



# ORDINARY MEETING

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Date of meeting: 23 July 2024  
Location: Council Chambers  
Time: 6:30 PM

MINUTES



**ORDINARY MEETING**  
**Meeting Date: 23 July 2024**

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## ORDINARY MEETING

Meeting Date: 23 July 2024

### 1. WELCOME

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 23 July 2024, commencing at 6:31pm.

The Deputy Mayor, Councillor Calvert advised that an apology has been received for tonight's Ordinary Meeting from the Mayor, Councillor Sarah McMahon.

In the absence of the Mayor, the Deputy Mayor, Councillor Barry Calvert, in accordance with Section 369 (1) of the Local Government Act 1993, acted as Chairperson.

#### a) Acknowledgement of Indigenous Heritage

The Deputy Mayor, Councillor Barry Calvert acknowledged the Indigenous Heritage.

#### b) General Manager's Matters for Mention

The General Manager addressed the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

### 2. ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL

In accordance with Section 15.23 of the Code of Meeting Practice authorisation was sought from the Council to record the proceedings for Item 2.1. Presentation of Certificates to Hawkesbury Sister City Association.

#### 136 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Conolly that authorisation be granted to record the proceedings for Item 2.1. Presentation of Certificates to Hawkesbury Sister City Association.

#### 2.1. Presentation of Certificates to Hawkesbury Sister City Association.

The Deputy Mayor, Councillor Calvert acknowledged the students from the Hawkesbury, Temple City (USA) and Kyotamba (Japan) who are part of the Hawkesbury Sister City Exchange Program, and presented them with Certificates. The Deputy Mayor also presented the President of the Hawkesbury Sister City Association with a certificate recognising the 40<sup>th</sup> Anniversary of the relationship between Temple City and Hawkesbury City.

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**3. APOLOGIES AND LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS**

**Attendance**

**PRESENT:** Councillor Barry Calvert, Deputy Mayor and Councillors Patrick Conolly, Shane Djuric, Eddie Dogramaci, Amanda Kotlash, Mary Lyons-Buckett, Jill Reardon, Les Sheather, Paul Veigel, Danielle Wheeler and Nathan Zamprognio.

**ALSO PRESENT:** General Manager – Elizabeth Richardson, Director City Planning – Meagan Ang, Director Corporate Services - Laurie Mifsud, Director Infrastructure Services - Will Barton, Manager Governance and Risk - Patricia Krzeminski, Manager Communications and Events - Suzanne Stuart, Manager Strategic Planning – Andrew Kearns and Administrative Support Coordinator - Melissa Ryan.

An apology was received from Councillor Sarah McMahon, Mayor.

**137 RESOLUTION:**

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Sheather that the apology tendered by Councillor Sarah McMahon, Mayor be accepted.

A MOTION was moved by Councillor Dogramaci, seconded by Councillor Zamprognio.

That in accordance with Section 9.3(a) of the Code of Meeting Practice, that Council consider an urgent motion of no confidence in Councillor Sarah McMahon as Mayor for Hawkesbury City Council.

The Chairperson, Deputy Mayor, Councillor Calvert ruled the motion not to be of great urgency.

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**4. DECLARATIONS OF INTERESTS**

There were no declarations of interests.

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**5. CONFIRMATION OF MINUTES**

**138 RESOLUTION:**

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Sheather that the minutes of the Ordinary Meeting held on 9 July 2024, be confirmed.



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**6. AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS**

The following items were subject to public address:

- Item 10.3.1. CP - Draft Hawkesbury Floodplain Risk Management Study and Plan 2025 - (95498)
- Item 10.5.1. IS - Hawkesbury River County Council - (95495)

**7. CONDOLENCES**

Nil reports.

**8. MAYORAL MINUTES**

Nil reports.

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**9. EXCEPTION REPORTS – ADOPTION OF ITEMS NOT IDENTIFIED FOR DISCUSSION AND DECISION**

**MOTION:**

MOVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Veigel.

