



the bushland shire

creating a living environment

MINUTES OF ORDINARY MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday, 24 August, 2011
at 6.35pm

PRESENT

Councillors Berman (Chairman), Browne, Evans, Hutchence, Martin, Mills, Russell and Smart.

NOTE: Councillor Browne arrived at the Meeting at 6.44pm during discussion of Items Passed by Exception. He was not present for Apologies/Leave of Absence, Declarations of Interest and Confirmation of Minutes.

NATIONAL ANTHEM

OPENING PRAYER

Rev. Dick Udy of Galston Uniting Church opened the meeting in prayer.

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairman:

This is page 1 of the Minutes of the Ordinary Meeting of Hornsby Shire Council held on 24 August, 2011.

GENERAL MANAGER

CHAIRMAN

"We recognise our Shire's rich cultural and religious diversity and we acknowledge and pay respect to the beliefs of all members of our community, regardless of creed or faith."

ABORIGINAL RECOGNITION

Statement by the Chairman:

"We acknowledge we are on the traditional lands of the Darug and Guringai Peoples. We pay our respects to elders past and present."

AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairman:

"I advise all present that tonight's meeting is being audio recorded for the purposes of providing a record of public comment at the meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The recordings will be made available on Council's website once the Minutes have been finalised. All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms."

APOLOGIES / LEAVE OF ABSENCE

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR MARTIN,

THAT the apology and request for leave of absence from Councillor Chopra and Councillor McMurdo in respect of an inability to attend the Ordinary Meeting on 24 August, 2011 be accepted and leave of absence be granted.

FOR: COUNCILLORS BERMAN, EVANS, HUTCHENCE, MARTIN, MILLS,
RUSSELL AND SMART

AGAINST: NIL

PRESENTATIONS

Nil

DECLARATIONS OF INTEREST

Nil

CONFIRMATION OF MINUTES

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR HUTCHENCE,

This is page 2 of the Minutes of the Ordinary Meeting of Hornsby Shire Council held on 24 August, 2011.

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 20 July 2011 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS BERMAN, EVANS, HUTCHENCE, MARTIN, MILLS,
RUSSELL AND SMART

AGAINST: NIL

PETITIONS

COUNCILLOR SMART tabled a petition containing 74 signatures from persons objecting to the proposed change of lease conditions for Fusion Australia Limited.

During Public Forum in respect of Item 9, a petition containing 752 signatures was tabled from persons requesting assistance from Hornsby Shire Council regarding premises for Lifeline.

During Public Forum for Non Agenda Items, a petition was tabled containing 145 signatures from persons requesting a change to Council's new Tree Preservation Order.

MAYORAL MINUTES

Nil

NOTICES OF MOTION

1 NOM10/11 Electricity Prices

(F2004/09944-02)

Mr Joe Nagy, of Wahroonga, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by
COUNCILLOR RUSSELL,

THAT the Executive Manager, Environment prepare a report for Council's consideration, investigating ways, including group purchasing schemes, of reducing the impact of rising electricity prices on Hornsby Shire residents and Council.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

RESCISSION MOTIONS

Nil

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GENERAL MANAGER

CHAIRMAN

MATTERS OF URGENCY

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR HUTCHENCE,

THAT Councillor Russell be permitted to raise a Matter of Urgency regarding the Wastewater Pump-out Subsidy for residents in Cowan, Galston and Glenorie.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

30 MOU5/11 Wastewater Pump-out Subsidy

(F2004/09490)

RESOLVED ON THE MOTION OF COUNCILLOR RUSSELL, seconded by COUNCILLOR BROWNE,

THAT Council write to the Minister for Finance and Services requesting the NSW Government subsidise the costs of wastewater pump-outs for residents in Cowan, Galston and Glenorie until such time as sewer connections are made available to these communities.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

THE MAYOR ANNOUNCED his intention to deal with the balance of the Business Paper by the exception method and announced the items.

Items 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 22 and 23 were withdrawn for discussion.

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT the recommendations in respect of items 7, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27 and 29 be adopted

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

NOTE: Item 28 was called over and noted.

