



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 04 February 2014

location: council chambers

time: 6:30 p.m.



**ORDINARY MEETING**

**Minutes: 04 February 2014.**

**MINUTES**

– **WELCOME**

**Prayer  
Acknowledgement of Indigenous Heritage**

– **APOLOGIES AND LEAVE OF ABSENCE**

– **DECLARATION OF INTERESTS**

– **SECTION 1 - Confirmation of Minutes**

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

– **SECTION 2 - Mayoral Minutes**

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

– **SECTION 3 - Reports for Determination**

**Planning Decisions**

**General Manager**

**City Planning**

**Infrastructure Services**

**Support Services**

– **SECTION 4 - Reports of Committees**

– **SECTION 5 - Notices of Motion**

– **QUESTIONS FOR NEXT MEETING**

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

**ORDINARY MEETING**

**Minutes:** 04 February 2014.

**ORDINARY MEETING**

Minutes: 04 February 2014.

**TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
<b>SECTION 3 - Reports for Determination</b>		<b>6</b>
<b>PLANNING DECISIONS</b>		<b>6</b>
Item: 1	CP - Planning Proposal - Jacaranda Ponds, Glossodia - (95498)	6
<b>GENERAL MANAGER</b>		<b>8</b>
Item: 2	GM - Australian Local Government Women's Association (NSW Branch) (79351, 95655)	8
Item: 3	GM - Brochure to Promote Employment Lands - (79351)	8
Item: 4	GM - Final Report of NSW Independent Local Government Review Panel - Revitalising Local Government - October 2013 and Report of Local Government Acts Taskforce - October 2013 - (79351)	9
Item: 5	GM - 2014 Local Government Managers Australia National Congress and Business Expo - (79351, 113820)	9
Item: 6	GM - Local Government NSW 2014 Tourism Conference - (79351, 112608)	10
<b>CITY PLANNING</b>		<b>11</b>
Item: 7	CP - Draft Swimming Pool Inspection Policy and Draft Swimming Pools Inspection Program - (95498)	11
<b>INFRASTRUCTURE SERVICES</b>		<b>12</b>
Item: 8	IS - Exclusive Use of Governor Phillip Reserve - Bridge to Bridge Boat Race Event - (95495, 79354)	12
Item: 9	IS - Grant Offer - Yarramundi Reserve Weed Management - (95495, 79354)	13
Item: 10	IS - Holmes Drive Reserve Draft Plan of Management - (95495, 79354)	13
Item: 11	IS - Pughs Lagoon and Smith Park Draft Plan of Management - (95495, 79344)	14
<b>SUPPORT SERVICES</b>		<b>15</b>
Item: 12	SS - Monthly Investments Report - November 2013 - (96332, 95496)	15
Item: 13	SS - Monthly Investments Report - December 2013 - (96332, 95496)	15
Item: 14	SS - Pecuniary Interest Returns - Designated Persons - (95496, 79337)	15

**ORDINARY MEETING****Minutes: 04 February 2014.**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
<b>SECTION 4 - Reports of Committees</b>		<b>16</b>
ROC	Floodplain Risk Management Advisory Committee - 21 November 2013 - (86589)	16
ROC	Hawkesbury Access and Inclusion Advisory Committee Minutes - 28 November 2013 - (95496, 96328, 124569)	16
ROC	Local Traffic Committee - 13 January 2014 - (80245)	16
<b>SECTION 5 - Notices of Motion</b>		<b>17</b>
NM1	Review of Code of Meeting Practice - (79351, 105109, 80106)	17
NM2	Request for Report - Additional Recycling Services - (125612, 79351)	17
NM3	Australian Pioneer Village Australia Day 2014 celebrations - (79351, 105109, 80104)	18
NM4	Feasibility Report on Provision of Drinking Water Fountains to Hawkesbury LGA - (79351, 105109, 8104)	18
NM5	Traffic Infringement Received by the Mayor, Councillor K Ford - (79351, 105109, 80105, 79353)	19
NM6	Recent Fire in Jolly Frog Hotel - (79351, 105109, 80104)	19
<b>QUESTIONS FOR NEXT MEETING</b>		<b>20</b>
Councillor Questions from Previous Meeting and Responses - (79351)		20
Questions For Next Meeting		21
<b>CONFIDENTIAL REPORTS</b>		<b>23</b>
Item: 15	GM - Property Matter - Acquisition of Land at Pitt Town - (79351, 87959) CONFIDENTIAL	24
Item: 16	CP - Community Representation on Sustainability Advisory Committee - (95498, 126363) CONFIDENTIAL	25
Item: 17	IS - Acquisition of Easement Over No. 8 Red Gum Crescent, Bowen Mountain - (95495, 22912, 22913) CONFIDENTIAL	25
Item: 18	IS - Tender No. 00935 - Construction of Bridge No. 5 and Bridge No. 7 on Upper Colo Road, Upper Colo - (95495, 79344) CONFIDENTIAL	26
Item: 19	SS - Property Matter - The Uniting Church in Australia Property Trust (NSW) - Lease of Suite 2, Deerubbin Centre, Part of Lot 50, Deposited Plan 1035291, 300 George Street, Windsor - (95496, 112106, 104965, 100876) CONFIDENTIAL	27

