



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 31 October 2017  
location: council chambers  
time: 6:30 p.m.



**ORDINARY MEETING**

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Meeting Date: 31 October 2017

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 31 October 2017, commencing at 6:33pm.

#### ATTENDANCE

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

**ALSO PRESENT:** General Manager - Peter Conroy, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Manager Corporate Communication - Suzanne Stuart, Manager Corporate Services and Governance - Michael Wearne, Administrative Support Coordinator - Natasha Martin and Administrative Support Officer - Jodie Tillinghast.

#### APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor P Rasmussen.

#### 328 RESOLUTION:

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

Councillor Tree arrived at the meeting at 6:49pm.

#### DECLARATIONS OF INTEREST

Councillor Garrow declared an interest on Item 197.

Councillor Richards declared an interest on Items 189 and NM2.

#### SECTION 1 - Confirmation of Minutes

#### 329 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Conolly that the Minutes of the Ordinary Meeting held on the 26 September 2017, be confirmed.

**ORDINARY MEETING**

**Meeting Date: 31 October 2017**

**SECTION 3 - Reports for Determination**

**GENERAL MANAGER**

**Item: 189                      GM - 2017 Christmas Program - Request for Funds and Project Proposal -  
(79351, 79356, 127800, 94012, 79356)**

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Councillor Richards declared a less than significant non-pecuniary conflict of interest in this matter as she is a member of Community Board of Advice of St John of God, which is associated with Christmas celebration planning but she is not a member of the Christmas Planning Committee and no further action is required.

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Ms Brenda Harrold and Ms Fiona Smith addressed Council, speaking for the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**330 RESOLUTION:**

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

That Council:

1. Approve the payment of \$1,000 of funding to the following groups to support Christmas lights displays and associated activities for Christmas 2017, subject to the groups providing details of the proposed expenditure of any allocated funds to the satisfaction of the General Manager:
  - a) Windsor Business Group
  - b) Kurrajong Community Forum
  - c) Hawkesbury Chamber of Commerce
  - d) St John of God Hospital (Hawkesbury District Health Service)
2. Meet the costs of the \$500 hire fee and waive the \$1,000 applicable bond to use the Windsor Mall by the Windsor Business Group.
3. Approve the execution of the Council's standard Sponsorship Agreement for the above projects.
4. Continue to implement the Banner Pole Implementation Program on Council owned land.



**ORDINARY MEETING**

**Meeting Date:** 31 October 2017

**INFRASTRUCTURE SERVICES**

**Item: 190**                    **IS - Roads to Recovery Program - Freemans Reach Road, Freemans Reach - (95495, 79344)**

**Previous Item:**        228, Ordinary (25 November 2014)

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**MOTION:**

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

*Refer to RESOLUTION*

**331 RESOLUTION:**

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

That available funding of \$776,587 be brought forward into the 2017/2018 Operational and Delivery Plan available under the Roads to Recovery Program and be utilised to extend rehabilitation of Freemans Reach Road, Freemans Reach south from the previously completed section.

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**Meeting Date:** 31 October 2017

**Item: 191**                    **IS - Use of McQuade Park by The Great Moscow Circus and Webers Circus - (95495, 79354)**

**Previous Item:**        148, Ordinary (28 August 2017)

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Mr Geoffrey Brand addressed Council, speaking against the recommendation.

**MOTION:**

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

***Refer to RESOLUTION***

**332 RESOLUTION:**

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

That:

1. The Great Moscow Circus be given approval for use of McQuade Park from 5 February 2018 to 18 February 2018.
2. The Webers Circus be given approval for use of McQuade Park from 12 November 2018 to 25 November 2018.
3. The approvals be subject to the following conditions/documents:
  - a) Council's General Park Conditions
  - b) Council's Fees and Charges including appropriate bonds
  - c) the McQuade Park Plan of Management
  - d) Council's Circus Policy.
4. Council advise Webers Circus of the importance of Remembrance Day on 11 November 2018 and that they be reminded not to access McQuade Park until 12 November 2018.