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For the sake of clarity, the above items are recorded in Agenda sequence.

NOTE: Persons wishing to address Council on matters which were on the Agenda were permitted to speak, prior to the item being discussed, and their names are recorded in the Minutes in respect of that particular item.

Persons wishing to address Council on non-agenda matters were permitted to speak after all items on the agenda in respect of which there was a speaker from the public were finalised by Council. Their names are recorded in the Minutes under the heading "Public Forum for Non-Agenda Items".

GENERAL BUSINESS

GENERAL MANAGER'S DIVISION

2 GM18/11 Contractual Conditions of Senior Staff

(F2009/00083)

Mr Joe Nagy, of Wahroonga, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR RUSSELL, seconded by COUNCILLOR EVANS,

THAT the contents of General Manager's Report No. GM18/11 be received and noted.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

3 GM19/11 Additional Movie Programme - Trial of community partnership model

(F2004/08423-02)

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR MILLS,

THAT:

1. Council endorse the proposal to trial additional outdoor movies in March 2012 as outlined in the body of General Manager's Report No. GM19/11.
2. Council agree to the transfer of \$15,000 from the OneWorld Festival budget to the trial of a community partnership model for outdoor movies.
3. The results of the trial be included in a report to Council in April 2012 outlining the 2012/13 Calendar of Events.

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FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

4 GM20/11 Review of Internal Audit Plan 2010/2011 (As at 30/06/11)

(F2004/06186-02)

Mr Joe Nagy, of Wahroonga, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR RUSSELL, seconded by
COUNCILLOR EVANS,

THAT:

1. The contents of General Manager's Report No. GM20/11 be received and noted.
2. A review of the Internal Audit Plan continue to be presented to Council on a half yearly basis.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

CORPORATE AND COMMUNITY DIVISION

5 CC5/11 Future Use of 179 Beecroft Road, Cheltenham

(F2004/09440)

Mr Warwick Edwards, on behalf of Golden Kangaroos (Hornsby Concert Band) Inc, addressed Council regarding this item.

Ms Stephanie Flinn, on behalf of Golden Kangaroos (Hornsby Concert Band) Inc, addressed Council regarding this item.

Mr Stephen O'Doherty, on behalf of Golden Kangaroos (Hornsby Concert Band) Inc, addressed Council regarding this item.

Mrs Felicity Findlay, of Cheltenham, addressed Council regarding this item.

Mr Richard Boulton, of Hornsby, addressed Council regarding this item.

Mr Garry Whitaker, of Wyong Creek, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by
COUNCILLOR BROWNE,

THAT:

1. Council note that in 2007 it adopted a Code for the Lease/Licence of Council Land and Buildings to Community Groups to provide a framework for the equitable,

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GENERAL MANAGER

CHAIRMAN

efficient and effective lease/licence of Council's property assets to community groups. The Code assists Council officers to assess community group applications for the use of Council land and buildings in a transparent manner, based on agreed eligibility criteria, and to formulate appropriate lease/licence terms and conditions for consideration by Council.

2. Council note that properties/facilities leased to community groups under the provisions of the Code for the Lease/Licence of Council Land and Buildings to Community Groups generally rely on the in kind contributions from the respective community groups renting the facility and/or the income derived from the lease of the facility to fund the maintenance required at the facility.
3. Consideration of Executive Manager's Report No CC5/11 be deferred until the November 2011 Workshop Meeting to allow the Epping RSL Golden Kangaroos to meet with their sponsors (The Epping Club and the Epping RSL Sub Branch), Council staff, and interested Councillors as necessary to review the Golden Kangaroos' offer in respect of their continued occupation of the church building at 179 Beecroft Road, Cheltenham. Such review should have regard to the contents of Executive Manager's Report No CC5/11.
4. A further report be urgently prepared for Council's consideration at the September 2011 Ordinary Meeting addressing the condition of the fibro shed at 179 Beecroft Road, Cheltenham, in particular the cost of its removal.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

NOTE: At this point in the meeting, the time being 9.55pm, the Mayor adjourned the meeting. The meeting resumed at 10.07pm.

