



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 23 February 2016

location: council chambers

time: 6:30 p.m.



**ORDINARY MEETING**

**Minutes:** 23 February 2016

**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**

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## ORDINARY MEETING

Minutes: 23 February 2016

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 23 February 2016.

At approximately 6:50pm, there being the six Councillors present and four apologies having been received for inability to attend the meeting, the Mayor advised that as a quorum was not present at that time, the meeting could not commence and that as we was awaiting the arrival of two Councillors who were expected to arrive at the meeting shortly, the meeting would be adjourned until the arrival of at least one of these Councillors to provide a quorum for the meeting.

Those Councillors present at this stage were:

Councillor K Ford, Mayor and Councillors B Calvert, P Rasmussen, J Reardon, T Tree and L Williams

A quorum being present, the meeting resumed at 7:16pm.

Reverend Chris Jones of St Matthews Anglican Church, Windsor, 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 (arrived 7:47pm), 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 and Administrative Support Coordinator - Natasha Martin.

### IN MEMORIUM - Alan Eagle 10 July 1948-20 February 2016

The Mayor informed Council that one of the Hawkesbury's great community contributors, Alan Eagle, passed away last Saturday morning after a battle with cancer.

Alan generously worked and volunteered his time over many years to promote the Hawkesbury in a diverse range of fields including the arts, agriculture, small business and tourism.

All who knew or worked with Alan, would comment on his genuine and forthright nature, his willingness to "get his hands dirty" and his passionate commitment to this area and its future.

Alan has left a tremendous legacy to the Hawkesbury; his contribution in all areas within the Hawkesbury community will be sorely missed, but gratefully remembered.

Council extends its deepest condolences to Alan's wife Sharon and his extended family.

Councillor Williams shared his memories of Alan with fondness, vale Alan.

Councillor Calvert also added his memories of Alan's involvement in the local high schools' agriculture program and commented that Alan will be sadly missed.

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Councillor Rasmussen thanked the Mayor for noting Alan's achievements in his work for the community, who was a great contributor to the local community, a man who was generous with his time and who had a wonderful sense of humour.

**APOLOGIES**

Apologies for absence were received from Councillors M Creed, M Lyons-Buckett, C Paine and B Porter.

**30 RESOLUTION:**

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Rasmussen that the apologies be accepted and that leave of absence from the meeting be granted.

Councillor Conolly arrived at the meeting at 7:47pm.

**SECTION 1 - Confirmation of Minutes**

**31 RESOLUTION:**

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Extraordinary Meeting held on the 28 January 2016, be confirmed.

**32 RESOLUTION:**

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 2 February 2016, be confirmed.

**33 RESOLUTION:**

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Extraordinary Meeting held on the 16 February 2016, be confirmed.

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**SECTION 3 - Reports for Determination**

**PLANNING DECISIONS**

**Item: 18**                    **CP - DA0631/15 - Jolly Frog Hotel, 25 Bridge Street, Windsor - Demolition - Partial demolition of the building - (95498, 124063, 135589)**

**Previous Item:**        211, Ordinary (8 December 2015)

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Mr Harry Terry and Ms Kim Smith addressed Council, speaking for the recommendation.

Ms Kate Mackaness and Ms Jan Sparkes addressed Council, speaking against the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**34 RESOLUTION:**

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

That Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approve Development Application No. DA0631/15 for the partial demolition of the building at Lot 102 DP 1151845, known as 25 Bridge Street, Windsor, subject to the following conditions:

***General Conditions***

1. The development shall take place generally in accordance with the following plans, specifications and accompanying documentation submitted with the application:
  - Drawing No. DA-01 prepared by MM Atelier Architects and dated 7 October 2015
  - Drawing No. DA-02 prepared by MM Atelier Architects and dated 7 October 2015
  - Asbestos Building Materials Technical Scope of Works Report prepared by SLR Consulting Australia Pty Ltd and dated 23 May 2014
  - Scope of Works Report prepared by CRD Building Consultants and Engineers and dated 25 February 2015

except as modified by these further conditions.

