



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 26 June 2018

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING**Table of Contents**

Meeting Date: 26 June 2018

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	ATTENDANCE	2
	APOLOGIES AND LEAVE OF ABSENCE	2
	DECLARATIONS OF INTEREST	2
	SECTION 1 - Confirmation of Minutes	3
	SECTION 3 – Reports for Determination	4
	SUPPORT SERVICES	4
Item: 146	SS - Monthly Investments Report - May 2018 - (95496, 96332)	4
Item: 147	SS - Pecuniary Interest Return - Designated Person - (95496, 96333)	4
Item: 148	SS - 2018/2019 Remuneration for Councillors and Mayor - (95496, 96332)	5
Item: 149	SS - Loan Borrowings and the Low Cost Loan Initiative for Infrastructure identified in the Draft Vineyard Section 7.11 Contributions Plan - (95496)	6
Item: 150	SS - Review of Council's Investment Policy and Appointment of Investment Advisor - (95496, 96332)	6
Item: 151	SS - Outstanding Receivables - Bad Debts Write Off 2017/2018 - (95496, 96332)	7
	SECTION 5 – Notices of Motion	8
Item: 152	NM1 - Disclosure Outside the North West Growth Sector - (79351, 138884)	8
Item: 153	NM2 - Third Crossing of the Hawkesbury River at North Richmond - (79351, 138879)	9
	SUPPLEMENTARY REPORTS	12
Item: 158	NM3 - Funding to construct a multipurpose PCYC facility in the Hawkesbury - (125610, 79351)	12
	QUESTIONS FOR NEXT MEETING	13
Item: 154	Councillor Questions from Previous Minutes and Responses - 8 May 2018 - (79351)	13
Item: 155	Councillor Questions from Previous Meetings and Responses - 29 May 2018 - (79351)	14

ORDINARY MEETING

Table of Contents

Meeting Date: 26 June 2018

CONFIDENTIAL REPORTS	18
Item: 156 SS - Lease to Vannarith Chea and Sayoen Khun - Shop 4, Wilberforce Shopping Centre - (113051, 109556, 95496, 112106)	19
Item: 157 SS - Licence to Tomra Collection Pty Ltd - Part of 1 Kable Street, Windsor - (95496, 92432, 112106)	19

ORDINARY MEETING

Minutes: 26 June 2018

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 26 June 2018, commencing at 6:34pm.

Welcome

The General Manager addressed the Council Meeting, mentioning:

- Acknowledgement of Indigenous Heritage
- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones.

ATTENDANCE

PRESENT: Councillor M Lyons-Buckett, Mayor, Councillor B Calvert, Deputy Mayor and Councillors P Conolly, E-J Garrow, A Kotlash, P Rasmussen, S Richards, J Ross, T Tree, D Wheeler and N Zamprogno.

ALSO PRESENT: General Manager - Peter Conroy, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Acting Director City Planning - Andrew Kearns, Executive Manager - Community Partnerships - Joseph Litwin, Manager Corporate Communication - Suzanne Stuart, Manager Corporate Services and Governance - Michael Wearne, Administrative Support Coordinator - Tracey Easterbrook and Administrative Support Officer - Kylie Wade-Ferrell.

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor P Reynolds.

189 RESOLUTION:

RESOLVED on the motion of Councillor Garrow and seconded by Councillor Wheeler that the apology be accepted and that leave of absence from the meeting be granted.

Councillor Conolly arrived at the meeting at 6.36pm.

Councillor Rasmussen arrived at the meeting at 6:39pm.

DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

ORDINARY MEETING

Minutes: 26 June 2018

SECTION 1 - Confirmation of Minutes

190 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Wheeler that the Minutes of the Ordinary Meeting held on the Tuesday, 29 May 2018, be confirmed.

191 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Wheeler that the Minutes of the Extraordinary Meeting held on the Tuesday, 9 June 2018, be confirmed.

ORDINARY MEETING

Minutes: 26 June 2018

SECTION 3 – Reports for Determination

SUPPORT SERVICES

Item: 146 **SS - Monthly Investments Report - May 2018 - (95496, 96332)**

Previous Item: 97, Ordinary (30 May 2017)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

192 RESOLUTION:

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

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

Item: 147 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

193 RESOLUTION:

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

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

ORDINARY MEETING

Minutes: 26 June 2018

Item: 148 **SS - 2018/2019 Remuneration for Councillors and Mayor - (95496, 96332)**

Directorate: Support Services

MOTION:

A motion was moved by Councillor Rasmussen, seconded by Councillor Calvert.

