



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 24 November 2015

location: council chambers

time: 6:30 p.m.



**ORDINARY MEETING**

**Minutes: 24 November 2015**

**MINUTES**

– **WELCOME**

**Prayer**

**Acknowledgement of Indigenous Heritage**

– **APOLOGIES AND LEAVE OF ABSENCE**

– **DECLARATION OF INTERESTS**

– **SECTION 1 - Confirmation of Minutes**

– **ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL**

– **SECTION 2 - Mayoral Minutes**

– **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**

– **SECTION 3 - Reports for Determination**

**Planning Decisions**

**General Manager**

**City Planning**

**Infrastructure Services**

**Support Services**

– **SECTION 4 - Reports of Committees**

– **SECTION 5 - Notices of Motion**

– **QUESTIONS FOR NEXT MEETING**

– **REPORTS TO BE DISCUSSED IN CONFIDENTIAL SESSION**

**ORDINARY MEETING**

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## ORDINARY MEETING

Minutes: 24 November 2015

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 24 November 2015, commencing at 6:33pm.

Lieutenant Nicola Poore of the Hawkesbury City Salvation Army, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

### ATTENDANCE

**PRESENT:** Councillor K Ford, Mayor, Councillor Dr W Mackay (OAM), Deputy Mayor and Councillors B Calvert, P Conolly, M Creed, M Lyons-Buckett, C Paine, B Porter, P Rasmussen, J Reardon, T Tree and L Williams.

**ALSO PRESENT:** General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Development Services Manager - Cristie Evenhuis, Manager Corporate Services and Governance - Ian Roberts, Strategic Planning Coordinator – Phil Pleffer, Chief Financial Officer – Emma Galea, Administrative Support Coordinator - Natasha Martin and Administrative Support Officer - Traecy Kelly.

### 326 RESOLUTION:

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Reardon that standing orders be suspended to observe a minute of silence to show respect for the victims of the recent events in France and Mali.

### SECTION 1 - Confirmation of Minutes

### 327 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 10 November 2015, be confirmed.

### ACKNOWLEDGMENT

The Mayor, Councillor Ford, thanked the Comleroy-Kurrajong Historical Society for the donation of the book "We Remember Them", regarding the First World War volunteers from the Hawkesbury. The book is a great gift to the Council and will be submitted to Council's Library Service. Thanks also to Councillor Reardon for attending the event and accepting the book on Council's behalf.

Councillor Lyons-Buckett left Chambers at 8:10pm and returned to Chambers at 8:15pm.

**ORDINARY MEETING**

**Minutes:** 24 November 2015

**SECTION 2 - Mayoral Minutes**

**MM**

**NSW Government's Fit For The Future Program - (79351, 79353, 120428)**

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A MOTION was moved by Councillor Ford.

That:

1. Council write to the Premier of NSW, the Minister for Local Government and the Member for Hawkesbury, reiterating that Council should continue to remain as a stand-alone local government entity, and advise of the content of the Mayoral Minute, and Attachment 1, providing comments on The Hills Shire Council's report to its meeting on 10 November 2015.
2. A delegation from Council, consisting of the Mayor, two Councillors and the General Manager, seek an urgent meeting with the Premier of NSW, the Minister for Local Government and the Member for Hawkesbury to advise of Council's position as outlined in Part 1 above.

A MOTION was moved by Councillor Rasmussen, seconded by Councillor Lyons-Buckett that standing orders be suspended to allow members of the public to speak on the item.

The Motion was lost on the casting vote of the Mayor.

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

That:

1. Council defer considering the item until after the Councillor Briefing Session regarding the Fit For The Future proposal.
2. The Councillor Briefing Session regarding the Fit For The Future proposal be held urgently.

The Amendment was carried and became the Motion.

**MOTION:**

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

***Refer to RESOLUTION***

**328 RESOLUTION:**

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

That:

1. Council defer considering the item until after the Councillor Briefing Session regarding the Fit For The Future proposal.
2. The Councillor Briefing Session regarding the Fit For The Future proposal be held urgently.