*Refer to RESOLUTION*

**139 RESOLUTION:**

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

That the following items are dealt with by exception:

- Item 10.2.1.
- Item 10.4.1.
- Item 11.1.1.
- Item 11.1.2.

**For the Motion:** Councillors Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillors McMahon and Conolly.

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**10. REPORTS FOR DETERMINATION**

**10.1. PLANNING DECISIONS**

Nil reports.

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**10.2. GENERAL MANAGER**

**10.2.1. GM - Staff Resourcing and Engagement - (79351, 159590)**

**Directorate:** General Manager

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**MOTION:**

MOVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Veigel.

*Refer to RESOLUTION*

**140 RESOLUTION:**

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

That Council receive and note:

1. The information contained within the report in respect of employee turnover and current vacancy rates, being consistent with or better than industry benchmarks; and
2. The highlights of the 2024 Employee Engagement and Alignment Survey which have shown significant increases to both employee engagement and alignment.

**For the Motion:** Councillors Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillors McMahon and Conolly.

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**10.3. CITY PLANNING**

**10.3.1. CP - Draft Hawkesbury Floodplain Risk Management Study and Plan 2025 - (95498)**

**Directorate:** City Planning

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Mr William Sneddon addressed Council, speaking for the recommendation in the business paper.

**MOTION:**

MOVED on the motion of Councillor Reardon, seconded by Councillor Wheeler.

***Refer to RESOLUTION***

**141 RESOLUTION:**

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

That:

1. The Draft Hawkesbury Floodplain Risk Management Study and Plan 2025, attached as Attachments 1-3 to this report, be placed on public exhibition for a period of eight weeks.
2. The outcome of public exhibition of the Draft Hawkesbury Floodplain Risk Management Study and Plan 2025 be reported to Council prior to adoption.

**For the Motion:** Councillors Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillor McMahon.

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**10.4. CORPORATE SERVICES**

**10.4.1. CS - Disclosure of Interests in Written Return - (95496)**

**Directorate:** Corporate Services

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**MOTION:**

MOVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Veigel.

*Refer to RESOLUTION*

**142 RESOLUTION:**

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

That Council note that the Disclosure of Interests in Written Return, lodged with the General Manager, has been tabled.

**For the Motion:** Councillors Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillors McMahon and Conolly.

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**10.5. INFRASTRUCTURE SERVICES**

**10.5.1. IS - Hawkesbury River County Council - (95495)**

**Directorate:** Infrastructure Service

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Mr Barry Smith OAM addressed the Council, speaking for the recommendation in the business paper.

A MOTION was moved by Councillor Kotlash, seconded by Councillor Conolly.

That Council:

1. Writes to the Minister for Local Government the Hon. Ron Hoenig MP proposing that:
  - a) As a preference, the Minister dissolves the Hawkesbury River County Council (HRCC);  
or
  - b) In the event the dissolution of the HRCC is not supported by the Minister, he instead amends the constitution of the HRCC to permit Hawkesbury City Council (HCC) to leave the Hawkesbury River County Council (HRCC) at the end of June 2025; and
  - c) In the event that either of the above circumstances are supported by the Minister, Hawkesbury City Council receives an equitable share of the assets of the HRCC (estimated over \$4 million) that HCC has been contributing to for many years. This would allow each constituent council to choose to do their own weed management or to form a new modern shared services model based on their needs and resources.
2. Writes to the Chair of Hawkesbury River County Council (HRCC) to advise that Council no longer feels that the County Council model is delivering either the best value for money or community outcomes in fulfilling its responsibilities under the NSW Biosecurity Act 2015 and advising them of the above resolution.

AN AMENDMENT was moved by Councillor Lyons-Buckett, seconded by Councillor Zamprogno.