**ORDINARY MEETING**

**Meeting Date: 31 October 2017**

**SUPPORT SERVICES**

**Item: 192                    SS - Monthly Investments Report - September 2017 - (95496, 96332)**

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**MOTION:**

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

*Refer to RESOLUTION*

**333 RESOLUTION:**

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

The report regarding the monthly investments for September 2017 be received and noted.

**Item: 193                    SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

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**MOTION:**

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

*Refer to RESOLUTION*

**334 RESOLUTION:**

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

That the information be received and noted.

**ORDINARY MEETING**

**Meeting Date:** 31 October 2017

**Item: 194**                    **SS - Podcasting of Council Meetings, Late Reports and Code of Meeting Practice - (95496, 96333, 79351, 79352)**

**Previous Item:**        Item 144, Ordinary (8 August 2017)  
                              Item 53, Ordinary (14 March 2017)  
                              Item 13, Ordinary (31 January 2017)  
                              NM1, Ordinary (31 January 2017)

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**MOTION:**

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

*Refer to RESOLUTION*

**335 RESOLUTION:**

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

That Council adopt the Code of Meeting Practice, attached as Attachment 1 to this report, which has been amended in regard to podcasting of Council meetings and late reports.

**ORDINARY MEETING**  
**Reports of Committees**

**SECTION 4 - Reports of Committees**

**ROC**                      **Hawkesbury Tourism Advisory Committee Minutes - 13 June 2017 - (140396, 111215)**

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**336 RESOLUTION:**

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

That:

1. The minutes of the Hawkesbury Tourism Advisory Committee held on 13 June 2017 as recorded on pages 29 to 36 of the Ordinary Business Paper be received.
2. Council endorse Councillor Richards and the General Manager as Council's representatives on the Member for Hawkesbury's Tourism Committee.

**ROC**                      **Hawkesbury Access and Inclusion Advisory Committee Minutes - 24 August 2017 - (124569, 96328)**

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**337 RESOLUTION:**

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

That the minutes of the Hawkesbury Access and Inclusion Advisory Committee held on 24 August 2017 as recorded on pages 37 to 44 of the Ordinary Business Paper be received.

**ROC**                      **Waste Management Advisory Committee - 4 October 2017 - (124414, 95249)**

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**338 RESOLUTION:**

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

That:

1. The minutes of the Waste Management Advisory Committee held on 4 October 2017 as recorded on pages 45 to 52 of the Ordinary Business Paper be received.
2. A report be brought to Council in relation to establishing a protocol for the removal of dumped waste in areas under other agency's control (Section 5 - General Business of minutes of Committee meeting on 4 October 2017).

**ORDINARY MEETING**

Notices of Motion

**SECTION 5 - Notices of Motion**

**NM1**                      **Local Government Leadership and Awareness Program - (79351, 105109, 138879)**

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Mr William Sneddon addressed Council, speaking for the recommendation.

**MOTION:**

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

*Refer to RESOLUTION*

**339 RESOLUTION:**

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

That a report be provided to Council regarding the options available for the establishment of a Local Government Leadership and Awareness Program that would involve inviting all local schools in the Hawkesbury to participate. This Program could involve Students attending Council Chambers to meet and engage with Councillors and Council staff. This Program may include various aspects, depending on the age group of students attending, but may contain participation in mock debates, Question and Answer segments or enjoying a short presentation on local government.

**NM2**                      **Oasis Aquatic and Leisure Centre - (79351, 105109, 138879)**

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Councillor Richards declared a less than significant non-pecuniary conflict of interest in this matter as two of her children attend swimming lessons at Oasis Aquatic and Leisure Centre and also are members of Windsor Swim Club and no further action is required.

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Ms Kim Smith and Mr William Sneddon addressed Council, speaking for the recommendation.

Mr Peter Nicholson addressed Council, speaking against the recommendation.