**ORDINARY MEETING**

**Minutes: 24 November 2015**

**SECTION 3 - Reports for Determination**

**PLANNING DECISIONS**

**Item: 194**                    **CP - DA0228/15 - 1 Reserve Road, Freemans Reach - Lot 24 DP 776850 - Intensive Plant Agriculture - Demolition of Existing Structures, Vegetation Removal, Construction of Dam and Farm Building and Use of Land as Turf Farm - (95498, 30249)**

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Ms Vickie Owens and Ms Danielle Hurdis addressed Council, speaking for the recommendation.

Mr Michael Edwards and Mr Jevon Summut addressed Council, speaking against the recommendation.

**MOTION:**

RESOLVED on the motion of Councillor Creed, seconded by Councillor Reardon.

***Refer to RESOLUTION***

**329 RESOLUTION:**

RESOLVED on the motion of Councillor Creed, seconded by Councillor Reardon.

That this matter be deferred for an on-site inspection to be held.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Calvert	Councillor Ford
Councillor Conolly	
Councillor Creed	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**Item: 195 CP - Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town and Proposed Amendments to Council's Operational Plan 2015/2016 - (95498, 124414)**

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**MOTION:**

RESOLVED on the motion of Councillor Creed, seconded by Councillor Reardon.

*Refer to RESOLUTION*

**330 RESOLUTION:**

RESOLVED on the motion of Councillor Creed, seconded by Councillor Reardon.

That the draft Section 64 Contribution Plan and proposed amendments to Hawkesbury City Council Operational Plan 2015/2016 - Part 2 attached to this report be publically exhibited for a minimum period of 28 days.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Calvert	Councillor Lyons-Buckett
Councillor Conolly	Councillor Porter
Councillor Creed	Councillor Rasmussen
Councillor Ford	
Councillor Mackay	
Councillor Paine	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**Item: 196 CP - LEP001/12 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 396 Bells Line of Road, Kurmond - (95498, 124414)**

Mr Robert Montgomery addressed Council, speaking for the recommendation.

Mr Michael Want addressed Council, speaking against the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**331 RESOLUTION:**

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

That:

1. Council, under the authorisation for Council to exercise delegation issued by the Department of Planning and Environment's Gateway determination, proceed with the making of an LEP that will give effect to the revised proposal described in this report.
2. Council publically exhibit the Draft Voluntary Planning Agreement attached to this report for a minimum of 28 days with the following amendment to Clause 9.3:  
  
*Clause 9.2 does not allow the Council or the Developer to retrospectively apply a section 94 contribution for allotments for which development contributions have been paid in accordance with this Agreement.*
3. The Voluntary Planning Agreement be reported back to Council following public exhibition prior to finalisation.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Conolly	Councillor Calvert
Councillor Creed	Councillor Paine
Councillor Ford	Councillor Rasmussen
Councillor Mackay	Councillor Williams
Councillor Porter	
Councillor Reardon	
Councillor Tree	

Councillor Lyons-Buckett was not in the Chamber when the vote was taken.

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**Item: 197 CP - LEP005/15 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 18 James Street, South Windsor - (95498, 124414)**

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Mr Greg Hall addressed Council, speaking for the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**332 RESOLUTION:**

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

That:

1. Council support the preparation of a planning proposal relating to Lot 4 DP 503048, 18 James Street, South Windsor to:
  - a) amend the Land Zoning Map of Hawkesbury Local Environmental Plan 2012 to change the current zoning of the site from SP2 Infrastructure to R3 Medium Density Residential as shown in Attachment 1 to this report
  - b) amend the Lot Size Map of the Hawkesbury Local Environmental Plan 2012 to specify 450m<sup>2</sup> minimum lot size for the site as shown in Attachment 2 to this report
  - c) amend the Height of Buildings Map of the Hawkesbury Local Environmental Plan 2012 to specify 10m maximum height of buildings for the site as shown in Attachment 3 to this report.
2. The planning proposal be forwarded to the Department of Planning and Environment with a request for a 'Gateway' determination.
3. The Department of Planning and Environment be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.

