



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 10 March 2020
location: council chambers
time: 6:30 p.m.

ORDINARY MEETING

Table of Contents

Minutes: 10 March 2020

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	ATTENDANCE	3
	APOLOGIES AND LEAVE OF ABSENCE	3
	DECLARATIONS OF INTEREST	3
	SECTION 1 - Confirmation of Minutes	4
	SECTION 3 – Reports for Determination	5
	PLANNING DECISIONS	5
Item: 038	CP - Planning Proposal to Amend Hawkesbury Local Environment Plan 2012 - 9 Industry Road, Vineyard, 312 Windsor Road, Vineyard, 7 Fernadell Drive, Pitt Town - (95498, 124414)	5
	CITY PLANNING	6
Item: 039	CP - Strategic Conversation Management Plan of the Hawkesbury City Council Historic Cemeteries - (95498, 124414)	6
	SUPPORT SERVICES	7
Item: 040	SS - Monthly Investments Report - January 2020 - (95496)	7
Item: 041	SS - Land Revaluation - (95496)	8
Item: 042	SS - State Government Funding for NSW Public Libraries - (79351, 80248, 95496, 82780)	9
Item: 043	SS - Review of Council's Investment Policy - (95496)	10
Item: 044	SS - Pecuniary Interest Return - Designated Person - (95496, 96333)	11
	SECTION 4 – Reports of Committees	12
Item: 045	ROC - Floodplain Risk Management Advisory Committee - 5 December 2019 - (86589, 124414)	12
	SECTION 5 – Notices of Motion	14
Item: 046	NM1 - Ferry Closure Information - (79351, 125612)	14
Item: 047	NM2 - Request for a report regarding Council's spending during the current term of Council - (79351, 138879)	15

ORDINARY MEETING

Table of Contents

Minutes: 10 March 2020

CONFIDENTIAL REPORTS	17
Item: 048 SS - License Agreements - 1 Dight Street, Windsor - (126231, 138919, 136331, 133248, 136756, 136338, 95496, 112106) CONFIDENTIAL	19
Item: 049 SS - Acquisition of Crown Land under Council's Management by Roads and Maritime Services - Part of Lot 7008 in DP 1029964 (now Lot 71 in DP 1238663) and Lot 345 in DP 752061, Bridge Street, Windsor - (14893, 100920, 95496) CONFIDENTIAL	20
Item: 050 SS - Property Matter - Lease to Upper Hawkesbury Power Boat Club - Club House - Governor Phillip Park, Windsor - (95496, 73829, 112106) CONFIDENTIAL	21
Item: 051 SS - Lease to Blefari Holdings Pty Ltd - Shop 6, Glossodia Shopping Village - (126147, 95496, 112106) CONFIDENTIAL	22
Item: 052 IS - Tender No. T00056 - Maintenance and Repair of SCADA and PLC Communications System - (95495, 112179) CONFIDENTIAL	23

ORDINARY MEETING

Minutes: 10 March 2020

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 10 March 2020, commencing at 6:33pm.

Welcome

The Mayor, Councillor Barry Calvert acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

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

ATTENDANCE

PRESENT: Councillor Barry Calvert, Mayor, Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Patrick Conolly, Emma-Jane Garrow, Paul Rasmussen, Sarah Richards, John Ross, Tiffany Tree, Danielle Wheeler and Nathan Zamprogn.

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Strategic Planning Manager - Andrew Kearns, Communications, Events and Visitor Services - Suzanne Stuart, Chief Financial Officer - Emma Galea, Acting Property and Strategy Manager - Linda Hewitt, Manager Corporate Services and Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE

Apologies of absence were received from Councillor Amanda Kotlash and Councillor Peter Reynolds.

42 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Zamprogn that the apologies be accepted.

Councillor Conolly arrived at the meeting at 6:40pm.

Councillor Tree left the meeting at 7:58pm.

DECLARATIONS OF INTEREST

Councillor Richards declared an interest on Item 045.

Councillor Wheeler declared an interest on Item 042.

Acknowledgement of Official Visitors to the Council

There were no official visitors to the Council.

ORDINARY MEETING

Minutes: 10 March 2020

SECTION 1 - Confirmation of Minutes

43 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett and seconded by Councillor Garrow that the Minutes of the Extraordinary Meeting held on Tuesday, 18 February 2020, be confirmed, subject to the reconvened meeting attendance on page 14 of the Minutes correctly recording that Councillor Paul Rasmussen was in attendance.

