

## **MINUTES OF GENERAL MEETING**

Held at COUNCIL CHAMBERS, HORNSBY  
on Wednesday 9 September 2015  
at 6:33PM



## **PRESENT**

Councillors Russell (Chairman), Anisse, Azizi, Berman, Browne, Cox, Gallagher, Hutchence, Singh and Tilbury.

Note: Councillor Azizi left the meeting for a short period during consideration of Item 12 and was not present for voting on that Item. Councillor Azizi retired from the meeting at 10.27pm and was not present for consideration of, or voting on, Items 1, 3, 8 and 10.

## **NATIONAL ANTHEM**

### **OPENING PRAYER**

Father Robert Borg, from Our Lady of the Rosary Cathedral, Waitara, opened the meeting in prayer.

### **ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY**

Statement by the 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 of the non-confidential parts of the meeting 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. No other persons are permitted to record the meeting, unless specifically authorised by Council to do so."*

### **APOLOGIES / LEAVE OF ABSENCE**

Nil

### **POLITICAL DONATIONS DISCLOSURE**

Statement by the Chairman:

*"In accordance with Section 147 of the Environmental Planning and Assessment Act 1979, any person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, and who has made a reportable political donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement.*

*If a Councillor or employee has received a reportable political donation or gift from a person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, they must declare a non-pecuniary conflict of interests to the meeting, disclose the nature of the interest and manage the conflict of interests in accordance with Council's Code of Conduct."*

#### **DECLARATIONS OF INTEREST**

Nil

#### **CONFIRMATION OF MINUTES**

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

THAT the Minutes of the General Meeting held on Wednesday 12 August 2015 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

#### **PETITIONS**

Nil

#### **PRESENTATIONS**

Nil

#### **RESCISSION MOTIONS**

Nil

#### **MAYORAL MINUTES**

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, 3, 8, 10, 12, 14, 15, 16, 17, 19, 20 and 24 were withdrawn for discussion.

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN,

THAT the recommendations in respect of Items 2, 4, 5, 6, 7, 9, 11, 13, 18, 21 and 22 be adopted.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

Note: Item 23 was called over and noted.

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.

## **GENERAL BUSINESS**

### **OFFICE OF THE GENERAL MANAGER**

Nil

### **CORPORATE SUPPORT DIVISION**

#### **1 CS30/15 Election of Deputy Mayor**

**(F2004/07075)**

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR ANISSE,  
THAT:

1. Council elect a Deputy Mayor for the period to September 2016.
2. The open voting method be used to elect the Deputy Mayor.

FOR: COUNCILLORS ANISSE, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

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The Mayor asked the Acting General Manager to act as Returning Officer and conduct the election of the Deputy Mayor.

The Acting General Manager announced that he had received one written nomination for the position of Deputy Mayor, that being for Councillor Hutchence. Councillor Hutchence confirmed his acceptance of the nomination.

As no further nominations were received, the Acting General Manager announced that Councillor Hutchence was elected as Deputy Mayor for the period to September 2016.

**2 CS31/15 Schedule of Council Meetings and Order of Business to Apply at Those Meetings – October 2015 to September 2016**

**(F2004/07032)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN,  
 THAT Council:

1. Adopt the schedule of ordinary Council meetings for the period October 2015 to September 2016 as set out in Attachment 1 of Deputy General Manager's Report No. CS31/15.
2. Adopt the order of business for the ordinary Council meetings to be held in the period October 2015 to September 2016 as set out in Attachment 2 of Deputy General Manager's Report No. CS31/15.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER,  
 HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**3 CS32/15 Councillor Representation on Committees, Working Parties and Other Relevant Groups – October 2015 to September 2016**

**(F2004/07056)**

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR COX,  
 THAT Councillor representation on Committees, Working Parties and other relevant groups for the period October 2015 to September 2016 be as indicated in the table below:

<b>Council Committee/ Working Party</b>	<b>Councillor Representation 2015/16</b>
Bushland Management Advisory Committee	Robert Browne (Chair), Michael Hutchence
Brooklyn Masterplan Project Control Group	Steve Russell, Antony Anisse, Mick Gallagher, Nathan Tilbury
Catchments Remediation Rate (CRR) Expenditure Review Committee	Robert Browne (Chair), Jerome Cox
Cherrybrook Technology High School Committee (MPC)	Gurdeep Singh , Robert Browne (Alternate)
Fit for the Future Steering Committee	Steve Russell, Nathan Tilbury, Gurdeep Singh, Michael Hutchence
Floodplain Risk Management Committee (FRMC)	Gurdeep Singh, Michael Hutchence (Alternate)
Friends of Lisgar Gardens	Robert Browne, Gurdeep Singh (Alternate)