**ORDINARY MEETING**

**Minutes:** 24 November 2015

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Calvert	NIL
Councillor Conolly	
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**Item: 198 CP - Pitt Town Development Area - Draft Indicative Road Layout for "Precinct D" - (95498, 124414)**

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Ms Rosemary Bodlay and Mr Greg Hall addressed Council, speaking against the recommendation.

**MOTION:**

RESOLVED on the motion of Councillor Paine, seconded by Councillor Creed.

*Refer to RESOLUTION*

**333 RESOLUTION:**

RESOLVED on the motion of Councillor Paine, seconded by Councillor Creed.

That the matter be deferred to the next Council meeting.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Calvert	NIL
Councillor Conolly	
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**Item: 199 CP - Kurmond and Kurrajong Investigation Area - Progress Report - (95498, 124414)**

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Councillor Lyons-Buckett declared a pecuniary interest in this matter as she owns property that is located within the precinct under discussion. She left the Chamber and did not take part in voting or discussion on the matter.

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**MOTION:**

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

*Refer to RESOLUTION*

**334 RESOLUTION:**

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

That the information contained in this report be received.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Conolly	Councillor Calvert
Councillor Creed	Councillor Paine
Councillor Ford	Councillor Rasmussen
Councillor Mackay	Councillor Williams
Councillor Porter	
Councillor Reardon	
Councillor Tree	

Councillor Lyons-Buckett was not in the Chamber when the vote was taken.

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**GENERAL MANAGER**

**Item: 200**                    **GM - Tourism Strategy - Establishment of a Tourism Working Group - (79351)**

**Previous Item:**            136, Ordinary (25 August, 2015)

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**MOTION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Creed.

*Refer to RESOLUTION*

**335 RESOLUTION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Creed.

That:

1. A Tourism Working Group be established based on the details outlined in the report.
2. Expressions of Interest for membership of the Tourism Working Group be undertaken and a further report be submitted to Council in early 2016 on the evaluation of nominations received for the working group.
3. An external representative be used in evaluating the nominations for the Tourism Working Group and Council approach the Tourism Strategy consultant to undertake this role in the first instance and in the event that the consultant is not available the Mayor and General Manager be authorised to select an appropriate external representative.

**Item: 201**                    **GM - Use of Boats Designed to Create an Extra-Large Wave on the Hawkesbury River - (79351)**

**Previous Item:**            NM Ordinary (28 July 2015)  
                                 NM Ordinary (25 August 2015)

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**MOTION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Reardon.

*Refer to RESOLUTION*

**336 RESOLUTION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Reardon.

That the information regarding the results of actions taken by Council concerning the use of boats that are designed to create an extra-large wave on the Hawkesbury River as outlined in the report be received and noted.



**ORDINARY MEETING**

**Minutes: 24 November 2015**

**CITY PLANNING**

**Item: 202**                    **CP - Amendment to the Stormwater Management Strategy for the Pitt Town Development Area - (95498, 124414)**

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**MOTION:**

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

*Refer to RESOLUTION*

**337 RESOLUTION:**

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

That Council adopt the *Pitt Town Development - Updated Stormwater Management Strategy - Final Report*, prepared by Worley Parsons, dated 9 November 2015, as an update to the technical provisions referred to in the Hawkesbury Development Control Plan.

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**INFRASTRUCTURE SERVICES**

**Item: 203**                    **IS - Extension of Contract No. 00917 - Provision of a Septic Tank and Collection Well Effluent Removal Service - (95495, 112179)**

**Previous Item:**        203, Ordinary (13 November 2012)

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**MOTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

*Refer to RESOLUTION*

**338 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

That:

1. The contract for the "Provision of Septic Tank and Collection Well Effluent Removal Service" Staples Bros (Nowra) Pty Ltd be extended until midnight on 31 January, 2018.
2. The Seal of Council be affixed to any necessary documentation.