**MOTION:**

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

*Refer to RESOLUTION*

## ORDINARY MEETING

### Notices of Motion

#### 340 RESOLUTION:

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

That:

1. A report be provided to Council regarding the Oasis Aquatic and Leisure Centre in respect of the following:
  - a) a review of the buildings, grounds and operations of Oasis Aquatic and Leisure Centre (currently managed by the YMCA NSW), including a program evaluation and also suggest any possible recommendations for the Centre such as energy saving, energy generation and purchasing programs and water saving initiatives.
  - b) public consultation be allowed for in this report to gauge ideas of improvement from users of the facility.
  - c) elaborate on the notion of a 'Program Pool', an idea discussed in the past specifically for swimming lessons, etc. to allow more room for recreational/professional swimmers in the main pools.
  - d) the cost of implementing a water play park, similar to that at the Ripples Leisure Centre Penrith, as well as the cost of Touch Pads for timekeeping purposes.
  - e) detail if it is possible to make the current playground one for all abilities, which falls in line with the Centre being an inclusive facility with already present disability access.
  - f) the report outline any possible state/federal government or community grants/partnerships that could be used to fund this.
  - g) identify Council's funding sources available in the event there are no State or Federal funding sources.
  - h) include existing proposals which are currently considering inclusive playgrounds and/or water parks.
2. Council approach the Member for Hawkesbury to seek a partnership between Council, the NSW Government, the PCYC and private industry to investigate an indoor swimming centre/gymnasium/sports centre in the North Richmond area.
3. The matter be brought to a Councillor Briefing Session in the first instance.

**ORDINARY MEETING**

Notices of Motion

**SUPPLEMENTARY REPORTS**

**NM3                      Changes to Rail Timetable - (79351, 105109, 138882)**

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Mr Nathan Cox and Mr David Briggs addressed Council, speaking for the recommendation.

**MOTION:**

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

*Refer to RESOLUTION*

**341 RESOLUTION:**

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

That:

1. The Mayor and General Manager write to the Minister for Transport, The Hon. Andrew Constance and the Member for Hawkesbury, The Hon. Dominic Perrottet, requesting a meeting to explain the impact of changes to rail timetables on commuters and local tourism and business, and asking for a return to the previous timetable as a minimum, short-term solution.
2. Where revised bus timetables result in longer wait times for commuters, the Mayor and General Manager meet with local bus companies to request further changes to services to reduce wait times and ensure better services.
3. Council staff investigate the provision of flexible work spaces for residents who can work at satellite locations and report back to Council.



**ORDINARY MEETING**

Notices of Motion

**NM4 National Parks Funding - (79351, 105109, 138882)**

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**MOTION:**

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

*Refer to RESOLUTION*

**342 RESOLUTION:**

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

That:

1. Council write to the Minister for the Environment, The Hon. Gabrielle Upton, and the Member for Hawkesbury, The Hon. Dominic Perrottet, expressing Councils' concern at cuts to the National Parks and Wildlife Service (NPWS) and seeking further information about how the State Government and NP&WS plan to ameliorate the impacts of these cuts on the Hawkesbury LGA.
2. Council staff prepare a report for Council detailing the impact of these cuts, and the operational and budgetary implications for Council
3. Council contact relevant local authorities, including the Hawkesbury River County Council, RFS, SES and WIRES to ensure that they are aware of these implications and, where possible, impacts are minimised.

**ORDINARY MEETING**

Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

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

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**Raised at the Ordinary Meeting held – 26 September 2017**

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

**ORDINARY MEETING**

## Questions for Next Meeting

**Questions for Next Meeting**

#	Councillor	Question	Response
1	Garrow	Requested a meeting be arranged with local real estate agents to discuss a range of issues including signage and disposing of rubbish.	Director City Planning
2	Connolly	Enquired if a change to the Code of Meeting Practice is required to provide for Councillors to submit in writing Questions For Next Meeting before a Council Meeting.	Director Support Services
3	Reynolds	Requested advice on the status of Ansell Park, Clarendon, including who owns it, who is responsible for the maintenance of it and who uses it.	Director Infrastructure Services
4	Reynolds	Requested clarification in relation to matters raised at the Hawkesbury Tourism Advisory Committee meeting regarding Section 121B(1), Item 4, Column 2 (b) of the Environment Planning and Assessment Act	Director City Planning
5	Wheeler	Enquired if the 'Snap Send Solve' app is useable in the Hawkesbury LGA, and if it is can we advertise it to residents to use and if it is not could staff investigate adopting it.	Director Support Services
6	Calvert	Enquired about results of the Sydney Western City Planning Panel's findings and how Council could communicate the results to residents. For example a report be made in the Business Paper with these findings.	Director City Planning
7	Zamprogno	Enquired if Council is solely responsible for the maintenance of Bicentennial Park, Clarendon.	Director Infrastructure Services
8	Zamprogno	Requested an update on the status of the dam facility at 44 Mitchell Road, Pitt Town	Director City Planning
9	Zamprogno	Requested if road grading can be carried out at the corner of Brennans Dam Road and Old Stock Route Road, Vineyard due to recent wet weather.	Director Infrastructure Services

