



# **MINUTES**

**Ordinary Council Meeting**

**21 April 2020**

**Order Of Business**

**1 Opening ..... 4**

**2 Recording of the Meeting ..... 4**

**3 Webcast Notice ..... 4**

**4 National Anthem ..... 4**

**5 Acknowledgement of Country ..... 4**

**6 Apologies and Leave of Absence Requests ..... 4**

**7 Declaration of Interest ..... 4**

**8 Confirmation of Minutes ..... 5**

**9 Items to be Tabled ..... 5**

**10 Mayoral Minute ..... 6**

    10.1 Mayoral Minute ..... 6

    10.1 Mayoral Minute (*Recommitted*) ..... 8

    10.2 Mayoral Minute - Financial Impact of COVID-19 ..... 9

**Items By Exception**

    11.1 Appointment of Alternative Panel Members for Sydney Western City Planning Panel ..... 13

    14.2 Financial Assistance: Donations and Sponsorship ..... 14

    15.1 Customer Service Charter ..... 15

    15.4 Investment of Funds as at 29 February 2020 ..... 16

**11 Sustainable and Balanced Growth ..... 17**

    11.2 Draft Planning Proposal - Hornby Street, Wilton ..... 17

    11.3 Planning Proposal - 233 and 239 Argyle Street, Picton (land adjacent to Mushroom Tunnel) ..... 19

    11.4 Potential Interim Heritage Order - 4 Weir Road, Warragamba ..... 20

**12 Management and Provision of Infrastructure ..... 21**

    12.1 Commemorative Naming Options - Honouring Mr Peter Shearer ..... 21

    12.2 City Deal Pitchfest Smart Park Trial ..... 22

    12.3 Application for Land Access Licence - Lot 2 DP 813474 Argyle Street, Picton - Mushroom Tunnel ..... 23

    12.4 Traffic Management Upgrades - March 2020 (*Withdrawn*) ..... 24

    12.5 Bridge Feasibility for Burragorang Road, Oakdale ..... 25

**13 Caring for the Environment ..... 26**

    No reports this meeting

**14 Looking after the Community ..... 27**

    14.1 Long Term Community Recovery and Resilience Plan and Grant Opportunities .... 27

    14.3 The Great Burragorang Valley Walk ..... 28

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<b>15</b>	<b>Efficient and Effective Council.....</b>	<b>29</b>
15.2	Farmland Rating Policy Review.....	29
15.3	Councillor Submission on Superannuation Payments Options .....	30
15.5	Exhibition of Draft Wollondilly Operational Plan 2020/21 .....	31
<b>16</b>	<b>Notice of Motion/Rescissions .....</b>	<b>32</b>
16.1	Notice of Motion - Legal Advice for Councillors on oversight of Development Applications and Complying Development Certificates.....	32
<b>17</b>	<b>Closed Reports .....</b>	<b>33</b>
	No reports this meeting	
<b>18</b>	<b>Questions for Next Meeting .....</b>	<b>34</b>
	No reports this meeting	
<b>19</b>	<b>Attachment Page .....</b>	<b>35</b>
	Amendment to the Minutes	

**MINUTES OF WOLLONDILLY SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD ONLINE VIA WEBCAST  
on Tuesday, 21 April 2020 at 6.30pm**

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

**IN ATTENDANCE:** Chief Executive Officer, Chief Financial Officer, Executive Director Community & Corporate, Director Infrastructure & Environment, Director Planning, Assistant Director People, Legal & Governance and one Minute Taker

## **1 OPENING**

Legislative changes to the Local Government Act section 747A now permits Council meetings to be held remotely using audio visual link and is open to members of the community via webcast.

## **2 RECORDING OF THE MEETING**

In accordance with Council's Code of Meeting Practice the electronic recording of the Council Meeting during the proceedings is not permitted. This includes recording of this meeting on devices such as laptops, mobile phones, tape recorders and video cameras.

## **3 WEBCAST NOTICE**

Members of the public are advised that open sessions of this meeting are webcast live for public viewing on Council's website. Audio and video footage taken is of the governing body only.

## **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 past, present and emerging.

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

An apology was noted for Cr Matt Smith.