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**SUPPORT SERVICES**

**Item: 204**                    **SS - September 2015 - Quarterly Budget Review Statement - (95496, 96332)**

**Previous Item:**        84, Extraordinary (23 June 2015)

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**MOTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

*Refer to RESOLUTION*

**339 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

That:

1. The information contained in the report be received.
2. The September 2015 - Quarterly Budget Review Statement be adopted.

**Item: 205**                    **SS - Monthly Investments Report - October 2015 - (95496, 96332)**

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**MOTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

*Refer to RESOLUTION*

**340 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

The report regarding the monthly investments for October 2015 be received and noted.

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**Item: 206**                    **SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - Review - (95496, 96333)**

**Previous Item:**        166, Ordinary (29 September 2015)

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**MOTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

*Refer to RESOLUTION*

**341 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

That:

1. The Policy for Payment of Expenses and Provision of Facilities for Councillors, attached as Attachment 1 to the report, be adopted.
2. As required by Section 253(4) of the Local Government Act 1993, a copy of the adopted Policy be forwarded to the Office of Local Government, together with a copy of the public notice placing the draft Policy on public exhibition, and advice that during the required exhibition period, the Council received no submissions in respect of the draft Policy.

**Item: 207**                    **SS - Rates Applicable to Commonwealth and State Government Owned Properties - (95496, 96332)**

**Previous Item:**        NM3, Ordinary (11 August 2015)

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**MOTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

*Refer to RESOLUTION*

**342 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

The information regarding the feasibility of receiving rates from Commonwealth and State owned properties included in this report be received and noted.

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**SECTION 4 - Reports of Committees**

**ROC                      Audit Committee Minutes - 26 August 2015 - (95496, 91369)**

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**343 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

That the minutes of the Audit Committee held on 26 August 2015 as recorded on pages 157 to 161 of the Ordinary Business Paper be received.

**ROC                      Audit Committee Minutes - 23 September 2015 - (95496, 91369)**

---

**344 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

That the minutes of the Audit Committee held on 23 September 2015 as recorded on pages 162 to 163 of the Ordinary Business Paper be received.

**ROC                      Waste Management Advisory Committee Minutes - 8 October 2015 - (95249)**

---

**345 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

That the minutes of the Waste Management Advisory Committee held on 8 October 2015 as recorded on pages 164 to 167 of the Ordinary Business Paper be received.

**ROC                      Local Traffic Committee - 9 November 2015 - (80245)**

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**346 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

That the minutes of the Local Traffic Committee held on 9 November 2015 as recorded on pages 168 to 177 of the Ordinary Business Paper be adopted.

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**QUESTIONS FOR NEXT MEETING**

**Councillor Questions from Previous Meetings and Responses - (79351)**

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Responses to Questions in relation to previous Questions for Next Meeting were provided and discussed.

**ORDINARY MEETING****Minutes: 24 November 2015****Questions for Next Meeting**

#	Councillor	Question	Response
1	Calvert	Enquired if the response to the pollution of Redbank Creek was considered to be timely and adequate and will Council be revising future actions in such cases.	Director City Planning
2	Calvert	Enquired if the heritage order on Redbank, North Richmond required the contours to be maintained and has that been complied with.	Director City Planning
3	Paine	Enquired when the report on improvements to the Windsor Mall would be submitted to Council as per resolution 135 from the Ordinary Meeting of 26 May 2015.	Director Infrastructure Services
4	Paine	Requested that the shopping trolleys in the park near the golf course at South Windsor be removed.	Director Infrastructure Services
5	Williams	Enquired if it has been determined that the stormwater retention privately certified plans for Redbank, North Richmond were adequate.	Director City Planning
6	Williams	Enquired if the polluters of the Redbank Creek can be required to engage experts to assist with clean-up of the Creek to assist with speeding up the rejuvenation of the creek	Director City Planning
7	Lyons-Buckett	Requested a time frame for when the vegetation along the sides Warks Hill Road, Kurrajong Heights will be cleared.	Director Infrastructure Services
8	Lyons-Buckett	Enquired if Council is providing Christmas decorations in Windsor.	General Manager
9	Lyons-Buckett	Requested an update on the current issues with asbestos in the Hawkesbury area, given the findings of Liverpool Council.	Director City Planning
10	Porter	Enquired if vehicle registration details of the vehicle that spilt paint in a South Windsor laneway were known and has Council taken any action against the driver.	Director City Planning
11	Reardon	Requested that Council sponsor the Bede Polding College 'Learn to Drive' program.	Director Support Services

