



ORDINARY MEETING

Date of meeting: 12 November 2024
Location: Council Chambers
Time: 6:30 PM

MINUTES

ORDINARY MEETING

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1. WELCOME

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 12 November 2024, commencing at 6:30pm.

a) Acknowledgement of Indigenous Heritage

The Mayor, Councillor Les Sheather 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

There were no official visitors to Council.

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

Attendance

PRESENT: Councillor Les Sheather, Mayor, Councillor Sarah McMahon, Deputy Mayor and Councillors Tom Aczel, Mike Creed, Shane Djuric, Eddie Dogramaci, Amanda Kotlash, Mary Lyons-Buckett, Jill Reardon, Paul Veigel, Danielle Wheeler and Nathan Zamprogno.

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, Chief Financial Officer – Vanessa Browning, Manager Communications and Events - Suzanne Stuart, Regulatory Services Manager – Andrew Baxter, Strategic Planning Manager – Andrew Kearns, and Administrative Support Coordinator – Vandana Saini.

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4. DECLARATIONS OF INTERESTS

Councillor Lyons-Buckett declared an interest in Item 15.1.1.

Councillor Veigel declared an interest in Item 15.1.1.

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5. CONFIRMATION OF MINUTES

199 RESOLUTION

RESOLVED on the motion of Councillor McMahon, seconded by Councillor Wheeler that the minutes of the Ordinary Meeting held on 29 October 2024, be confirmed.

PRESENTATION - COUNCIL'S FINANCIAL STATEMENTS FOR YEAR ENDED 30 JUNE 2024

A presentation was provided by Council's Auditor, Mr Kenneth Leung, in respect to Item 10.4.1 – CS – Audited Financial Statements for year ended 30 June 2024.

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6. AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS

The following items were subject to public address:

- Item 10.3.2. CP - Draft Redbank Creek Flood Study
- Item 12.1.1. NM1 – Forming a New Committee

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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 Kotlash, seconded by Councillor Reardon.

Refer to RESOLUTION

200

RESOLUTION:

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

That the following items are dealt with by exception:

- Item 10.4.2.
- Item 10.4.3.
- Item 11.1.1.

For the Motion: Councillors Sheather, Aczel, Creed, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Veigel.

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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 - 2024/2025 Event Sponsorship Program Round 1 (79351, 15988)

Directorate: General Manager

MOTION

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

That Council:

1. Under Round 1 of the 2024/2025 Event Sponsorship Program, agree to support the following organisations for events at the following level:

Applications

No	Event Name	Name of Organisation	Recommended Amount Ex GST
	<u>Community Applications</u>		
1	The Windsor Gas Lamp Festival	The Windsor Experience Action Group	\$5,000
2	Hanna Park Carols	Hawkesbury Baptist Church	\$3,500
3	Hypro Sydney Sheepdog Club Championship 3 Sheep Trial	Sydney Sheepdog Club	\$3,500
4	Light Up Windsor	Windsor Business Group	\$3,000
5	Burralow Bush Run 2025	Hawkesbury Trail Runners	\$3,000
6	Hawkesbury NAIDOC Ball 2025	Merana Aboriginal Community Association for The Hawkesbury INC	\$3,000
7	Christmas Carols	Richmond Rotary	\$2,000
8	Kurrajong Community Carols & Family Fun	Kurrajong Baptist Church	\$2,000
9	Light Up Windsor	Windsor Uniting Church	\$500
	<u>Commercial Applications</u>		
10	Hawkesbury Show *	Hawkesbury District Agricultural Association	\$10,000
11	Convict 100 Mountain Bike Marathon	Max Adventure Pty Ltd	\$3,500
12	Asia Model Festival - Asian Fashion Festival	Regal Star Productions	\$3,500
13	St Albans Village Market	St Albans Village Market	\$3,500

*Eligible to receive Special Event Funding

2. Approve the execution of Council's standard Sponsorship Agreement for the applications numbered 1 to 13 as identified in Table 1 and Attachment 1 of this report.
3. Advise applicant number 1 as identified in Table 1 and Attachment 1 of this report that their application for special event sponsorship was not successful in accordance with the Event Sponsorship Assessment Criteria Matrix.

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4. Advise successful organisations that the approved amount is inclusive of in-kind support from Council for the holding of the event, exclusive of marketing support and promotion through Council's social media channels.
5. Advise applicants numbered 14 and 15 as identified in Table 1 and Attachment 1 of this report that their applications were not successful in accordance with the Event Sponsorship Assessment Criteria Matrix.

