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ordinary meeting minutes

date of meeting: 30 October 2018 location: council chambers time: 6:30 p.m.

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Minutes: 30 October 2018

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 30 October 2018, commencing at 6.32pm.

Welcome

The Mayor, Councillor 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, Amanda Kotlash, Paul Rasmussen, Peter Reynolds, Sarah Richards, John Ross, Tiffany Tree, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager -Community Partnerships - Joseph Litwin, Chief Financial Officer - Emma Galea, Strategic Planning Manager - Andrew Kearns, Manager Corporate Communication - Suzanne Stuart, Administrative Support Coordinator - Tracey Easterbrook and Administration Support Officer - Kylie Wade-Ferrell.

APOLOGIES AND LEAVE OF ABSENCE

No apologies or leave of absence were received from Councillors.

Councillor Tree left the meeting at 11pm.

DECLARATIONS OF INTEREST

Councillor Conolly declared an interest on Item 259.

Councillor Lyons-Buckett declared an interest on Item 259.

Councillor Richards declared an interest on Item 252.

Councillor Wheeler declared interests on Items 258 and 259.

Acknowledgement of Official Visitors to the Council

There were no official visitors to the Council.

Minutes: 30 October 2018

SECTION 1 - Confirmation of Minutes

320 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Conolly that the Minutes of the Ordinary held on the 9 October 2018, be confirmed.

ORDINARY MEETING SECTION 2 – Mayoral Minute

Minutes: 30 October 2018

SECTION 2 – Mayoral Minutes

Item: 268 MM - Death of Mr Aubrey Voller, President Wilberforce School of Arts - (79353, 79351)

MOTION:

RESOLVED on the motion of the Mayor, Councillor Calvert.

Refer to RESOLUTION

321 RESOLUTION:

RESOLVED on the motion of the Mayor, Councillor Calvert.

That Council:

- 1. Convey its deepest condolences to the family of the late Mr Aubrey Voller together with the Committee of the Wilberforce School of Arts.
- 2. Convey its deepest condolences to the family of the late Mr Ron Rozzoli together with the Committee of the Richmond School of Arts.

ORDINARY MEETING SECTION 3 – Reports for Determination

Minutes: 30 October 2018

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 251 CP - Pitt Town Community Precinct - (95498, 96328)

Division: City Planning

Mr Peter Ryan addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

322 RESOLUTION:

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

That Council:

- 1. Approve the preparation of a planning proposal to:
 - Rezone Fernadell Park the proposed Pitt Town Community Precinct site (Lot 6028 DP 1169449) from RU2 Rural Landscape to RE1 Public Recreation to enable the construction of a multi-function community, recreational and sporting facility
 - b. Reclassify the 4,299m² Community Centre Site on Fernadell Drive from Community Land to Operational Land under the Local Government Act, 1993, and amend the minimum lot size map to accommodate a lot this size
 - c. Maintain the current RU2 Rural Landscape zone for the Community Centre Site.
- Include within the proposed update of the Section 94 Contributions Plan 2015, a provision to delete the requirement for Council to retain the 4,299m² Community Centre Site on the corner of Fernadell Drive for a public amenity purpose.
- 3. Commence the preparation of a Master Plan and Plan of Management for the Pitt Town Community Precinct on Fernadell Park fronting Stables Street.
- 4. Further consult with the Pitt Town Progress Association to develop and implement a community engagement strategy to inform residents and seek their views on the development of the Pitt Town Community Precinct on Fernadell Park fronting Stables Street.
- 5. Note the \$4M grant application under the NSW Greater Sydney Sports Facility Fund seeking additional external investment for the Pitt Town Community Centre.
- 6. Specifically consult with residents opposite and adjacent to the proposed Pitt Town Community Precinct site.
- 7. Consult with the entire Pitt Town community to ascertain the best use of the 4,299m² Community Centre site on Fernadell Drive.

ORDINARY MEETING SECTION 3 – Reports for Determination

Minutes: 30 October 2018

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	Against the Motion
Councillor Calvert	Nil
Councillor Conolly	
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Rasmussen	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Tree	
Councillor Wheeler	
Councillor Zamprogno	

SECTION 3 – Reports for Determination

Minutes: 30 October 2018

GENERAL MANAGER

Item: 252 GM - Events Sponsorship Program - 2018/2019 - Round 1 - (95496, 96328)

Division: General Manager

Councillor Richards declared a significant non-pecuniary conflict of interest in this matter as she is on the Committee of Relay for Life. 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 Kotlash.