Greater Sydney Local Land Services Local Government Advisory Group (HNLGAG)	Steve Russell, Antony Anisse (Alternate)
Homelessness Task Force	Nathan Tilbury, Michael Hutchence (Alternate)
Hornsby Aboriginal & Torres Strait Islander Consultative Committee	Robert Browne, Mick Gallagher (Alternate)
Hornsby and Central Coast Regional Advisory Council of the Community Relations Commission for a Multicultural NSW	Mick Gallagher
Hornsby Kuring-gai Bush Fire Management Committee	Steve Russell, Mick Gallagher (Alternate), Antony Anisse (Alternate), Jerome Cox (Alternate)
Hornsby Kuring-gai Police & Community Youth Club	Robert Browne, Bernadette Azizi (Alternate), Michael Hutchence (Alternate)
Hornsby Rural Fire Service Liaison Committee	Steve Russell, Mick Gallagher (Alternate), Gurdeep Singh (Alternate), Jerome Cox (Alternate)
Hornsby Shire Heritage Advisory Committee	Michael Hutchence (Chair), Bernadette Azizi, Robert Browne, Gurdeep Singh, Mick Gallagher (Alternate), Nathan Tilbury (Alternate), Jerome Cox (Alternate)
Hornsby Shire Local Traffic Committee	Michael Hutchence, Robert Browne (Alternate)
Local Government Reference Group – North West Rail Link Urban Renewal Program	Steve Russell, Robert Browne, Michael Hutchence, Gurdeep Singh, Antony Anisse (Alternate)
Lower Hawkesbury Estuary Management Committee	Antony Anisse (Chair), Nathan Tilbury (Deputy Chair)
Northern Sydney Regional Organisation of Councils (NSROC)	Steve Russell, Nathan Tilbury, Robert Browne (Alternate 1), Antony Anisse (Alternate 2), Michael Hutchence (Alternate 3)
NSW Public Libraries Association	Bernadette Azizi
'Wellum Bulla' Hornsby Shire Council Materials Handling Facility Monitoring Committee	Robert Browne, Gurdeep Singh, Michael Hutchence
Wideview Public School Hall Committee	Nathan Tilbury

FOR: COUNCILLORS ANISSE, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**4 CS29/15 Delivery Program 2013-17 Including Operational Plan (Budget) for 2014/15 - June 2015 Quarter Review**

**(F2013/00651)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN,  
THAT the June 2015 Quarter Review of the Delivery Program, including the 2014/15 Operational Plan and Budget, be received and noted.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER,  
HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**5 CS28/15 Investments and Borrowings for 2015/16 - Status for Period Ending 31 July 2015**

**(F2004/06987-01)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN,  
THAT the contents of Deputy General Manager's Report No. CS28/15 be received and noted.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER,  
HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**6 CS39/15 General Purpose and Special Purpose Financial Reports - 2014/15 Financial Year**

**(F2015/00022)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN,  
THAT:

1. The 2014/15 General Purpose and Special Purpose Financial Reports be received and noted and referred for audit.
2. The Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2014/15 Financial Reports.
3. The 2014/15 Financial Reports be authorised for "presentation to the public" on receipt of the Auditor's Report.

4. The Acting General Manager be delegated authority to fix the date of the General Meeting at which the 2014/15 Financial Reports and Auditor's Report will be formally "presented to the public".

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**7 CS35/15 Outstanding Council Resolutions - Period Until 31 May 2015**

**(F2005/00112)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN,  
THAT the contents of Deputy General Manager's Report No. CS35/15 be received and noted.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**8 CS36/15 Tender No. RFT8/2015 - Corporate Systems Replacement**

**(F2015/00024)**

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

THAT:

- A.
1. Council accept the tender of Technology One Limited as the preferred contractor for all work under Tender No. RFT8/2015 – Corporate Systems Replacement.
  2. The Acting General Manager be authorised to finalise contract negotiations with Technology One Limited prior to final contract signing.
- B. Prior to the end of 2015, Councillors be provided with an Informal Briefing in respect of Council's online bookings system, with a clear plan and timeframes to further improve the user experience, functionality and uptake of the system.

