



MINUTES

Ordinary Council Meeting

16 September 2019

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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, 16 September 2019 at 6.33 pm**

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: Acting Chief Executive Officer, Executive Director Community & Corporate, Acting Director Infrastructure & Environment, Acting Manager Governance, Assistant Director People, Legal & Governance, Director Planning, Chief Financial Officer and two Minute Takers

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

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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

An apology be noted for Cr Matt Smith.

7 DECLARATION OF INTEREST

Cr Landow declared a Pecuniary Interest in Item 11.3- Outcome of Public Notification of Draft Planning Agreement for 65 Marsh Road Silverdale as he has commercial property in Warrgamba. Cr Landow advised he will leave during discussion and not vote on this item.

Cr Gould declared a Non-Pecuniary (less than significant) Interest in Item 11.3- Outcome of Public Notification of Draft Planning Agreement for 65 Marsh Road Silverdale as he is a Deputy Captain of the Silverdale RFS and the VPA may include improvement to the brigade facilities. Advised he will stay during discussion. Cr Gould advised he will leave during discussion and not vote on this item.

The Assistant Director People, Legal and Governance declared a perceived Pecuniary Interest in Item 11.3 - Outcome of Public Notification of Draft Planning Agreement for 65 Marsh Road Silverdale as a family member purchased land within the proposed development. He advised he will be leaving the meeting during discussion of this item.

The Acting Chief Executive Officer declared a perceived Non-Pecuniary (less than significant) Interest in Item 17.3- Confidential Report Outcomes of Investigation & Assessment of Officer's Actions as he is named in the report. He advised he will be leaving the meeting during discussion of this item.

Cr Lowry later declared a Non-Pecuniary (less than significant) Interest in Item 17.3- Confidential Report Outcomes of Investigation & Assessment of Officer's Actions as he or a witness to a separate matter may also be involved in this matter. Cr Lowry left the meeting during discussion and did not vote on this item.

The Executive Director Community and Corporate later declared a Non-Pecuniary (significant) Interest in the Urgent Item of Business – Wilton New Town. She left the meeting during discussion of this item.

8 CONFIRMATION OF MINUTES

RESOLUTION 203/2019

Moved: Cr Blair Briggs

Seconded: Cr Robert Khan

That the minutes of the Ordinary Council Meeting held on 19 August 2019, the Extraordinary Council Meeting held on 20 August 2019 and the Closed Extraordinary Council Meeting held on 20 August 2019 be confirmed.

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

9 ITEMS TO BE TABLED

- Disclosure of Interest Register 2019/20
- Plant a Bee Friendly Garden Information Booklet
- Certificate of Appreciation from Max Potential

10 MAYORAL MINUTE

10.1 MAYORAL MINUTE - MEMORIAM OF MR HARRY MCLACHLAN

RESOLUTION 204/2019

Moved: Mayor Matthew Deeth

Seconded: Cr Matthew Gould

1. *That Council rename the reserve on the corner of Taylors Road and McKay Drive in Harry McLachlan's honour.*
2. *Observe one minutes silence.*
3. **That the Mayoral Minute be accepted.**

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

10.2 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.

Thursday 22 August 2019 Inclusive Community Care 45 Year Anniversary of the Picton / Burragorang Meals on Wheels Service attended by Councillor Judith Hannan

Thursday 22 August 2019 Catholic Business Connections Luncheon attended by myself

Thursday 22 August 2019 Creative Arts HSC Showcase at Picton High School

Saturday 24 August 2019 Doggy Day Out at Picton Sportsground

Saturday 24 August 2019 Bee Garden Reveal at The Oaks

Saturday 25 August 2019 Macarthur Community Radio Association 30 Year Celebrations

Monday 26 August 2019 Site Tour of Western Sydney Airport

Monday 26 August 2019 Community Grants Presentation for Paws for Pet Therapy

Tuesday 27 August 2019 Threatened Species Art Competition Judging attended by Councillor Michael Banasik