Refer to RESOLUTION

323 RESOLUTION:

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

That Council:

- 1. Under the 2018/2019 Event Sponsorship Program, agree to support the organisations and individuals listed at the level recommended in Table 1 of this report.
- 2. Approve the execution of Council's standard Sponsorship Agreement for the applications as identified in Table 1 of this report.
- 3. Adjust the Events Sponsorship Program to incorporate the initial findings from the implementation of the Events Strategy to better align grant programs with the availability of funding over the financial year.

SECTION 3 – Reports for Determination

Minutes: 30 October 2018

Item: 253 GM - Australia Day 2019 - (95496, 96328, 79351)

Division: General Manager

MOTION:

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

Refer to RESOLUTION

An AMENDMENT was moved by Councillor Zamprogno, seconded by Councillor Conolly.

That:

- 1. Council approve the reallocation of \$20,000 from the Banner Program to the Australia Day Program within the 2018/2019 Operational Plan.
- 2. Planning for Australia Day 2019 include the holding of the Citizenship Ceremony, at a venue to be decided by Council, on the morning of Australia Day.

The amendment was lost.

324 RESOLUTION:

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

That Council approve the reallocation of \$20,000 from the Banner Program to the Australia Day Program within the 2018/2019 Operational Plan.

Item: 254	GM - 18th International Cities, Town Centres and Communities (ICTC)
	Conference - (79351)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

325 RESOLUTION:

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

That the information be received and noted.

SECTION 3 – Reports for Determination

Minutes: 30 October 2018

CITY PLANNING

Item: 255 CP - Hawkesbury City Council LEP Review Report - (95498, 124414)

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

326 RESOLUTION:

That Council:

- 1. Receive the information contained within the LEP Review Report.
- 2. Endorse the LEP Review Report Attachment 1 (Health Check) to be submitted to the Greater Sydney Commission and the Department of Planning and Environment for their consideration.
- 3. Endorse the preparation of the Local Strategic Planning Statement for the Hawkesbury LGA, with further briefings and reports to be submitted to Council as part of this process.
- 4. Write to the Department of Planning and Environment, the Minister of Planning, Anthony Roberts and the Member for Hawkesbury, The Honourable Dominic Perrottet advising of Council's requirements for funding the LEP Review.

327 RESOLUTION:

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

That the meeting continue past 11pm to allow the Business Paper to be completed.

SECTION 3 – Reports for Determination

Minutes: 30 October 2018

SUPPORT SERVICES

ltem: 256	SS - Monthly Investments Report - September 2018 - (95496, 96332)
Previous Item:	150, Ordinary (26 June 2018)
Division:	Support Services

MOTION:

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

Refer to RESOLUTION

328 RESOLUTION:

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

That the Monthly Investments Report for September 2018 be received and noted.

Item: 257	SS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)
Division:	Support Services

MOTION:

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

Refer to RESOLUTION

329 RESOLUTION:

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

That the Section 449(1) Pecuniary Interest Returns be received and noted.

SECTION 3 – Reports for Determination

Minutes: 30 October 2018

Item: 258	SS - Commercial Use of Council's Libraries - (95496, 79351, 82780)
Previous Item:	166, Ordinary (10 July 2018) 186, Ordinary (31 July 2018)
Division:	Support Services

Councillor Wheeler declared a pecuniary interest in this matter as her husband is a Council employee who works at the Libraries. 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 Kotlash.

Refer to RESOLUTION

330 RESOLUTION:

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

That Council receive and note the report on the commercial use of Council's libraries.

SECTION 3 – Reports for Determination

Minutes: 30 October 2018

ltem: 259	SS - Fit for the Future Strategy: Council Owned Child Care Centres - Building Renewal Charge and Draft Lease - (95496)
Previous Items:	143 Extraordinary (13 June 2018) 84 Extraordinary (9 April 2018) 212 Ordinary (28 November 2017) 186 Ordinary (10 October 2017) 172 Ordinary (26 September 2017) 241 Ordinary (12 September 2017) 241 Ordinary (8 November 2016) 211 Ordinary (11 October 2016) 146 Ordinary (26 July 2016) 138 Ordinary (26 July 2016) MM Ordinary (27 October 2015) RM Ordinary (30 June 2015) 185 Extraordinary (23 June 2015) 182 Ordinary (30 September 2014)
Division:	Support Services

Councillor Conolly declared a less significant non-pecuniary conflict of interest in this matter as a family member of his wife works at one of the Child Care Centres and no further action is required.