2. The works associated with the demolition and stabilisation of the heritage building are to follow the recommendations contained in the report titled 'Jolly Frog Hotel Windsor – Initial Assessment to Accompany an Application for Partial Demolition and Site Clearing' prepared by Paul Davies – Architects Heritage Consultants dated October 2015, which include, but are not limited to, the following:
  - a) The perimeter brick walls are to be braced as work progresses to prevent collapse or movement.
  - b) The whole of the roof structure including ceilings are to be removed.
  - c) All later internal lining are to be removed.
  - d) Aluminium windows are to be removed.

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- e) Consultation with the consultant heritage architect shall be undertaken prior to repair of any heritage fabric.
  - f) The archaeology (that is the below floor areas) within the building and its curtilage shall be protected by limiting any excavation or digging to hand digging only. Should any artefacts or old remnants be found works are to cease immediately and the Heritage Consultant (required by Condition 7 of this consent) and Council are to be contacted. Works are not to recommence until clearance, in writing, is provided by Council.
  - g) The upper level wall frames shall be retained to assist with the bracing of the building if deemed appropriate by the structural engineer (noting that they will most likely be removed later).
  - h) Upon completion of demolition a temporary tarpaulin roof with associated roof framing is to be provided to the building to prevent ongoing water damage to brickwork.
3. A permanent roof is to be provided so that its form is consistent with the original heritage building to adequately weatherproof the structure and to effectively direct water away from the foundations to minimise further damage to the existing structure.

The roof restoration works are to be completed within 6 months of the date of this consent.

A separate development application detailing design and structural details, and painting of the exterior of the building, is to be submitted to Council for approval prior to the commencement of any roof restoration works.

4. A Conservation Management Plan (CMP) relating to the protection of the retained portion of the building on the site shall be prepared and submitted within six months of the date of this consent. The CMP is to be prepared in accordance with the guidelines provided by the NSW Office of Environment and Heritage and submitted to Council.

### ***Prior to Issue of Construction Certificate***

5. The payment of a long service levy as required under Part 5 of the Building and Construction Industry Long Service Payments Act 1986, in respect to this building work, and in this regard, proof that the levy has been paid, is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. All building works in excess of \$25,000 are subject to the payment of a Long Service Levy at the rate of 0.35%. Payments can be made at Long Service Corporation offices or at most Councils.

### ***Prior to Commencement of Works***

6. An archival recording of the building shall be prepared and submitted to Council in accordance with the NSW Office of Environment and Heritage's 'How to Prepare Archival Records of Heritage Items' Plans and a photographic study of the structure (including a diagram indicating the location of the photographs) shall be prepared in accordance with Schedule A of this document. The drawings and photographs are to be submitted in both hardcopy and digital formats.

Note: Council has file format and naming controls for digital documents. See Council's website for further details: [www.hawkesbury.nsw.gov.au](http://www.hawkesbury.nsw.gov.au).

7. A suitably qualified heritage architect shall be engaged to oversee and supervise the demolition and retention works. Details of the heritage architect shall be provided to Council prior to the commencement of any works.
8. At least two days prior to the commencement of works, notice is to be given to Council in accordance with the Environmental Planning and Assessment Regulation 2000.
9. The applicant shall advise Council of the name, address and contact number of the Principal Certifying Authority (PCA) in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act 1979.

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10. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road:
  - a) Unauthorised access to the site is prohibited
  - b) The owner of the site
  - c) The person/company carrying out the site works and telephone number (including 24 hour seven days emergency numbers)
  - d) The name and contact number of the Principal Certifying Authority (PCA).

The sign is to be maintained for the duration of works.

11. A Traffic Guidance Scheme prepared in accordance with AS1742.3: 2002 by an appropriately qualified person shall be submitted to Council. Where the works affect Roads and Maritime Services (RMS) controlled roads, the Traffic Management Plan is to be approved by the RMS before submission to Council for approval.
12. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Any such facilities shall be located wholly within the property boundary.

### ***During Demolition***

13. Site and demolition works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am and 6pm and on Saturdays between 8am to 4pm.
14. The site shall be secured at all times against the unauthorised entry of persons or vehicles.
15. The site shall be kept clean and tidy during the works and all waste material and rubbish shall be removed from the site upon the completion of the project. The following restrictions apply during the works:
  - a) The site shall be secured to prevent the depositing of any unauthorised material.
  - b) Dust control measures (e.g. vegetative cover, mulches, irrigation, barriers and stone) shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
  - c) All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
  - d) Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised.
  - e) Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
  - f) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
  - g) Building operations shall be undertaken only within the site.
16. At all times during demolition, a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
  - a) Adjoining owners are given 24 hours notice in writing prior to commencing demolition.
  - b) All work shall be carried out in accordance with AS2601 'Demolition of structures'.
  - c) The site shall be secured at all times against the unauthorised entry of persons or vehicles.
  - d) Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed before any demolition commences
  - e) Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.
  - f) Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained, particularly in the event of sudden and severe weather changes.