## **7 DECLARATION OF INTEREST**

Cr Banasik declared a Pecuniary conflict of interest in Item 11.4 – Potential Interim Heritage Order as his family members are the property owners. He advised he will leave during discussion and not vote on this item.

Cr Lowry declared a Non-Pecuniary (less than significant) Interest in Item 12.4- Traffic Management Upgrades – March 2020 as he is a life member of the Camden Cycling Club. He advised he would stay during discussion and vote on this item.

Cr Gould declared a Non-Pecuniary (less than significant) Interest in Item 11.4 – Potential Interim Heritage Order as the matter concerns a fellow councillor. He advised he will stay during discussion and vote on this item. However, Cr Gould did not stay during discussion and did not vote on the item.

Cr Briggs declared a Pecuniary conflict of interest in Item 15.2 – Farmland Rating Policy Review as he owns farmland. He advised he will leave during discussion and not vote on this item.

Cr Deeth declared a Non-Pecuniary (less than significant) Interest in Item 11.4 – Potential Interim Heritage Order as the matter concerns a fellow councillor. He advised he will stay during discussion and vote on this item.

Cr Landow declared a Pecuniary conflict of interest in Item 11.4 – Potential Interim Heritage Order as he is a joint landowner of the property. He advised he will leave during discussion and not vote on this item.

Cr Hannan declared a Non-Pecuniary (less than significant) Interest in Item 11.4 – Potential Interim Heritage Order as the matter concerns a fellow councillor. She advised she will stay during discussion and vote on this item.

Cr Khan declared a Non-Pecuniary (less than significant) Interest in Item 11.4 – Potential Interim Heritage Order as the matter concerns a fellow councillor. He advised he will stay during discussion and vote on this item.

Cr Lowry later declared a Pecuniary conflict of interest in Item 10.1- Mayoral Minute as his partner is the manager of the District Reporter local paper. The item was recommitted and Cr Lowry did not participate in the re-vote on this item.

## 8 CONFIRMATION OF MINUTES

### RESOLUTION 61/2020

Moved: Cr Blair Briggs  
Seconded: Cr Judith Hannan

**That the minutes of the Ordinary Council Meeting held on 17 March 2020 and the Extraordinary Council Meeting held on 2 April 2020 be confirmed.**

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against: Nil

## 9 ITEMS TO BE TABLED

- The Disclosure of Interest Register 2019/20 is “tabled” and available for inspection in accordance with the Act.

## 10 MAYORAL MINUTE

### 10.1 MAYORAL MINUTE

This Mayoral Minute provides an update on key events attended by the Mayor or Councillors over the past month (Attachment 1 as below).

- Monday 16 to Wednesday 18 March 2020 LGNSW Tourism Conference attended by Councillor Blair Briggs
- Tuesday 31 March 2020 Teleconference Meeting with Minister for Water, Property and Housing Melinda Pavey MP re: Local Water Restrictions and Water Storage levels in the Upper Nepean Dams attended by myself, CEO Ben Taylor and Director Infrastructure and Environment Michael Malone
- Wednesday 1 April 2020 Meeting with Clayton Barr MP to discuss Water Supply and Planning attended by myself and Director Infrastructure and Environment Michael Malone
- Thursday 9 April 2020 Western Sydney City Deals Mayoral Forum attended by myself and CEO Ben Taylor

Council supports the Local Government submission on the review of the Environment Protection and Biodiversity Conservation Act (EPBC Act).

The review of the EPBC Act was part of the 20 year review and outlined broad general concerns across the Act. Separately, Council is aware of potential issues within the NSW State acts that protect threatened species and require concurrence for habitat and species loss through the Federal Act. Council has specific concerns over the Wollondilly Koala population, given the impacts on habitat and other Koala populations in NSW after the extreme fire activity in the state over the 2019/2020 Summer period. The Koala population in the eastern portion of the Shire was thankfully unaffected by fire this season. However, the State has enabled Greenfield developments within the Wollondilly that adjoin this healthy population and accepted Koala corridors. Council will seek to raise its concerns in more detail regarding the loss of habitat in rural land areas, future proposed urban fringe developments as well as fire affected areas and would like to suggest that the Commonwealth Department Agriculture, Water & the Environment ensures that the status of Koalas is consistent between both the state and federal legislation, and elevated to highest level of protection given the impact of fire along the eastern seaboard of Australia.