Councillor Lyons-Buckett declared a significant non-pecuniary interest in this matter as she is a member of the North Richmond Community Centre Management Committee which operates one of the Child Care Centres. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor Wheeler declared a pecuniary interest in this matter as she is frequently employed as a gardener at the North Richmond Community Centre which manages the Fun Factory Child Care Centre. She left the Chamber and did not take part in voting or discussion on the matter.

Dr Sebastian Holmes and Ms Danielle Shepherd, addressed Council, speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

331 RESOLUTION:

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

That:

- 1. Council proceed to consult with the relevant parties regarding the execution of a lease with child care service providers operating from Council owned buildings in accordance with the framework outlined in this report.
- 2. The outcome of the consultation to be further reported to Council in February 2019.
- 3. A report be brought back to Council to explain why consultation did not occur with the Child Care Centres until October 2018, given Council had committed to the levy in 2016.

ORDINARY MEETING SECTION 3 – Reports for Determination

Minutes: 30 October 2018

ltem: 260	SS - Oasis Aquatic and Leisure Centre - (95496, 96332, 93487, 73685)
Previous Item:	NM2, Ordinary (31 October 2017)
Division:	Support Services

MOTION:

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

Refer to RESOLUTION

332 RESOLUTION:

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

That:

- 1. The report regarding the operation of the Oasis Aquatic and Leisure Centre be received and noted.
- 2. Council Officers engage with YMCA NSW to address the feedback from the surveyed users of the Oasis Aquatic and Leisure Centre as detailed in this report.
- 3. Council engage a Leisure Consultant to:
 - Assess leisure and aquatic industry current and future trends
 - Assess regional and other impacts
 - Assess market, competition and emerging business models
 - Assess upgrade works that could be carried out at the Oasis Aquatic and Leisure Centre
 - Prepare a Facilities Master Plan for the Oasis Aquatic and Leisure Centre
- 4. Further and wider community consultation be undertaken in conjunction with the activities undertaken in Part 3 above.
- 5. Regular updates to be provided at Councillor Briefing Sessions in conjunction with the activities undertaken in Part 3 above.

SECTION 3 – Reports for Determination

Minutes: 30 October 2018

ltem: 261	SS - Audit Committee Annual Report - September 2018 - (95496, 91369, 79351)
Division:	Support Services

MOTION:

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

Refer to RESOLUTION

333 RESOLUTION:

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

That the Audit Committee's Annual Report for the period ending 11 September 2018, attached as Attachment 1 to this report, be received and noted.

ORDINARY MEETING SECTION 4 – Reports of Committees

Minutes: 30 October 2018

SECTION 4 – Reports of Committees

ltem: 262	ROC - Audit Committee - 12 September 2018 - (95496, 91369, 79351)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

334 RESOLUTION:

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

That in relation to the Minutes of the Audit Committee Meeting held on 12 September 2018:

- 1. Council receive and note the Committee Minutes in respect of Items 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13.
- 2. Council endorse the Committee Recommendation in respect of Item 3, namely:

"That the Audit Committee Charter, attached as Attachment 2, to the report be adopted."

3. Council endorse the Committee Recommendation in respect of Item 14, namely:

"That:

- 1. The information be received and noted.
- 2. The Audit Committee request the General Manager to prepare a report outlining how the Council might begin the process of addressing the following potential risks outlined in the preliminary findings of the Risk Register Review:
 - Policy for flood prone land
 - Infrastructure and contribution planning
 - Asbestos management
 - Governance in relation to third party organisations
 - Management of volunteers
 - Cemetery management
- 3. The Risk Register Review Final Report be presented to the Audit Committee at its next meeting."

SECTION 4 – Reports of Committees

Minutes: 30 October 2018

Item: 263 ROC - Local Traffic Committee - 8 October 2018 - (80245)

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

335 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 8 October 2018 be received and the recommendations therein be adopted and noted.

ORDINARY MEETING SECTION 5 – Notices of Motion

Minutes: 30 October 2018

SECTION 5 – Notices of Motion

Item: 264 NM1 - Income Support for People Seeking Asylum - (79351, 138882)

Mr Geoffrey Lattimore, Mr Frederick McEnearney and Ms Joni Leimgruber addressed Council speaking for the recommendation.

