening Ceremony and BBQ Lunch

Saturday 1 September 2018 Quota Club Fundraising Event for The Shepherd Centre

3-5 September 2018 LGNSW Water Management Conference attended by Michael Banasik

Friday 7 September 2018 Joint Regional Mayoral Forum

Friday 7 September 2018 Awards Presentation for Threatened Species Art Competition

Saturday 8 September 2018 Mater Dei Dinner hosted by Marsdens

Monday 10 September 2018 Wollondilly Shire Council and Walker Corporation entered into a Deed of Agreement to ensure ongoing protections are in place for Macarthur's important koala colony, and to protect the Allen's Creek koala corridor at Wilton

Tuesday 11 September 2018 Koala Summit

Tuesday 11 September 2018 Citizenship Ceremony

Wednesday 12 September 2018 Welcome to the New Wollondilly Anglican Minister Rev Stephen

Swanepoel attended by Councillor Matt Deeth

Thursday 13 September 2018 NSW Rural Fire Service Medal Presentation Ceremony

Sunday 16 September 2018 Appin Koala Picnic Day and Appin Village Fair

On Wednesday 22 August 2018 I attended a Sod Turning Event at Picton High School. Minister for Education, Rob Stokes, MP and Member for Wollondilly, Jai Rowell also attended this event.



On Saturday 25 August 2018 the Annual Wollondilly Women in Business Event 'Celebrating Local Business' was held at Bargo Sports Club and was a resounding success.

Guest speaker Gretel Killeen was hilarious and The Diamonds bedazzled with a world class performance.

The raffles and flower pledges raised \$3000 for 3 selected, local charities: WAC Cares, Caring for Wollondilly & The Dilly Drought Drive.



I would like to thank Acting Chief Executive Officer, Ally Dench for also attending this event.

On Tuesday 28 August 2018 I attended the Art of Ageing Exhibition Launch that was held in the Shire Hall Art Spaces. I would like to thank fellow Councillors Michael Banasik, Noel Lowry and Acting Chief Executive Officer, Ally Dench for attending this event.



On Wednesday 29 August 2018 I attended a photo shoot and Cheque Presentation for the Dilly Drought Fundraising.



On Friday 31 August 2018 a Mayoral Reception was held for Member for Wollondilly, Jai Rowell MP. I would like to thank fellow Councillors Blair Briggs, Robert Khan, Noel Lowry, Simon Landow, Matthew Deeth and Acting Chief Executive Officer, Ally Dench for attending.



On Saturday 1 September 2018 I attended the Appin Men's Shed Opening and BBQ Lunch.

I would like to thank Councillors Blair Briggs, Matt Deeth, Noel Lowry and Acting Chief Executive Officer, Ally Dench for also attending this event.



On Friday 7 September 2018 I hosted a Joint Mayoral Forum. The topic for discussion was Re-engaging in the Future of the Greater Sydney Region. The Agenda commenced with addresses from Lord Mayor Gordon Bradbery from Wollongong City Council; Mayor Khal Asfour from Canterbury Bankstown Council and Cr Phillip Thalys from City of Sydney Council. A Mayoral Round Table meeting followed.

I would like to thank Councillors Noel Lowry, Matthew Deeth and Wesley Folitarik, Executive Planner – Growth Areas for also attending this event.



On Friday 7 September 2018 I presented at the Awards event for the Threatened Species Art Competition held at Mount Annan Botanic Gardens Seed Bank.



On Saturday 8 September 2018 I attended a Mater Dei Dinner hosted by Marsdens and held at Campbelltown Catholic Club.



On Monday 10 September 2018 Wollondilly Shire Council and Walker Corporation entered into a Deed of Agreement to ensure ongoing protections are in place for Macarthur's important koala colony, and to protect the Allen's Creek koala corridor at Wilton. The Deed of Agreement outlines a number of actions that will support sustainable development at East Wilton and provide a positive impact on the koalas living in nearby bushland.

These actions include koala fencing, a habitat restoration plan, upgrades to culverts to allow safe crossings under roads, clear signage of habitat areas, permanent warning signs on Picton Road, resident information brochures and a koala monitoring program.

The agreement is the result of widespread community support, along with months of negotiation and hard work by the Council and Walker Corporation, and will set a benchmark for koala protections that Walker will follow across all development in the region.