For the Motion: Councillors Calvert, Lyons-Buckett, Garrow, Rasmussen, Richards, Tree, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillors Conolly, Kotlash and Reynolds.

44 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Zamprogno that the Minutes of the Ordinary Meeting held on the Tuesday, 25 February 2020, be confirmed.

For the Motion: Councillors Calvert, Lyons-Buckett, Garrow, Rasmussen, Richards, Tree, Wheeler and Zamprogno.

Against the Motion: Councillor Ross.

Absent: Councillors Conolly, Kotlash and Reynolds.

ORDINARY MEETING

Minutes: 10 March 2020

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 038 **CP - Planning Proposal to Amend Hawkesbury Local Environment Plan 2012 - 9 Industry Road, Vineyard, 312 Windsor Road, Vineyard, 7 Fernadell Drive, Pitt Town - (95498, 124414)**

Previous Item: 221, Ordinary (11 September 2018)
 251, Ordinary (30 October 2018)
 027, Ordinary, (25 February 2020)

Directorate: City Planning

MOTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Rasmussen.

Refer to RESOLUTION

45 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Rasmussen.

That:

1. Council support the recommendation of the Hawkesbury Local Planning Panel dated 21 November 2019.
2. Council support the preparation of a Planning Proposal to:
 - (a) With respect to 9 Industry Road and 312 Windsor Road, Vineyard
 - (i) Reclassify Lot 9 DP 1149340, 9 Industry Road, and Lot 13 DP 815849 and Lot 6 DP 777933, 312 Windsor Road, Vineyard to 'Operational' land;
 - (ii) Include Council's intention to protect the vegetation on the site.
 - (b) With respect to 7 Fernadell Drive, Pitt Town (Fernadell Park)
 - (i) Reclassify part of Lot 6028 DP 1169449, 7 Fernadell Drive, Pitt Town to 'Operational' land;
 - (ii) Rezone part of Lot 6028 DP 1169449, 7 Fernadell Drive, Pitt Town to RE1 Public Recreation;
 - (iii) Amend the minimum lot size for subdivision of Lot 6028 DP 1169449, 7 Fernadell Drive, Pitt Town to part 4,000m² and part no minimum lot size.
 - (iv) Amend the maximum height of buildings on part of Lot 6028 DP 1169449, 7 Fernadell Drive, Pitt Town so that there is no restriction on the height of buildings.

and that the Planning Proposal be forwarded to the Department of Planning, Industry and Environment for a 'Gateway' determination.

3. The Department of Planning, Industry and Environment be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.

ORDINARY MEETING

Minutes: 10 March 2020

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Reynolds and Tree.

CITY PLANNING

Item: 039 CP - Strategic Conversation Management Plan of the Hawkesbury City Council Historic Cemeteries - (95498, 124414)

Previous Item: 7 - HAC (23 February 2017)
2 - HAC (2 August 2018)
3 - HAC (7 March 2019)
3 - HAC (13 June 2019)
2 - HAC (1 August 2019)
4 - HAC (21 October 2019)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

46 RESOLUTION:

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

That Council endorse the Hawkesbury City Council Cemeteries Strategic Conservation Management Plan January 2020 prepared by GML Heritage Pty Ltd.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Reynolds and Tree.

ORDINARY MEETING

Minutes: 10 March 2020

SUPPORT SERVICES

Item: 040 **SS - Monthly Investments Report - January 2020 - (95496)**

Previous Item: 150, Ordinary (26 June 2018)
 032, Ordinary (25 February 2020)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

47 RESOLUTION:

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

That the Monthly Investments Report for January 2020 be received and noted.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Richards,
 Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Reynolds and Tree.

ORDINARY MEETING

Minutes: 10 March 2020

Item: 041 **SS - Land Revaluation - (95496)**

Previous Item: 027, Ordinary (25 February 2020)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

48 RESOLUTION:

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

That the information concerning the valuation of properties within the Hawkesbury City Council Local Government Area be received and noted.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Reynolds and Tree.