That:

1. The annual fee for Councillors for 2018/2019 be set at \$19,790.
2. The additional annual fee for the Mayor be set at \$43,170, and the Deputy Mayor's additional annual fee be set at \$6,475.50, to be deducted from the Mayor's annual fee.

The motion was lost

MOTION:

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

Refer to RESOLUTION

194 RESOLUTION:

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

That the annual fees for Councillors, the Mayor and the Deputy Mayor for 2018/2019 be set at the same fees as applicable for 2017/2018 as follows:-

1. The annual fee for Councillors for 2018/2019 be set at \$19,310.
2. The additional annual fee for the Mayor be set at \$42,120, and the Deputy Mayor's additional annual fee be set at \$6,318, to be deducted from the Mayor's annual fee.

ORDINARY MEETING

Minutes: 26 June 2018

Item: 149 **SS - Loan Borrowings and the Low Cost Loan Initiative for Infrastructure identified in the Draft Vineyard Section 7.11 Contributions Plan - (95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

195 RESOLUTION:

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

That Council approve the use of loan borrowings of \$16.5 million to provide for the infrastructure required as identified in the Draft Vineyard Precinct Section 7.11 Contributions Plan to enable Council to apply for an interest subsidy as part of the NSW Department of Planning and Environment's Low Cost Loan Initiative by the closing date of 1 July 2018.

Item: 150 **SS - Review of Council's Investment Policy and Appointment of Investment Advisor - (95496, 96332)**

Previous Item: Ordinary, 30 May 2017

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

196 RESOLUTION:

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

That Council:

1. Adopt the Investment Policy, as amended, attached as Attachment 1 to this report.
2. Appoint the NSW Treasury Corporation (TCorp), as its Investment Advisor, for the financial year ending 30 June 2019 and for the financial year ending 30 June 2020.

ORDINARY MEETING

Minutes: 26 June 2018

Item: 151 **SS - Outstanding Receivables - Bad Debts Write Off 2017/2018 - (95496, 96332)**

Previous Item: 113, Ordinary 27 June 2017

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

197 RESOLUTION:

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

That

1. The debt owed by Debtor Account 7300998 in respect of Richmond Lawn Cemetery Fees and legal costs totalling \$4,820.21 be written off as a Bad Debt.
2. The debt owed by Debtor Account 7309186 in respect of Food Premises Inspections and legal costs totalling \$2,010.05 be written off as a Bad Debt.

SECTION 5 – Notices of Motion

Item: 152 NM1 - Disclosure Outside the North West Growth Sector - (79351, 138884)

MOTION:

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

Refer to RESOLUTION

198 RESOLUTION:

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

That:

1. Council notes the community debate about the NSW State Government Corridor projects has brought into focus many questions about the medium to long-term future of the south-eastern part of our city which lays adjacent to urban growth, generally bounded by Windsor Road (both sides), Boundary Road and the Hawkesbury River.
2. Council recognises that development is and will continue to place significant pressure on this part of the Hawkesbury LGA, and that it is necessary for Council's future planning to seek to be well informed about the intent of other tiers of government and their departments, however preliminary, in these areas.
3. Council write to the Greater Sydney Commission, the Department of Planning and Environment, Transport for NSW, Roads and Maritime Services, the State Member for Hawkesbury, the Premier of NSW and the Minister for Planning to seek clarification on:
 - i. statements that seem to indicate a desire to extend development beyond the current Vineyard Precinct, and otherwise to call for transparency, disclosure and co-operation concerning how much more of the Hawkesbury's semi-rural lands are being considered for future development.
 - ii. updates, timelines and expectations in relation to the Vineyard Precinct Stage 2.
4. Council receive a report on costs and timeframes for replicating the Kurmond/Kurrajong Study across the Hawkesbury Local Government Area.

ORDINARY MEETING

Minutes: 26 June 2018

Item: 153 **NM2 - Third Crossing of the Hawkesbury River at North Richmond - (79351, 138879)**

Mr Harry Terry, Mr Michael Want and Ms Jan Sparkes, addressed Council speaking against the motion.

MOTION:

A motion was moved by Councillor Richards, seconded by Councillor Conolly.

That:

1. Council commends the Hon. Dominic Perrottet MP, State Member for Hawkesbury, Treasurer of NSW and Minister for Industrial Relations, for his announcement in the NSW State Budget last week to provide project funding to the amount of \$25 million to commence the process for constructing a third crossing of the Hawkesbury River.
2. Council acknowledges that it has advocated for the need for a third crossing of the Hawkesbury River for many years.
3. Council write to the Mr Perrottet, congratulating him for this announcement, thanking him for listening to the community on this issue, and for prioritising the implementation of a third crossing of the Hawkesbury River in this year's NSW State Budget.