**6 CC43/11 2010/11 Investments and Borrowings - Period Ending June 2011
(Pre-Audit)**

(F2004/06987)

Mr Joe Nagy, of Wahroonga, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR RUSSELL, seconded by
COUNCILLOR EVANS,

THAT the contents of the Executive Manager's Report No. CC43/11 be received and noted

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

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GENERAL MANAGER

CHAIRMAN

7 CC44/11 Disclosures of Pecuniary Interest and Other Matters Returns - Councillors and Designated Persons

(F2011/00977)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT Council note that the Disclosure of Pecuniary Interests and Other Matters Returns recently lodged with the General Manager have been tabled as required by the Local Government Act.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

8 CC45/11 Headen Park Hall, Thornleigh - Future Use

(F2004/06466)

Mr Graham Hosking, of Hornsby, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR SMART, seconded by COUNCILLOR EVANS,

THAT:

1. The contents of Executive Manager's Report CC45/11 be received and noted.
2. Prior to any decision being made on the future of the Headon Park Hall, Council issue a public invitation to community groups to lease the Hall.
3. Following receipt of the public invitation to lease submissions referred to in point 2 above, a report be prepared for Council's consideration detailing the outcomes of the process.
4. A further report be prepared for Council's consideration detailing the Community centres and halls provided by Hornsby Shire Council for use by the community and how this compares to other councils.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

9 CC48/11 Application for Lease of Ground, Lower Ground and Mezzanine Floors - 11 Coronation Street, Hornsby - Lifeline Harbour to Hawkesbury

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(F2004/09431)

Mrs Wendy Carver, on behalf of Lifeline Harbour to Hawkesbury, addressed Council regarding this item.

Mr Steve Wade, on behalf of Fusion Australia Limited, addressed Council regarding this item.

Mr Shane Thompson, on behalf of Lifeline Harbour to Hawkesbury, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by COUNCILLOR BROWNE,

THAT:

1. The contents of Executive Manager's Report No. CC48/11 be received and noted.
2. Council issue a public invitation to lease the premises at 11 Coronation Street, Hornsby from both commercial entities and community groups for a maximum term of up to five years.
3. Following receipt of the public invitation to lease submissions referred to in point 2 above, a report be prepared for Council's consideration detailing the outcomes of the process.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS AND RUSSELL

AGAINST: COUNCILLOR SMART

10 CC49/11 Social Plan - Report On Achievements 2010/11; and Update on Homelessness Task Force

(F2009/00662)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT:

1. The contents of Executive Manager's Report No. CC49/11 be received and noted.
2. Council officers continue to represent Council on the Hornsby Homelessness Task Force and that actions associated with the issue of homelessness continue to be included in annual Council Operational Plans at a level commensurate with the scale of the issue relative to other social issues that Council addresses.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

11 CC50/11 Application for Lease of 1-3 Jersey Street, Hornsby - Fusion Australia Limited

(F2004/09431)

Mr David Cowdery, of Mt Kuring-gai, addressed Council regarding this item.

Mr Steve Wade, on behalf of Fusion Australia Limited, addressed Council regarding this item.

MOVED ON THE MOTION OF COUNCILLOR SMART, seconded by COUNCILLOR EVANS,

THAT:

1. Fusion be permitted to continue occupation of the property at 1-3 Jersey Street under the holding over provisions of the expired lease.
2. When Fusion's lease of the property at 5 Jersey Street expires, the future use of 1 - 3 and 5 Jersey Street be considered concurrently by Council.

AN AMENDMENT WAS MOVED BY COUNCILLOR HUTCHENCE, seconded by COUNCILLOR BROWNE

THAT:

1. The contents of Executive Manager's Report No. CC50/11 be received and noted.
2. Council issue a public invitation to lease the premises at 1-3 Jersey Street Hornsby from both commercial entities and community groups for a maximum term of up to five years.
3. Following receipt of the public invitation to lease submissions referred to in point 2 above, a report be prepared for Council's consideration detailing the outcomes of the process.
4. Council be provided with further information regarding the current maintenance responsibilities for the properties at 1-3 and 5 Jersey Street, Hornsby and the cost of any repairs and maintenance currently required.