ORDINARY MEETING

Minutes: 10 March 2020

Item: 042 **SS - State Government Funding for NSW Public Libraries - (79351, 80248, 95496, 82780)**

Previous Item: 166, Ordinary (10 July 2018)
 186, Ordinary (31 July 2018)
 034, Ordinary (25 February 2020)

Directorate: Support Services

Councillor Wheeler declared a pecuniary interest in this matter as her husband is employed by Hawkesbury City Council in Windsor and Richmond Libraries. She left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

49 RESOLUTION:

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

That Council:

1. Make representation to the local State Member, in relation to the need for a sustainable State funding model for the ongoing provision of public library services.
2. Write to the Minister for the Arts and the Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of State funding for NSW public libraries, as well as legislation of all elements of the 2019/2020 to 2022/2023 NSW State funding model.
3. Take a leading role in lobbying for sustainable State government funding for libraries.
4. Endorse the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council's libraries, as well as involvement in any actions proposed by the Association.

For the Motion: Councillors Calvert, Lyons-Buckett, Garrow, Rasmussen and Ross.

Against the Motion: Councillors Conolly, Richards and Zamprogno.

Absent: Councillors Kotlash, Reynolds, Tree and Wheeler.

ORDINARY MEETING

Minutes: 10 March 2020

Item: 043 **SS - Review of Council's Investment Policy - (95496)**

Previous Item: 150, Ordinary (28 June 2018)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

50 RESOLUTION:

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

That:

1. Council adopt the Investment Policy, as amended and attached as Attachment 1 to this report.
2. A further report be provided to Council on the implementation of Clause 11.4 of the Investment Policy and the divestment of funds.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Reynolds and Tree.

ORDINARY MEETING

Minutes: 10 March 2020

Item: 044 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

Directorate: Support Services

MOTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Richards.

Refer to RESOLUTION

51 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Richards.

That the Clause 4.21(a) Pecuniary Interest Return be received and noted.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash and Reynolds.

ORDINARY MEETING

Minutes: 10 March 2020

SECTION 4 – Reports of Committees

Item: 045 **ROC - Floodplain Risk Management Advisory Committee - 5 December 2019 - (86589, 124414)**

Previous Items: 016, Extraordinary (18 February 2020)

Directorate: City Planning

Councillor Richards declared a significant non-pecuniary conflict of interest in this matter as she announced the funding for the third crossing, duplication of North Richmond Bridge in her Federal Election Campaign. She left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

52 RESOLUTION:

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

That:

1. The Minutes of the Floodplain Risk Management Advisory Committee held on 5 December 2019 be received and noted.
2. In relation to Item 2 of the Minutes, that Council:
 - a) Thank and congratulate staff on the successful grant applications.
 - b) Officers seek details of any current flood studies of South Creek undertaken by Blacktown and Penrith Council's.
 - c) Engage in ongoing communication with other Councils in the Hawkesbury Nepean Valley with regard to Floodplain management.
3. In relation to Item D in General Business, that:
 - a) Infrastructure Committee members be invited to attend the next Flood Risk Management Advisory Committee in order to discuss the need for evacuation to be supported by appropriate infrastructure, and whether Council should consider recommending a higher flood immunity for the Richmond Bridge Duplication Project to ensure that the roads and access to the bridge are trafficable in a 1:100 level flood.

ORDINARY MEETING

Minutes: 10 March 2020

4. In relation to Item F in General Business, Council endorse the recommendation of the Floodplain Risk Management Committee, namely that:
 - a) Council send a letter to the SES seeking clarification on their communications with the community regarding evacuation west of the river in the event of flooding, including an impact statement for loss of power.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Reynolds, Richards and Tree.

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 10 March 2020

SECTION 5 – Notices of Motion

Item: 046 **NM1 - Ferry Closure Information - (79351, 125612)**

MOTION:

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

Refer to RESOLUTION

53 RESOLUTION:

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

That Council:

1. Seek clarification from the RMS regarding their established procedure for issuing community information about ferry closures and reopening, and
2. Request the RMS;
 - a) Provide Council with all information related to the three ferries within the Hawkesbury LGA but operated by RMS, as soon as such information is available, and
 - b) Expand the level of detail of information issued about ferry closures to include relevant information about any repairs or clean ups required, and an approximate time of reopening, and
3. Include, in the upcoming review of emergency management plans, a component investigating the adequacy of guidelines of communication, of information from agencies (RMS, RFS, SES, Police, Council) to the public, about road, bridge and ferry closures.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Reynolds and Tree.