## ORDINARY MEETING

Minutes: 04 February 2014.

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on **Tuesday, 4 February 2014**, commencing at 6:30pm.

Pastor Ric Burrell of the Hawkesbury Church, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

### ATTENDANCE

**PRESENT:** Councillor K Ford, Mayor, Councillor T Tree, Deputy Mayor and Councillors B Calvert, P Conolly, M Creed, M Lyons-Buckett, W Mackay, C Paine, B Porter, P Rasmussen, J Reardon 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, Chief Financial Officer - Emma Galea, Manager Corporate Services and Governance - Nicole Cooney and Administrative Support Team Leader - Natasha Martin.

Councillor Mackay arrived at the meeting at 7:07pm.

### SECTION 1: Confirmation of Minutes

#### 1 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Conolly that the Minutes of the Ordinary Meeting held on the 10 December 2013, be confirmed.

**ORDINARY MEETING**

**Minutes:** 04 February 2014.

**SECTION 3 - Reports for Determination**

**PLANNING DECISIONS**

**Item: 1**                    **CP - Planning Proposal - Jacaranda Ponds, Glossodia - (95498)**

**Previous Item:**        241, Ordinary (10 December 2013)

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Mr Jeremy Spinak and Mr John Vassallo addressed Council, speaking for the item.  
Mr Graeme Jay and Mr Michael Want addressed Council, speaking against the item.

**MOTION:**

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

***Refer to RESOLUTION***

**2 RESOLUTION:**

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

That:

1. The planning proposal as described in the report be forwarded to the Department of Planning and Infrastructure for making of the Plan, subject to the following amendment:
  - The minimum lot size for subdivision on 361 Spinks Road being increased to 2,000m<sup>2</sup>.
2. The Department of Planning and Infrastructure be requested to consider the inclusion of an appropriate clause into Part 6 of the LEP 2012 to require satisfactory arrangements be made for the provision of designated State public infrastructure including schools, RFS and emergency services prior to the determination of a development application for urban subdivision.
3. The Voluntary Planning Agreement be finalised in relation to the matters raised in the "Voluntary Planning Agreement" section of this report and, when finalised, be reported to Council prior to public exhibition. This report is to be provided to Council as soon as possible and prior to the gazettal of the planning proposal for the site.
4. In finalising the works detail in the Voluntary Planning Agreement, roads are to remain a top priority with consideration to be given to the findings (or recommendations) of the Social Impact Assessment being considered by Council's Human Services Advisory Committee.
5. The Voluntary Planning Agreement is to be finalised and signed by all parties prior to determination of any development application for the proposed development.
6. A report be brought to the 11 March 2014 Ordinary Council Meeting on options, costs and funding sources to upgrade the Glossodia Shopping Precinct.
7. A Community Reference Group be established to aid in the further consultation process following a report regarding the establishment of the same.

**ORDINARY MEETING**

**Minutes:** 04 February 2014.

**AMENDMENT:**

An AMENDMENT was moved by Councillor Rasmussen.

That:

1. The planning proposal as described in the report be forwarded to the Department of Planning and Infrastructure for making of the Plan, subject to the following amendment:
  - The minimum lot size for subdivision on 361 Spinks Road being increased to 2,000m<sup>2</sup>.
2. The Department of Planning and Infrastructure be requested to consider the inclusion of an appropriate clause into Part 6 of the LEP 2012 to require satisfactory arrangements be made for the provision of designated State public infrastructure including schools, RFS and emergency services prior to the determination of a development application for urban subdivision.
3. The Voluntary Planning Agreement be finalised in relation to the matters raised in the "Voluntary Planning Agreement" section of this report and, when finalised, be reported to Council prior to public exhibition. This report is to be provided to Council as soon as possible and prior to the gazettal of the planning proposal for the site.
4. In finalising the works detail in the Voluntary Planning Agreement, roads are to remain a top priority with consideration to be given to the findings (or recommendations) of the Social Impact Assessment being considered by Council's Human Services Advisory Committee and to make provision for an additional bay to the RFS facility at Glossodia.
5. The Voluntary Planning Agreement is to be finalised and signed by all parties prior to determination of any development application for the proposed development.
6. A report be brought to the 11 March 2014 Ordinary Council Meeting on options, costs and funding sources to upgrade the Glossodia Shopping Precinct.
7. A Community Reference Group be established to aid in the further consultation process following a report regarding the establishment of the same.

The Amendment lapsed due to there being no seconder.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

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

**ORDINARY MEETING**

**Minutes:** 04 February 2014.

**GENERAL MANAGER**

**Item: 2**                    **GM - Australian Local Government Women's Association (NSW Branch)  
(79351, 95655)**

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**MOTION:**

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

*Refer to RESOLUTION*

**3 RESOLUTION:**

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

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2014 Australian Local Government Women's Association (NSW) Branch Annual Conference at an approximate cost of \$2,590 per delegate be approved.

No Councillors were nominated to attend this Conference.

**Item: 3**                    **GM - Brochure to Promote Employment Lands - (79351)**

**Previous Item:**        NM5, Ordinary (9 October 2012)

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**MOTION:**

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

*Refer to RESOLUTION*

**4 RESOLUTION:**

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

That Council not proceed with the proposed Business brochure.

**ORDINARY MEETING**

**Minutes:** 04 February 2014.

**Item: 4**                    **GM - Final Report of NSW Independent Local Government Review Panel - Revitalising Local Government - October 2013 and Report of Local Government Acts Taskforce - October 2013 - (79351)**

**Previous Item:**        148 (Ordinary, 28 August 2012)  
                              41 (Ordinary, 12 March 2013)  
                              110 (Ordinary, 25 June 2013)

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**MOTION:**

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

*Refer to RESOLUTION*

**5 RESOLUTION:**

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

That the Draft Submission attached to the report be endorsed and referred to the Division of Local Government in response to the Final Report issued by the NSW Independent Local Government Review Panel and the report issued by the Local Government Acts Taskforce.

**Item: 5**                    **GM - 2014 Local Government Managers Australia National Congress and Business Expo - (79351, 113820)**

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**MOTION:**

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

*Refer to RESOLUTION*

**6 RESOLUTION:**

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

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2014 Local Government Managers Australia National Congress & Business Expo at an approximate cost of \$2,835 per delegate be approved and that Councillors Calvert, Creed, Ford, Lyons-Buckett, Paine and Rasmussen attend the Congress & Business Expo as Council's nominated delegates.

**ORDINARY MEETING**

**Minutes:** 04 February 2014.

**Item: 6**                      **GM - Local Government NSW 2014 Tourism Conference - (79351, 112608)**

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**MOTION:**

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

*Refer to RESOLUTION*

**7**      **RESOLUTION:**

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

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Local Government NSW 2014 Tourism Conference at an approximate cost of \$1,773 per delegate be approved and that Councillors Calvert and Rasmussen attend the Conference as Council's nominated delegates.

**ORDINARY MEETING**

**Minutes:** 04 February 2014.

**CITY PLANNING**

**Item: 7**                    **CP - Draft Swimming Pool Inspection Policy and Draft Swimming Pools Inspection Program - (95498)**

**Previous Item:**        226, Ordinary (12 November 2013)

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**MOTION:**

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

*Refer to RESOLUTION*

**8 RESOLUTION:**

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

That the Draft Swimming Pool Inspection Policy and the Draft Swimming Pools Inspection Program as exhibited and attached to this report be adopted.

**ORDINARY MEETING**

**Minutes: 04 February 2014.**

**INFRASTRUCTURE SERVICES**

**Item: 8**                      **IS - Exclusive Use of Governor Phillip Reserve - Bridge to Bridge Boat Race Event - (95495, 79354)**

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**MOTION:**

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

*Refer to RESOLUTION*

**9 RESOLUTION:**

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

That:

1. Approval be granted to the Upper Hawkesbury Power Boat Club for exclusive use of Governor Phillip Reserve for the 2013 Bridge to Bridge Boat Race on Sunday, 4 May 2014.
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) Governor Phillip Noise Policy.
  - f) A Traffic Management Plan which has been approved as part of the Special Event Application.
3. As the applicants have not advised alternative dates in the event of inclement weather, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicants.
4. Council waive the Exclusive Use Fee for this event.