THE AMENDMENT, MOVED BY COUNCILLOR HUTCHENCE, seconded by COUNCILLOR BROWNE WAS PUT AND LOST.

FOR: COUNCILLORS BROWNE, HUTCHENCE AND RUSSELL

AGAINST: COUNCILLORS BERMAN, EVANS, MARTIN, MILLS AND SMART

THE MOTION, MOVED BY COUNCILLOR SMART, seconded by COUNCILLOR

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GENERAL MANAGER

CHAIRMAN

EVANS WAS PUT AND CARRIED.

FOR: COUNCILLORS BERMAN, EVANS, MARTIN, MILLS AND SMART

AGAINST: COUNCILLORS BROWNE, HUTCHENCE AND RUSSELL

ENVIRONMENT DIVISION

**12 EN29/11 Carbon Price Impact - Review of Federal Government Reports
(F2011/00839)**

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR BROWNE,

THAT the contents of Executive Manager's Report No. EN29/11 be received and noted.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

**13 EN31/11 Parks Capital Works 2010-11 June Quarter Progress Report
(F2004/06971)**

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT the contents of Executive Manager's Report No. EN31/11 be received and noted.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

**14 EN34/11 2011/2012-2012/2013 Parks Improvement Program
(F2004/06971)**

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT the Open Space Assets Program as shown in Attachment 1 of Executive Manager's Report No. EN34/11 be adopted.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

15 EN35/11 Application to Revoke Dangerous Dog Order

(F2006/00179-04)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT Council:

1. Refuse the request to revoke the dangerous dog order imposed on “Choc” on 13 October 2009.
2. Give notice to the owner that Council has refused to revoke the dangerous dog order.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

16 EN36/11 NSROC Tender T9/2011-Supply and Delivery, Supply, Delivery and Lay, Prepare Surface, Delivery and Lay Cultivated Turf.

(F2011/00082)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT Council accept the tenders submitted by:

- Grechs Turf Pty Ltd
- Hi Quality Turf
- Qualturf Pty Ltd (NSW)
- Millers Turf Supplies Pty Ltd

for NSROC Tender No. T9/2011 Supply and Delivery, Supply, Delivery and Lay and/or Prepare Surface, Delivery and Lay Cultivated Turf.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

PLANNING DIVISION

Nil

WORKS DIVISION

17 WK41/11 Appointment of Local Controller, Hornsby State Emergency Service

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GENERAL MANAGER

CHAIRMAN

(F2004/06614)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT Council endorse Mr Robert Corbett's re-appointment to the position of Hornsby State Emergency Service Local Controller for a further two year period.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

18 WK42/11 Works Building Services - Graffiti and Vandalism June 2011 Quarterly Report

(M2011/00728)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT the contents of Executive Manager's Report No. WK42/11 be received and noted.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

19 WK43/11 Engineering Services - Building Capital Works Program 2010/11 - June 2011 Quarterly Report

(F2004/05958)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT the contents of Executive Manager's Report No. WK43/11 be received and noted.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

20 WK44/11 Engineering Services - Public Buildings and Aquatic Centres Capital Renewal Works Program 2011/12

(F2004/05958)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT:

1. The contents of Executive Manager's Report No. WK44/11 be received and noted.
2. Council adopt the program attached to this report.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

21 WK45/11 Works Progress Report - June 2011 Quarterly Report - Assets Branch

(F2004/05959-02)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by
COUNCILLOR EVANS,

THAT the contents of Executive Manager's Report No. WK45/11 be received and the completion of the various activities in the 2010/11 Assets Branch Programmes be noted.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

22 WK46/11 Edgeworth David Avenue. Proposed Traffic Road Safety Measures.

(F2004/09775)

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by
COUNCILLOR MILLS,

THAT Council adopt the Local Traffic Committee (LTC) recommendations of report LTC 24/2011 subject to Recommendation No. 4 being amended to allow for the installation of "No Right Turn" sign restrictions during the afternoon peak period of 3pm – 7pm, Monday to Friday for a trial period of six months.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

23 WK52/11 Robert Road, Cherrybrook. Request for Parking Restrictions at Oliver Way.

(F2009/00040)

Mr John Goss, on behalf of Oliver Way Community Committee, addressed Council regarding

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GENERAL MANAGER

CHAIRMAN

this item.