ORDINARY MEETING
SECTION 5 – Notices of Motion

Meeting Date: 10 March 2020

Item: 047 **NM2 - Request for a report regarding Council's spending during the current term of Council - (79351, 138879)**

Mr John Cupit and Mr Matthew Bennett addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

54 RESOLUTION:

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

That Council prepare a report for Council's consideration prior to the end of April 2020 providing further information regarding Council finances, specifically:

1. Details of all transfers to and from Council's contingency reserve for the last 6 years;
2. The number of Full Time Equivalent staff and the vacancies and cost of those employees for the last 6 years;
3. The total cost of all external consultants used for the last 6 years and itemised by matter and cost.
4. A comparison of the total cost of legal advice incurred annually for the last 6 years, and the total cost of legal advice provided for in the original budgets adopted by Council. The report to include case-by-case commentary for any variances;
5. Estimates of the total income to be generated through biodiversity offsets in the current and future financial years, an explanation of how this income will be generated, and why this wasn't included in the original budget adopted by Council;
6. Estimates of the total additional income to be generated through property-related activities in the current financial year, an explanation of how this income will be generated, and why this wasn't included in the original budget adopted by Council.
7. Details of the Audit Committee's considerations of Council's December 2019 Quarterly Report.
8. Details of prepayments received over the last 6 years, and the impacts they have had on Council's final financial position.
9. Details of carryovers over the last 6 years, and the impacts they have had on Council's final financial position.
10. Comparison of infrastructure backlog, maintenance and capital works over the last 6 years.
11. Details of the 2019/2020 Works Program specifically the following;
 - Works completed to date
 - Works expected to be completed by 30 June 2020
 - Works that are expected not to be completed by 30 June 2020.
12. All information in the report be provided in a manner that rate payers can understand and be transparent.

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 10 March 2020

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Richards, Ross, Tree, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash and Reynolds.

ORDINARY MEETING

Minutes: 10 March 2020

CONFIDENTIAL REPORTS

55 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Wheeler.

That:

1. The Council meeting be closed to deal with confidential matters and in accordance with Section 10A of the Local Government Act, 1993, members of the Press and the public be excluded from the Council Chambers during consideration of the following items:

Item: 048 SS - License Agreements - 1 Dight Street, Windsor - (126231, 138919, 136331, 133248, 136756, 136338, 95496, 112016)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that they release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 049 SS - Acquisition of Crown Land under Council' Management by Roads and Maritime Services - Part of Lot 7008 in DP 1029964 (now Lot 71 in DP 1238663) and Lot 34 in DP 752061, Bridge Street, Windsor - (14893, 100920, 95496)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the Local Government Act, 1993 as it relates to legal advice concerning ongoing Class 3 legal proceedings in the Land and Environment Court and the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 050 SS - Property Matter - Lease to Upper Hawkesbury Power Boat Club - Club House - Governor Phillip Park, Windsor - (95496, 73829, 112106)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that they release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 051 SS - Lease to Blefari Holdings Pty Ltd - Shop 6, Glossodia Shopping Village - (126147, 95496, 112106)Heading

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that they release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore if considered in an open meeting would, on balance, be contrary to the public interest.*

ORDINARY MEETING

Minutes: 10 March 2020

Item: 052 IS - Tender No. T00056 - Maintenance and Repair of SCADA and PLC Communications System - (95495, 112179)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and/or services to Council and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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

The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with these confidential matters.

There was no response, therefore, the Press and the public left the Council Chambers.

56 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Richards that open meeting be resumed.

ORDINARY MEETING

Minutes: 10 March 2020

Item: 048 **SS - License Agreements - 1 Dight Street, Windsor - (126231, 138919, 136331, 133248, 136756, 136338, 95496, 112106)**

Previous Item: 022, Ordinary, (30 January 2018)
 026, Special, (18 February 2020)
 037, Ordinary, (25 February 2020)

Directorate: Support Services

MOTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

Refer to RESOLUTION

57 RESOLUTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

That:

1. Council agree to enter into new licence agreements with the existing tenants of the property known as Hawkesbury Professional Business Chambers, 1 Dight Street, Windsor, as outlined in this report, as well as any new tenants that are secured.
2. The General Manager be authorised to approve minor amendments to the licence agreements if necessary.
3. Authority be given for the licence agreements and any other relevant documentation in association with this matter to be executed under the Seal of Council.
4. Details of Council's resolution be conveyed to the proposed tenants, together with the advice that Council, is not and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such a resolution into effect has been agreed to and executed by all parties.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Reynolds and Tree.

ORDINARY MEETING

Minutes: 10 March 2020

Item: 049 **SS - Acquisition of Crown Land under Council's Management by Roads and Maritime Services - Part of Lot 7008 in DP 1029964 (now Lot 71 in DP 1238663) and Lot 345 in DP 752061, Bridge Street, Windsor - (14893, 100920, 95496)**

Previous Item: 32, Ordinary (23 February 2016)
 302, Ordinary (11 December 2018)
 210, Ordinary (12 November 2019)
 036, Ordinary (25 February 2020)

Directorate: Support Services

MOTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Lyons-Buckett.