**ORDINARY MEETING**

**Minutes: 04 February 2014.**

**Item: 9                    IS - Grant Offer - Yarramundi Reserve Weed Management - (95495, 79354)**

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**MOTION:**

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

*Refer to RESOLUTION*

**10    RESOLUTION:**

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

That:

1.    The grant offer of \$30,000 for the control of High Risk Weeds at Yarramundi Reserve be accepted.
2.    Council write to the Deputy Premier thanking him for the offer of the grant.

**Item: 10                    IS - Holmes Drive Reserve Draft Plan of Management - (95495, 79354)**

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**MOTION:**

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

*Refer to RESOLUTION*

**11    RESOLUTION:**

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

That the exhibited draft Holmes Drive Reserve Draft Plan of Management and Master Plan be adopted.

**ORDINARY MEETING**

**Minutes: 04 February 2014.**

**Item: 11                    IS - Pughs Lagoon and Smith Park Draft Plan of Management - (95495, 79344)**

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**MOTION:**

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

*Refer to RESOLUTION*

**12 RESOLUTION:**

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

That the Draft Plan of Management for Pughs Lagoon and Smith Park Plan of Management, as exhibited, be adopted.

**ORDINARY MEETING**

**Minutes: 04 February 2014.**

**SUPPORT SERVICES**

**Item: 12                    SS - Monthly Investments Report - November 2013 - (96332, 95496)**

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**MOTION:**

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

*Refer to RESOLUTION*

**13    RESOLUTION:**

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

The report regarding the monthly investments for November 2013 be received and noted.

**Item: 13                    SS - Monthly Investments Report - December 2013 - (96332, 95496)**

---

**MOTION:**

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

*Refer to RESOLUTION*

**14    RESOLUTION:**

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

The report regarding the monthly investments for December 2013 be received and noted.

**Item: 14                    SS - Pecuniary Interest Returns - Designated Persons - (95496, 79337)**

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**MOTION:**

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

*Refer to RESOLUTION*

**15    RESOLUTION:**

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

That the information be received and noted.

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

**SECTION 4 - Reports of Committees**

**ROC**                      **Floodplain Risk Management Advisory Committee - 21 November 2013 - (86589)**

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**16 RESOLUTION:**

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

That the minutes of the Floodplain Risk Management Advisory Committee held on 21 November 2013 as recorded on pages 133 to 137 of the Ordinary Business Paper be received.

**ROC**                      **Hawkesbury Access and Inclusion Advisory Committee Minutes - 28 November 2013 - (95496, 96328, 124569)**

---

**17 RESOLUTION:**

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

That the minutes of the Hawkesbury Access and Inclusion Advisory Committee held on 28 November 2013 as recorded on pages 138 to 144 of the Ordinary Business Paper be received.

**ROC**                      **Local Traffic Committee - 13 January 2014 - (80245)**

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**18 RESOLUTION:**

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

That the minutes of the Local Traffic Committee held on 13 January 2013 as recorded on pages 145 to 161 of the Ordinary Business Paper be adopted with the following amendment:

- The date in the first paragraph of page 145 of the Ordinary Business Paper be amended to Monday, 13 January 2014.

**ORDINARY MEETING**

Notices of Motion

**SECTION 5 - Notices of Motion**

**NM1                      Review of Code of Meeting Practice - (79351, 105109, 80106)**

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**MOTION:**

A MOTION was moved by Councillor Rasmussen, seconded by Councillor Williams.

That Council review the operations of the Code of Meeting Practice in the following manner:

1. At the next Councillor Briefing Session, discuss the operational efficiency and effectiveness of the current Code of Meeting Practice;
2. Seek community input on the operational efficiency and effectiveness of the current Code of Meeting Practice;
3. Identify process and procedural gaps and any operational shortcomings; and
4. Formulate new rules to rectify identified problems and gaps in current Code procedures and processes.

The Motion was put and lost.

**NM2                      Request for Report - Additional Recycling Services - (125612, 79351)**

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**MOTION:**

A MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Creed.

***Refer to RESOLUTION***

**19 RESOLUTION:**

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

That a report be submitted to Council in relation to the additional costs that would be involved in increasing the recycled collection services from fortnightly to weekly during the Christmas/New Year period.