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AMENDMENT:

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

That Council:

1. Under Round 1 of the 2024/2025 Event Sponsorship Program, agree to support the following organisations for events at the following level:

Applications

No	Event Name	Name of Organisation	Recommended Amount Ex GST
	<u>Community Applications</u>		
1	Hanna Park Carols	Hawkesbury Baptist Church	\$3,500
2	Light Up Windsor	Windsor Business Group	\$3,000
3	Christmas Carols	Richmond Rotary	\$2,000
4	Kurrajong Community Carols & Family Fun	Kurrajong Baptist Church	\$2,000
5	Light Up Windsor	Windsor Uniting Church	\$500

2. Approve the execution of Council's standard Sponsorship Agreement for the applications numbered 1 to 5 as identified in the table above.
3. Advise successful organisations that the approved amount is inclusive of in-kind support from Council for the holding of the event, exclusive of marketing support and promotion through Council's social media channels.
4. Defer consideration of the remaining applications under Round 1 of the 2024/2025 Event Sponsorship Program as outlined in the report, to the Council Meeting of 26 November 2024.

PROCEDURAL MOTION:

A PROCEDURAL MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Djuric to consider this item in Closed Session.

The Mayor, Councillor Sheather, ruled the procedural motion unlawful as there were no grounds to consider the matter in Closed Session under Section 10A(2) of the Local Government Act 1993.

For the Amendment: Councillors Aczel, Djuric, Lyons-Buckett, Wheeler and Zamprogno.

Against the Motion: Councillors Sheather, Creed, Dogramaci, Kotlash, McMahon, Reardon, and Veigel.

Absent: Nil.

The Amendment was LOST.

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

Refer to RESOLUTION**201 RESOLUTION:**

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

That Council:

- Under Round 1 of the 2024/2025 Event Sponsorship Program, agree to support the following organisations for events at the following level:

Applications

No	Event Name	Name of Organisation	Recommended Amount Ex GST
	<u>Community Applications</u>		
1	The Windsor Gas Lamp Festival	The Windsor Experience Action Group	\$5,000
2	Hanna Park Carols	Hawkesbury Baptist Church	\$3,500
3	Hypro Sydney Sheepdog Club Championship 3 Sheep Trial	Sydney Sheepdog Club	\$3,500
4	Light Up Windsor	Windsor Business Group	\$3,000
5	Burralow Bush Run 2025	Hawkesbury Trail Runners	\$3,000
6	Hawkesbury NAIDOC Ball 2025	Merana Aboriginal Community Association for The Hawkesbury INC	\$3,000
7	Christmas Carols	Richmond Rotary	\$2,000
8	Kurrajong Community Carols & Family Fun	Kurrajong Baptist Church	\$2,000
9	Light Up Windsor	Windsor Uniting Church	\$500
	<u>Commercial Applications</u>		
10	Hawkesbury Show *	Hawkesbury District Agricultural Association	\$10,000
11	Convict 100 Mountain Bike Marathon	Max Adventure Pty Ltd	\$3,500
12	Asia Model Festival - Asian Fashion Festival	Regal Star Productions	\$3,500
13	St Albans Village Market	St Albans Village Market	\$3,500

*Eligible to receive Special Event Funding

- Approve the execution of Council's standard Sponsorship Agreement for the applications numbered 1 to 13 as identified in Table 1 and Attachment 1 of this report.
- Advise applicant number 1 as identified in Table 1 and Attachment 1 of this report that their application for special event sponsorship was not successful in accordance with the Event Sponsorship Assessment Criteria Matrix.

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4. Advise successful organisations that the approved amount is inclusive of in-kind support from Council for the holding of the event, exclusive of marketing support and promotion through Council's social media channels.
5. Advise applicants numbered 14 and 15 as identified in Table 1 and Attachment 1 of this report that their applications were not successful in accordance with the Event Sponsorship Assessment Criteria Matrix.
6. Refer the Event Sponsorship Program selection criteria and grant acquittal process to a Councillor Workshop for review.

For the Motion: Councillors Sheather, Creed, Djuric, Dogramaci, Kotlash, McMahon, Reardon, Veigel and Zamprogno.

Against the Motion: Councillors Aczel, Lyons-Buckett and Wheeler.

Absent: Nil.