FOR: COUNCILLORS ANISSE, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL



**ENVIRONMENT AND HUMAN SERVICES DIVISION**

**9 EH8/15 Review of Policies - Environment and Human Services Division**

**(F2013/00129)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN,  
THAT Council adopt the recommendations contained in the table in Group Manager's Report No. EH8/15 in respect of each of the current policies under the jurisdiction of the Environment and Human Services Division.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER,  
HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**10 EH23/15 Review of Council's Contribution to Christmas Decorations and Celebrations**

**(F2014/00465)**

MOVED ON THE MOTION OF COUNCILLOR ANISSE, seconded by COUNCILLOR COX,

THAT Council:

1. Reaffirm its commitment to decorating the living Christmas tree outside of the Council Chambers in 2015.
2. Not place a Christmas tree in Hornsby Mall as this would require an additional financial commitment from Council.

AN AMENDMENT WAS MOVED BY COUNCILLOR BERMAN, seconded by COUNCILLOR GALLAGHER,

THAT:

1. Council reaffirm its commitment to decorating the living Christmas tree outside of the Council Chambers in 2015.
2. If it can be fully funded by local businesses, Council place a Christmas tree in Hornsby Mall.

THE AMENDMENT MOVED BY COUNCILLOR BERMAN, seconded by COUNCILLOR GALLAGHER, WAS PUT AND LOST.

FOR: COUNCILLOR BERMAN

AGAINST: COUNCILLORS ANISSE, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL,  
SINGH AND TILBURY

THE MOTION, MOVED BY COUNCILLOR ANISSE, seconded by COUNCILLOR COX, WAS PUT AND CARRIED.

FOR: COUNCILLORS ANISSE, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL,  
SINGH AND TILBURY

AGAINST: COUNCILLOR BERMAN

#### **PLANNING DIVISION**

**11 PL55/15 Development Application - Five Storey Residential Flat Building  
Comprising 45 Units - 2 Cowan Road and 540A-542 Pacific Highway, Mount Colah**

**(DA/176/2015)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN,

THAT Development Application No. DA/176/2015 for demolition of existing structures and construction of a five storey residential flat building comprising 45 units at Lot 101 and 102 DP 620766, Lot 1 DP 580371 No. 2 Cowan Road and 540A and 542 Pacific Highway, Mount Colah be approved as a deferred commencement pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979 subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL55/15.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER,  
HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**12 PL41/15 Development Application - Residential Flat Building Comprising 37  
Units - 15 and 17 Forest Grove, Epping**

**(DA/346/2015)**

Ms Cho-Wai Cheung, of Epping, addressed Council regarding this item.

Mr Malcolm Watson, of Epping, addressed Council regarding this item.

Mr Allan Caladine, on behalf of the applicant, addressed Council regarding this item.

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

THAT Development Application No. DA/346/2015 for demolition of existing structures and the construction of a five storey residential flat building comprising 37 units with basement car parking at Lot 6 and Lot 7, DP 11533, Nos. 15-17 Forest Grove, Epping be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL41/15 as amended by Late Item Memo No. LM8/15.

FOR: COUNCILLORS ANISSE, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE,  
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**13 PL67/15 Development Application - Residential Flat Building Comprising 27 Units - 2 and 4 Maida Road, Epping**

**(DA/167/2015)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN, THAT Development Application No. DA/167/2015 for demolition of existing structures and construction of a three storey residential flat building comprising twenty-seven units and basement car parking at Lot 2 DP 1044308 and Lot 2 DP 9693, Nos. 2 and 4 Maida Road, Epping be approved as a deferred commencement pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979 subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL67/15.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**14 PL69/15 Development Application - Demolition - Two, Three Storey Residential Flat Buildings - 6-12 Maida Road, Epping**

**(DA/982/2014)**

Mr Ralph Allen, of Epping, addressed Council regarding this item.