RESOLVED ON THE MOTION OF COUNCILLOR MILLS, seconded by COUNCILLOR BROWNE,

THAT Council not accept the Local Traffic Committee (LTC) recommendation of Report LTC 25/2011 and instead arrange the installation of "No Parking" signs, six metres either side of Oliver Way.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

24 WK48/11 Tender T9/2011: Minor Asphalt Works

(F2011/00842)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT Council accept the tender of Kizan Pty Ltd (trading as A & J Paving) for all work under Tender No. T9/2011: Minor Asphalt Works.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

25 WK49/11 Tender T10/2011: Stabilisation of Road Pavements

(F2011/00843)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

THAT Council accept the tender of Accurate Asphalt & Road Repairs Pty Ltd for all work under Tender No. T10/2011: Stabilisation of Road Pavements.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

26 WK50/11 Works Progress Report - June Quarter 2011 - Design and Construction Branch

(F2004/05959-02)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR EVANS,

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GENERAL MANAGER

CHAIRMAN

THAT the contents of Executive Manager's Report No. WK50/11 be received and noted.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

**27 WK51/11 Works Progress Report - June 2011 Quarterly - Traffic and Road
Safety Branch**

(F2004/05959-02)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by
COUNCILLOR EVANS,

THAT Council endorse the activities undertaken by the Traffic and Road Safety Branch for
the period 1 April to 30 June 2011.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

SUPPLEMENTARY REPORTS

**29 EN32/11 Extension of Lease Application from YMCA of Sydney- Epping
YMCA Centre and West Epping Park Tennis Centre**

(F2009/00832)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by
COUNCILLOR EVANS,

THAT:

1. Council issue a public invitation to lease the Tennis Court Centre located on West Epping Park (off Grant Close), West Epping for a maximum term of ten years on the basis outlined within Executive Manager's Report No. EN32/11.
2. Submissions received in respect of the public invitation to lease the Tennis Court Centre be reported to Council for its consideration.
3. The proposed lease to the YMCA of Sydney over the Epping YMCA Centre in West Epping Park, West Epping be publicly advertised and submissions invited within a period of not less than 28 days.
4. Should submissions be received objecting to the lease proposal for the Epping YMCA Centre (excluding the Tennis Court Centre), a further report be provided for Council's consideration.

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GENERAL MANAGER

CHAIRMAN

5. Subject to the outcome of recommendations 3 and 4, Council grant a 21 year lease to the YMCA of Sydney of the Epping YMCA Centre in accordance with Sections 46 and 47 of the Local Government Act 1993 (Lease/Licence of Community Land) on the following basis:
- a. The rental to be at the rate of \$320.00 per annum inclusive of GST during the initial 12 months of tenure.
 - b. The rental to be subject to annual review in accordance with the movement in the Consumer Price Index and the provisions of the Code for the Lease/Licence of Council Land and Buildings to Community Groups.
 - c. The lessee to be responsible for the payment of 50% of any assessed Council and/or Water rates.
 - d. The lessee to be responsible for the payment of all operating costs including all telephone line rental and calls, electricity and building insurance premiums.
 - e. The lessee to be responsible for the payment of 50% of lease preparation costs and all statutory advertising costs.
 - f. The lessee to be responsible for the full maintenance and capital improvement of the Centre.
 - g. The lessee to be responsible for security and cleaning of the Centre.
 - h. The lessee to indemnify Council against all claims in respect of public liability to an amount not less than \$20 million, with such public liability policy to note Council as an interested party.
 - i. The premises to be only used for activities associated with the YMCA of Sydney.
 - j. The lessee to acknowledge Council's support in respect to the provision of the land in its annual reports and publications, any advertising and community events.
 - k. The lease to commence from the date the lessee obtains the relevant occupation certificate following completion of the proposed refurbishment works.
 - l. The current lease agreements with the YMCA of Sydney in respect of the Centre to be terminated effective from the date of the occupation certificate mentioned in point k. above.