Wednesday 28 August 2019 Presentation to Local Government Week Winners at Douglas Park Public School

Wednesday 28 August 2019 Community Grants Presentation for Warragamba Silverdale Neighbourhood Centre

Wednesday 28 August 2019 Community Grants Presentation for Mt Hunter Public School

Thursday 29 August 2019 Afternoon Tea to celebrate Amie Appleby finishing Bachelor of Education

Friday 30 August 2019 History Week Launch at Picton Library

Saturday 31 August 2019 10 year Anniversary of Tahmoor Men's Shed Opening

Saturday 31 August 2019 Wollondilly Women in Business Annual Event

Monday 2 September 2019 Opening of the Western Sydney International Airport Experience Centre

Tuesday 3 September 2019 Smart communities Conference attended by myself and Ally Dench, Executive Director

Thursday 5 September 2019 Threatened Species Art and Writing Competition Awards Ceremony

Saturday 7 September 2019 Wollondilly Netball Association Grand Final Medal Presentations

Saturday 7 September 2019 Marsden's Law Group Mater Dei Fundraising Dinner

Sunday 8 September 2019 Community Grants Presentation with Wollondilly Fellowship of Australian Writers

Sunday 8 September 2019 Grand Opening of new Wilton Anglican Church Building

Monday 9 September 2019 Presentation of Local Government Awards to St Anthony's School Students

Monday 9 September 2019 Community Grants Presentation with Wollondilly Cancer Support Group and Community Links Wellbeing

Tuesday 10 September 2019 Combined Chamber Breakfast with the Premier of NSW

Wednesday 11 September 2019 Macarthur Football Association M-League Gala Dinner

Thursday 12 September 2019 RUOK Day BBQ Breakfast attended by Councillor Michael Banasik

Thursday 12 September 2019 Community Grants Presentation with WACCares and Overcomers Outreach Tahmoor

Thursday 12 September 2019 Community Grants Presentation with His House Incorporated

Friday 13 September 2019 Community Grants Presentation for Southern Tablelands Arts

Saturday 14 September 2019 Community Grants Presentation with Wollondilly Arts Group

Sunday 15 September 2019 Step Up Event for Down Syndrome

Monday 16 September 2019 Wilton Public School Assembly to present Local Government Week Winners

Monday 16 September 2019 Community Grants Presentation with The Oaks Heritage Centre

Tonight I would like to table this information booklet as part of the Community Service Project 'Plant a Bee Friendly Garden' undertaken by Wollondilly Anglican School Student Monique McGuire.

'Plant a Bee Friendly Garden'

Community Service Project

Information Booklet



I would also like to table this Certificate of appreciation from Max Potential for the 2019 Partnership with Council.