Mr Michael Want addressed Council speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

336 RESOLUTION:

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

That Council:

- 1. Reaffirms it's commitment to be a Refugee Welcome Zone.
- 2. Note the important work being done by Rural Australians for Refugees Hawkesbury Branch and the Parramatta Catholic Diocese informing the local community about refugees and asylum seekers.
- 3. Write to the Prime Minister, The Hon. Scott Morrison and to the Federal Minister of Home Affairs, The Hon. Peter Dutton, asking the Federal Government to reverse cuts to the Status Resolution Support Services (SRSS) program and highlighting the unfair and devastating impact of these cuts on people seeking asylum, and seeking a reply confirming this has occurred and that the replies be subsequently posted on Council's website.
- 4. Write to the Premier of New South Wales, The Hon. Gladys Berejiklian MP, asking her to make representation to both the Prime Minister and the Federal Minister of Home Affairs to highlight the devastating impact of these cuts on the NSW community and to reverse the cuts, and seeking a reply confirming this has occurred and that the replies be subsequently posted on Council's website.
- 5. Write to the Federal Member for Macquarie, The Hon. Susan Templeman, and the Member for Hawkesbury, The Hon. Dominic Perrottet MP, informing them of Council's position and our concerns for the impact of these cuts on our community, including already stretched aid providers, and seeking a reply confirming this has occurred and that the replies be subsequently posted on Council's website.
- 6. Join with other Councils across Australia as part of the Local Government Mayoral Taskforce Supporting People Seeking Asylum to enable joint advocacy.

Councillors Conolly and Zamprogno requested that their names be recorded as having voted against the Motion.

SECTION 5 – Notices of Motion

Minutes: 30 October 2018

Item: 265 NM2 - Raising of Warragamba Dam Wall - (79351, 125612)

Mr William Sneddon addressed Council speaking for the recommendation.

MOTION:

RESOLVED in seriatim on the motion of Councillor Lyons-Buckett, seconded by Councillor Ross.

Refer to RESOLUTION

337 RESOLUTION:

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

That Council write to the NSW Premier condemning the manner in which the recent amendments to the National Parks and Wildlife Act, 1974 (NSW) were introduced, specifically the lack of consultation with stakeholders, and the resulting provisions which allow the flooding of the World Heritage-listed Blue Mountains National Park.

338 RESOLUTION:

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

That Council seek a commitment that Council will be consulted about information arising as part of the Warragamba Dam Wall raising Environmental Impact Study currently being undertaken, to ensure consideration of local impacts from a local perspective are considered as part of it.

339 RESOLUTION:

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

That Council call for the release of all data and documentation relied upon to eliminate other options or alternatives to the raising of the dam wall.

340 RESOLUTION:

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

That Council write to the NSW Minister of Planning, The Hon. Anthony Roberts MP, and Local Member for Hawkesbury, The Hon. Dominic Perrottet MP, seeking information on any proposed amendments to planning legislation to ensure there will not be further development in the Floodplain if the Warragamba Dam Wall is raised, and a timeframe for any such legislative changes.

Questions for Next Meeting

Minutes: 30 October 2018

QUESTIONS FOR NEXT MEETING

Item: 266 Councillors Questions from Previous Meetings and Responses - 9 October 2018 - (79351)

There were no responses to questions in relation to previous Questions for the Next Meeting - 9 October 2018.

Questions for Next Meeting

Minutes: 30 October 2018

Questions - 30 October 2018

#	Councillor	Question	Response
1	Garrow	Enquired as to whether the development process and the integrity of the heritage item in relation to DA0765/16 - Fitzgerald Street, Windsor is being monitored	The Director City Planning

Confidential Reports

Minutes: 30 October 2018

CONFIDENTIAL REPORTS

341 RESOLUTION:

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

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: 267 IS - Operation of Lower Portland Ferry - (95495, 79344, 112333)

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it related to the Operation of the Lower Portland Ferry and the information is regard 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, a 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.

342 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Zamprogno that open meeting be resumed.

Confidential Reports

Minutes: 30 October 2018

Item: 267 IS - Operation of Lower Portland Ferry - (95495, 79344, 112333) CONFIDENTIAL

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

343 **RESOLUTION**:

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

That Council authorise the General Manager to negotiate an agreed process with The Hills Shire Council.

The meeting terminated at 11:37pm.

Submitted to and confirmed at the Ordinary meeting held on Tuesday, 13 November 2018.

Mayor