On Tuesday 11 September 2018 a Koala Summit was held at Appin Community Hall. The summit brought together leading experts and koala advocates to discuss the threats to our koala population.

I would like to thank fellow Councillors Noel Lowry, Matthew Gould, Matt Deeth and Michael Banasik, Acting Chief Executive Officer Ally Dench for also attending this summit which was an extremely successful event.



On Tuesday 11 September 2018 I officiated and welcomed 5 of our residents as Australian Citizens. They originated from the United Kingdom, Scotland, Taiwan and Singapore.



Judith Hannan
Mayor
September 2018

RESOLUTION 19/2018

Moved: Mayor Judith Hannan
Seconded: Cr Matthew Gould

That the Mayoral Minute be accepted.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0
CARRIED

15 EFFICIENT AND EFFECTIVE COUNCIL

SUSPENSION OF STANDING ORDERS

RESOLUTION 20/2018

Moved: Cr Michael Banasik

Seconded: Cr Robert Khan

That Council suspend standing orders to deal with Item 15.1- Election of the mayor and the Deputy Mayor.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0

CARRIED

15.1 ELECTION OF THE MAYOR AND DEPUTY MAYOR

The Mayor vacated the chair.

The Acting Chief Executive Officer advised that she was the Returning Officer for the election of Mayor and Deputy Mayor as delegated by the Chief Executive Officer.

The Returning Officer advised that the election would be conducted in accordance with Schedule 7 of the Local Government Regulation and advised that the Mayoral term is for two years.

The Returning Officer explained the process for the election of the Mayor by Councillors.

The Returning Officer advised that two nominations had been received for the position of Mayor. These nominations were for Cr Judith Hannan and Cr Blair Briggs.

The Returning Officer asked if there were further nominations for the position of Mayor. None were received. The Returning Officer declared nominations closed.

RESOLUTION 21/2018

Moved: Cr Michael Banasik

Seconded: Cr Robert Khan

That the council election for the position of mayor be open voting by show of hands.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0

CARRIED

******The Returning Officer noted that there were two nomination for the office of Deputy Mayor and stated the method of voting would be by show of hands and invited the Councillors to cast their votes for-

Cr Briggs: Votes cast were of Crs Banasik and Briggs

Cr Hannan: Votes cast were of Crs Deeth, Lowry, Gould, Hannan and Khan

The Returning Officer declared the voting for Officer of Mayor closed.

The Returning Officer declared Cr Hannan duly elected Mayor of Wollondilly Shire Council for the ensuing two years.

The Mayor took the chair.

The Mayor asked Councillors to consider the report election of the Deputy Mayor which outlined the term and methods of election of the Deputy Mayor. The Mayor noted that there was only one nomination for the office of Deputy Mayor and noted that the method of voting would be determined by Council if further nomination were recieved.

The election of the Deputy Mayor was assigned to the Returning Officer.

The Returning Officer advised that there was one nomination for Deputy Mayor, that being Cr Deeth.

The Returning Officer declared Cr Matthew Deeth the Deputy Mayor.

RESUMPTION OF STANDING ORDERS

RESOLUTION 22/2018

Moved: Cr Matthew Deeth

Seconded: Cr Robert Khan

That Council resume standing orders.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0

CARRIED

11 SUSTAINABLE AND BALANCED GROWTH

11.1 PROPOSED AMENDMENTS TO WOLLONDILLY DEVELOPMENT CONTROL PLAN 2016 - MENANGLE LANDSCAPE CONSERVATION AREA AND STATION STREET PLANNING PROPOSAL SITE - OUTCOME OF PUBLIC EXHIBITION

At 7:20 pm, Cr Matthew Deeth left the meeting due to a previously declared Conflict of Interest in this Item.

RESOLUTION 23/2018

Moved: Cr Blair Briggs

Seconded: Cr Robert Khan

That this item be deferred.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 6/0

CARRIED

11.2 ADOPTION OF VOLUNTARY PLANNING AGREEMENT - NO. 33-35 WARRADALE ROAD, SILVERDALE

At 7:25 pm, Cr Matthew Deeth returned to the meeting.

At 7:26 pm, Cr Matthew Gould left the meeting due to a previously declared Conflict of Interest in this Item.