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- g) The structure and all components shall be maintained in a stable and safe condition at all stages of the demolition work.
  - h) Demolition activities shall not cause damage to or adversely affect the structural integrity of adjoining buildings.
  - i) Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).
  - j) No material is to be burnt onsite.
  - k) The structure is to be demolished in reverse order of construction, being progressive and having regard to the type of construction, to enable the maximum separation and recycling of demolished materials to take place.
17. If asbestos is encountered during any work, measures must be in place in accordance with WorkCover NSW guidelines and the Occupational Health and Safety Regulation 2001. Work shall not commence or continue until all the necessary safeguards required by WorkCover NSW are fully in place.

Only contractors who are appropriately licensed for asbestos disposal by WorkCover NSW may carry out the removal and disposal of asbestos from demolition and construction sites.

Prior to commencing the removal of any structures containing asbestos, a commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring 400mm by 300mm shall be erected in a prominent visible position on the site in accordance with Australian Standard AS1319 'Safety Signs for the Occupational Environment'.

The person entitled to act on this consent shall notify adjoining residents in writing five working days prior to the demolition.

Asbestos waste must only be disposed of at a landfill site authorised to receive such waste. All receipts and supporting documentation must be retained in order to verify lawful disposal and are to be made available to Hawkesbury City Council on request.

### **Completion of Works**

18. Within one month of the completion of the demolition works, or seven months from the date of this consent, whichever is the lessor, a practising structural engineer shall provide certification that the heritage building is structurally adequate.

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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 Ford	
Councillor Mackay	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillors Creed, Lyons-Buckett, Paine and Porter were absent from the meeting.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**Item: 19**                    **CP - Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town Contribution Area 1 and associated amendments to Council's Operational Plan 2015/2016 - Post exhibition report - (95498, 124414)**

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**MOTION:**

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

*Refer to RESOLUTION*

**35 RESOLUTION:**

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

That the Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town Contribution Area 1 and associated amendments to Council's Operational Plan 2015/2016 be adopted and made effective subject to Appendix 1 - Summary of proposed works being amended as described in this report.

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 Williams
Councillor Conolly	
Councillor Ford	
Councillor Mackay	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	

Councillors Creed, Lyons-Buckett, Paine and Porter were absent from the meeting.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**Item: 20**                    **CP - LEP007/13 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 136 Longleat Lane, Kurmond - (95498, 124414)**

**Previous Item:**        114, Ordinary (28 July 2015)  
                              77, Ordinary (29 April 2014)  
                              22, Ordinary (25 February 2014)

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Mr Mark Simpson addressed Council, speaking for the recommendation.

**MOTION:**

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

*Refer to RESOLUTION*

**36 RESOLUTION:**

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

That Council:

1. Publically exhibit the draft Voluntary Planning Agreement attached to this report for a minimum of 28 days.
2. The draft Voluntary Planning Agreement be reported back to Council following public exhibition prior to finalisation.
3. Proceed with the making of the plan to amend the Lot Size Map of Hawkesbury Local Environmental Plan 2012) in order to permit the subdivision of Lot 8 DP7565, 136 Longleat Lane, Kurmond into four lots with minimum lot sizes of 4000m<sup>2</sup> and 1ha.
4. Request that the Parliamentary Counsel's Office prepare a draft Local Environmental Plan to give effect to the planning proposal in accordance with Section 59(1) of the Environmental Planning and Assessment Act, 1979.
5. Adopt and make the draft local environmental plan, under the authorisation for Council to exercise delegation issued by the Gateway determination, upon receipt of an opinion from Parliamentary Counsel's Office that the plan can be legally made.
6. Following the making of the plan advise the Department of Planning and Environment that the plan has been made and request to notify the plan on the NSW Legislation website.