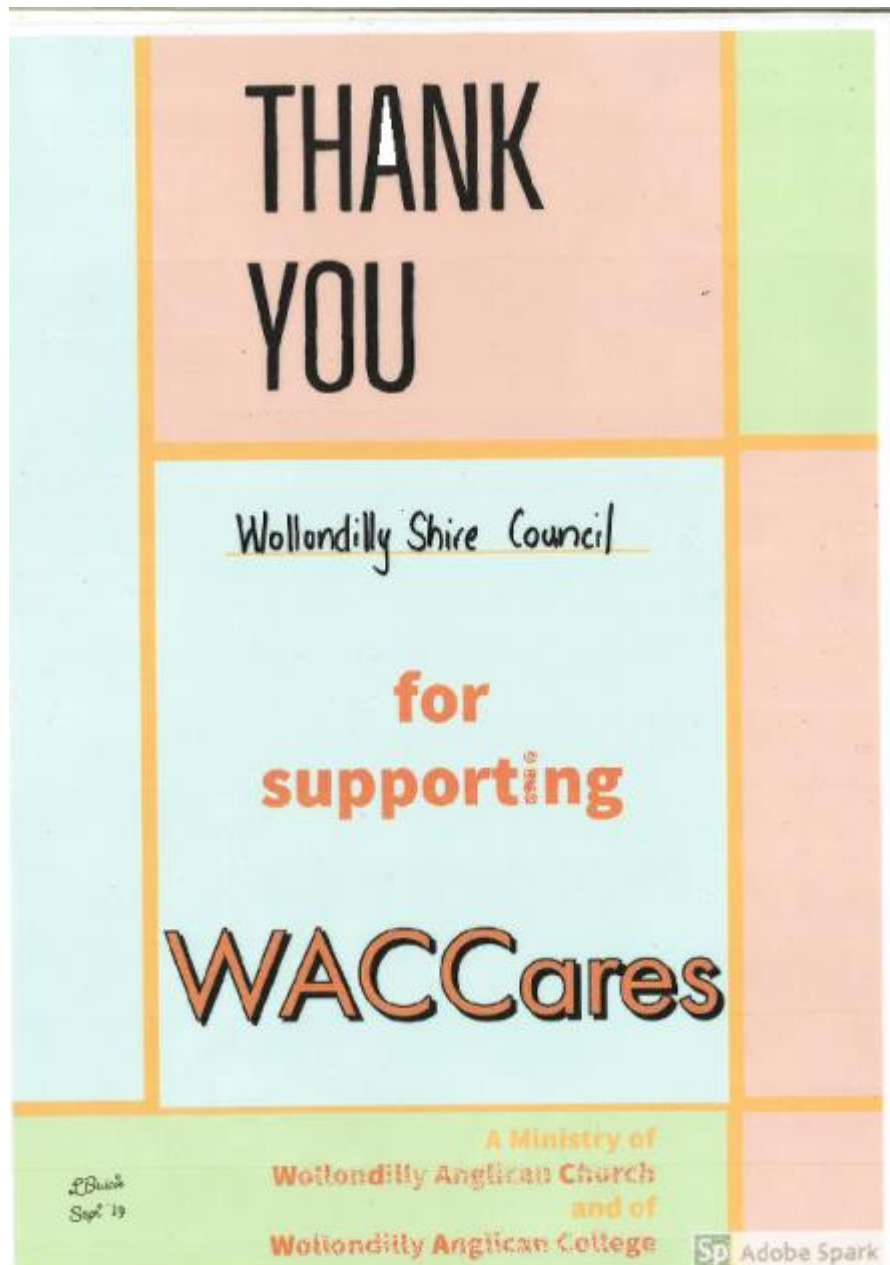
Wollondilly Shire Council is proud to be an ongoing sponsor of the Macarthur Max Potential program. This year, three of our WSC staff members had the opportunity to be Community Coaches, each helping a young person reach their personal goals whilst developing their own coaching skills along the way.

This program provides life-long skills and strategies to enable young adults to 'maximise their potential' and be inspired by the program and coaches as they share the challenges and the change experienced in their six month personal leadership journey

One of this year's Coaches commented that the program was great for both the students and the coaches. It also lets you explore the difference between training someone and coaching them. The structure of the coaching allow you to guide them through some difficult processes then enables them to provide the solutions.



I would like to also table a Certificate of Appreciation from Wollondilly Anglican Community Cares a Ministry of Wollondilly Anglican Church and Wollondilly Anglican College. They are appreciative of the support provided by Council.



The following pages will provide additional details on events attended over the past month.

On Thursday 22 August 2019 the Inclusive Community Care celebrated their 45 years Anniversary of the Picton / Burraborang Meals on Wheels Service.

This event was held at Camden Civic Centre, Oxley Street, Camden.

I would like to thank Councillor Judith Hannan for attending on behalf of Council.



On Saturday 24 August 2019 I attended the Doggy Day Out held in Picton Sportsground. This second inaugural Dilly Doggy Day Out was pawsitively pawfect, with an estimated 3000 people and their furry friends out enjoying the sunshine at Picton Sportsground.