Unfortunately one of the industries to take a big hit during the Coronavirus pandemic is one that is very important to our Council and our community, and that is our local media. This week it was announced that the majority of journalists have been stood down at most regional newspapers and that print circulation will stop altogether. This has affected our friends at the Wollondilly Advertiser who have faithfully covered our local news for many years.

Local news coverage is important for providing unbiased and community based reporting that is essential to democracy. I recommend that Council writes to Mr Antony Catalano, CEO of Australian Community Media stressing the importance of the Wollondilly Advertiser and local media for our region, while understanding the challenges faced by COVID-19. Local news is something we don't want to lose forever as a result of this pandemic.

Matthew Deeth

**MAYOR**

April 2020

**MOTION**

Moved: Mayor Matthew Deeth

1. That Council note the update on key events attended by the Mayor or Councillors over the past month as outlined in Attachment 1.
2. That Council support the LGNSW Submission on the review of the Environment Protection and Biodiversity Conservation Act.
3. That Council writes to Mr Antony Catalano, CEO of Australian Community Media stressing the importance of the Wollondilly Advertiser and local media for our region.

\*\* This item was recommitted as Cr Lowry later declared a Pecuniary conflict of interest, so could not vote on this item.

At 6:48 pm, Cr Noel Lowry left the meeting.

**RECOMMIT ITEM 10.1- MAYORAL MINUTE****RESOLUTION 62/2020**

Moved: Cr Michael Banasik

Seconded: Cr Matthew Gould

**That Council recommit Item 10.1 – Mayoral Minute.**

On being put to the meeting the motion was declared **CARRIED** 7/0

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

Against: Nil

**10.1 MAYORAL MINUTE****RESOLUTION 63/2020**

Moved: Mayor Matthew Deeth

1. **That Council note the update on key events attended by the Mayor or Councillors over the past month as outlined in Attachment 1.**
2. **That Council support the LGNSW Submission on the review of the Environment Protection and Biodiversity Conservation Act.**
3. **That Council writes to Mr Antony Catalano, CEO of Australian Community Media stressing the importance of the Wollondilly Advertiser and local media for our region.**
4. ***That Council writes to the Chronicle and the District Reporter acknowledging the important role they play for local media in our region.***

On being put to the meeting the motion was declared **CARRIED** 7/0

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

Against: Nil



## 10.2 MAYORAL MINUTE - FINANCIAL IMPACT OF COVID-19

I am calling on Councillors to support the local government sector's campaign for assistance in dealing with the health and economic crisis caused by the COVID-19 pandemic.

Wollondilly Shire Council is already suffering the consequences of the COVID-19 pandemic on top of drought and bushfire.

Council has advance funded in excess of \$2.5 million of emergency management and repair costs leading up to the COVID-19 pandemic and is now seeing a further \$2 million plus impact to cash flow as outstanding rates for the current year are unable to be paid. Revenues from sportsgrounds and halls now unavailable for use have dropped approx. \$100,000 and a further \$750,000 is anticipated to be expended in support of our business community.

I am recommending that we support the campaign, which is being coordinated on behalf of the NSW sector by Local Government NSW (LGNSW) and at a national level by the Australian Local Government Association (ALGA).

Wollondilly Shire Council is struggling with the compounding financial impacts of drought, bushfires and COVID-19. Council has faced increased costs and at the same time is experiencing declining revenue as more and more ratepayers are forced into financial hardship. The impacts are rapidly escalating.

Wollondilly Shire Council is doing everything possible to provide support and deliver the services needed to protect community health and keep our communities running during these difficult times. The wellbeing, safety and livelihoods of our communities, customers, and staff is our top priority. However, if additional assistance is not provided, Council may be forced to cut services, infrastructure maintenance and staff.