AMENDMENT:

An Amendment was moved by Councillor Ross, seconded by Councillor Rasmussen.

That:

1. Council commends the State Government for its 2018/2019 NSW Budget allocation of \$7 million to commence planning for a new bridge across the Hawkesbury River.
2. Council further notes advice in a media release, issued by the Member for Hawkesbury, that this \$7 million is part of a three year funding package of \$25 million.
3. Council write to the State Treasurer seeking clarification regarding this allocation, as well as asking for further information of the intent of this crossing and how it will work in conjunction with the Bell Line of Road, the original 1951 Castlereagh Corridor and the proposed Grose River Bridge (see attached example draft, below).

DRAFT LETTER

*The Hon. Dominic Perrottet, MP
Member for Hawkesbury
Treasurer, and Minister for Industrial Relations
52 Martin Place
SYDNEY NSW 2000*

Dear Treasurer

Re NSW Budget, New Hawkesbury River crossing at Richmond

Hawkesbury City Council (Council) notes an allocation of \$7 million has been made in the 2018–2019 NSW State Budget for an item described as “New Hawkesbury River crossing at Richmond (Planning)”.

ORDINARY MEETING

Minutes: 26 June 2018

It is further noted that in a media release dated 19th June 2018 you advise a new river crossing between Richmond and North Richmond will received \$25 million dollars. It appears the allocation of \$7 million will be directed to planning and a business case for a bridge across the Hawkesbury River at Richmond.

Council seeks to clarify the specific infrastructure project intended to benefit from this funding. A degree of confusion has arisen due to a project to duplicate Richmond Bridge between Richmond and North Richmond identified in a document titled Richmond Bridge Options Report Long Term Solutions, prepared by SMEC on behalf of the RMS. This document identifies the preferred option as Option D. However, Option D, a bridge and additional eastbound carriageway to be constructed at a level to provide 1:20 year ARI flood immunity and providing a total of four lanes (two lanes in each direction) along March Street, Kurrajong Road and Bells Line of Road between East Market Street, Richmond and Grose Vale Road / Terrace Road, North Richmond, was not Council's preferred option.

Given Option D is planned to connect to the same roads as the existing Richmond Bridge and that the reference in your media release to a "third crossing" implies a location different from that of existing bridges, Council seeks to establish if the intention is to build two different bridges across the Hawkesbury River between Richmond and North Richmond.

In light of the complex transport planning issues currently confronting the LGA, your advice on this matter would be greatly appreciated.

Yours sincerely,

4. Council calls on the State Government to give a detailed timeline and a commitment to transparency with regard to the consultation which will be required as part of the planning process.
5. Council acknowledges the extreme distress and emotional toll on landowners, the flawed roll out and the lack of consultation through the corridor proposal.
6. Council congratulates the community in their 10 years of fighting for increased capacity over the Hawkesbury River despite the lack of support from previous Councils and State Governments.

The amendment was carried.

The amendment then became the motion which was put and carried.

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

Refer to RESOLUTION

199 RESOLUTION:

RESOLVED on the AMENDMENT moved by Councillor Ross, seconded by Councillor Rasmussen.

That:

1. Council commends the State Government for its 2018/2019 NSW Budget allocation of \$7 million to commence planning for a new bridge across the Hawkesbury River.
2. Council further notes advice in a media release, issued by the Member for Hawkesbury, that this \$7 million is part of a three year funding package of \$25 million.

ORDINARY MEETING

Minutes: 26 June 2018

3. Council write to the State Treasurer seeking clarification regarding this allocation, as well as asking for further information of the intent of this crossing and how it will work in conjunction with the Bell Line of Road, the original 1951 Castlereagh Corridor and the proposed Grose River Bridge (see attached example draft, below).

DRAFT LETTER

*The Hon. Dominic Perrottet, MP
Member for Hawkesbury
Treasurer, and Minister for Industrial Relations
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Dear Treasurer

Re NSW Budget, New Hawkesbury River crossing at Richmond

Hawkesbury City Council (Council) notes an allocation of \$7 million has been made in the 2018–2019 NSW State Budget for an item described as “New Hawkesbury River crossing at Richmond (Planning)”.

It is further noted that in a media release dated 19th June 2018 you advise a new river crossing between Richmond and North Richmond will received \$25 million dollars. It appears the allocation of \$7 million will be directed to planning and a business case for a bridge across the Hawkesbury River at Richmond.