Special guests Dr Katrina Warren and the Wonder Dogs were very popular with locals and everyone got into the spirit of the event, with many dogs dressed up in their finest.

This was a great opportunity to promote responsible pet ownership and host a positive event for the community. Thanks to everyone who worked hard to organise the day, including staff from Events/Communications, Compliance and Parks & Gardens.



On Saturday 24 August 2019 I was very privileged to attend the unveiling of the Bee Friendly Garden, the inspiration of Monique McGuire, one of our amazing local student from Wollondilly Anglican College. This project came about through the Max Potential mentoring program, and as part of the program, participants complete a community service project and aim to leave a legacy for the future.

Monique is passionate about bees and their decreasing population, and conscious of the impact they have on human food sources. She approached Council's Environment team to see whether they knew of a space where she could set up a bee friendly garden, a site was suggested by Chad, Council's Open Space Team Leader. Chad and has offered great practical support to get the garden happening and with the help of members of the community, donations from local businesses and the assistance of Council staff, Monique's vision has become a reality. Congratulations Monique!



On Monday 26 August 2019 I attended a Site Tour of Western Sydney Airport. I would like to thank Councillor Judith Hannan, A/CEO Michael Malone, Director Planning, Toni Averay and A/Director Infrastructure and Environment, Alex Stengl for also attending.



On Monday 26 August 2019 I attended a Community Grants Presentation for Paws for Pet Therapy.

Paws for Pet Therapy will be putting this money towards the purchase an iPad for their training days.

I would like to thank Councillor Judith Hannan for also attending.



On Tuesday 27 August 2019 the Threatened Species Art Competition Judging was held and I would like to thank Councillor Michael Banasik for attending and participating in the judging.

Congratulations to prize winner Ivy St Quintin from St Anthony's Primary School in Picton for her artwork "Matted Bush Pea" pictured below.



On Wednesday 28 August 2019 I attended Douglas Park Public School to present Certificates to the winners of the Local Government Week Colouring In Competition.



In Wednesday 28 August 2019 I attended a Community Grants Presentation for Warragamba Silverdale Neighbourhood Centre.



On Wednesday 28 August 2019 I attended a Community Grants Presentation for Mt Hunter Public School.

I would like to thank Councillor Noel Lowry for also attending this presentation.



On Thursday 29 August 2019 I attended a celebration for one of the educators at Little Elves Childcare Centre, Bargo who was successful in receiving a Scholarship through the Department of Education to undergo a Bachelor of Education. It was a pleasure to attend and personally congratulate Amie Appleby for her achievement, not only receiving the Scholarship but successfully completing her Degree.



On Friday 30 August 2019 a History Week Launch was held in Picton Library.

The theme of History Week 2019 was 'Memory and Landscapes'. This year our local historical societies and the library partnered to produce a memorable experience for the community. The week was officially launched by the Surveyor General, Narelle Underwood at an event which also introduced the 'Wollondilly Street Names Register', an online searchable database of all the street names in the Wollondilly Shire and the history behind the names.

An exhibition in the Shire Hall of old Parish maps, auction posters and stories of each of the towns in the Shire was a highlight of the week drawing many visitors who were fascinated to see the landscape of the Wollondilly Shire in the early years.



The Tahmoor Men's Shed celebrated their 10 year anniversary on Saturday 31 October 2019. Approximately 100 people attended the shed for the official opening of the new shed extension, tours, displays, and a presentation to the Foundation members.

Council is proud to support Wollondilly Community Men's Sheds (WOLCOMS), a group that aims to promote men's health and wellbeing and provide safe, equitable meeting places in the community. There are currently 5 Men's Sheds in our Shire.

I would like to thank Councillors Michael Banasik and Judith Hannan and Executive Director, Ally Dench for accompanying me to this event which was also attended by Member for Wollondilly, Nathaniel Smith.