Refer to RESOLUTION

58 RESOLUTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Lyons-Buckett.

That:

1. Council agree to enter into a Deed of Settlement with Transport for New South Wales ("TfNSW") for the Windsor Bridge Replacement Project.
2. In conjunction with part 1 above, Council agree to discontinue the Class 3 proceedings by instructing Council's Solicitor to complete and file a Notice of Discontinuance.
3. Authority be given for the Deed of Settlement and any other relevant documentation in association with this matter to be executed under the Seal of Council.
4. Authority be given for a copy of Council's resolution to be provided by Council's Solicitor to TfNSW, together with the advice that no binding agreement exists between the parties until the Deed of Settlement has been finalised and signed by both parties.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Reynolds and Tree.

ORDINARY MEETING

Minutes: 10 March 2020

Item: 050 **SS - Property Matter - Lease to Upper Hawkesbury Power Boat Club - Club House - Governor Phillip Park, Windsor - (95496, 73829, 112106)**

Previous Item: Ordinary, (13 December 2011)

Directorate: Support Services

MOTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Rasmussen.

Refer to RESOLUTION

59 RESOLUTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Rasmussen.

That:

1. Council proceed to publicly exhibit and notify of the proposed lease to the Upper Hawkesbury Power Boat Club for the Clubhouse located at Governor Phillip Park, 1 Livingston Street, Windsor, as outlined in the report and in accordance with Sections 47 and 47A of the Local Government Act, 1993.
2. At the expiration of the public notification period outlined in Part 1 above, the following action be taken:
 - a) Should any submissions be received regarding the proposed lease to Upper Hawkesbury Power Boat Club for the Clubhouse located at Governor Phillip Park, 1 Livingston Street, Windsor, a further report be submitted to Council, or
 - b)
 - (i) Should no submissions be received, Council enter into a new lease with Upper Hawkesbury Power Boat Club for the Clubhouse located at Governor Phillip Park, 1 Livingston Street, Windsor, as outlined in the report.
 - (ii) Authority be given for any documentation in association with the matter to be executed under Seal of Council.
 - (iii) Details of Council's resolution be conveyed to the proposed Lessee, together with the advice that Council is not, and will not, be bound by the terms of the resolution, until such time as appropriate legal documentation to put such a resolution into effect has been agreed to and executed by all parties.

For the Motion: Councillors Calvert, Conolly, Garrow, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Lyons-Buckett, Reynolds and Tree.

ORDINARY MEETING

Minutes: 10 March 2020

Item: 051 **SS - Lease to Blefari Holdings Pty Ltd - Shop 6, Glossodia Shopping Village - (126147, 95496, 112106) CONFIDENTIAL**

Previous Item: 165, Ordinary (12 September 2017)

Directorate: Support Services

MOTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

Refer to RESOLUTION

60 RESOLUTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

That:

1. Council agree to enter into a new lease with Blefari Holdings Pty Ltd for the property known as Shop 6, Glossodia Shopping Village, as outlined in the report.
2. Authority be given for the lease and any other relevant documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee, together with the advice that Council, is not and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such a resolution into effect has been agreed to and executed by all parties.

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Reynolds and Tree.

ORDINARY MEETING

Minutes: 10 March 2020

Item: 052 **IS - Tender No. T00056 - Maintenance and Repair of SCADA and PLC Communications System - (95495, 112179)**

Previous Item: 99, Ordinary (30 May 2017)

Directorate: Infrastructure Services

MOTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Wheeler.

Refer to RESOLUTION

61 RESOLUTION:

The Director of Support Services advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Wheeler.

That:

1. The current contract for the "Maintenance and Repair of SCADA and PLC Communications System - Contract No T00056" between Council and ITECH Corporation and SAGE Automation be extended until midnight on 5 June, 2022 based on the existing terms and conditions of the contract.
2. The Seal of Council be affixed to any necessary documentation.

For the Motion: Councillors Calvert, Conolly, Garrow, Rasmussen, Richards, Ross, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillors Kotlash, Lyons-Buckett, Reynolds and Tree.

The meeting terminated at 9:18pm.

Submitted to and confirmed at the Ordinary meeting held on 31 March 2020.

.....
Mayor