It is critical that the local government sector receives adequate funding and resources to coordinate and deliver the goods and services needed as we navigate through, and recover from, natural disasters and the new challenges presented by COVID-19 and its massive impacts on people and our local economies.

**Council needs urgent financial assistance from the Federal Government and NSW State Government to maintain infrastructure, services and employment as well as funding to give councils the capacity to provide hardship assistance to the community.**

The measures listed below would be effective and simple to implement:

- Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 (and drought and bushfire where affected) as well as giving councils capacity to provide hardship assistance to businesses and residents.
- Immediate financial assistance to support council employees, especially in early education and care.
- Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs. Existing Federal funding programs include the Roads to Recovery, Bridges Renewal and Road Safety Blackspots programs. State programs include Fixing Local Roads, Fixing Country Bridges and the Stronger Country Communities programs.
- Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.

Matthew Deeth

**MAYOR**

April 2020

Cr Hannan addressed the meeting. She advised the sad passing of a valued member of the Theresa Park community, Mr. Ross Kelly. She thanked him for his work and contribution to the community.

At 6:52 pm, Cr Noel Lowry returned to the meeting.

**MOTION \*\***

Moved: Mayor Matthew Deeth

1. That Wollondilly Shire Council calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.
2. That Council calls for the packages to include the following measures:
  - Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 (and drought and bushfire where affected) as well as giving councils capacity to provide hardship assistance to businesses and residents.
  - Immediate financial assistance to support council employees, especially in early education and care.
  - Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
  - Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
3. That Council commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
4. That Council write to the local Federal Member Angus Taylor MP and State Member Nathaniel Smith MP, Prime Minister the Hon Scott Morrison MP, NSW Premier the Hon Gladys Berejiklian MP, Federal Treasurer the Hon Josh Frydenburg MP, NSW Treasurer the Hon Dominic Perrottet MP, NSW Local Government Minister the Hon Shelley Hancock MP, Federal Minister for Local Government the Hon Mark Coultan, Federal Opposition Leader the Hon Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.

5. That Council endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.
6. That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.

\*\* Voting for this item was not recorded. Amendment will be required when the Minutes are confirmed at the next Council Meeting to be held on 19 May 2020.

The Mayor advised he would now like to deal with Items by Exception.

## **SUSPENSION OF STANDING ORDERS**

### **RESOLUTION 64/2020**

Moved: Mayor Matthew Deeth

Seconded: Cr Blair Briggs

**That Council suspend standing orders to deal with Items by Exception.**

On being put to the meeting the motion was declared **CARRIED 8/0**

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

Against: Nil

The Mayor went through all items of business on the agenda to determine the items to be dealt with by exception.

Councillors called out the matters which they wanted to speak to, debate or move an Alternate Motion on. Items were determined to be dealt with by exception.

## **ITEMS BY EXCEPTION**

### **RESOLUTION 65/2020**

Moved: Mayor Matthew Deeth

Seconded: Cr Judith Hannan

**That Council block resolve Items 11.1, 14.2, 15.1 and 15.4 by exception, to be adopted as per the recommendation in the business paper.**

On being put to the meeting the motion was declared **CARRIED 8/0**

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

Against: Nil

**11.1 APPOINTMENT OF ALTERNATIVE PANEL MEMBERS FOR SYDNEY WESTERN CITY PLANNING PANEL**

**RESOLUTION 66/2020**

Moved: Mayor Matthew Deeth  
Seconded: Cr Judith Hannan

1. **That Council appoint the following candidates as alternative Council representatives in the event a Councillor is unavailable to represent the community at the Sydney Western City Planning Panel:**
  - **Rachel Harrison**
  - **John McFadden**
2. **That Council resolves another round of recruitment is not required.**

On being put to the meeting the motion was declared **CARRIED 8/0**

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

Against: Nil

## 14.2 FINANCIAL ASSISTANCE: DONATIONS AND SPONSORSHIP

### RESOLUTION 67/2020

Moved: Mayor Matthew Deeth

Seconded: Cr Judith Hannan

**That donation payments totalling \$1,000.00 be made to the following recipients as allocated:**

- **\$250 donation be provided to Isaac David Taylor**
- **\$250 donation be provided to Katrina Robinson**
- **\$500 donation be provided to The Oaks Pony Club**