**ORDINARY MEETING**

Notices of Motion

**NM3**                      **Australian Pioneer Village Australia Day 2014 celebrations - (79351, 105109, 80104)**

---

**MOTION:**

A MOTION was moved by Councillor Paine, seconded by Councillor Williams.

*Refer to RESOLUTION*

**20 RESOLUTION:**

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

That Council:

1. Acknowledge the great success of the Australian Pioneer Village's Australia Day celebrations where over 4,000 people attended the day.
2. Undertake a site inspection of the Village at a suitable time for both Councillors and the APV Committee.
3. Thank the Ebenezer and Wilberforce RFS for their assistance with traffic management.

**NM4**                      **Feasibility Report on Provision of Drinking Water Fountains to Hawkesbury LGA - (79351, 105109, 8104)**

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**MOTION:**

A MOTION was moved by Councillor Paine, seconded by Councillor Calvert.

*Refer to RESOLUTION*

**21 RESOLUTION:**

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

That a report come to Council outlining the feasibility and costs of supplying water, in the form of bubblers or the like, throughout the towns and villages of the Hawkesbury.

**ORDINARY MEETING**

Notices of Motion

**NM5**                      **Traffic Infringement Received by the Mayor, Councillor K Ford - (79351, 105109, 80105, 79353)**

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**MOTION:**

A MOTION was moved by Councillor Williams, seconded by Councillor Lyons-Buckett.

That

1. As a result of his recent traffic infringement for 128kph in a 60 zone on New Year's Eve, Council calls on Councillor Ford to:
  - a) immediately step down from the mayoral role and the Traffic Committee;
  - b) apologise to the community for the speeding incident, the abuse of the road rules and the mayoral vehicle entrusted to him and "the flagrant disregard for public decency when interviewed on the events".
2. Council urgently review the conditions of use of the mayoral vehicle.

The Motion was put and lost.

**NM6**                      **Recent Fire in Jolly Frog Hotel - (79351, 105109, 80104)**

---

**MOTION:**

A MOTION was moved by Councillor Paine, seconded by Councillor Rasmussen.

***Refer to RESOLUTION***

**22 RESOLUTION:**

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

That following the recent fire at the Historic Jolly Frog Hotel, Council:

1. Outline the heritage importance of the Jolly Frog Hotel to its owners and the State Government.
2. Take whatever action needed to ensure the longevity of this historic building.
3. Prepare a report for Council regarding the outcome of parts 1 and 2 of the resolution.

**ORDINARY MEETING**

Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

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

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There were no responses to Questions in relation to previous Questions for Next Meeting.

**ORDINARY MEETING****Questions for Next Meeting****Questions For Next Meeting**

#	Councillor	Question	Response
1	Paine	Requested that Council write to the Minister for Planning and Infrastructure asking for the date of the approval of the Windsor Bridge and why the approval was given so close to Christmas 2013.	The Mayor advised that this request would require a Notice of Motion to be submitted .
2	Paine	Requested details of the works that are listed in the 2013/2014 Delivery Program that are yet to commence.	The Director Infrastructure Services
3	Paine	Requested a progress report of the repairs to the barbeque in Howe Park, Windsor.	The Director Infrastructure Services
4	Paine	Requested a progress report of the repairs to the rail that runs from James Ruse Close to Howe Park.	The Director Infrastructure Services
5	Paine	Requested that the disposal of waste water at the hairdresser operating from 49 Wattle Crescent, Glossodia be investigated.	The Director City Planning
6	Paine	Requested to be advised if Council has received a copy of a song that has been recorded by the Woodfords regarding a two lane bridge.	The Director Support Services
7	Mackay	Referred to the level of fees and charges for the use of McQuade Park for a proposed wedding and asked what was being charged to current occupants of Thompson Square.	The Director Infrastructure Services
8	Reardon	Requested zoning details of the Wesleyan section and the established sections of Wilberforce Cemetery.	The Director City Planning
9	Reardon	Requested advice on issues associated with road surface problems in hot weather.	The Director Infrastructure Services
10	Reardon	Requested advice regarding the possibility of collecting vocal histories of elderly residents as they have a wealth of local knowledge.	The Director Support Services
11	Creed	Requested that Council investigate pavement failure on Grose Vale Road, near the school crossing.	The Director Infrastructure Services
12	Creed	Requested that Council contact the RMS to determine if the traffic lights at the intersection of Bells Line of Road and Grose Vale Road are timed appropriately to maintain adequate traffic flow.	The Director Infrastructure Services