On Saturday 31 August 2019 Wollondilly Women in Business Annual Event was held at Bargo Sports Club. Around 200 local business and members of our Shire attended.

I would like to thank Councillors Judith Hannan and Executive Director Ally Dench for accompanying me to this event.



On Monday 2 September 2018 I attended the Official Opening of the Western Sydney International Airport Experience Centre. I would like to thank Acting Chief Executive Officer, Michael Malone for also attending.



On Thursday 5 September 2019 I attended the Threatened Species Art and Writing Competition Awards Ceremony which was held at the Australian PlantBank at the Mt Annan Botanic Gardens.

The Threatened Species Art and Writing competition awards was a great success and well received by over 65 guests at our host venue the Plant Bank in Mt Annan Botanic Gardens. This year's competition had the highest number of entries to date with over 675 submissions and is a tribute to the effective working partnership between Wollondilly, Campbelltown and Camden Councils in organising and running the event.

I was very proud to hand out awards for the Free Form Art prize and the Creative Writing prize.



On Saturday 7 September 2019 I attended the Wollondilly Netball Association Grand Final Medal Presentation held at Tahmoor Netball Courts.



On Saturday 7 September 2019 I attended Marsdens Law Group Mater Dei Fundraising Dinner held at The Cube, Campbelltown Catholic Club.



On Sunday 8 September 2019 I attended the Community Grants Presentation with Wollondilly Fellowship of Australian Writers who met at Tahmoor Community Centre.



On Sunday 8 September 2019 the Grand Opening was held for the new Wilton Anglican Church Building. The opening was attended by around 160 adults and 60 children. I would like to thank Councillors Judith Hannan and Michael Banasik for both attending on behalf of Council.



On Monday 9 September 2019 I attended a presentation of Local Government Week Colouring In Competition Awards to students at St Anthony's Primary School in Picton.



On Monday 9 September 2019 I attended a Community Grants Presentation with Wollondilly Cancer Support Group and Community Links Wellbeing held at Community Links Tahmoor.



On Tuesday 10 2019 I attended the Combined Chamber Breakfast with special guest the Premier of NSW. I would like to thank Deputy Mayor Matt Gould, fellow Councillors Judith Hannan, Michael Banasik and A/CEO Michael Malone for also attending.



On Wednesday 11 September 2019 I attended a Macarthur Football Association M League Gala Dinner held at Wests Leagues Club.

Member for Wollondilly Nathaniel Smith also attended this year's premier football (soccer) senior Men's and Women's League event in the region. The very best performers were recognised on Wednesday evening. Congratulations to Tahmoor Taipans Jade Curtis for taking out the coveted Player of the Year Award in the Women's League.



A Certificate of appreciation was also presented from Council to Lynnette Buick as Lynnette is finishing off as Coordinator of the WAC Cares Meals Ministry at the end of this year.



On Thursday 12 September 2019 I attended a Community Grants Presentation for His House Incorporated which was held at His House Church, Bridge Street, Picton.

I would like to thank Councillor Michael Banasik for also attending this presentation.



On Friday 13 September 2019 I met with Susan Conroy, Executive Director, Southern Tablelands Arts for a Community Grants Presentation for Southern Tablelands Arts.



On Saturday 14 September 2019 I attended a Community Grants Presentation for the Wollondilly Arts Group which was held at Tara Gardens, Thirlmere.



On Sunday 15 September 2019 I attended the Step Up Event for Down Syndrome held in the Picton Botanic Gardens. I would like to thank Councillor Judith Hannan for also attending.



On Monday 16 September 2019 I attended the Wilton Public School Assembly to present Local Government Week Winners.



On Monday 16 September 2019 I attended a Community Grants Presentation for the Oaks Heritage Centre.



Matthew Deeth
MAYOR
September 2019

RESOLUTION 205/2019

Moved: Mayor Matthew Deeth

That the Mayoral Minute be accepted.