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against: Nil

## 15.1 CUSTOMER SERVICE CHARTER

### RESOLUTION 68/2020

Moved: Mayor Matthew Deeth

Seconded: Cr Judith Hannan

**That Council adopt the Customer Service Charter.**

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against: Nil

**15.4 INVESTMENT OF FUNDS AS AT 29 FEBRUARY 2020**

**RESOLUTION 69/2020**

Moved: Mayor Matthew Deeth

Seconded: Cr Judith Hannan

**That the information and certification in relation to the investment of Council funds as at 29 February 2020 be noted.**

On being put to the meeting the motion was declared **CARRIED 8/0**

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

Against: Nil



## 11 SUSTAINABLE AND BALANCED GROWTH

Item - 11.1 Appointment of Alternative Panel Members for Sydney Western City Planning Panel - has been moved to the Items by Exception part of the document.

### 11.2 DRAFT PLANNING PROPOSAL - HORNBY STREET, WILTON

#### RESOLUTION 70/2020

Moved: Mayor Matthew Deeth

Seconded: Cr Blair Briggs

1. That Council notes the Local Planning Panel's advice regarding the planning proposal submitted for Hornby Street, Wilton; and
2. That Council resolves not to support the planning proposal at this time on the grounds of prematurity for the following reasons:
  - a) Under the Growth Areas SEPP the Wilton Growth Area has an area wide cap of 15,000 dwellings. Within Wilton 2040 the overall dwelling cap is allocated across all the Precincts. However only part of the SE Wilton Precinct is currently zoned under the SEPP and the remaining under the LEP. Given that the 15,000 dwellings have already been allocated across all the SEPP precincts, there is no remaining allocation for the LEP zoned portion of the SE Wilton Precinct.
  - b) The 490 lots, would impact the cap and infrastructure and provision of open space, road and intersection triggers, education and health needs and would need re-evaluation in consultation with the state government.
  - c) Currently the SE Wilton Precinct is zoned under both the SEPP and the LEP. Council advocated to undertake precinct planning for the remaining SE Wilton in collaboration with the Department. It is Council's preference that the land be zoned under the SEPP to ensure consistent planning outcomes under the Neighbourhood Plan process, the Wilton DCP, the outstanding Cumberland Plain Conservation Plan and the Green Plan, the draft Contributions Plan and the draft SIC.
  - d) Without a comprehensive approach to the planning of the remainder of the SE Wilton precinct it is difficult to determine the appropriate levels of local and State infrastructure embellishment that would apply to the site.
  - e) The proposal does not provide adequate levels of useable open space in line with current planning for Wilton Growth Area.
  - f) The proposal does not address the role of the site as transition between the Wilton township and the more dense areas of the recent development in Wilton. The lot sizes are considered too small for such a transitional space and do not reflect the outcome that would best integrate with existing residential subdivision patterns.
  - g) The proposal represents overdevelopment of the site.
  - h) Ad hoc planning proposals for the remaining land within the Growth Area distract Council and its resources from delivering good robust planning outcomes in existing urban development zoned land within Wilton Growth Area.
3. *That Council works with the Department of Planning, Industry and Environment to identify a planning pathway for rezoning of land currently not covered by the growth SEPP within the Wilton Growth Area and that Council provide communications to landholders once the planning pathway has been agreed with DPIE.*

On being put to the meeting the motion was declared **EQUAL** 4/4

In Favour: Crs Michael Banasik, Blair Briggs, Matthew Deeth and Matthew Gould

Against: Crs Judith Hannan, Robert Khan, Simon Landow and Noel Lowry

The Chairperson (Mayor) used his casting vote and the motion was declared **CARRIED** 5/4

Cr Hannan had foreshadowed a motion.