That:

1. Council receive and note the report on Hawkesbury River County Council.
2. The incoming Council following the 2024 Local Government Elections review the organisations which receive ratepayer funds including the Hawkesbury River County Council and other third party organisations.

The amendment was Withdrawn.



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AN AMENDMENT was moved by Councillor Sheather, seconded by Councillor Lyons-Buckett.

That Council receive and note the report on Hawkesbury River County Council.

**For the Amendment:** Councillors Djuric, Dogramaci, Lyons-Buckett, Reardon, Sheather, Wheeler and Zamprogno.

**Against the Amendment:** Councillors Calvert, Conolly, Kotlash and Veigel.

**Absent:** Councillor McMahon.

The Amendment was carried.

**MOTION:**

MOVED on the motion of Councillor Kotlash, seconded by Councillor Conolly.

***Refer to RESOLUTION***

**143 RESOLUTION:**

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

That Council receive and note the report on Hawkesbury River County Council.

**For the Motion:** Councillors Djuric, Lyons-Buckett, Reardon, Sheather, Wheeler and Zamprogno.

**Against the Motion:** Councillors Calvert, Conolly, Dogramaci, Kotlash, Veigel.

**Absent:** Councillor McMahon.

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**11. RECEIPT OF MINUTES OF OTHER COMMITTEES**

**11.1.1. ROC - Floodplain Management Committee - 19 June 2024 - (161821, 124414, 95498)**

**Directorate:** City Planning

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**MOTION:**

MOVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Veigel.

***Refer to RESOLUTION***

**144 RESOLUTION:**

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

That in relation to the Minutes of the Floodplain Management Committee Meeting held on the 19 June 2024:

1. Council receive and note the Floodplain Management Committee Minutes in relation to Item 3.1.1.
2. Council note that the Committee's recommendations in respect to Item 3.1.2 will be considered by Council when the Draft Amended Hawkesbury Floodplain Risk Management Study and Plan 2025 is formally presented to Council, namely:
  - a) *Consider the matters identified in the presentation by consultants WMA Water in relation to the Draft Amended Hawkesbury Floodplain Risk Management Study and Plan 2025.*
  - b) *Recommend that Council publicly exhibit the draft Study and Plan following the release of the 2024 Hawkesbury-Nepean River Flood Study.*

**For the Motion:** Councillors Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillors McMahon and Conolly.

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**11.1.2. ROC - Enhancing the Arts in the Hawkesbury Working Group - 21 May 2024 - (142963)**

**Directorate:** Corporate Services

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**MOTION:**

MOVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Veigel.

*Refer to RESOLUTION*

**145 RESOLUTION:**

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

That Council adopt the recommendations contained in the Minutes of the Enhancing the Arts in the Hawkesbury Working Group meeting held on 21 May 2024.

**For the Motion:** Councillors Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillors McMahon and Conolly.

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**11.1.3. ROC - Enhancing the Arts in the Hawkesbury Working Group - 25 June 2024  
- (142963)**

**Directorate:** Corporate Services

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**MOTION:**

MOVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Veigel.

*Refer to RESOLUTION*

**146 RESOLUTION:**

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

That:

1. Council adopt the recommendations contained in the discussion notes and recommendations of the Enhancing the Arts in the Hawkesbury Working Group meeting held on 25 June 2024.
2. Council amend the Terms of Reference for the Enhancing the Arts Working Group to align the definition of a quorum for a meeting with Council's Code of Meeting Practice.

**For the Motion:** Councillors Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillor McMahon.

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**12. NOTICES OF MOTION**

**12.1.1. NM1 - Electric Vehicle Charging**

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**MOTION:**

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

*Refer to RESOLUTION*

**147 RESOLUTION:**

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

That:

1. Council notes the correspondence from Penny Sharpe MLC, Minister for Energy, Minister for The Environment, Minister for Heritage in relation to grants programs for Electric Vehicle (EV) Charging.
2. The Mayor writes to the Minister requesting a meeting to highlight the importance of this issue and to press for the inclusion of the Hawkesbury Local Government Area in future funding rounds of the Electric Vehicle (EV) Destination Charging grants program.