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

10.3 MAYORAL MINUTE - COMMENCEMENT OF NEW CEO

RESOLUTION 206/2019

Moved: Mayor Matthew Deeth

That the Mayoral Minute be accepted and the delegations of the new CEO be acknowledged.

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

URGENT ITEM OF BUSINESS – WILTON NEW TOWN

At 6.47 pm, the Executive Director Community and Corporate left the meeting due to a Conflict of Interest.

RESOLUTION 207/2019

Moved: Cr Judith Hannan

Seconded: Cr Matthew Gould

That a report be submitted to Council on the long term financial impact of servicing Wilton new town and any unaccounted for infrastructure.

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 Executive Director Community and Corporate returned to the meeting at 6.49 pm.

11 SUSTAINABLE AND BALANCED GROWTH

11.1 LEP REVIEW PROGRAM - PROPOSED EXHIBITION OF DRAFT WOLLONDILLY LOCAL STRATEGIC PLANNING STATEMENT

RESOLUTION 208/2019

Moved: Cr Matthew Gould

Seconded: Cr Blair Briggs

1. *That Council hold an Extraordinary Meeting on Tuesday 24 September 2019 to discuss the Local Strategic Planning Statement (LSPS)*
2. *That Council hold a workshop on the LSPS on Monday 23 September 2019*
3. *That Council lay on the table item 11.1 for consideration at the Extraordinary Meeting, noting that the draft LSPS must be on Public Exhibition before 1 October 2019 in accordance with the Environmental Planning and Assessment Regulations 2017 and the funding agreement.*

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

11.2 DRAFT COMMUNITY PARTICIPATION PLAN

RESOLUTION 209/2019

Moved: Cr Blair Briggs

Seconded: Cr Judith Hannan

1. That Council endorse the public exhibition of the draft Community Participation Plan.
2. That following the exhibition the outcome of the consultation along with any recommended changes be reported to Council by November 2019.
3. *That the definitions and explanation of different Planning Proposal types be included in the 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

11.3 OUTCOME OF PUBLIC NOTIFICATION OF DRAFT PLANNING AGREEMENT FOR 65 MARSH ROAD SILVERDALE

At 6:56 pm, Cr Matthew Gould left the meeting due to a previously declared Conflict of Interest.

At 6:56 pm, Cr Simon Landow left the meeting due to a previously declared Conflict of Interest.

The Assistant Director People, Legal and Governance left the meeting at 6.56 pm due to a previously declared Conflict of Interest.

RESOLUTION 210/2019

Moved: Cr Judith Hannan

Seconded: Cr Robert Khan

That Council:

- 1. Adopts the Draft Voluntary Planning Agreement attached to this report.**
- 2. Authorises the Acting Chief Executive Officer to Execute the Voluntary Planning Agreement on behalf of Council.**
- 3. Accepts the dedication of the land as provided for in the Voluntary Planning Agreement.**
- 4. Agrees to the classification of the proposed land dedication as Community Land under the Local Government Act, 1993.**

On being put to the meeting the motion was declared **CARRIED 6/0**

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

Against: Nil

At 7:02 pm, Cr Matthew Gould returned to the meeting.

At 7:02 pm, Cr Simon Landow returned to the meeting.

The Assistant Director People, Legal and Governance returned to the meeting at 7.02 pm.

11.4 OUTCOME OF PUBLIC NOTIFICATION OF THE DRAFT PLANNING AGREEMENT FOR 30 JARVIS STREET THIRLMERE

At 7:03 pm, Cr Judith Hannan left the meeting and at 7:04 pm returned to the meeting.