**11.3 PLANNING PROPOSAL - 233 AND 239 ARGYLE STREET, PICTON (LAND ADJACENT TO MUSHROOM TUNNEL)****RESOLUTION 71/2020**

Moved: Cr Michael Banasik  
Seconded: Cr Judith Hannan

**That Council:**

1. **Notes that the proponent no longer wishes to proceed with the planning proposal to rezone land adjacent to the mushroom tunnel at numbers 233 and 239 Argyle Street, Picton, being Lots 1 and 2 DP 223667;**
2. **Agrees that the planning proposal should not proceed;**
3. **Writes to the Department of Planning, Industry & Environment to advise that the planning proposal has been withdrawn and that the Gateway determination issued on 23 March 2015 should no longer proceed; and**
4. **Refuses the proponent's request for partial withdrawal of fees paid given the extensive work undertaken by Council officers in the assessment of the planning proposal.**

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against: Nil

**11.4 POTENTIAL INTERIM HERITAGE ORDER - 4 WEIR ROAD, WARRAGAMBA**

At 7:38 pm, Cr Michael Banasik left the meeting due to a previously declared conflict of interest.

At 7:38 pm, Cr Matthew Gould left the meeting due to a previously declared conflict of interest.

At 7:38 pm, Cr Simon Landow left the meeting due to a previously declared conflict of interest.

**RESOLUTION 72/2020**

Moved: Cr Blair Briggs

Seconded: Mayor Matthew Deeth

1. **That Council supports an application for an Interim Heritage Order for the church building at 4 Weir Road, Warragamba.**
2. **That Council notes that the owner has been consulted and supports the proposed application.**

On being put to the meeting the motion was declared **CARRIED 5/0**

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

Against: Nil

## 12 MANAGEMENT AND PROVISION OF INFRASTRUCTURE

### 12.1 COMMEMORATIVE NAMING OPTIONS - HONOURING MR PETER SHEARER

At 7:44 pm, Cr Michael Banasik returned to the meeting.

At 7:45 pm, Cr Matthew Gould returned to the meeting.

At 7:45 pm, Cr Simon Landow returned to the meeting.

#### RESOLUTION 73/2020

Moved: Cr Judith Hannan

Seconded: Mayor Matthew Deeth

1. That Council endorse the proposal to commence community consultation to arrive at a commemorative naming option for the late Mr Peter Shearer in recognition of his contribution and services to the Wilton community.
2. That post community consultation, Council commence the necessary steps to formalise the naming including application to the NSW Geographical Names Board, as required.
3. *That as a matter of urgent attention Council attend to outstanding naming options for Shane Read and Liz Kernahan.*

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against: Nil

**12.2 CITY DEAL PITCHFEST SMART PARK TRIAL**

At 7:50 pm, Cr Matthew Gould left the meeting and at 7:51 pm returned to the meeting.

**RESOLUTION 74/2020**

Moved: Cr Michael Banasik

Seconded: Cr Judith Hannan

**That Council note the update on the City Deal Smart Park Trial and request that the findings of the trial be reported to Council when complete.**

On being put to the meeting the motion was declared **CARRIED 8/0**

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

Against: Nil

**12.3 APPLICATION FOR LAND ACCESS LICENCE - LOT 2 DP 813474 ARGYLE STREET, PICTON - MUSHROOM TUNNEL****RESOLUTION 75/2020**

Moved: Cr Judith Hannan

Seconded: Mayor Matthew Deeth

1. That Council enter into a Licence with SIMEC Mining on Lot 2 DP 813474 Argyle Street, Picton to enable monitoring of the mushroom tunnel for impact of mine subsidence as a result of longwall mining.
2. That the Chief Executive Officer and Mayor be authorised to sign all documents relating to the Licence and grant authority for the use of the Common Seal of Council on all documents relevant to this matter, should it be required, to give effect to this resolution.
3. That Council agree to the annual licence fee of \$2,200 plus GST for a term of three years from 1 March 2020 to 2 March 2023
4. *That the annual licence fee be set aside for future enhancements to the Mushroom Tunnels.*

On being put to the meeting the motion was declared **CARRIED 8/0**

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

Against: Nil

**12.4** TRAFFIC MANAGEMENT UPGRADES - MARCH 2020 (WITHDRAWN)

The two events in relation to this report have been cancelled and hence the report was withdrawn.



**12.5 BRIDGE FEASIBILITY FOR BURRAGORANG ROAD, OAKDALE**

At 7:54 pm, Cr Noel Lowry left the meeting and at 7:57 pm returned to the meeting.