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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 Ford	Councillor Rasmussen
Councillor Mackay	Councillor Williams
Councillor Reardon	
Councillor Tree	

Councillors Creed, Lyons-Buckett, Paine and Porter were absent from the meeting.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**Item: 21** CP - S960024/15 - Lot 2 DP 1148514 - 741 George Street, South Windsor - Section 96 Amendments - Modifications to the consent for the construction and operation of a service station - (94598, 92356, 130370)

**Previous Item:** 179, Ordinary (10 September 2013)

---

**MOTION:**

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

*Refer to RESOLUTION*

**37 RESOLUTION:**

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

That:

1. Section 96 modification application No. S960024/15 at Lot 12 DP 1184975, 741 George Street, South Windsor for Modifications to the consent for the construction and operation of a service station is refused for the following reasons:
  - a) The proposal is considered to be inconsistent having regard to Section 96 (1A) of the Environmental Planning and Assessment Act 1979. The proposed signage would have an adverse impact on the visual quality of the area and the modification application is not considered to be substantially the same development as previously approved.
  - b) The development is considered unacceptable having regard to State Environmental Planning Policy No. 64 – Advertising and Signage. The proposal is incompatible with the desired amenity and visual character of the area.
  - c) The development is inconsistent with the overall aims, objectives and rules of Hawkesbury Development Control Plan 2002. The proposal does not meet the multi-tenant signage requirements and maximum signage height requirements for the subject site.
  - d) The proposal would have an adverse impact on the amenity of the locality and support of the proposal has the potential to result in adverse cumulative impacts in terms of visual clutter and proliferation of signage on the subject site.
  - e) Approval would not be in the general public interest.
2. Staff initiate discussions with the landowner and tenants regarding the location and design of a single multi-tenant sign with a view to achieve an agreement that will meet the desired outcome for the site as envisaged in the Development Control Plan.

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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 Ford	
Councillor Mackay	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillors Creed, Lyons-Buckett, Paine and Porter were absent from the meeting.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**Item: 22** CP - DA0837/15 - Lot 12 DP 1184975 - 741 George Street, South Windsor - Signage - Two Business identification signs - (95498, 130370, 82572)

**Previous Item:** 146, Ordinary (8 September 2015)

---

Mr Robert Montgomery addressed Council, speaking against the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**38 RESOLUTION:**

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

That the matter be deferred for additional information.

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 Ford	
Councillor Mackay	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillors Creed, Lyons-Buckett, Paine and Porter were absent from the meeting.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**Item: 23** CP - S960128/15 - Lot 12 DP 184975 - 741 George Street, South Windsor - Section 96 Amendment - Modification of Development Consent DA0790/14 - (94598, 130370, 82572)

**Previous Item:** 146, Ordinary (8 September 2015)

---

Mr Robert Montgomery and Mr Walter Kullen addressed Council, speaking against the recommendation.

**MOTION:**

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

*Refer to RESOLUTION*

**39 RESOLUTION:**

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

That the matter be deferred for additional information.

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 Ford	Councillor Williams
Councillor Mackay	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	

Councillors Creed, Lyons-Buckett, Paine and Porter were absent from the meeting.

**ORDINARY MEETING**

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**GENERAL MANAGER**

**Item: 24**                      **GM - 2016 Australian Local Government Women's Association Conference - (79351, 95655)**

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**MOTION:**

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

*Refer to RESOLUTION*

**40 RESOLUTION:**

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

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2016 Australian Local Government Women's Association Annual Conference at an approximate cost of \$1,525 plus travel expenses per delegate be approved.

**Item: 25**                      **GM - 2016 Local Government Professionals Australia National Congress and Business Expo - (79351, 130399)**

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**MOTION:**

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

*Refer to RESOLUTION*

**41 RESOLUTION:**

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

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2016 Local Government Professionals Australia National Congress and Business Expo at an approximate cost of \$3,700 per delegate be approved.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**Item: 26**                      **GM - 2017 NSW State Association of Caravanning Clubs Inc State Rally - Sponsorship by Council (79351)**

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Mr Bob Cairns addressed Council, speaking for the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**42 RESOLUTION:**

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

That Council agree to:

1. Support the 2017 NSW State Association of Caravanning Clubs Inc. State Rally as outlined in the following table.

<b>Assistance</b>	<b>Value</b>
Assistance with promotion of the event through Council's promotional channels including: <ul style="list-style-type: none"><li>• inclusion in Mayoral Column</li><li>• placement on Council website</li><li>• media release</li><li>• promotion on 'Hawkesbury Events' Facebook page.</li></ul>	\$400
Printing and display of 'Welcome Banner' on the Clarendon community banner pole.	\$400
Assistance of Council's Visitor Information Centre Coordinator for the development of tours and visit in the Hawkesbury.	\$1,000
Supply of tourism brochures deemed appropriate by Council's Visitor Information Centre Coordinator.	\$200
Waiving of fees for the collection of Council provided garbage services at Hawkesbury Showground for the Rally.	\$4,000
Monetary contribution for the funding of entertainment at the Rally.	\$2,000
<b>Total</b>	<b>\$8,000</b>

2. Include an amount of \$8,000 towards the sponsorship in the draft 2016/2017 Operational Plan to allow for the provision of Council resources as outlined in the report.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**Item: 27**                    **GM - Hawkesbury Sports Awards - Sponsorship by Windsor RSL (79351, 130641)**

**Previous Item:**        118, Ordinary (28 July 2015)

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**MOTION:**

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

*Refer to RESOLUTION*

**43 RESOLUTION:**

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

That:

1. Council agree to Windsor RSL being the major sponsor of the 2016 Hawkesbury Sports Awards as outlined in the report.
2. An invitation be extended to the sponsor organisation to provide a representative to sit on the Hawkesbury Civic and Citizenship Committee to determine the Hawkesbury Sports Awards.
3. The General Manager be authorised to finalise arrangements and to execute an appropriate sponsorship agreement in this regard.

**Item: 28**                    **GM - Office of Local Government - Towards New Local Government Legislation - Proposed Phase One Amendments - (79351)**

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**MOTION:**

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

*Refer to RESOLUTION*

**44 RESOLUTION:**

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

That Council endorse the proposed responses to the document issued by the Office of local Government titled "*Towards New Local Government Legislation – Explanatory Paper: proposed Phase 1 Amendments*" as outlined in Attachment 2 to the report in this regard, with the following amendments:

- a) The following additional words be added as a comment at Point 1.1 – Council considers that the third dot point should be amended to read "To create a system of local government, giving local communities maximum control over their own affairs; to have an autonomous existence with a minimum of interference from Ministers and their Departments; that is democratically elected, engages with and is accountable to the community, is sustainable, flexible, effective and maximises value for money".
- b) Change Point 3.5 to 'Agree'.

**ORDINARY MEETING**

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- c) The third paragraph of the comment in Point 8.1 be deleted.

**CITY PLANNING**

**Item: 29**                      **CP - Delivery Program 2013-2017 Progress Report - 1 July 2015 to 31 December 2015 - (95498, 124414)**

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**MOTION:**

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

*Refer to RESOLUTION*

**45 RESOLUTION:**

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

That the information be received.

**Item: 30**                      **CP - Natural Hazards Study - (95498, 124414))**

**Previous Item:**            98, Ordinary (26 June 2012)

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**MOTION:**

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

*Refer to RESOLUTION*

**46 RESOLUTION:**

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

That Council adopt the *Adaption Action Plan Planning for Climate Change and Natural Hazards*, prepared by Cardno on behalf of Hawkesbury City Council, February 2016 attached as Attachment 1 to the report.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**Item: 31**                    **CP - Representations to Nepean Blue Mountains Local Health District -  
Planning for Health Services in the Hawkesbury - (124414)**

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**MOTION:**

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

*Refer to RESOLUTION*

**47 RESOLUTION:**

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

That Council:

1. Forward the draft correspondence attached to this report as Attachment 2, to the CEO of the Nepean Blue Mountains Local Health District, with copies of the correspondence to be forwarded to the NSW Minister for Health, and the Member for Hawkesbury.
2. Authorise a small delegation of members of the Human Services Advisory Committee to meet with the CEO of St John of God/HDHS on Council's behalf to discuss the equitable provision of health services to residents of the Hawkesbury, and to provide a further report to Council for its consideration in relation to this matter.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**INFRASTRUCTURE SERVICES**