RESOLUTION 24/2018

Moved: Cr Matthew Deeth

Seconded: Cr Robert Khan

That Council:

- 1. Adopt the Planning Agreement prepared for 33-35 Warradale Road, Silverdale.**
- 2. Accept the dedication of the land as provided for in the Planning Agreement.**
- 3. Delegate authority to the Chief Executive Officer to execute the Planning Agreement on behalf of Council.**

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth and Noel Lowry

Against: Nil

CARRIED 6/0

CARRIED

11.3 FIRE AND RESCUE NEW SOUTH WALES INSPECTION REPORT

At 7:25 pm, Cr Matthew Gould returned to the meeting.

RESOLUTION 25/2018

Moved: Cr Blair Briggs

Seconded: Cr Matthew Deeth

That Council:

1. Note the Fire and Rescue NSW Inspection Report relating to 615 Thirlmere Way, Picton.
2. Endorse use of statutory powers under the *Environmental Planning & Assessment Act 1979* by Council's Fire Safety Officer to require repairs / rectification to the building in order to:
 - (a) improve the provisions for fire safety at the premises;
 - (b) improve the provision of fire safety awareness;
 - (c) improve the adequacy of the premises to prevent fire;
 - (d) improve the adequacy of the premises to suppress fire or prevent the spread of fire; and
 - (e) Improve the safety of persons in the event of fire.
3. That Council be updated as to the final outcome but that a report from Fire & Rescue NSW come to Council within three months of the progress.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0

CARRIED

12 MANAGEMENT AND PROVISION OF INFRASTRUCTURE**12.1 TRAFFIC MANAGEMENT UPGRADES - AUGUST 2018****RESOLUTION 26/2018**

Moved: Cr Michael Banasik

Seconded: Cr Robert Khan

That Council adopt the following traffic management upgrades for implementation:

1. Silverdale – Proposed extension of existing “No Stopping” zone (R5-400) on eastern side of Silverdale Road at the junction with Taylors Road

52

CM 1598

Extension of “No Stopping” zone (R5-400) from 10m to 35m on eastern side of Silverdale Road from the junction with Taylors Road as shown in the Minutes.

2. Residential subdivision and new road intersection - 790 Montpelier Drive, The Oaks

251489

CM 1598

1. Traffic management measures generally in accordance with the submitted traffic management plan with the following variation(s):

- (a) Give Way signage for the internal ‘T’ intersections be deleted from the plan, in line with current ‘T’ intersection treatment policy, with Give Way signs being retained at proposed intersection of the extension of Wintle Road with the existing Gaudry Street and the extension of Torulosa Street and the existing Gaudry Street to reinforce the intersection priority.**

2. Proposed turn treatments for the intersection of Montpelier Drive and Fisher Street be designed in accordance with Austroads and RMS supplement design guides using the current posted speed zones.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0**CARRIED**

13 CARING FOR THE ENVIRONMENT

Nil

14 LOOKING AFTER THE COMMUNITY

Nil

15 EFFICIENT AND EFFECTIVE COUNCIL

Item - 15.1 Election of the Mayor and Deputy Mayor - has been moved to another part of the document.

15.2 LOCAL GOVERNMENT CONFERENCE 2018 - VOTING DELEGATES

RESOLUTION 27/2018

Moved: Cr Michael Banasik

Seconded: Mayor Judith Hannan

That Council's voting delegates to the LGNSW Conference 2018 be the newly elected Mayor, Deputy Mayor and Cr Michael Banasik.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0

CARRIED

15.3 COMMUNITY ADVISORY COMMITTEES - ACHIEVEMENTS, OUTCOMES AND FUTURE FOCUS - ANNUAL REPORT

****RESOLUTION 28/2018**

Moved: Mayor Judith Hannan

Seconded: Cr Michael Banasik

- 1. That Council note the contribution and achievements of each of the CAC's for the past twelve months and supports the future direction of each CAC.**
- 2. That Council endorse a name change of the Disability Access Community Advisory Committee to the Inclusion and Access Advisory Committee**
- 3. That the members of each CAC be thanked for their contributions to the success of each of the CAC's to which they belong.**