Mr Allan Caladine, on behalf of the applicant, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by COUNCILLOR COX, THAT consideration of Development Application No. DA/982/2014 for demolition of existing structures and construction of two, three storey residential flat buildings comprising 62 units with basement car parking at Lot A DP 314102, Lot C DP 314 102, Lots 5-6 DP 9693, Nos. 6-12 Maida Road, Epping be deferred to enable the applicant to submit amended plans within one month addressing the grounds for refusal detailed in Schedule 1 of Group Manager's Report No. PL69/15.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**15 PL66/15 Development Application - Subdivision of One Allotment into Two Lots - 45 Hull Road, Beecroft**

**(DA/296/2015)**

Mr Colin Johnston, on behalf of Beecroft Cheltenham Civic Trust, addressed Council regarding this item.

Mr Leslie Lovell, of Beecroft, addressed Council regarding this item.

Mr Peter Graham, on behalf of the applicant, addressed Council regarding this item.

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

THAT Development Application No. DA/296/2015 for Torrens title subdivision of one allotment into two lots at Lot C DP 360413, No. 45 Hull Road, Beecroft be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL66/15 and the following additional condition:

- A 0.5 metre landscape verge shall be provided along the southern boundary of the accessway, other than for a length of 7.0 metres where the existing dwelling house adjoins the accessway. In this location, the landscaping shall be adjacent to the dwelling.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**16 PL70/15 Development Application - 24 Hour Gymnasium - 25-29 Turner Road, Berowra Heights**

**(DA/419/2015)**

Mr David Ryan, of Berowra Heights, addressed Council regarding this item.

Mr Paul Hrobat, the applicant, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR GALLAGHER,

THAT Development Application No. DA/419/2015 for fit-out and first occupation of an existing commercial premise for the purpose of a 24 hour gymnasium and erection of three business identification signs at PT 13, 14, 15 and 18 SP 89840, Nos. 25-29 Turner Road, Berowra Heights be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL70/15.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**17 PL68/15 Development Application - Multi-Purpose Courts and Carpark - 130, 130A, 130X, 132 and 132A Boundary Road, North Epping**

**(DA/1566/2014)**

Mr Rod Belcher, of North Epping, addressed Council regarding this item.  
Ms Gaye Braiding, of North Epping, addressed Council regarding this item.  
Mr Gerard O'Donoghue, of North Epping, addressed Council regarding this item.  
Mrs Mish Farris, on behalf of North Epping Girl Guides, addressed Council regarding this item.  
Mr Peter Buckley, on behalf of Epping Scouts, addressed Council regarding this item.  
Miss Teresa Pulley, on behalf of Epping Scouts, addressed Council regarding this item.  
Mrs Penelope King, of North Epping, addressed Council regarding this item.  
Ms Helen Atkins, of North Epping, addressed Council regarding this item.  
Mr David Creelman, of North Epping, addressed Council regarding this item.  
Ms Janet McGarry, of North Epping, addressed Council regarding this item.  
Ms Karen Michie, on behalf of North Epping Rangers, addressed Council regarding this item.

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

THAT consideration of Development Application No. DA/1566/2014 for addition of a multi-purpose court facility adjoining the North-Epping Bowling Club and carpark upgrade at Lots 913, 1034, 1070 and 1073 DP 752053 and Lot 7304 DP 1131925 Nos. 130, 130A, 130X, 132 and 132A Boundary Road, North Epping be deferred until the 11 November 2015 General Meeting to allow for further community consultation.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**18 PL65/15 Development Application - Dwelling House - 6A Ida Street, Hornsby**

**(DA/677/2015)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN,

THAT Development Application No. DA/677/2015 for the construction of a two storey dwelling house at Lot 141, DP 1201482, No. 6A Ida Street, Hornsby be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL65/15.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

Mr Peter Shipway, of Arcadia, addressed Council regarding this item.

Mr Paul Irving, of Galston, addressed Council regarding this item.

Mrs Lesley Freeman, of Middle Dural, addressed Council regarding this item.

Mr Dennis Merchant, of Dural, addressed Council regarding this item.

Mrs Ingrid Cattley, of Galston, addressed Council regarding this item.

Mr Doug Cohen, of Arcadia, addressed Council regarding this item.

Mr Peter Knox, on behalf of Hornsby Rural Areas Association, addressed Council regarding this item.

Mr Richard Bird, of Arcadia, addressed Council regarding this item.

Ms Beverley Hobbs, of Galston, addressed Council regarding this item.