**Item: 32**                    **IS - Acquisition of Crown Land Under Council's Management by Roads and Maritime Services - Lot 7008 in DP 1029964 and Lot 345 in DP 752061 (Bridge Street, Windsor) - (95495, 14893)**

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Mr Harry Terry addressed Council speaking against the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**48 RESOLUTION:**

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

That:

1. Council note the concurrence of NSW Trade and Investment (Crown Lands) for the compulsory acquisition to proceed in accordance with the Land Acquisitions (Just Terms Compensation) Act 1991 including the issuing of a Proposed Acquisition Notice (PAN) for Lot 7008 DP 1029964 and Lot 345 DP 752061 for which Council is the Reserve Trust Manager.
2. Council consent to the acquisition of the land referred to in part 1 by the Roads and Maritime Services by compulsory acquisition process including the reduction of the Proposed Acquisition Notice period to seven days, subject to satisfactory arrangements being put in place to maintain wharf access.
3. The Seal of Council be affixed to any relevant documentation.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**Item: 33**                      **IS - Exclusive Use of Governor Phillip Reserve - The Hawkesbury 120 Ski Race Classic 2016 - (95495, 79354, 92138)**

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**MOTION:**

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

*Refer to RESOLUTION*

**49 RESOLUTION:**

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

That:

1. Approval be granted to Ski Racing NSW Inc for "exclusive use" of Governor Phillip Reserve for the 2016 Hawkesbury 120 Ski Race Classic to be held on Saturday, 27 and Sunday, 28 August 2016.
2. The approval be subject to the following conditions/documents:
  - a) Council's General Park Conditions.
  - b) Council's Fees and Charges.
  - c) The Windsor Foreshore Plan of Management.
  - d) The Governor Phillip Exclusive Use Policy.
  - e) The Governor Phillip Noise Policy.
  - f) A Traffic Management Plan which has been approved as part of the Special Event Application.
3. As the applicant has not advised alternative dates in the event of inclement weather or other circumstances, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**SUPPORT SERVICES**

**Item: 34**                    **SS - Monthly Investments Report - January 2016 - (95496, 96332)**

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**MOTION:**

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

*Refer to RESOLUTION*

**50 RESOLUTION:**

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

The report regarding the monthly investments for January 2016 be received and noted.

**Item: 35**                    **SS - Consultants Utilised by Council - 1 July 2015 to 31 December 2015 - (95496, 96332)**

**Previous Items:**        187, Ordinary (14 June 2005)

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**MOTION:**

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

*Refer to RESOLUTION*

**51 RESOLUTION:**

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

That the information concerning consultancies utilised by Council during the period July to December 2015 be received.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**Item: 36**                    **SS - December 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 Rasmussen.

*Refer to RESOLUTION*

**52 RESOLUTION:**

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

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – December 2015, be adopted.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**SECTION 4 - Reports of Committees**

**ROC**                      **Hawkesbury Access and Inclusion Advisory Committee - 26 November 2015 - (124569, 96328)**

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**53 RESOLUTION:**

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

That the minutes of the Hawkesbury Access and Inclusion Committee held on 26 November 2015 as recorded on pages 165 to 171 of the Ordinary Business Paper be received.

**ROC**                      **Local Traffic Committee - 8 February 2016 - (80245)**

---

**54 RESOLUTION:**

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

That the minutes of the Local Traffic Committee held on 8 February 2016 as recorded on pages 172 to 197 of the Ordinary Business Paper be adopted.

**ROC**                      **Hawkesbury Civic and Citizenship Committee - 10 February 2016 (79351, 96972)**

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**55 RESOLUTION:**

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

That the minutes of the Hawkesbury Civic and Citizenship Committee held on 10 February 2016 as recorded on pages 198 to 200 of the Ordinary Business Paper be received.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**SECTION 5 - Notices of Motion**

**NM**

**Audit of Rural Fire Service Infrastructure - (79351, 105109, 125612, 80104)**

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The Mayor advised that in the absence of the Councillors who placed the Notice of Motion on the agenda, he would defer the matter to the next Council meeting, in accordance with Clause 3.2.3b) of Council's Code of Meeting Practice.