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0

CARRIED

15.4 COUNCIL COMMITTEES AND ADVISORY GROUPS

****RESOLUTION 29/2018**

Moved: Cr Michael Banasik

Seconded: Cr Matthew Deeth

1. That the Internal and External Committee and Advisory Group Councillor delegates be determined and the Committees and Advisory Groups be notified of the outcome.
2. That Council resolve to separate the Tourism & Heritage Community Advisory Committee, creating a Tourism Community Advisory Committee and a Heritage Community Advisory Committee.
3. That the Tourism and Heritage Community Advisory Committee membership be declared vacant and that Council call for expressions of interest (EOI) from the community to be appointed to the Heritage Community Advisory Committee and to the Tourism Community Advisory Committee.
4. That the following additional alternative Council representatives be adopted in the following order for the Sydney Western City Planning Panel:
 - (a) Wesley Folitarik
 - (b) Ally Dench
 - (c) Alex Stengl
5. That Council thank the existing Tourism and Heritage Community Advisory Committee for their efforts and invites them to apply for the new committees.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0

CARRIED

15.5 INVESTMENT OF FUNDS AS AT 31 JULY 2018

RESOLUTION 30/2018

Moved: Cr Blair Briggs

Seconded: Cr Matthew Gould

That the information and certification in relation to the investment of Council funds as at 31 July 2018 be noted.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0

CARRIED

16 NOTICE OF MOTION/RESCISSIONS

16.1 NOTICE OF MOTION – REHABILITATION OF REDBANK CREEK

At 7:50 pm, Cr Noel Lowry left the meeting and at 7:53 pm he returned to the meeting..

RESOLUTION 31/2018

Moved: Cr Michael Banasik

Seconded: Mayor Judith Hannan

1. That Council write to the Minister to request further investigation into the impacts of fracturing and modified flow of Redbank Creek. As identified in Dr Ian Wright's Research Study for Western Sydney University, it is reported that Redbank Creek has the worst pollution from Mine Subsidence in the world. This study identified the rehabilitation of the creek channel and recovery of the creek water quality / ecology is very challenging.
2. That Council request that the Minister investigate how the mining company could contribute to the rehabilitation of Redbank Creek.
3. That Council workshop how we can advocate to assist Dr Wrights research findings and that we add it to the State Issues Paper.

In Favour: Crs Judith Hannan, Robert Khan, Michael Banasik, Blair Briggs, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Nil

CARRIED 7/0

CARRIED

The Mayor read out a list of achievements that the Council had accomplished over the last two years

17 CLOSED REPORTS

Nil

18 QUESTIONS FOR NEXT MEETING

18.1 QUESTION FOR NEXT MEETING

Nil

The Meeting closed at 8:13PM.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 October 2018.

.....
MAYOR

Correction to the Minutes

The draft Minutes were identified as incorrect and the following amendments were made:

Item 15.1

On Page 20 of the Minutes it reads "...that there were two nomination for the office of Deputy Mayor..."

This should read "...*that there were two nomination for the office of Mayor...*"

An explanatory note is required to clarify that: ***"The term of the Deputy Mayor is two years as per the recommendations in Agenda Item 15.1- Election of the Mayor and Deputy Mayor"***

Amended Item 15.3

1. *That Council note the contribution and achievements of each of the CAC's for the past twelve months and supports the future direction of each CAC.*
2. *That Council endorse a name change of the Disability Access Community Advisory Committee to the Inclusion and Access Advisory Committee*
3. *That the members of each CAC be thanked for their contributions to the success of each of the CAC's to which they belong.*
4. *That Council resolve to separate the Tourism & Heritage Community Advisory Committee, creating a Tourism Community Advisory Committee and a Heritage Community Advisory Committee*
5. *That the Tourism and Heritage Community Advisory Committee membership be declared vacant and that Council call for expressions of interest (EOI) from the community to be appointed to the Heritage Community Advisory Committee and to the Tourism Community Advisory Committee.*
6. *That Council thank the existing Tourism and Heritage Community Advisory Committee for their efforts and invites them to apply for the new committees.*

Amended Item 15.4

1. *That the Internal and External Committee and Advisory Group Councillor delegates be confirmed as per the table, and the Committees and Advisory Groups be notified of the outcome.*
2. *That the following additional alternative Council representatives be adopted in the following order for the Sydney South West Planning Panel:*
 - (a) *Wesley Folitarik*
 - (b) *Ally Dench*
 - (c) *Alex Stengl*