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10.2.2. GM - Customer Service Centre Pop-Up Pilot Project - (79351)

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

202 RESOLUTION:

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

That Council:

1. Note the report on the Customer Service Centre Pop-Ups Program Pilot.
2. Endorse the establishment of an ongoing Customer Service Centre Pop-Ups Program as outlined in the report.
3. Consider the allocation of \$4,500 to the Customer Service Centre Pop-Ups Program in the September 2024 Quarterly Budget Review.

For the Motion: Councillors Sheather, Aczel, Creed, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

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10.3. CITY PLANNING

10.3.1. CP - Draft Fireworks (Pyrotechnic) Display Policy

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

203

RESOLUTION:

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

That:

1. The Draft Fireworks (Pyrotechnic) Display Policy, attached as Attachment 1, to the report be placed on public exhibition for 28 days.
2. At the expiration of the public exhibition period, the following action be taken:
 - a) Should any submissions be received regarding the draft Fireworks (Pyrotechnic) Display Policy, a further report be submitted to Council, or
 - b) Should no submissions be received, Council adopt the Fireworks (Pyrotechnic) Display Policy, attached as Attachment 1 to the report.

For the Motion: Councillors Sheather, Aczel, Creed, Djuric, Kotlash, Lyons-Buckett, McMahon, Reardon, Veigel and Wheeler.

Against the Motion: Councillors Dogramaci and Zamprogno.

Absent: Nil.

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10.3.2. CP - Draft Redbank Creek Flood Study

Directorate: City Planning

Jeanette Hayden and Marjorie Hearne addressed the Council, speaking against the recommendation contained in the Council Report.

MOTION:

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

Refer to RESOLUTION

204 RESOLVED

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

That:

1. The draft Redbank Creek Flood Study, attached as Attachment 1 to this report, be placed on public exhibition for a minimum period of 60 days.
2. Council notify all property owners within the identified study area (from upstream in Kurrajong to where Redbank Creek flows into the Hawkesbury River) of the opportunity to provide feedback on the flood study.
3. The outcome of public exhibition of the draft Redbank Creek Flood Study be reported to Council.
4. A Public Meeting be held as soon as possible regarding the draft Redbank Creek Flood Study.

For the Motion: Councillors Sheather, Aczel, Creed, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

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10.4. CORPORATE SERVICES

10.4.1. CS - Audited Financial Statements for year ended 30 June 2024 (79351, 95496)

Previous Item: 4.4.1, Ordinary (15 October 2024)

Directorate: Corporate Services

Mr Kenneth Leung, of the NSW Audit Office, gave a presentation to Council in respect to this Item.

MOTION:

MOVED on the motion of Councillor Veigel, seconded by Councillor McMahon.

Refer to RESOLUTION

205 RESOLUTION:

RESOLVED on the motion of Councillor Veigel, seconded by Councillor McMahon.

That Council:

1. Note the completion of the Audited Financial Statements for the period ended 30 June 2024, attached as Attachment 1 to this report.
2. Thank the representative from the NSW Audit Office for their presentation in respect of Council's 2023/2024 Financial Statements.

For the Motion: Councillors Sheather, McMahon, Aczel, Creed, Djuric, Kotlash, Lyons-Buckett, Reardon, Veigel, Wheeler and Zamprogno.

Against the Motion: Councillor Dogramaci.

Absent: Nil.

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10.4.2. CS - Investment Report - September 2024 - (95496, 96332)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

206 RESOLUTION:

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

That the Monthly Investment Report for September 2024 be received and noted.

For the Motion: Councillors Sheather, Aczel, Creed, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Veigel.

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10.4.3. CS - Licence Agreement to WICEN (NSW) Inc for Part 142 Warks Hill Road, Kurrajong Heights - (95496, 112106, 144585)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

207 RESOLUTION:

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

That:

1. Council proceed to publicly exhibit the proposed Licence Agreement with WICEN (NSW) Inc, for part of 142 Warks Hill Road, Kurrajong Heights (Fire Communication Tower) as outlined in the report, in accordance with Sections 47 and 47A of the Local Government Act 1993.
2. At the expiration of the public exhibition period outlined in Part 1 above, the following action be taken:
 - a) Should any submissions be received regarding the proposed Licence Agreement to WICEN (NSW) Inc, a further report be submitted to Council, or
 - b) Should no submissions be received:
 - i. Council enter into a Licence Agreement with WICEN (NSW) Inc for part of Lot 1 in Deposited Plan 1007671, 142 Warks Hill Road, Kurrajong Heights (Part of Warks Hill Fire Communication Tower), as outlined in the report.
 - ii. Authority be given for the Licence Agreement and any documentation in association with the matter to be executed under the Seal of Council.
 - iii. Details of Council's resolution be conveyed to the Licensee, together with the advise that Council is not, and will not, be bound by the terms of the 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 Sheather, Aczel, Creed, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Veigel.