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**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:** 23 February 2016**Questions for Next Meeting**

#	Councillor	Question	Response
1	Rasmussen	Enquired if it is possible to include an attendance register in the minutes of the Local Traffic Committee.	Director Infrastructure Services
2	Rasmussen	Requested an update on Richmond polo fields court case.	Director City Planning
3	Rasmussen	Enquired when Council will start to issue rates notices via email.	Director Support Services
4	Rasmussen	Enquired if legal advice could be sought to verify the comments that were made at the public inquiry into the amalgamation process of 22 February 2016, regarding the need for a plebiscite to be held for forced council amalgamations.	General Manager
5	Williams	In relation to Redbank Creek, enquired how can it be claimed there has been only one breach of conditions if there has been at least five to seven events where the turbidity has exceeded more than 400ntu.	Director City Planning
6	Williams	In relation to Redbank Creek, noted that Condition 24 (h) of the consent for DA0471/14, details the need for water quality monitoring at the Redbank North Richmond development site and enquired if the developer complied as was required during the pre-construction stages of the development.	Director City Planning
7	Williams	Enquired if there were any concerns raised by the Redbank North Richmond developer in their monitoring of the water quality.	Director City Planning
8	Williams	Enquired as to how many water quality reports Council received from the Redbank North Richmond developer, what the results were and if Council required any further action.	Director City Planning

**ORDINARY MEETING**

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#	Councillor	Question	Response
9	Williams	Suggested that the conditions/controls pertinent to the Redbank North Richmond development were clearly ineffective and enquired if these would be strengthened for future developments.	Director City Planning
10	Williams	Enquired if Council now has the capacity to ensure our environment and waterways are protected to a reasonable standard, as a result of pollution of Redbank Creek.	Director City Planning

**ORDINARY MEETING**

**Minutes:** 23 February 2016

**CONFIDENTIAL REPORTS**

**56 RESOLUTION:**

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

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: 37 IS - Tender No. 00966 - Provision of Building Trades and Associated Services - (95495, 79340)**

*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 it is considered that 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: 38 IS - Tender No. 00968 - Painting of Various Council Sites - (95495, 79340)**

*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 it is considered that 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: 39 SS - Property Matter - Lease to New Horizons Healthcare Pty Ltd - Shop 3, Glossodia Shopping Village - (95496, 112106, 134957, 136550)**

*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.*

**Item: 40 SS - Property Matter - Lease to Optus Mobile Pty Ltd - Part of 1 Old Sackville Road, Wilberforce - (95496, 112106, 109439, 105332, 23463)**

*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.

**ORDINARY MEETING**

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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.

**57 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Williams that open meeting be resumed.

**ORDINARY MEETING****Minutes:** 23 February 2016

**Item: 37**                    **IS - Tender No. 00966 - Provision of Building Trades and Associated Services - (95495, 79340) CONFIDENTIAL**

**MOTION:**

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

*Refer to RESOLUTION*

**58 RESOLUTION:**

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

That:

- The following tenderers be placed on a supplier panel for a period of five years for Tender No. 00966 Provision of Building Trades and Associated Services, with work undertaken at the tendered unit rates:

<b>Building Carpenter</b>	
Craig Fitzpatrick t/a C Fit Building Services	1
Every Trade Building Services Pty Ltd	2
Dick Vernon Constructions Pty Ltd	3
NMC Building Services Pty Ltd	4
<b>Cabinet Maker</b>	
AuscCorp Construction Pty Ltd	1
<b>Concreter</b>	
InfraWorks Rail Pty Ltd	1
AuscCorp Construction Pty Ltd	2
D & J Kelly Building Co t/a Australian Building and Cladding Solutions	3
Brijo Contractors Pty Ltd	4
<b>Electrician</b>	
CMP Electrical (Aust) Pty Ltd	1
Shane Eaton t/a George Eaton Electrical	2
BBSM Services Pty Ltd	3
Mells Electrical Pty Ltd t/a Hawkesbury Valley Electrics	4
<b>Fencer</b>	
Northern Fencing Specialists Pty Ltd	1
<b>Floor Finisher</b>	
Nil	nil
<b>Glazier</b>	
Patmata Pty Ltd t/a Windsor Glass and Glazing	1