RESOLUTION 211/2019

Moved: Cr Michael Banasik

Seconded: Cr Blair Briggs

- 1. That Council adopt the Voluntary Planning Agreement attached to this report.**
- 2. That the Chief Executive Officer be authorised to execute the Voluntary Planning Agreement on behalf of Council.**
- 3. *That a park or reserve be considered for any future rezoning of the East Thirlmere area and in the next review of the Open Space Strategy.***

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 MANAGEMENT AND PROVISION OF INFRASTRUCTURE

12.1 PICTON TOWN CENTRE TRANSPORT PLAN 2026 - PROPOSED SIGNALISATION OF MENANGLE/PRINCE STREETS INTERSECTION

RESOLUTION 212/2019

Moved: Cr Michael Banasik

Seconded: Cr Blair Briggs

- 1. *That the information within this report be noted and the matter be reported to Council within 3 months subject to a further Workshop with Council.***
- 2. *That Council write to the RMS and State Member for an update on the Picton bypass regarding consultation and delivery timeframe.***

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

13.1 DRAFT TREE MANAGEMENT POLICY

RESOLUTION 213/2019

Moved: Cr Judith Hannan

Seconded: Cr Matthew Gould

That Council endorse the draft Tree Management Policy for Public Exhibition and note that a further report will be presented to Council for Policy Adoption.

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

13.2 DENDROBIUM COLLIERY EXTENSION ENVIRONMENTAL IMPACT STATEMENT

RESOLUTION 214/2019

Moved: Cr Noel Lowry

Seconded: Mayor Matthew Deeth

That Council:

1. Opposes the expansion of *the Dendrobium Colliery Extension* mining operations and formally objects to the proposal until the potential impacts on water sources (eg. *drinking water*) and supplies are addressed to the satisfaction of Water NSW.
2. Endorses the lodgement of a submission to the NSW Department of Planning, Industry & Environment (DPIE) on the Project Application and writes to NSW DPIE to:
 - Lodge the submission and advise of Council's position.
 - Request a review of the process and preparation of the Preliminary Issues Report by DPIE after the receipt of the report by the Independent Panel for Mining in the Drinking Catchment.
 - Request that impacts of the Project Application on the volumes and quality of potable water supply of the Wollondilly and Macarthur residents for both current population and projected growth (including Growth Areas) be reviewed.
 - Request that a Public Hearing be held as part of the investigation by the Independent Planning Assessment Commission.
3. Write to:
 - The NSW Minister for Planning & Public Spaces advising of Council's position and request that the consideration of the Dendrobium Project Application not occur until the release of the Report by the Expert Panel.
 - Water NSW supporting their position and submissions regarding mining in Catchment Areas and offering assistance and support to the efforts of Water NSW to protect water supplies for the Greater Sydney Basin.

On being put to the meeting the motion was declared **CARRIED 5/3**

In Favour: Crs Judith Hannan, Michael Banasik, Matthew Deeth, Matthew Gould and Noel Lowry

Against: Crs Robert Khan, Blair Briggs and Simon Landow

Cr Briggs foreshadowed a Motion.

Cr Hannan and Cr Banasik raised a point of order on Cr Landow's comments on this Item.

14 LOOKING AFTER THE COMMUNITY

No reports this meeting

15 EFFICIENT AND EFFECTIVE COUNCIL

15.1 LOCAL GOVERNMENT CONFERENCE 2019 - VOTING DELEGATES

RESOLUTION 215/2019

Moved: Cr Judith Hannan

Seconded: Cr Michael Banasik

That that the voting delegates for the 2019 LGNSW Annual Conference, for each type of voting, be the Mayor, Deputy Mayor, *Cr Banasik and Cr Hannan.*

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

15.2 DRONE (REMOTELY PILOTED AIRCRAFT SYSTEM) POLICY

At 7:39 pm, Cr Noel Lowry left the meeting and at 7:40 pm returned to the meeting.

RESOLUTION 216/2019

Moved: Cr Robert Khan

Seconded: Cr Matthew Gould

- 1. That the Drone (Remotely Piloted Aircraft System) Policy be placed on public exhibition for a period of 28 days.**
- 2. That a further report be presented to Council for Policy Adoption following the exhibition period.**

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

15.3 INVESTMENT OF FUNDS AS AT 31 JULY 2019

RESOLUTION 217/2019

Moved: Cr Blair Briggs

Seconded: Cr Judith Hannan

That the information and certification in relation to the investment of Council funds as at 31 July 2019 be noted.