**ORDINARY MEETING****Minutes: 24 November 2015**

#	Councillor	Question	Response
12	Reardon	Enquired when the two seats near the Windsor War Memorial are going to be replaced.	Director Infrastructure Services
13	Creed	Requested that the footpaths in Windsor CBD be reviewed, due to complaints from people requiring wheelchair access.	Director Infrastructure Services
14	Creed	Requested that the Windsor Catholic Cemetery on the corner of Hawkesbury Valley Way and George Street be maintained by the relevant owner.	Director Infrastructure Services



**ORDINARY MEETING**

**Minutes: 24 November 2015**

**CONFIDENTIAL REPORTS**

**347 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Porter.

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: 208 IS - Tender 00964 - Supply and Placement of Asphaltic Concrete Within the City of Hawkesbury - (95495, 79344)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to the tender for supply and placement of asphaltic concrete within the City of Hawkesbury 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.*

**Item: 209 SS - Property Matter - Lease to Amy Platt - Shop 3, McGraths Hill Shopping Centre - (95496, 112106, 9587, 125184, 125287)**

*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 the 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.*

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.

**348 RESOLUTION:**

RESOLVED on the motion of Councillor Creed, seconded by Councillor Reardon that open meeting be resumed.

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**Item: 208**                    **IS - Tender 00964 - Supply and Placement of Asphaltic Concrete Within the City of Hawkesbury - (95495, 79344)    CONFIDENTIAL**

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**MOTION:**

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Mackay, seconded by Councillor Reardon.

*Refer to RESOLUTION*

**349 RESOLUTION:**

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Mackay, seconded by Councillor Reardon.

That:

1. The schedule of rates tender submitted by Ozpave (Aust) Pty Ltd for the supply and placement of Asphaltic Concrete for a two year period, for Pothole Patching, Part A at \$275 per hour be accepted.
2. The schedule of rates tender submitted by Bernipave Pty Ltd for the supply and placement of Asphaltic Concrete deep lift patching, Part B, for a period of two years be accepted.
3. The schedule of rates tender submitted by Bernipave Pty Ltd for the supply and placement of Asphaltic Concrete for Re-sheeting, Part C, for a period of two years, be accepted.
4. The Seal of Council be affixed to any necessary contract documentation.
5. Council note that alternate contractors may be engaged on the basis of the submitted schedule of rates should the Principal Contractor be unavailable within a reasonable time frame.

**ORDINARY MEETING**

**Minutes: 24 November 2015**

**Item: 209                    SS - Property Matter - Lease to Amy Platt - Shop 3, McGraths Hill Shopping Centre - (95496, 112106, 9587, 125184, 125287)    CONFIDENTIAL**

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**MOTION:**

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Mackay, seconded by Councillor Reardon.

***Refer to RESOLUTION***

**350 RESOLUTION:**

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Mackay, seconded by Councillor Reardon.

That:

1. Council agree to enter into a new lease with Ms Amy Platt trading as 'Amy's Beauty Essentials' in regard to Shop 3, McGraths Hill Shopping Centre, in accordance with the proposal outlined in the report.
2. Authority be given for any 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 resolution into effect has been agreed to and executed by all parties.

The meeting terminated at 8:52pm.

Submitted to and confirmed at the Ordinary meeting held on 8 December 2015.

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Mayor