**RESOLUTION 76/2020**

Moved: Mayor Matthew Deeth

Seconded: Cr Matthew Gould

***That Council:***

- 1. Note that repair work to Burragorang Road, Oakdale has been given urgent priority in the storm clean up under way across the Wollondilly Shire, and is being fast-tracked to be reopen in July 2020, weather permitting, with every effort being made to open it even sooner.***
- 2. Endorse that a re-engineered culvert crossing be constructed as it is the most cost and time effective outcome for the community and provides higher future flood resilience at 100 year ARI, shorter reconstruction timeframes and significantly lower capital cost.***
- 3. Note that bridge options at this location are not in the best interest of the community as they are not economically feasible at this time, at an estimated cost of between \$5.75 and \$36.7M, do not result in an improved flood resilience, and will delay the road opening by a number of years.***
- 4. Adjust the 2019/20 Major Works Program from Restricted Reserves (to be recouped from Grant Funding): Road Renewal Program \$12,793,703 + \$613,000 = \$13,406,703 resulting in the total for the Major Works Program becoming \$26,774,986.***
- 5. Adjust the 2020/21 Major Works Program from Restricted Reserves (to be recouped from Grant Funding): Road Renewal Program \$11,038,000 + \$238,000 = \$11,276,000 resulting in the total for the Major Works Program becoming \$15,917,125.***
- 6. Write to the Minister for Local Government requesting an increase to the tender limits, particularly in times of national emergency. That a copy of this motion also be sent to LG NSW.***

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against: Nil

**13 CARING FOR THE ENVIRONMENT**

No reports this meeting

**14      LOOKING AFTER THE COMMUNITY**

**14.1    LONG TERM COMMUNITY RECOVERY AND RESILIENCE PLAN AND GRANT OPPORTUNITIES**

**RESOLUTION 77/2020**

Moved:     Cr Judith Hannan  
Seconded: Cr Michael Banasik

***That Council defer this item to a Councillor briefing session and at that briefing changes to the allocation of the additional \$300,000 National Bushfire Recovery Agency immediate base payment be considered.***

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against:     Nil

Item - 14.2 Financial Assistance: Donations and Sponsorship - has been moved to the Items by Exception part of the document.

**14.3 THE GREAT BURRAGORANG VALLEY WALK****RESOLUTION 78/2020**

Moved: Cr Matthew Gould

Seconded: Cr Judith Hannan

1. **That Council endorse The Great Burragorang Valley Walk project brochure for Council to promote and engage with potential partnering stakeholders to seek support and funding for planning, development and staged implementation.**
2. **That the Chief Executive Officer develop an engagement plan for communicating the benefits and opportunities of The Great Burragorang Valley Walk with key stakeholders including local members of State and Federal Parliament.**

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against: Nil

## 15 EFFICIENT AND EFFECTIVE COUNCIL

Item - 15.1 Customer Service Charter - has been moved to the Items by Exception part of the document.

### 15.2 FARMLAND RATING POLICY REVIEW

At 8:21 pm, Cr Blair Briggs left the meeting due to a previously declared conflict of interest.

#### RESOLUTION 79/2020

Moved: Cr Matthew Gould

Seconded: Mayor Matthew Deeth

1. **That the Draft Farmland Rating Policy be placed on Public Exhibition for a period of 21 days.**
2. **That any submissions received during the exhibition period be considered prior to the finalisation and subsequent adoption of the Policy.**

On being put to the meeting the motion was declared **CARRIED 7/0**

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

Against: Nil

At 8:34 pm, Cr Blair Briggs returned to the meeting.

A vote was called by the Mayor on whether to have a break. It was decided that the meeting would continue.

**15.3 COUNCILLOR SUBMISSION ON SUPERANNUATION PAYMENTS OPTIONS****RESOLUTION 80/2020**

Moved: Cr Blair Briggs

Seconded: Cr Judith Hannan

1. ***That the Mayor, on behalf of Council, provide a submission to the Office of Local Government advising Council's endorsed option (a) of maintaining the status quo - Mayors and Councillors can continue to voluntarily contribute a portion of their fees to a complying superannuation fund of their choice.***
2. ***That Council write to the Minister of Local Government to request that the Office of Local Government defer consideration of this Item for 12 months due to the current COVID-19 situation.***

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against: Nil

Cr Landow foreshadowed a motion.