Mr Leslie Lovell, of Beecroft, addressed Council regarding this item.

Ms Abbie Mitchell, of Fiddletown addressed Council regarding this item.

Mr Graeme Evans, of Dural, addressed Council regarding this item.

Ms Nat Tesoriero, of Castle Hill, addressed Council regarding this item.

Mr David Sentinella, on behalf of Hornsby Ku-ring-gai Greens, addressed Council regarding this item.

Mr John Inshaw, of Galston, addressed Council regarding this item.

Mrs Katherine Curic, of Glenorie, addressed Council regarding this item.

Ms Kim Mullins, of Hornsby, addressed Council regarding this item.

MOVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR HUTCHENCE,

THAT:

- A. 1. Council endorse progression of the Rural Lands Planning Proposal attached to Group Manager's Report No. PL71/15 and forward the Proposal to the Department of Planning and Environment seeking a Gateway Determination.
2. Council defer consideration of whether to progress investigation of any further options for review of allotment sizes until the release of the North Subregional Strategy which may identify key directions for development, including a rural resource lands strategy and housing targets.
3. In accordance with delegated plan making powers, Council exercise Authorisation to prepare and make the Planning Proposal following receipt of Gateway Authorisation and the Acting General Manager be given delegation to endorse the exhibition material.
4. Should the Minister determine under Section 56(2) of the Environmental Planning and Assessment Act 1979 that the Planning Proposal may proceed without significant amendment, Council publicly exhibit the Proposal in accordance with the Gateway Determination.
5. Council endorse the draft Hornsby Development Control Plan 2013 amendments attached to Group Manager's Report No. PL71/15 for exhibition concurrently with the Planning Proposal.

6. Following exhibition, a report on submissions be presented to Council.
- B. Council write to Sydney Water to request an update on the take up of connections to the Galston and Glenorie Wastewater Scheme and estimate of likely future capacity of the Scheme to accommodate growth to assist Council consider any future options for a review of allotment sizes.

AN AMENDMENT WAS MOVED BY COUNCILLOR BERMAN, seconded by COUNCILLOR AZIZI, THAT consideration of Group Manager's Report No. PL71/15 be deferred until the 11 November 2015 General Meeting to allow for an Informal Briefing of Councillors to discuss further options for consultation with the community.

THE AMENDMENT MOVED BY COUNCILLOR BERMAN, seconded by COUNCILLOR AZIZI, WAS PUT AND LOST.

FOR: COUNCILLORS AZIZI AND BERMAN

AGAINST: COUNCILLORS ANISSE, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

THE MOTION, MOVED BY COUNCILLOR TILBURY, seconded by COUNCILLOR HUTCHENCE, WAS PUT AND CARRIED.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: COUNCILLOR BERMAN

## **INFRASTRUCTURE AND RECREATION DIVISION**

### **20 IR28/15 Waitara Park Draft Plan of Management**

**(F2014/00341)**

Mrs Alison Stewart, of Waitara, addressed Council regarding this item.

Mr Ian Westmoreland, of Asquith, addressed Council regarding this item.

Pastor Ralph Estherby, on behalf of Breakthrough Church, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR BROWNE, THAT Council:

1. Note the submissions received and findings of the Public Hearing contained in Deputy General Manager's Report No. IR28/15.
2. Adopt the Amended Draft Plan of Management for Waitara Park.
3. Write to the Minister for Local Government seeking consent for Council entering into a 30

year lease with the PCYC.

4. Note that Crown Lands have written to Council indicating support of the transfer of the management of Crown Reserve 1036828 to Council.
5. Support the terms of a replacement agreement with Kim Warwick Tennis Academy (KWTA) to operate tennis courts on Crown Land. This shall include extending the licence term to cover any abatement period and allowing KWTA to operate the proposed café for the remainder of their licence term.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**21 IR27/15 Review of Policies and Codes - Infrastructure and Recreation**

**(F2013/00454)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN, THAT Council adopt the recommendations contained in the table in Deputy General Manager's Report No. IR27/15 in respect of each of the current policies and codes under the jurisdiction of the Infrastructure and Recreation Division.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**CONFIDENTIAL ITEMS**

**22 CS37/15 Proposed Disposal of Operational Land in Hornsby**

*This report was deemed confidential under Section 10A (2) (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*

**(F2015/00242)**

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BERMAN,

THAT Council:

1. Agree to the sale and price of the property at Hornsby identified within Confidential Deputy General Manager's Report No. CS37/15, generally in accordance with the salient terms of sale outlined in Confidential Deputy General Manager's Report Nos. CS37/15 and CS25/15, and to the dedication of part of the property as public road, generally in accordance with the



salient terms of sale outlined in Confidential Deputy General Manager's Report No. CS25/15.