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<b>Gutter Cleaning</b>	
Hix Group Pty Ltd	1
D & J Kelly Building Co t/a Australian Building and Cladding Solutions	2
Bradal Pty Ltd t/a Gutter-vac Hawkesbury and Blue Mountains	3
<b>Irrigation and Pumps</b>	
Dynamic Pumps Irrigation and Industrial Supplies Pty Ltd	1
Hix Group Pty Ltd	2
Auscorp Construction Pty Ltd	3
CMP Electrical (Aus) Pty Ltd	4
<b>Landscaping</b>	
Sterling Group Services Pty Ltd	1
Landscape Productions Pty Ltd	2
Simon Miller t/a Hawkesbury Native Landscapes	3
<b>Painting</b>	
Pro-Asset Painting Maintenance Pty Ltd	1
R & T & S Fleming t/a R T Fleming and Sons	2
Chaisam Pty Ltd t/a Chai Contractors and General Services	3
D & J Kelly Building Co t/a Australian Building and Cladding Solutions	4
<b>Pest Control</b>	
Michael Gordon t/a Bligh Park Pest Control	1
<b>Plumbing</b>	
Terry and Susan Oehm t/a Terry Oehm Plumbing	1
Asset Plumbing Solutions P/L	2
Jontil P/L t/a RVE Plumbing Service	3
Vermont Plumbing Pty Ltd	4
<b>Roof Safety</b>	
Nil	Nil
<b>Roofer</b>	
Vermont Plumbing Pty Ltd	1
IPR Group Pty Ltd	2
Martech Plumbing Pty Ltd	3
D & J Kelly Building Co t/a Australian Building and Cladding Solutions	4
<b>Sealant and Joint Applications</b>	
Every Trade Building Services Pty Ltd	1
Spotless Facility Services Pty Ltd	2
Johns Lyng NSW Pty Ltd	3
Auscorp Construction Pty Ltd	4

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<b>Security Services</b>	
HIX Group Pty Ltd	1
Ste-Way Electrical Pty Ltd	2
Securimax Pty Ltd	3
<b>Shopfitter</b>	
Every Trade Building Services Pty Ltd	1
Spotless Facility Services Pty Ltd	2
AuscCorp Construction Pty Ltd	3
<b>Steel Fabrications</b>	
C Laws All Metal Fabricators	1
AuscCorp Construction Pty Ltd	2
Infraworks Rail Pty Ltd	3
<b>Thermoscans</b>	
Smada Electrical Services Pty Ltd	1
Hix Group Pty Ltd	2
BBSM Services Pty Ltd	3
CMP Electrical (Aust) Pty Ltd	4
<b>Tiler</b>	
Nil	Nil

2. Work be allocated on the basis of price, availability and continued satisfactory performance
3. The Seal of Council be affixed to any necessary documentation.

**Item: 38**                      **IS - Tender No. 00968 - Painting of Various Council Sites - (95495, 79340)**  
**CONFIDENTIAL**

**MOTION:**

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

***Refer to RESOLUTION***

**59 RESOLUTION:**

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

That:

1. The tender submitted by R Flemming and Sons in the amount of \$109,160 (excluding GST) for Tender No. 00968 Painting of Various Council Sites (2015/2016), be accepted based on the evaluation undertaken
2. The Seal of Council be affixed to any necessary documentation.

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**Item: 39**                    **SS - Property Matter - Lease to New Horizons Healthcare Pty Ltd - Shop 3, Glossodia Shopping Village - (95496, 112106, 134957, 136550)**  
**CONFIDENTIAL**

**Previous Item:**        145, Ordinary (25 August 2015)

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**MOTION:**

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

***Refer to RESOLUTION***

**60 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with New Horizons Healthcare Pty Ltd in regard to Shop 3, Glossodia Shopping Village, 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.

**ORDINARY MEETING**

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**Item: 40**                    **SS - Property Matter - Lease to Optus Mobile Pty Ltd - Part of 1 Old Sackville Road, Wilberforce - (95496, 112106, 109439, 105332, 23463) CONFIDENTIAL**

**Previous Item:**        253, Ordinary (13 November 2007)

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**MOTION:**

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

***Refer to RESOLUTION***

**61 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with Optus Mobile Pty Ltd in regard to the telecommunications tower and equipment shed located at part of 1 Old Sackville Road, Wilberforce, in accordance with the proposal outlined above.
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 9:43pm.

Submitted to and confirmed at the Ordinary meeting held on 8 March 2016.

.....  
Mayor