Item - 15.4 Investment of Funds as at 29 February 2020 - has been moved to the Items by Exception part of the document.

**15.5 EXHIBITION OF DRAFT WOLLONDILLY OPERATIONAL PLAN 2020/21**

At 8:50 pm, Cr Michael Banasik left the meeting and at 8:52 pm returned to the meeting.

**RESOLUTION 81/2020**

Moved: Cr Judith Hannan

Seconded: Cr Matthew Gould

**That Council:**

1. **Endorses the draft Wollondilly Operational Plan 2020/21 and approves that it be placed on public exhibition for a period of 28 days from Wednesday 22<sup>nd</sup> April 2020.**
2. **Notes the draft Operational Plan includes the continued focus on high quality services, a \$35.5 million investment in road and other infrastructure renewal and upgrades, and the following key priorities to enhance Council's service to the community:**
  - (i) **Increased asphalt repairs across the road network through the incorporation of an additional crew to operate existing equipment at increased capacity**
  - (ii) **Enhanced public streetscapes through cost effective a public bin servicing initiative bringing the function in-house at lower cost than currently delivered**
  - (iii) **Increased Swimming Pool Safety inspections enhancing the safety of our community**
  - (iv) **Improved environmental outcomes and compliance within our Shire by creating a structure that enables an even more proactive approach to regulatory services**
  - (v) **Moving to an Integrated Service Delivery Platform to enhance the customer experience for dealings with Council and to deliver greater efficiencies across Council processes**
3. **Notes that the economic impacts of Covid-19 will have a significant impact on Council's financial position and that forecast income, funding sources and expenditure will be revised and an updated Plan incorporating community feedback will be reported to the June 2020 Council meeting for adoption.**
4. **Notes that residents impacted by Covid-19 can apply for financial hardship assistance and that options to support impacted residents during these challenging times will be workshopped with Councillors prior to the finalisation of the Operational Plan.**

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against: Nil

**16 NOTICE OF MOTION/RESCISSIONS****16.1 NOTICE OF MOTION - LEGAL ADVICE FOR COUNCILLORS ON OVERSIGHT OF DEVELOPMENT APPLICATIONS AND COMPLYING DEVELOPMENT CERTIFICATES****RESOLUTION 82/2020**

Moved: Cr Noel Lowry

Seconded: Cr Judith Hannan

1. ***That Council write to the Minister for Planning and Open Space to amend the relevant Code SEPP to:***
  - a) ***give Council the ability to oversee complying development certificates approved by private certifiers.***
  - b) ***ensure that Development Applications be required for any works requiring 100 cubic metres or greater of imported fill that is to limit the amount of fill that can be imported to a landholding area under the Code SEPP.***
2. ***That a copy of this letter be forwarded to the local member for Wollondilly N Smith MP.***
3. ***That Council consider a motion to the next LG NSW Conference.***

On being put to the meeting the motion was declared **CARRIED** 8/0

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

Against: Nil



**17 CLOSED REPORTS**

No reports this meeting

**18 QUESTIONS FOR NEXT MEETING**

No reports this meeting

**The meeting closed at 9.15pm.**

**This and the preceding 33 pages are the minutes of the Ordinary Meeting of Council held on 21 April 2020 and were confirmed at the Ordinary Council Meeting held on 19 May 2020.**

.....

**MAYOR**

## **ATTACHMENT PAGE**

### **AMENDMENT TO MINUTES**

The draft Minute on pages 10 and 11, for Item 10.2 has been identified as incorrect. Item 10.2 should read:

*Quote*

***“RESOLUTION 84/2020***

***Moved: Mayor Matthew Deeth***

***Seconded: Cr Judith Hannan***

***...***

***On being put to the meeting the motion was declared CARRIED 7/0***

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

***Against: Nil”***

*Unquote*