Council seeks to clarify the specific infrastructure project intended to benefit from this funding. A degree of confusion has arisen due to a project to duplicate Richmond Bridge between Richmond and North Richmond identified in a document titled Richmond Bridge Options Report Long Term Solutions, prepared by SMEC on behalf of the RMS. This document identifies the preferred option as Option D. However, Option D, a bridge and additional eastbound carriageway to be constructed at a level to provide 1:20 year ARI flood immunity and providing a total of four lanes (two lanes in each direction) along March Street, Kurrajong Road and Bells Line of Road between East Market Street, Richmond and Grose Vale Road / Terrace Road, North Richmond, was not Council’s preferred option.

Given Option D is planned to connect to the same roads as the existing Richmond Bridge and that the reference in your media release to a “third crossing” implies a location different from that of existing bridges, Council seeks to establish if the intention is to build two different bridges across the Hawkesbury River between Richmond and North Richmond.

In light of the complex transport planning issues currently confronting the LGA, your advice on this matter would be greatly appreciated.

Yours sincerely,

4. Council calls on the State Government to give a detailed timeline and a commitment to transparency with regard to the consultation which will be required as part of the planning process.
5. Council acknowledges the extreme distress and emotional toll on landowners, the flawed roll out and the lack of consultation through the corridor proposal.
6. Council congratulates the community in their 10 years of fighting for increased capacity over the Hawkesbury River despite the lack of support from previous Councils and State Governments.

SUPPLEMENTARY REPORTS

Item: 158 **NM3 - Funding to construct a multipurpose PCYC facility in the Hawkesbury - (125610, 79351)**

Ms Kim Smith, addressed Council speaking against the motion.

MOTION:

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

Refer to RESOLUTION

200 RESOLUTION:

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

That Council write to:

1. The Member for Hawkesbury to:
 - a) Commend the Government for its announcement of funding to construct a multipurpose PCYC facility in the Hawkesbury and congratulate the Member on his advocacy that secured Hawkesbury as the location for the only new PCYC facility being funded as part of the announcement.
 - b) Note that Council will provide a list of multiple sites for investigation, and include reference to Council's advocacy for improved facilities for youth west of the river and in the Hawkesbury generally.
 - c) Seek further information about the project including the timeline.
 - d) Request that Council continue its involvement in the process of selecting a site.
2. Tony Miller to thank him for his role in instigating the initial discussions about a local PCYC and for organising the coming together of stakeholders to commence the process.

ORDINARY MEETING

Minutes: 26 June 2018

QUESTIONS FOR NEXT MEETING

Item: 154

Councillor Questions from Previous Minutes and Responses - 8 May 2018 - (79351)

Responses to questions in relation to previous Questions for the Next Meeting were provided and the additional follow up questions were asked.

#	Councillor	Question	Response
1	Conolly	In relation to the Answer for Question number 1 regarding the proposal to move the church bell at St. Matthews Catholic Primary School, could I be advised before the next Business Paper as to what action the Council has taken in respect to the church bell being relocated.	The Acting Director City Planning
2	Conolly	In relation to the Answer for Question number 2, regarding the change of boundaries around the church at St. Matthews Catholic Primary School and the exact location of the portable classrooms. How is the interpretation strategy and plan from the State Heritage Impact Report going to be added as a condition of development consent.	The Acting Director City Planning
3	Ross	Councillor Ross referred to Question 3 and requested that Beaumont Avenue and the Yarramundi Soccer fields be reviewed with the Bensons Lane study and report back to Council.	The General Manager

ORDINARY MEETING

Minutes: 26 June 2018

Item: 155 Councillor Questions from Previous Meetings and Responses - 29 May 2018 - (79351)

Responses to questions in relation to previous Questions for the Next Meeting were provided and the additional follow up question was asked.

#	Councillor	Question	Response
4	Zamprogno	Councillor Zamprogno referred to Question 4 and enquired as to if Council was consulted anytime between December 2014 and March 2018 regarding a document named Plan for Growing Sydney in relation to the Bells Line of Road and M9 Corridors which were announced in March 2018.	The Acting Director City Planning

