



the bushland shire

creating a living environment

SUPPLEMENTARY ATTACHMENTS

PLANNING MEETING

**Wednesday, 3 August, 2011
at 6.30pm**

TABLE OF CONTENTS

SUPPLEMENTARY REPORTS

8	MM8/11	Proposed Sale of Council Property at Hornsby	
	Attachment 1:	Copy of Resolution WK46/10 dated 30 June 2010	2
	Attachment 2:	Local Government (General) Regulation 2005 - REG 400	3

ATTACHMENT/S
REPORT NO. MM8/11
ITEM 8

- 1. COPY OF RESOLUTION WK46/10 DATED 30 JUNE 2010**
- 2. LOCAL GOVERNMENT (GENERAL) REGULATION 2005
- REG 400**



FOR ACTION

Meeting: **ORDINARY**

30/06/2010

TO: Manager - Property Development (Peter Thompson)

Subject: Proposed Sale and Acquisition of Council Property at Hornsby
Target Date: 14/07/2010
Notes:

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

THAT:

1. Council rescind the resolution attached to Confidential Executive Manager's Report No. WK59/06.
2. Council agree to the sale of its land and possible acquisition of stratum land as outlined within Confidential Report No. WK46/10, particularly in relation to the fundamental terms and generally in accordance with the further terms and the formal mediation agreement executed in 2003.
3. Council classify the stratum land as "operational land" upon acquisition and in the event that certain conditions of the sales transactions are not completed such that Council's freehold land is transferred back to Council, Council agrees that the property is to be classified "operational land", in accordance with Section 31(2) of the Local Government Act 1993.
4. Council authorise and grant the authority to the General Manager or Executive Manager that may act in that position from time to time to negotiate any further details of the transactions and/or terminate any agreements and/or to withdraw any offer for the sale of Council's land, generally in accordance with Confidential Report No. WK46/10, to the extent that the fundamental terms are essential terms of the transactions.
5. The General Manager be authorised to execute any legal documents in relation to this matter deemed appropriate by Council's legal advisers.
6. If required by the absence of the General Manager or by legal statute, Council authorise the use of Council's seal on any legal documents in relation to this matter deemed appropriate by Council's legal advisers, subject to review and authorisation by an Executive Manager of Council.

<Proceedings>

Open Item in Minutes



New South Wales Consolidated Regulations

[\[Index\]](#) [\[Table\]](#) [\[Search\]](#) [\[Search this Regulation\]](#) [\[Notes\]](#) [\[Noteup\]](#) [\[Previous\]](#) [\[Next\]](#) [\[Download\]](#)
[\[Help\]](#)

LOCAL GOVERNMENT (GENERAL) REGULATION 2005 - REG 400

Council seal

400 Council seal

- (1) The seal of a council must be kept by the mayor or the general manager, as the council determines.
- (2) The seal of a council may be affixed to a document only in the presence of:
 - (a) the mayor and the general manager, or
 - (b) at least one councillor (other than the mayor) and the general manager, or
 - (c) the mayor and at least one other councillor, or
 - (d) at least 2 councillors other than the mayor.
- (3) The affixing of a council seal to a document has no effect unless the persons who were present when the seal was affixed (being persons referred to in subclause (2)) attest by their signatures that the seal was affixed in their presence.
- (4) The seal of a council must not be affixed to a document unless the document relates to the business of the council and the council has resolved (by resolution specifically referring to the document) that the seal be so affixed.
- (5) For the purposes of subclause (4), a document in the nature of a reference or certificate of service for an employee of the council does not relate to the business of the council.

AustLII: [Copyright Policy](#) | [Disclaimers](#) | [Privacy Policy](#) | [Feedback](#)