**ORDINARY MEETING**

## Questions for Next Meeting

#	Councillor	Question	Response
10	Tree	Enquired as to whether Council has purchased land for stormwater management, in the release area of Pitt Town.	Director Infrastructure Services
11	Tree	Enquired as to whether Council has responded to emails regarding the house keeping LEP in relation to the Polo.	Director City Planning
12	Tree	Enquired as to whether Council has met with the RMS and Redbank Communities Development to discuss timelines regarding the Grose River crossing.	General Manager

**ORDINARY MEETING**  
**CONFIDENTIAL REPORTS**

**CONFIDENTIAL REPORTS**

**343 RESOLUTION:**

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

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: 195 SS - Property Matter - Lease of 20 Bosworth Street, Richmond - (112106, 95496, 118792)**

*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: 196 SS - Property Matter - Lease to Hawkesbury House Pty Ltd of Former Hawkesbury Hospital Building - 6 Christie Street, Windsor - (95496, 112106, 131726)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and 10A(2)(g) 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 also, as it relates to legal advice concerning a commercial lease and the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

**Item: 197 SS - Property Matter - Lease of 40 and 48 Pitt Street, Windsor - (112106, 95496, 79794)**

*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.

**344 RESOLUTION:**

RESOLVED on the motion of Councillor Reynolds, seconded by Councillor Calvert that open meeting be resumed.

**ORDINARY MEETING**  
**CONFIDENTIAL REPORTS**

**Item: 195**                    **SS - Property Matter - Lease of 20 Bosworth Street, Richmond - (112106, 95496, 118792) CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**345 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with Kolink Pty Ltd in regard to 20 Bosworth Street, Richmond, as outlined in this 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 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.

**Item: 196**                    **SS - Property Matter - Lease to Hawkesbury House Pty Ltd of Former Hawkesbury Hospital Building - 6 Christie Street, Windsor - (95496, 112106, 131726) CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**346 RESOLUTION:**

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

That Council note the information contained within the report on the Lease to Hawkesbury House Pty Ltd of Former Hawkesbury Hospital Building - 6 Christie Street, Windsor and adopt the confidential recommendations contained within the report and as amended at the meeting.

**ORDINARY MEETING**  
**CONFIDENTIAL REPORTS**

**Item: 197**                    **SS - Property Matter - Lease of 40 and 48 Pitt Street, Windsor - (112106, 95496, 79794) CONFIDENTIAL**

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Councillor Garrow declared a pecuniary interest in this matter as she is now a neighbour of the property under discussion. She left the Chamber and did not take part in voting or discussion on the matter.

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**MOTION:**

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

***Refer to RESOLUTION***

**347 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with Shane K Kennedy trading as President Turf Supplies in regard to Lot 1 DP 565003, Lot 1 DP 770404, Lot Y DP 162477, Lot A DP 162553, Lot B DP 162553 and Lot K DP 38709, being 40 and 48 Pitt Street, Windsor, as outlined in this report.
2. Authority be given for any documentation in relation to point 1, in association with this matter to be executed under the Seal of Council.
3. Authority be given for the Tripartite Agreement to between Shane K Kennedy trading as President Turf Supplies, Buchanan Turf Supplies Pty Ltd to be executed under the Seal of Council.
4. Details of Council's resolution be conveyed to the 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 9:35pm.

Submitted to and confirmed at the Ordinary meeting held on 14 November 2017.

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Mayor