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10.4.4. CS - Code of Conduct Complaints Statistics Report - 1 September 2023 to 31 August 2024 - (95496)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

208 RESOLUTION:

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

That the report provided under Clause 11.1 of the Council's Procedures for the Administration of the Code of Conduct, in respect of the Code of Conduct complaints statistics for the period from 1 September 2023 to 31 August 2024, be noted.

For the Motion: Councillors Sheather, Aczel, Creed, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

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10.4.5. CS - Office of Local Government - Councillor Conduct and Meeting Practices Draft Submission - (95496)

Directorate: Corporate Services

MOTION:

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

Refer to RESOLUTION

209 RESOLUTION:

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

That Council endorse the Draft Hawkesbury City Council submission to the Office of Local Government in response to the Councillor Conduct and Meeting Practices Discussion Paper as attached as Attachment 2 to this report.

For the Motion: Councillors Sheather, Aczel, Creed, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

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10.5. INFRASTRUCTURE SERVICES

Nil reports.

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11. RECEIPT OF MINUTES OF OTHER COMMITTEES

11.1.1. ROC - Local Traffic Committee - 14 October 2024 - (82045)

Directorate: Infrastructure Services

MOTION:

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

Refer to RESOLUTION

210 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Reardon

That the Council adopt the recommendations contained in the Minutes of the Hawkesbury City Council Local Traffic Committee meeting held on 14 October 2024.

For the Motion: Councillors Sheather, Aczel, Creed, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Councillor Veigel.

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12. NOTICES OF MOTION

12.1. NM1 - Forming a New Committee

Phil Bamford and Lionel Buckett addressed the Council, speaking for the motion contained in the Business Paper.

MOTION:

MOVED on the motion of Councillor Dogramaci, seconded by Councillor Creed.

Refer to RESOLUTION

211 RESOLUTION:

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

That Council defer consideration of this matter to a Councillor Workshop to investigate options around fostering relationships with the business community.

For the Motion: Councillors Sheather, Aczel, Creed, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

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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

There were no comments or further questions to the Councillor Questions Taken on Notice at the Council Meeting on 9 July 2024.

ADJOURNMENT OF MEETING

At 9:36pm the Mayor, Councillor Sheather adjourned the meeting for a short break.

RESUMPTION OF MEETING

The meeting resumed at 9:40pm.

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15. CONFIDENTIAL REPORTS

212 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash, 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 item:

15.1.1. GM - 2025 Hawkesbury Australia Day Awards

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)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).

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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15.1.1. GM - 2025 Hawkesbury Australia Day Awards

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)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).

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.

213 RESOLUTION:

RESOLVED on the motion of Councillor Creed seconded by Councillor Veigel that open meeting be resumed.

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Meeting Date: 12 November 2024

15.1. GENERAL MANAGER

15.1.1. GM - 2025 Hawkesbury Australia Day Awards - (79351,15988)

Directorate: General Manager

Councillor Lyons-Buckett declared a significant non-pecuniary interest in this Item, being that she is an elected member to the Jarron Project and three fellow board members are nominees for the awards, in the Hawkesbury Australia Day Awards Categories 1 and 3. Councillor Lyons-Buckett left the Chamber and did not participate in the discussion or voting on those Categories 1 and 3.

Councillor Veigel declared a significant non-pecuniary interest in this Item, being that he is a life member of Hawkesbury Saints and Jets AFL Club. Councillor Veigel left the Chamber and did not participate in the discussion or voting on the Hawkesbury Australia Day Awards Category 6.

MOTION:

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

Refer to RESOLUTION

214 RESOLUTION:

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

That Council adopt the confidential recommendation developed in closed session of Council in regard to the recipients of the 2025 Australia Day Awards.

For the Motion: Councillors Sheather, Aczel, Creed, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

Meeting terminated at 10:08pm.

Submitted to and confirmed at the Ordinary meeting on 26 November 2024.

.....
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.