**For the Motion:** Councillors Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillor McMahon.

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**13. QUESTIONS WITH NOTICE**

Nil reports.

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**14. RESPONSES TO QUESTIONS WITH NOTICE FROM PREVIOUS MEETING**

**14.1.1. Responses to Councillor Questions Taken on Notice at the Council Meeting  
- 9 July 2024**

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Comments and further questions were provided to the Councillor Questions Taken on Notice at the Council Meeting on 9 July 2024.

**ADJOURNMENT OF MEETING**

At 9:32pm the Deputy Mayor adjourned the meeting for a short break.

**RESUMPTION OF MEETING**

The meeting resumed at 9:43pm.

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**15. CONFIDENTIAL REPORTS**

**148 RESOLUTION:**

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

That 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:

**15.3.1. CS- Lease from Crepe Myrtle Pty Limited - 442 and Part of 441 Cornwallis Road, Cornwallis - (793514, 95495)**

**Previous Item:** 128, Ordinary (28 June 2021), 117, Ordinary (14 June 2022)

**Directorate:** Corporate Services

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**REASON FOR CONFIDENTIALITY**

*This report is CONFIDENTIAL in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

*Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act 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.*

*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 this matter are to be withheld from the press and public.*

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**15.3.2. CS - Code of Conduct Complaint and Investigation - (95496)**

**Directorate:** Corporate Services

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**REASON FOR CONFIDENTIALITY**

*This report is CONFIDENTIAL in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

*Specifically, the matter is to be dealt with pursuant to Section 10A(2)(i) of the Act as it relates to alleged contraventions of any code of conduct requirements applicable under Section 440.*

*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 this matter are to be withheld from the press and public.*

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**149 RESOLUTION:**

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

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**15.1. GENERAL MANAGER**

Nil reports.

**15.2. CITY PLANNING**

Nil reports.

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**15.3. CORPORATE SERVICES**

**15.3.1. CS - Lease from Crepe Myrtle Pty Limited - 442 and Part of 441 Cornwallis Road, Cornwallis - (793514, 95495)**

**Previous Item:** 128, Ordinary (28 June 2021), 117, Ordinary (14 June 2022)

**Directorate:** Corporate Services

---

**MOTION:**

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

***Refer to RESOLUTION***

**150 RESOLUTION:**

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

That:

1. The outcome of negotiations between Hawkesbury City Council and Crepe Myrtle Pty Limited regarding land that is leased at 442 and part of 441 Cornwallis Road, Cornwallis, as detailed in the report be received and noted.
2. Council enter into a new lease between Hawkesbury City Council and Crepe Myrtle Pty Limited for 442 and part of 441 Cornwallis Road, Cornwallis, as outlined in this report.
3. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
4. Details of Council's resolution be conveyed to the proposed Lessor, 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.

**For the Motion:** Councillors Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillor McMahon.

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**15.3.2. CS - Code of Conduct Complaint and Investigation - (95496)**

**Directorate:** Corporate Services

---

**MOTION:**

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

*Refer to RESOLUTION*

**151 RESOLUTION:**

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

That Council defer consideration of this matter to the Council Meeting on 13 August 2024.

**For the Motion:** Councillors Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel and Wheeler.

**Against the Motion:** Nil.

**Absent:** Councillors McMahon and Zamprogno.

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**15.4. INFRASTRUCTURE SERVICES**

Nil reports.

Meeting terminated at 11:01pm.

Submitted to and confirmed at the Ordinary meeting on 13 August 2024.

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Deputy Mayor



# Ordinary Meeting

## End of Minutes

This business paper has been produced electronically to reduce costs, improve efficiency and reduce the use of paper. Internal control systems ensure it is an accurate reproduction of Council's official copy of the business paper.