FOR: COUNCILLORS BERMAN, BROWNE, EVANS, HUTCHENCE, MARTIN,
MILLS, RUSSELL AND SMART

AGAINST: NIL

CONFIDENTIAL ITEMS

Nil

PUBLIC FORUM – NON AGENDA ITEMS

Ms Jacki Brown, of Turramurra, addressed Council regarding Council's new Tree Preservation Order scheduled to commence on 1 September 2011.

MAYOR'S NOTES

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GENERAL MANAGER

CHAIRMAN

Friday 1 July 2011 - The Mayor attended a Photo Exhibition by Nilmini De Silva at the Hornsby Library.

Saturday 2 July 2011 - The Mayor attended the 2011 Hornsby Gang Show at Asquith Boys High School.

Saturday 2 July 2011 - The Mayor and Mayoress attended the Rotary Club of Hornsby 61st Changeover Dinner at Asquith Golf Club.

Sunday 3 July 2011 - The Mayor attended, and Captained the Hornsby Council Team, at the Multicultural Soccer Tournament and Family Fun Day at Foxglove Oval.

Thursday 7 July 2011 - The Mayor attended The Shack Youth Outreach Morning Tea at The Shack.

Friday 8 July 2011 - The Mayor attended The Shack Youth Outreach's 20 Year Reunion Celebration Dinner at The Epping Club.

Saturday 9 July 2011 - The Mayor attended the Dangar Island Bowling Club Annual Meeting with the Community at the Dangar Island Bowling Club.

Saturday 9 July 2011 - The Mayor attended the Sri Lankan Food Fair at Roselea Community Centre.

Tuesday 12 July 2011 - The Mayor attended the Lions Club of Hornsby Changeover Dinner at the Hornsby RSL Club.

Sunday 17 July 2011 - The Mayor and Mayoress attended the Pennant Hills Junior AFL Club's Community Match Day at Ern Holmes Oval, Pennant Hills Park.

Thursday 21 July 2011 - The Mayor and Councillor Browne attended the Hornsby Fire Control 2011 Medal Presentation at Fire Control, Cowan.

Thursday 21 July 2011 - Councillor Smart, on behalf of the Mayor, attended the Lions Club of Berowra Changeover Dinner at Berowra RSL Club.

Friday 22 July 2011 - The Mayor and Mayoress attend Our Lady of the Rosary Catholic School Recognition Ceremony for the Schools BER Project.

Monday 25 July 2011 - The Mayor hosted three Citizenship Ceremonies at the Council Chambers.

Monday 25 July 2011 - The Mayor attended the Hornsby Ku-ring-gai & Hills District Cricket Association's AGM at Asquith Bowling Club.

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Thursday 28 July 2011 - The Mayor and Councillors McMurdo, Chopra and Browne, attended the Keep Australia Beautiful 2011 Finalists Award Presentation at Pennant Hills Golf Club.

Saturday 30 July 2011 - The Mayor attended the North Epping Rangers Charity Day and Official Opening of the newly improved Ground at North Epping Oval.

Saturday 30 July 2011 - The Mayor and Mayoress attended the Galston Rural Fire Brigade's 70th Anniversary Dinner at the Galston Community Centre.

Note: These are the functions that the Mayor, or his representative, has attended in addition to the normal Council Meetings, Workshops, Mayoral Interviews and other Council Committee Meetings.

CALLED OVER AND NOTED

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 10.54pm.

These Minutes were confirmed at the meeting held on Wednesday, 21 September, 2011, at which meeting the signature hereunder was subscribed.

CONFIRMED
CHAIRMAN

This is page 19 of the Minutes of the Ordinary Meeting of Hornsby Shire Council held on 24 August, 2011.

GENERAL MANAGER

CHAIRMAN