ORDINARY MEETING**Minutes: 26 June 2018****Questions – 26 June 2018**

#	Councillor	Question	Response
1	Richards	Enquired as to how Council chooses who they approach each day in relation to signage removal, for example regarding small businesses, why are some requests being ignored and others being targeted.	The Acting Director City Planning
2	Richards	Enquired as to whether Council or other agencies can assist with a residential clean up as a resident has made a complaint regarding a neighbour who has a lot of clutter and rubbish out the front of their residence.	The Acting Director City Planning
3	Richards	Enquired as to whether the Hawkesbury LGA has mountain bike tracks and if so can we please advise of their location/s, or if there is none can Council please identify suitable sites.	The Director Infrastructure Services
4	Richards	Enquired as to when the Windsor RSL Sub Branch will get a response from Council regarding approval for the construction of the permanent Memorial.	The Director Infrastructure Services
5	Richards	Requested a response regarding a Notice of Motion in relation to the RSL War Memorial name placement criteria.	The Director Infrastructure Services
6	Richards	Requested a response regarding a Notice of Motion in relation to the school visits to the Council Chambers..	The General Manager
7	Zamprogno	Requested that Council enquire about an update with the RMS on behalf of Pitt Town Progress Association in relation to commencement date of the Pitt Town By-Pass.	The Director Infrastructure Services

ORDINARY MEETING**Minutes: 26 June 2018**

#	Councillor	Question	Response
8	Kotlash	Requested that Council investigate parking time restriction along George Street, Windsor near medical businesses as medical procedures are going over the parking restriction time of one hour. Does it warrant the parking restriction to be increased to three hour parking.	The Acting Director City Planning
9	Calvert	Enquired as to whether Council can confirm if lighting outside the River Orchid Restaurant in the North Richmond Council Carpark is adequate and if not can adequate lighting be investigated.	The Director Infrastructure Services
10	Garrow	Requested if Council can provide the number of visits to Council Meeting podcasts, to understand the level of engagement with the community regarding these meetings.	The Director Support Services
11	Garrow	Enquired if Council has issued orders for the removal of signs around the Oakville area and how much time has the Council worked on this matter.	The Acting Director City Planning
12	Rasmussen	Enquired as to whether Council has granted parking spaces to Coles Supermarket in the Council's Richmond Mall Parking area. If so how many have been allocated and what are the terms of arrangement.	The Director Infrastructure Services
13	Ross	Enquired as to when Bridge Number 5 over Gospers Creek was last rebuilt/replaced.	The Director Infrastructure Services
14	Ross	Enquired to whether there was an administrative delay in relation to participants having a short response time (less than 24 hours) to notify their attendance regarding the Destination NSW Digital Program that was to be held on the 15 June 2018 and was understood to be cosponsored by Council.	The General Manager

ORDINARY MEETING**Minutes: 26 June 2018**

#	Councillor	Question	Response
15	Lyons-Bucket	Requested that street signage for parking in George Street, Windsor outside the medical business be reviewed and the public made aware of the underground parking at the facility.	The Acting Director City Planning

ORDINARY MEETING

Minutes: 26 June 2018

CONFIDENTIAL REPORTS

201 RESOLUTION:

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

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: 156 SS - Lease to Vannarith Chea and Sayoen Khun - Shop 4, Wilberforce Shopping Centre - (113051, 109556, 95496, 112106)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that 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: 157 SS - Licence to Tomra Collection Pty Ltd - Part of 1 Kable Street, Windsor - (95496, 92432, 112106)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that 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.

202 RESOLUTION:

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

ORDINARY MEETING

Minutes: 26 June 2018

Item: 156 **SS - Lease to Vannarith Chea and Sayoen Khun - Shop 4, Wilberforce Shopping Centre - (113051, 109556, 95496, 112106)**

Directorate: Support Services

MOTION:

Whilst in Closed Session, the Director Support Services advised that Council RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Rasmussen.

Refer to RESOLUTION

203 RESOLUTION:

Whilst in Closed Session, the Director Support Services advised that Council RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Rasmussen.

That:

1. Council agree to enter into a lease with Vannarith Chea and Sayoen Khun of the property known as Shop 4, Wilberforce Shopping Centre, as outlined in the report.
2. Authority be given for the lease and any other relevant documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessees, together with the advice that Council is not and will not be bound by the terms of its resolution, until such time as appropriate legal documentation to put such a resolution into effect has been agreed to and executed by all parties.

Item: 157 **SS - Licence to Tomra Collection Pty Ltd - Part of 1 Kable Street, Windsor - (95496, 92432, 112106)**

Previous Item: Item 097, 10 April 2018
Item 122, 8 May 2018

Directorate: Support Services

MOTION:

Whilst in Closed Session, a motion was moved by Councillor Rasmussen, second by Councillor Ross to adopt the recommendation in the Confidential Report.

The motion was lost.

ORDINARY MEETING

Minutes: 26 June 2018

The meeting terminated at 10:00pm.

Submitted to and confirmed at the Ordinary meeting held on 10 July 2018.

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Mayor