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 - WARRAGAMBA DAM WALL RAISING

At 7:42 pm, Cr Michael Banasik left the meeting and at 7:43 pm returned to the meeting.

RESOLUTION 218/2019

Moved: Cr Judith Hannan

Seconded: Cr Matthew Gould

That we invite Phil Costa to a Workshop to talk about the Warragamba Dam wall raising.

Note from the Acting Chief Executive Officer:

Unless there is a claim for disbursements or travel there are no financial implications.

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

16.2 NOTICE OF MOTION - WATER SUPPLY FOR WILTON NEW TOWN

RESOLUTION 219/2019

Moved: Cr Judith Hannan

Seconded: Cr Matthew Gould

1. That we invite the Department of Planning Industry and Environment, *the local State and Federal members, the IPART, Sydney Water and Water NSW* to a Community Forum to explain the water supply and pricing to Wilton new town *and the Greater Macarthur.*
2. *That a report be submitted to Council on the cost of holding a water symposium with all Councils supplied by the Upper Nepean.*

Note from the Acting Chief Executive Officer:

There are no financial, policy, or legal implications with this notice of motion provided it is through an existing Community Forum.

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

The Mayor advised there are three confidential items of business to be discussed this evening and stated that the matters and information are referred under S10A(2) of the Local Government Act clauses:

- (a) personnel matters concerning particular individuals (other than councillors),
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

The Mayor stated that under 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.

RESOLUTION 220/2019

Moved: Mayor Matthew Deeth

Seconded: Cr Judith Hannan

- 1. That Council considers the confidential report(s) listed below in a meeting closed to the public *in accordance with Section 10A(2) of the Local Government Act 1993:***

17.1 Quarterly Legal Status

This matter is considered to be confidential under Section 10A(2)(g) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This report covers outcomes of litigation matters and associated legal expenditure.

17.2 Negotiating the matter of Interest in Council Owned Land - Menangle and Colden Streets, Picton

This matter is considered to be confidential under Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

The matter pertains to an unsolicited offer to acquire land in the Picton Town Centre that may constrain Council's strategic intent and confer financial advantage to the proponent to the disadvantage of other commercial parties and Council.

17.3 Confidential Report - Outcomes of Investigation & Assessment of Officer's Actions

This matter is considered to be confidential under Section 10A(2)(a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

Reporting the outcomes of an investigation into the actions of an officer.

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 8/0**

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

Against: Nil

Council moved into closed session at 8.02pm. The public left the chambers.

The Ordinary meeting re-opened to the public and media at 8.52 pm with all Councillors, Acting Chief Executive Officer, Executive Director Community & Corporate, Assistant Director People, Legal & Governance, and two Minute Takers present.

The Mayor read the resolutions adopted during closed session.

In respect of **Item 17.1 – Quarterly Legal Status**

1. *That Council note this report.*
2. *That Council receive a report next month with detailed breakdown of costs and matters outstanding.*
3. *That Council be informed of significant legal matters once commenced.*

In respect of **Item 17.2 – Negotiating the matter of Interest in Council Owned Land – Menangle and Colden Streets, Picton**

That due to unforeseen tragic circumstances Council rescinds Resolution 111/2018 from Ordinary Meeting held on 21 May 2018 and Resolution 1/2019 from Extraordinary Meeting held on 15 July 2019.

In respect of **Item 17.3 – Confidential Report –Outcomes of Investigation & Assessment of Officer's Actions**

That the report be noted.

18 QUESTIONS FOR NEXT MEETING

No reports this meeting

The Meeting closed at 8.53 pm.

This and the preceding 59 pages are the Minutes of the Ordinary Meeting of Council held on Monday 16 September 2019 and were confirmed at the subsequent Ordinary Council Meeting held on 21 October 2019.

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MAYOR