**ORDINARY MEETING**

## Questions for Next Meeting

#	Councillor	Question	Response
13	Creed	Requested that the pot holes on Grose Vale Road near the North Richmond proposed development be investigated.	The Director Infrastructure Services
14	Conolly	Requested that the sign on the corner of Groves Avenue and Windsor Road be rejuvenated.	The Director Infrastructure Services

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

**CONFIDENTIAL REPORTS**

**23 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: 15 GM - Property Matter - Acquisition of Land at Pitt Town - (79351, 87959)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the sale and/or purchase of property by the Council 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: 16 CP - Community Representation on Sustainability Advisory Committee - (95498, 126363)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to personal matters concerning particular individuals (other than councillors).*

**Item: 17 IS - Acquisition of Easement Over No. 8 Red Gum Crescent, Bowen Mountain - (95495, 22912, 22913)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to a purchase of property by the Council 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: 18 IS - Tender No. 00935 - Construction of Bridge No. 5 and Bridge No. 7 on Upper Colo Road, Upper Colo - (95495, 79344)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) 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 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: 19 SS - Property Matter - The Uniting Church in Australia Property Trust (NSW) - Lease of Suite 2, Deerubbin Centre, Part of Lot 50, Deposited Plan 1035291, 300 George Street, Windsor - (95496, 112106, 104965, 100876)**

*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.*

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

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.

**24 RESOLUTION:**

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

**Item: 15**                      **GM - Property Matter - Acquisition of Land at Pitt Town - (79351, 87959)**  
**CONFIDENTIAL**

**Previous Item:**        127 Ordinary (10 July 2012)

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**MOTION:**

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

***Refer to RESOLUTION***

**25 RESOLUTION:**

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

That:

1. The outcome of negotiations between Council and Johnson Property Group Pty Ltd regarding land to be acquired by Council under the Pitt Town Section 94 Contributions Plan as detailed in the report be received and noted.
2. Council agree to and ratify the proposed settlement of this matter on the basis outlined in the report and the acquisition be funded in the manner detailed in the report.
3. Authority be given for any documentation in association with the settlement of this matter and/or the acquisition of the land in question to be executed under the Seal of Council, if necessary.

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

**Item: 16**                      **CP - Community Representation on Sustainability Advisory Committee - (95498, 126363) CONFIDENTIAL**

**Previous Item:**            89, Ordinary (14 May 2013)

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**MOTION:**

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

*Refer to RESOLUTION*

**26 RESOLUTION:**

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

That Jean Downie of Kurrajong Heights be appointed as a community representative on the Sustainability Advisory Committee.

**Item: 17**                      **IS - Acquisition of Easement Over No. 8 Red Gum Crescent, Bowen Mountain - (95495, 22912, 22913) CONFIDENTIAL**

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**MOTION:**

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

*Refer to RESOLUTION*

**27 RESOLUTION:**

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

That:

1. The acquisition of an easement, in the order of three metres wide and 100.16 metres long, within 8 Red Gum Crescent, Bowen Mountain (Lot 660 in Deposited Plan 222231) proceed.
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 Mr and Mrs Baldock together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate documentation to put such resolution into effect has been agreed to and executed by all parties.

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

**Item: 18**                    **IS - Tender No. 00935 - Construction of Bridge No. 5 and Bridge No. 7 on Upper Colo Road, Upper Colo - (95495, 79344) CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**28 RESOLUTION:**

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

That:

1. The tender submitted by Delaney Civil Pty Ltd in the amount of \$1,038,280.25 (GST exclusive) for the construction of two concrete bridges, Bridge No. 5 and Bridge No. 7, on Upper Colo Road, Upper Colo, be accepted.
2. Any required documentation be executed under the Seal of Council.

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

**Item: 19**                    **SS - Property Matter - The Uniting Church in Australia Property Trust (NSW) - Lease of Suite 2, Deerubbin Centre, Part of Lot 50, Deposited Plan 1035291, 300 George Street, Windsor - (95496, 112106, 104965, 100876)**  
**CONFIDENTIAL**

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**MOTION:**

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

*Refer to RESOLUTION*

**29 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with The Uniting Church in Australia Property Trust (NSW) in regard to Suite 2, Deerubbin Centre, part of Lot 50, Deposited Plan 1035291, 300 George Street, Windsor, and five car spaces beneath the Deerubbin Centre, in accordance with the proposal outlined in the report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

The meeting terminated at 10:06pm.

Submitted to and confirmed at the Ordinary Meeting held on 25 February 2014.

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Mayor