2. Authorise the Acting General Manager to use reasonable discretion to negotiate the detailed terms and conditions of the sale agreement, generally in accordance with the salient terms of sale outlined in Confidential Deputy General Manager's Report No. CS25/15; and to execute documents in relation to the sale, as deemed appropriate by Council's legal advisers.
3. Authorise the use of its Seal on the Contract for the Sale of Land or any legal or other documents related to the sale of the property at Hornsby identified within Confidential Deputy General Manager's Report No. CS37/15, as deemed appropriate by Council's legal advisers.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER,  
HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

#### **PUBLIC FORUM – NON AGENDA ITEMS**

Nil

#### **QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

#### **MAYOR'S NOTES**

**23 MN9/15 Mayor's Notes - 1 to 31 August 2015**

**(F2004/07053)**

Monday 3 August 2015 – The Mayor officially opened the Mount Kuring-Gai Medical Centre.

Wednesday 12 August 2015 – The Mayor attended the Apprenticeship and Traineeship Expo at the Hornsby War Memorial Hall.

Thursday 13 August 2015 – The Mayor attended the 'Fit to Drive' forum hosted by The National Roads and Motorists Association (NRMA) as a Panel Speaker.

Friday 14 August 2015 – The Mayor attended the Cheltenham Girls High School Visual Arts Exhibition 2015.

Saturday 15 August 2015 – The Mayor attended the Lions Club Gala Event – Fundraiser for the Hornsby Ku-ring-gai Women's Shelter.

Sunday 16 August 2015 – On behalf of the Mayor, Councillor Gallagher attended the Berowra RSL Sub Branch – Victory in the Pacific and Vietnam Veterans Day Commemorative Service.

Tuesday 18 August 2015 – The Mayor and Councillor Gallagher officiated at three Citizenship Ceremonies in the Council Chambers.

Wednesday 19 August 2015 – The Mayor attended the Kuring-gai Neighbourhood Centre Berowra Morning Tea.

Monday 24 August 2015 – On behalf of the Mayor, Councillor Browne attended the West Pennant Hills Sports Club GRANTS Community Support Presentation Evening.

Tuesday 25 August 2015 – The Mayor attended a Public Speaking Competition at St Patrick's Catholic School, Asquith.

Thursday 27 August 2015 – The Mayor attended the NSW Fire Service 2015 Medal Presentation at Cowan.

Saturday 29 August 2015 – The Mayor attended St Stephens Normanhurst Pre-School Fete.

Saturday 29 August 2015 – The Mayor attended the Northern Suburbs Football Association Gala Day at Mountview Oval, Hornsby Heights.

Monday 31 August 2015 – The Mayor attended the Asquith Boys High School Welcome Luncheon for 2016 Creative Arts and Band Scholarships.

Monday 31 August 2015 – The Mayor attended and presented at the Presentation of the Annual Hornsby Shire Trophy at West Pennant Hills Bowling Club.

CALLED OVER AND NOTED

## NOTICES OF MOTION

Nil

## SUPPLEMENTARY REPORTS

**24 IR34/15 Epping Aquatic Centre Update**

**(F2004/08950-03)**

Mr Neil Donovan, of Beecroft, addressed Council regarding this item.

Dr John Coyne, on behalf of Save Epping Pool Group, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by COUNCILLOR COX, THAT Council authorise the repairs outlined in Deputy General Manager's Report No. IR29/15 to enable the Epping Aquatic Centre to be opened for the upcoming summer season.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

## MATTERS OF URGENCY

Nil

## QUESTIONS WITHOUT NOTICE

Nil

**THE MEETING** terminated at 10.54pm.

These Minutes were confirmed at the meeting held on Wednesday 14 October 2015, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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Hornsby Shire Council – Minutes of General Meeting of 9 September 2015

ACTING GENERAL MANAGER

CHAIRMAN